| Police Scotland logo | Freedom of Information ResponseOur reference: FOI 23-2715Responded to: 3rd November 2023 |
| --- | --- |

Your recent request for information is replicated below, together with our response.

## Within Dumfries and Galloway policing, how many charges have been brought (since 2019) against parents of assaults against their own children.

## Where the fiscal has diverted the charges to social work how many of these have then been referred to the Children’s Reporter by the police.

Having considered your request 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, crimes in Scotland are recorded in accordance with the Scottish Government Justice Department offence classification codes however there is no code for the Legislation, Children (Equal Protection from Assault) (S) Act, which is relevant to your request, as it does not actually introduce any offence. This Legislation introduces the abolition of the defence of reasonable chastisement.

As such, any such instance of a parent or guardian hitting a child would be recorded as the offence of ‘Assault’ etc. The only way to provide an accurate response to your request would be to manually examine each and every incident and recorded crime in relation to an assault in order to establish whether a child was identified as a victim.

Unfortunately, there are no relevant markers which allow the automatic retrieval of this level of information. As such this is an exercise which I estimate would far exceed the cost limit set out in the Fees Regulations.

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.