| Police Scotland logo | Freedom of Information ResponseOur reference: FOI 23-3091Responded to: 19 December 2023 |
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Your recent request for information is replicated below, together with our response.

## My request concerns the 'TaCA warrant' for extradition to and from the EU that has been in place since 2021, as well as Interpol alerts.

## Can you confirm if Interpol notices/diffusions are used to transmit outgoing TaCA warrants?

## Can you confirm if Interpol notices/diffusions are used to transmit outgoing extradition requests to non-EU countries?

## For European Arrest Warrants that were issued/requested before 2021 by your force but that are still valid (i.e. the individual has not yet been arrested), have they all been changed to Interpol notices/diffusions?

In response to these questions, Police Scotland do not have any lawful authority to issue Non -EU extradition requests. This function is carried out by judicial authorities namely Crown Office & Procurator Fiscal Service (COPFS).

As such, 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 contact the Crown Office and Procurator Fiscals Service (COPFS) which holds conviction information for Scotland. A request can be submitted to COPFS via email using the following address foi@copfs.gsi.gov.uk

To be of assistance, you may wish to consult the public documents contained in the EU-UK Trade and Cooperation Agreement.

## What is the process for an Interpol notice/diffusion to be issued? E.g. does your force issue them directly or is a request made to a specific agency or body.

## How many Interpol notices and diffusions (issued or requested by your force) are currently valid? Please provide a breakdown by 'colour' and region/country the alert was sent to, if applicable.

## Same as Q5, but for the total number of notices and diffusions issued or requested by your force starting from the earliest date for which data is available.

In response to these questions, Section 17 of the Freedom of Information (Scotland) Act 2002, is again applied. By way of explanation Interpol diffusions or notices are used by UK National Central Bureau and uploaded by the National Crime Agency (NCA)

Some Interpol Red Notices and Diffusions relate to arrest warrants or court orders whereby COPFS can instruct the Police to submit a request to the National Crime Agency to upload an Interpol warning notice, however an Interpol notice/diffusion can be raised for a number of different law enforcement matters eg Missing persons, unidentified persons.

By way of assistance, please see the link below to Interpol’s website which provides more information regarding Interpol notices and diffusions.

<https://www.interpol.int/en/How-we-work/Notices/About-Notices>

## Please disclose any reports or assessments concerning the efficacy of TaCA warrants versus the European Arrest Warrant.

Police Scotland do not hold any reports concerning the efficacy of TACA v EAWs. Therefore Section 17 of the Freedom of Information (Scotland) Act 2002, is again applied to this question.

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.