

6 March 2015

Your Ref:

Our Ref: IM-FOI-2015-0295



Sir Stephen House QPM
Chief Constable

FOI Central Processing Unit
Clyde Gateway
2 French Street
Dalmarnock
G40 4EH

foi@scotland.pnn.police.uk

Dear

FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

SUBJECT: Resources

I refer to your email dated 6 February 2015 regarding the above which has been handled in accordance with the Freedom of Information (Scotland) Act 2002 (FOISA).

Can you please provide me with the number of police officers and police that have been based in each police station in Scotland for the following years:

- **2004-05**
- **2005-06**
- **2006-07**
- **2007-08**
- **2008-09**
- **2009-10**
- **2010-11**
- **2011-12**
- **2012-13**
- **2013-14**
- **2014-15**

Firstly, you should be aware that Police Scotland was created on 1 April 2013. All structures in place within the former force areas ceased to exist, the resources and organisational structures were realigned over a period of several months to that of Police Scotland as the recording of data and naming convention prior to Police Scotland was not consistent and as such Police Scotland can only report on data from 1st April 2013 onwards.

With regards to the number of Police Officers at each station in the last 2 financial years your request for information has now been considered and a decision was made not to grant your request. The information requested by you is considered to be exempt in terms of the Freedom of Information (Scotland) Act 2002 (the Act). Section 16 of the Act requires Police Scotland 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. Where information is considered to be exempt, this letter serves as a Refusal Notice that information is held and an explanation of the appropriate exemption is provided.

35 (1) (a) & (b) – Law Enforcement

The information requested is exempt, as its disclosure would or would be likely to prejudice substantially the prevention or detection of crime and apprehension or prosecution of offenders. If the number of police officers based at each station were disclosed, experience has shown that it would allow those intent on committing crime or causing disorder to gauge the likelihood of detection or to take measures to negate the likelihood of detection. It would allow criminals to plan how best to engage or occupy existing police resources in an effort to maximise their chances of committing serious crime, therefore harming the efficient and effective conduct of the service. As a service we have considerable experience of this where organised criminal groups create diversionary calls to divert police resources (e.g. hoax call or deliberately activating intruder alarms) or deliberately create disturbances or commit minor crime (e.g. road traffic offences) with the same aim. In a similar vein we have evidence that criminals actively target rural areas where police numbers are low in order to maximise their chance of success. While it could be argued that such criminal activity takes place without the number of officers on duty being known, it is reasonable to assume that confirmation of the number of officers involved would assist such activity by allowing more accurate judgements to be made by criminals.

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

39 (1) – Health, safety and the environment

The disclosure of the information requested would be likely to increase the number of attacks on operational police officers by those being arrested or who have committed crime. This will be particularly relevant in small geographic areas and with a small number of officers on duty. If we disclosed the number of officers on duty (especially where small numbers are involved)

then this could have a serious consequence when large crowds are involved in disorder, as they will be aware of the number of resources available to deal with the incident.

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

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 would favour disclosure, given that the information concerns the efficient and effective use of resources by the Service. Likewise, disclosure of the information would also inform the public debate on the issue of policing and contribute to the accuracy of that debate. Furthermore, 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. On balance I would contend that the public interest in disclosing the information is outweighed by that in maintaining the exemptions listed, as, it is doubtful if it can ever be in the public interest to disclose information which would prejudice the prevention or detection of crime or, which would jeopardise the delivery of operational policing.

I trust that the information available is of assistance and should you require any further assistance concerning this matter please contact me on 01786 895864 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 letter to request a review of the decision made by the Service. Should you wish to do so, contact details are; Police Scotland, FOI Central Processing Unit, Clyde Gateway, 2 French Street, Dalmarnock. G40 4EH (Or email foi@scotland.pnn.police.uk)

Once informed of the Review decision, if you are still not satisfied, then you are 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', telephone 01334 464610. 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

Colette McGloan
Information Management
Freedom of Information