| Police Scotland logo | Freedom of Information Response Our reference: FOI 24-2554  Responded to: 28 October 2024 |
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Your recent request for information is replicated below, together with our response.

1. **who authorised 7 police to attend my property on 8th August 2024 and utter threat of violence to the occupations within the domicile of XXX**

In terms of section 18 of the Act, I am refusing to confirm or deny whether Police Scotland holds the information sought.

Bearing in mind that FOI disclosures are essentially public disclosures, the public interest overwhelmingly lies in protecting individual’s rights to privacy and the integrity of any police investigations.

If the information was held, it would be exempt from disclosure in terms of at least one exemption set out in the Act. In this instance, the following exemptions apply:

Section 34(1)(b) - Investigations

Section 35(1)(a)&(b) - Law Enforcement

Section 38(1)(a) - Personal Data (applicant’s own)

I understand that this response may seem confusing and/ or unhelpful in the circumstances, but I would stress that FOI is not the appropriate means by which information about personal matters can be accessed.

If you would like to access your own personal information held by Police Scotland you can submit a Subject Access Request (SAR) to be considered in terms of the Data Protection Act 2018/ GDPR.

1. **'costs of specific police investigation'**

The information sought is not held by Police Scotland and section 17 of the Act therefore applies.

To explain, we are generally unable to provide the true cost of any police investigation/ operation or particular types of operation. The nature of policing means that officers are deployed to wherever their services are most required and the number of officers required throughout will fluctuate. Officers can also be redeployed to other duties at any time, dependant on their skillsets.

**2b. how many police were on duty within the jurisdiction to cover Falkirk area**

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

The following exemptions apply:

**Section 35(1)(a)&(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.

If the requested information was disclosed, it could be used to calculate how and when resources are allocated within specific stations.  This would then provide a tactical advantage to those with criminal intent when planning or perpetrating any unlawful activities and maximise the impact of destruction, harm and disruption that may be caused, whilst avoiding being brought to justice.

**Section 39(1) - Health, safety and the environment**

One of the main purposes of the Police Service is to protect individuals and members of the public, to disclose the requested information would be contrary to that purpose.

Public Interest Test

As you will be aware, the exemptions listed above are non-absolute and require the application of the 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 organisation. 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.

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.