| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-1961  Responded to: 25 August 2023 |
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Your recent request for information is replicated below, together with our response.

## Scenario: A FEO visits for routine renewal inspection, he finds 45 22lr bullets over the license holder’s certificate limit. He also finds a .22lr moderator outside of the cabinet, the moderator also fits the license holders air rifle.

## Question one:

## Does the FEO issue,

## 1 verbal warning.

## 2 written warning.

## 3 revocation.

## 4 criminal charges.

Having considered your request, I must advise you that in terms of the Freedom of Information (Scotland) Act 2002, a public authority is only obliged to provide recorded information.

Under Section 8 of the Act, questions relating to a hypothetical scenario are not in essence a valid request.

## Question two:

## Have you ever criminally charged anyone for the above scenario, or similar & what was the charge?

Having considered this question 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, each potentially relevant detected crime reports would have to be examined - an exercise which I estimate would far exceed the cost limit set out in the Fees Regulations.

To illustrate the numbers involved, [crime statistics](https://www.scotland.police.uk/spa-media/llhi1znw/mmw_crime_data_2021_22_q4.xlsx) for 2021/22 show that there were 565 offences relating to firearms or air weapons (Group 6).

You may also find our Firearms Licensing SOP of interest: [firearms-licensing-psos-sop](https://www.scotland.police.uk/spa-media/ovek4ix1/firearms-licensing-psos-sop-13-10-21.doc)

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.