| Police Scotland logo | Freedom of Information ResponseOur reference: FOI 24-0671Responded to: 11 March 2024 |
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Your recent request for information is replicated below, together with our response.

## Question 1 A – F

I refer to your recent request for information which has not been repeated here due to the fact that it names specific individuals.

I am refusing to confirm or deny whether the personal information sought exists or is held by Police Scotland in terms of section 18 of the Act. Section 18 applies where the following two conditions are met:

* It would be contrary to the public interest to reveal whether the information is held.
Whilst we accept that you may have a particular personal interest in being informed as to whether the information sought is held, the overwhelming public interest lies in protecting individuals’ right to privacy and their expectation of confidence as regards their information.
* If the information was held, it would be exempt from disclosure. In this instance, sections 38(1)(b) and 38(1)(2A) of the Act apply insofar as you have requested *third party* personal data, the disclosure of which would contravene the data protection principles set out in the Act.

## 2a) How many reports in the last 5 years have you received from the public which are classified as 'malicious communications'

## 2b) How many reports of malicious communications resulted in no further action?

## 2c) How many reports of malicious communications resulted in a charge?

## 2d) Could you provide an ethnicity breakdown of the perpetrators of those who have been charged due to malicious communications in the last 5 years?

## 2e) Could you provide an ethnicity breakdown of those who received a NFA due to allegations of malicious communications in the last 5 years?

Police Scotland do not mark correspondence as malicious or otherwise in general terms but where any such correspondence was considered criminal, a crime report would be raised under one of several communications type offences as appropriate.  We are however unable to search these crime reports based on the recipient of the correspondence being Police Scotland or otherwise and case by case assessment would therefore be required.

To be of assistance, data on communications offences more generally can be found online:  [Crime data - Police Scotland](https://www.scotland.police.uk/about-us/how-we-do-it/crime-data/)

If you require any further assistance, please contact us quoting the reference above.

You can request a review of this response within the next 40 working days by email or by letter (Information Management - FOI, Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH). Requests must include the reason for your dissatisfaction.

If you remain dissatisfied following our review response, you can appeal to the Office of the Scottish Information Commissioner (OSIC) within 6 months - [online](http://www.itspublicknowledge.info/Appeal), by email or by letter (OSIC, Kinburn Castle, Doubledykes Road, St Andrews, KY16 9DS).

Following an OSIC appeal, you can appeal to the Court of Session on a point of law only.

This response will be added to our [Disclosure Log](http://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log) in seven days' time.

Every effort has been taken to ensure our response is as accessible as possible. If you require this response to be provided in an alternative format, please let us know.