| Police Scotland logo | Freedom of Information ResponseOur reference: FOI 24-1190Responded to: 20 May 2024 |
| --- | --- |

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

## How much money has been spent on the Operation Newlane investigation so far, including on material, staffing costs, overtime, etc. Please can you also provide a breakdown of these costs (e.g., £x on overtime, £y on materials, etc.)?

Your request for information has now been considered and I can advise you that Police Scotland does not hold the information requested by you.  In terms of Section 17 of the Act, this letter represents a formal notice that information is not held.

In general terms, Police Scotland does not record the overall costs involved for any specific operation or investigation.  The nature of policing necessitates that officers are deployed to wherever their services are most required and in almost all cases, the Division to which individual officers belong will meet the cost of their core time. We do not record the opportunity costs (i.e. the cost of the officers working on this on shift) as there is no requirement to maintain a record of the cost of any particular duty carried out.

Notwithstanding, I can advise that the *additional* costs to the organisation up to 03/05/2025 are detailed below;

|  |  |
| --- | --- |
| **Type of Expenditure** | **£** |
| Police (Officer) Overtime | 97,537 |
| Police (Staff) Overtime | 1,952 |
| Hire of Cars | 68 |
| Hotel Accommodation | 35,054 |
| Specialist Equipment | 921 |
| **Total** | **135,533** |

## How many officers are working on the investigation, and a breakdown of their ranks? If a date can be provided when they have been brought into the operation, and/or when they have been removed, please can you provide this.

Operation Newlane remains a live enquiry at this time.

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

Section 16 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 for the purposes of an investigation.

Accordingly, the exemptions that I consider to be applicable to the information requested by you are:

Section 34(1)(b) – Investigations

This provides an absolute exemption from disclosure in that information is exempt information if it has at any time been held by Police Scotland for the purposes of an investigation which may lead to a decision to make a report to the Procurator Fiscal to enable it to be determined whether criminal proceedings should be instituted.

Section 35(1)(b) – Law Enforcement

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

In regard to Section 35(1)(a)(b) and 39(1), as per the above, release of this information would be likely to prejudice substantially the ability of the police to investigate and detect crime and would have a similar detrimental impact on the apprehension or prosecution of offenders.

These are non-absolute exemptions and requires the application of the public interest test:

Public awareness would favour a disclosure as it would contribute to the public debate surrounding a high profile murder investigation and the police handling of such an enquiry.

Nevertheless it cannot be in the public interest to release information that would prejudice law enforcement or which is likely to have an adverse impact upon public safety.

I appreciate that there is a public interest in relation to police investigations and in particular murder investigations. That said, it is essential that neither investigations nor the potential for proceedings to be brought against an individual are put at risk.

Accordingly, in this case it is assessed that the public interest lies firmly in refusing disclosure.

To be of some assistance, the statement provides some general information which is publicly available.

[Renewed Police Scotland appeal following murder of Brian Low in Aberfeldy - Police Scotland](https://www.scotland.police.uk/what-s-happening/news/2024/march/renewed-appeal-following-murder-of-brian-low-in-aberfeldy/)

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.