| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-2414  Responded to: xx October 2023 |
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Your recent request for information is replicated below, together with our response.

## 1. Details of all incidents of the use of a Baton against a member of the public by officers from Castlemilk Police Station since January 2018. Please include the date and time of the incident, the age of the member of the public, the race of the member of the public, and the reason given for the use of this weapon.

Police officers only use a Baton to the extent that it is necessary, proportionate and reasonable in all the circumstances and each incident is recorded on Scope by Division / subdivision. On that basis I have interpreted ‘officers from Castlemilk Police Station’ to refer to officers whose main subdivision is detailed as ‘GHQ’ which relates to the Castlemilk area.

A check of our systems provides there were no entries recorded for the period requested. As such, in terms of Section 17 of the Freedom of Information (Scotland) Act 2002, this represents a notice that the information requested is not held by Police Scotland.

## 2. Details of all incidents of the use of a taser against a member of the public by officers from Castlemilk Police Station since January 2018. Please include the date and time of the incident, the age of the member of the public, the race of the member of the public, and the reason given for the use of this weapon.

## 3. Details of all incidents of the use of a firearm against a member of the public by officers from Castlemilk Police Station since January 2018. Please include the date and time of the incident, the age of the member of the public, the race of the member of the public, and the reason given for the use of this weapon.

I am refusing to confirm or deny whether the information sought exists or is held by Police Scotland in terms of section 18 of the Act. Section 18 applies where the following two conditions are met:

* It would be contrary to the public interest to reveal whether the information is held.
* *If* the information was held, it would be exempt from disclosure in terms of one or more of the exemptions set out in sections 28 to 35, 38, 39(1) or 41 of the Act.

Whilst we accept that armed policing is a matter of significant public interest, the overwhelming public interest lies in ensuring that the effectiveness of any measures utilised by Police Scotland to prevent and detect crime and keep people safe are not prejudiced. Confirmation as to whether or not information was held, regarding deployments on a station-by-station basis would map operational capability across the country. Information of significant intelligence value to criminals.

The exemptions that would apply if the information sought was held are as follows:

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

The disclosure of this level of detail would provide individuals intent on wrong doing with a tactical advantage when planning or perpetrating crimes and allow them to accurately assess the deployment of Specially Trained Officers (STOs) in a very limited geographical area. The consequences of any such assumptions would also be likely to endanger not only the officers concerned but also members of the public who could be injured as a result of such action.

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

**Section 39(1) - Health, Safety and the Environment**

Disclosure of the requested information would allow those persons intent on committing crime with an insight into the likelihood of the deployment of STOs in a limited area and would therefore be an indicator to the operational effectiveness of Police Scotland in this respect.

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

**Public Interest Test**

While it could be argued that public debate and accountability in terms of the use of this weapon would favour disclosure, it can be argued that the existing safeguards already closely monitor each occasion where a Taser is used and every aspect of those circumstances is documented by the service.

Furthermore, the impact of the release of this information into the public domain would threaten the efficient and effective conduct of the service in a key law enforcement role and the preservation of public safety.

On balance the public interest on this occasion favours non-disclosure of this data.

Associated information on both the use of Armed Policing Deployments and the use of Tasers is publicly available via the link below:

[Armed Policing Report 2022/23 - Police Scotland](https://www.scotland.police.uk/about-us/how-we-do-it/armed-policing-quarterly-reports/armed-policing-report-2022-23/)

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.