| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-0754  Responded to: 06 April 2023 |
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Your recent request for information is replicated below, together with our response.

**Since September 2020 how many people were charged under Section 38 of the Criminal Justice and Licensing (Scotland) Act 2010 after entering MacDuff Vaccination Centre to seek a medical exemption?**

In response to this question, we can report that there no recorded Threatening or Abusive Behaviour Offences at the MacDuff Vaccination Centre.

**Since September 2020 how many people were charged under Section 38 of the Criminal Justice and Licensing (Scotland) Act 2010 in relation to entering vaccination centres in Scotland to seek a medical exemption?**

**Since September 2020 how many people were charged under Section 38 of the Criminal Justice and Licensing (Scotland) Act 2010 in relation to entering vaccination centres throughout Scotland?**

Having considered these questions in terms of the Act, I regret to inform you that I am unable to provide you with the information you have requested, as it would prove too costly to do so within the context of the fee regulations.

As you may be aware the current cost threshold is £600 and I estimate that it would cost well in excess of this amount to process your request.

As such, and in terms of Section 16(4) of the Freedom of Information (Scotland) Act 2002 where Section 12(1) of the Act (Excessive Cost of Compliance) has been applied, this represents a refusal notice for the information sought.

By way of explanation, the crime recording systems used by Police Scotland have no facility whereby specific premises such as vaccination centres can be automatically identified and no facility whereby crimes can be searched by locus property type.

As such, the only way to provide an accurate response to your request would be to individually examine all Section 38 - Criminal Justice and Licensingcrimes recorded, for the time period requested, to establish whether the offence was committed within a vaccination centre. This is an exercise which I estimate would far exceed the cost limit set out in the Fees Regulations.

[How we are performing - Police Scotland](https://www.scotland.police.uk/about-us/what-we-do/how-we-are-performing/)

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](mailto:foi@scotland.police.uk) 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](mailto:enquiries@itspublicknowledge.info) 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.