| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-0329  Responded to: 22 February 2023 |
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Your recent request for information is replicated below, together with our response.

## 1) In the calendar years a) 2018, b) 2019, c) 2020, d) 2021 and e) 2022, please tell me how many times your police force recorded the crime categorised by the Home Office counting rules as [97/01 "*causing, permitting or failing to prevent unnecessary suffering of protected animal*"](https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fassets.publishing.service.gov.uk%2Fgovernment%2Fuploads%2Fsystem%2Fuploads%2Fattachment_data%2Ffile%2F1099880%2Fhocr-complete-july-22.pdf&data=05%7C01%7Cfoi%40scotland.police.uk%7Cdffb02b1de5240c00ac908db02d8c249%7C6795c5d3c94b497a865c4c343e4cf141%7C0%7C0%7C638106902428464903%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C2000%7C%7C%7C&sdata=6EwQwNZv240CuMVmz7vGyT9H6y84x3apMtndKwrtbP4%3D&reserved=0) where the protected animal in question was a) a swan, b) a goose or c) a duck. Please provide a breakdown of the total by year and by type of bird.

## 2) For the 15 most recently recorded crimes captured by question 1's search, please provide me with a verbatim copy of the “investigation summary field” and/or the modus operandi (MO). In addition, please state where each of the 15 crimes occurred. I understand some information may need to be redacted to prevent personal or otherwise sensitive details being divulged.

In response to your request, I must advise you that the Home Office codes apply only to England and Wales and are not applicable in Scotland.

Therefore, in terms of Section 17 of the Freedom of Information (Scotland) Act 2002, this represents a notice that the information you seek is not held by Police Scotland.

You may wish to review the Scottish Government’s [crime classification codes](https://www.gov.scot/publications/scottish-crime-recording-standard-crime-recording-counting-rules/pages/13/) (Group 6, beginning with 51) and if any of these are relevant, submit a new request in relation to Scottish offences.

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.