

FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

I refer to your recent request for information which has been handled in accordance with the Freedom of Information (Scotland) Act 2002.

For ease of reference, your request is replicated below together with the response.

Can you please provide me with policy which states that victim is responsible for such fees?

The question pertains to vehicle recovery and storage fees applied by Police Scotland for stolen vehicles.

The information you request is publicly available on the internet, therefore section 25(1) of Freedom of Information (Scotland) Act 2002 applies: information is exempt information if it otherwise accessible. This is an absolute exemption that does not require the application of a public interest test.

By way of assistance the legislation you are seeking can be found on the following links:

http://www.legislation.gov.uk/ssi/2011/394/pdfs/ssi_20110394_en.pdf

Details of costs are covered in Schedule 1 on pages 4 & 5 of the above.

Responsibility for charging is covered in section 102 (2) (b) of the Road Traffic Regulation Act 1884 and the details of the 'person responsible' are covered in section 102 (8) of the above Act.

<http://www.legislation.gov.uk/ukpga/1984/27/section/102>

Should you require any further assistance concerning this matter please contact me directly on 01259 728227 quoting the reference number given.

If you are not satisfied with the way in which your request has been dealt with, you are entitled in the first instance, and within 40 working days of receiving this response, to request a review of the decision. Should you wish to do so, contact details are; FOI Central Processing Unit, Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH - foi@scotland.pnn.police.uk

If you remain dissatisfied following the outcome of that review, you are thereafter entitled to apply to the Scottish Information Commissioner within six months for a decision. Contact details are; Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS - enquiries@itspublicknowledge.info

Should you wish to appeal against the Scottish Information Commissioner's decision, there is an appeal to the Court of Session on a point of law only.

Yours sincerely,

Stuart Macfarlane
Information Management