

Our Ref: IM-FOI-2015-1141



Sir Stephen House QPM  
Chief Constable

## **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.

### **1. How many incidences of drug smuggling into Aberdeen were detected by police/other crime agencies in 2014, and the months of 2015?**

We have interpret the term drug smuggling to mean any offence under S170 (2) of the Customs and Excise Management Act 1979 which relates to the prohibition on importation of controlled drugs.

During the period specified, only 1 such offence has been categorised detected in the Aberdeen area.

### **2. From which countries did the drugs come from?**

### **3. What was the breakdown in types of drugs - cocaine etc - their worth and weight?**

### **4. What was the total weight and worth?**

### **5. How many people were detained? How many charged?**

Section 16 of the Freedom of Information (Scotland) Act 2002 places two principal duties on Scottish public authorities when refusing to provide information in response to a request under the Act.

The first duty at Section 16(1) (a) is to confirm that the information is held and the second duty, at Section 16(1) (c) & (d) is to indicate what exemption(s) the authority is applying and where necessary explain why the exemption(s) apply.

## **Section 34 1 (a) (i) & (b) Investigations**

When information is released under the Freedom of Information (Scotland) Act 2002, the information is considered to be in the public domain, regardless of the intended recipient.

Your request relates to investigations conducted by the Force into importation of controlled drugs and as such, we have to ensure that certain details relating to these remain confidential, especially as the details requested relates to one recent incident.

To provide this level of detail to you would undermine any current operation.

Furthermore, we cannot provide details of investigations where a crime has not been solved and an investigation remains open as specialist knowledge of the case could prejudice any subsequent court proceedings and alert groups or individuals to the fact that the Police are aware of their activity.

To release information relating to the location of the alleged offending could prejudice the case if it ever came to be heard in court. This would affect the administration of justice and would be unfair to the victims of the crime, as they would not be able to see justice done.

Although it may be of interest to the public to see this information, I do not agree that in these circumstances it could be considered to be in the public interest to reveal these details. I feel that it is more important to ensure that the criminal justice process is not adversely affected.

Should you require any further assistance concerning this matter please contact me directly on 01224 305740 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](mailto: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](mailto: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,

Nicky Leiper  
Information Management