| Police Scotland logo | Freedom of Information ResponseOur reference: FOI 23-2511Responded to: 19th October 2023 |
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Your recent request for information is replicated below, together with our response.

## If possible, can you provide me with a comprehensive list of the type of crimes that will no longer be investigated by police in the north east of Scotland as part of a new pilot project announced on September 4?

In terms of Section 16 of the Freedom of Information (Scotland) Act 2002. I am refusing to provide you with the 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.

In this case, I believe the relevant exemption is Section 35(1)(a) and (b) Law Enforcement.

**Section 35(1)(a) and (b) Law Enforcement.**

Information is exempt information if its disclosure under this Act would or would be likely to prejudice substantially the prevention or detection of crime and the apprehension or prosecution of offenders.

To release the requested information would inform those with criminal intent which crimes would be considered for the Proportionate Response to Crime investigation process, as such, this may allow those same persons the opportunity to plan and orchestrate their criminal activities with the aim to avoid detection.

Police Scotland do not disclose their detection strategies to avoid providing those with criminal intent any tactical advantage when planning or perpetrating any unlawful activities.

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

It is worthy of note that an assessment of threat, harm, investigation, risk, vulnerability, and engagement (THRIVE) is applied to all offences to determine the most appropriate police response regardless of crime type.

**Public Interest Test**

I would suggest that public accountability may favour disclosure, given that the information concerns the efficient and effective use of resources by the Service. Likewise, disclosure of the information would also inform the public debate on the issue of policing and contribute to the accuracy of that debate.

However, any disclosure under FOI legislation is a disclosure to the world at large and any information identifying the focus of policing activity could be used to the advantage of criminals.

Consequently, in terms of the applicability of the exemptions listed above, the need to ensure the effective conduct of the service in relation to prevention and detection of crime and the public safety considerations involved in the delivery of operational policing clearly favour non-disclosure of the information requested.

Accordingly, I would argue that the need to ensure the efficient and effective conduct of the service favours non-disclosure of the information requested and on balance is significantly in the public interest. I cannot identify any corresponding viewpoint in disclosing the requested information and therefore the exemptions are upheld.

I must advise you that it is doubtful it could ever be in the public interest to disclose information which would jeopardise the delivery of policing and the safety of individuals and prejudice the prevention or detection of crime.

## Can you also confirm whether this pilot project will cover Moray and for how long it will run?

As Moray is a Command Area within the North East Division I can confirm that the pilot project will cover Moray.

The pilot runs for 12 weeks from the 28th August 2023 to the 20th November 2023.

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.