| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-1547  Responded to: 11 July 2023 |
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Your recent request for information is replicated below, together with our response.

## QUOTE from week of June 2023

## Police Scotland said a 52-year-old woman was detained Sunday morning “as a suspect in connection with the ongoing investigation into the funding ...

## END QUOTE

## To request how the person was transported

## The number of officers involved

## The type of vehicle used

## The miles covered by the journey

## The time taken to release person (s) without charge

In terms of section 16 of the Freedom of Information (Scotland) Act 2002 (the Act), I am refusing to provide you with the above requested information.

Section 16 of the Act requires Police Scotland, when refusing to provide such information because it is exempt, to provide you with a notice which:

(a) states that it holds the information,

(b) states that it is claiming an exemption,

(c) specifies the exemption in question and

(d) states, if that would not be otherwise apparent, why the exemption applies.

I can confirm that Police Scotland holds the information that you have requested and the exemptions that I consider to be applicable are detailed below:

**Section 34(1) (a) (i) & (b) – Investigations by a Scottish public authority and proceedings arising out of such investigations**

Information is considered exempt information if it has, at any time, been held by a Scottish public authority for the purposes of an investigation which may lead to a decision to report the circumstances to the Crown Office and Procurator Fiscal Service to enable a determination on whether criminal proceedings should be instigated and to determine whether a person should be prosecuted for an offence.

This is a non-absolute exemption and requires the application of the public interest test.

## Section 39(1) Health, safety and the environment

Disclosure would or would be likely to endanger the health or safety of an individual(s).

This is a non-absolute exemption and requires the application of the public interest test.

**Public Interest Test**

I appreciate there is a degree of interest in the release of such information: however this must be tempered against what is of interest to the public and what is in the public interest.

The Act does not define the public interest, however, it has been described as “something that is “in the interest of the public”, not merely “of interest to the public.” In other words, it serves the interests of the public.

It is in the public interest that an understanding exists as to the processes involved in police investigations, therefore, accountability and transparency relating to the actions of Police Scotland and its officers would favour disclosure of the information.

That said, a decision for non-disclosure follows consideration of ongoing or likely criminal investigations, the efficient and effective conduct of Police Scotland in relation to such investigations and the safety of individuals.

It is essential that information pertaining to investigations is disclosed at the correct time, where appropriate, to ensure that neither the investigation nor the potential for proceedings to be brought against an individual(s) are put at risk.

Due to this being a live investigation, the release of specific details could prejudice the case and as a result, affect the administration of justice. Accordingly, at this time the public interest lies in protecting the integrity of the investigation by refusing to provide the information sought.

To be of some assistance, I have provided a link to Police Scotland’s web site, which provides the statement made in relation to the above:

[Investigation into Scottish National Party funding and finances – update - Police Scotland](https://www.scotland.police.uk/what-s-happening/news/2023/june/investigation-into-scottish-national-party-funding-and-finances-update/)

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.