| Police Scotland logo | Freedom of Information Response Our reference: FOI 24-0363  Responded to: 1 March 2024 |
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Your recent request for information is replicated below, together with our response.

## I request to know why in 2020 a LARGE SCALE grooming gang was taken down in Glasgow (Operation Cerrar) and we, the public, were NOT ADVISED of this HORRIFIC crime!!!!

## I would ask, too, why you felt the need to keep this from us, was it just another ‘save the foreigners’ and to hell with the indigenous people??? You are really failing badly in the eyes of the country!!!!

I can advise that Police Scotland does not hold information in the format requested. In terms of Section 17 of the Act, this letter represents a formal notice that information is not held.

By way of explanation, no recorded information is held.

As you will be aware an individual’s right in terms of the legislation is to obtain recorded information held by a public authority at the time a request is received and there is no obligation on them to create new information specifically to respond to an information request.

## I also wish to know how long it had been going on before they were caught!!!

The above information is considered to be exempt from disclosure and in in terms of section 16 of the Freedom of Information (Scotland) Act 2002 (the Act), I am refusing to provide you with this 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.

The exemptions that I consider to be applicable to the above requested information are as follows:

## 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.

## 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 which is of serious concern and benefit to the public”, not merely something of individual interest. It has also 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.

Accordingly, at this time the public interest in the disclosure of the requested information is outweighed by the harm that could be created by revealing information.

## I ask too, how many were arrested

I can inform you that 11 individuals were charged with 45 offences ranging from assaults, sexual offences and drugs offences.

## and how many were PROSECUTED and what was their punishment and WHERE they are now, (are they still in the country?)

I can advise that Police Scotland does not hold the requested information information. In terms of Section 17 of the Act, this letter represents a formal notice that information is not held.

By way of explanation, the role of the police in Scotland, in relation to crimes and offences, is to investigate the circumstances and where sufficient evidence exists to then report the matter to the relevant Procurator Fiscal.  It is a matter for the Procurator Fiscal to decide on and to progress any prosecution through the courts.

The disposal in relation to cases reported to the Procurator Fiscal is not routinely passed to the police, therefore, the Service do not hold the information requested in relation to convictions.

By way of assistance, I have listed below contact details for the Crown Office and Procurator Fiscals Service who may be able to assist you in this matter:

Crown Office, 25 Chambers Street, Edinburgh, EH1 1LA or via <http://www.copfs.gov.uk/>

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.