



Sir Stephen House QPM
Chief Constable

FOI Central Processing Unit
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Dear Mr Macdonnell

FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

SUBJECT: Firearms

I refer to your email dated 20 January 2015 regarding the above which has been handled in accordance with the Freedom of Information (Scotland) Act 2002 (FOISA).

- 1) The number of firearms currently held by Police Scotland, the overall figure and the number broken down by type: handgun, rifle, sub-machine gun etc and by manufacturer and model.***
- 2) The number of firearms ordered or purchased by Police Scotland during the course of 2014, broken down by manufacturer and model and type and the number de-commissioned over the same period.***
- 3) The number of firearms held by Police Scotland on January 1 2013 and on January 1 2014.***

Your request for information has now been considered and on 4 March 2015, 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.

Section 35 (1) (a) & (b) – Law Enforcement

Disclosure of the requested information would give an indication of the operational capabilities of the Service and would give an indication of the capability of Police Scotland in relation to the deployment of such weapons throughout the Service area.

By way of background, Police Scotland currently protects 28,168 square miles of Scotland – from urban areas to rural remoteness – with policing specifically tailored to the individual needs of the various communities. Although we are now the second largest Service in Britain after the Metropolitan Police, we are vastly different because we Police a whole Country rather than a City. For example, the Metropolitan Police cover a much more condensed area (620 square miles) with 31,000 officers, where as the Police Scotland are required to cover a much wider area (28,168 square miles) with only 17,436 officers.

Consequently, release of the requested information would indicate the Services ability to respond to incidents which could then be used by individuals intent on wrong doing to gauge with some accuracy the likelihood of the deployment of such weapons against them during the commission of crime and take steps to prepare for such deployment which would provide them with a tactical advantage when planning or perpetrating crimes. Furthermore, this 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

As previously described, disclosure of the requested information would allow those persons intent on committing crime to gauge with some accuracy the likelihood of the deployment of such weapons against them during the commission of crime and take steps to prepare for such deployment which would provide them with a tactical advantage when planning or perpetrating crimes.

This ability would leave both police officers and members of the public at risk from injury and as such Police Scotland cannot release information which would be detrimental to the safety of the public. In this instance disclosure would, or would be likely to, endanger the physical or mental health or the safety of an individual.

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

Public Interest Test

The exemptions listed above are non-absolute and require the application of the Public Interest Test. While it could be argued that public debate and accountability in terms of the use of such weapons would favour disclosure, the Service needs to consider the impact of the release of this information into the public domain and I would argue that the need to ensure the efficient and effective conduct of the service in a key law enforcement role and the preservation of public safety favours non-disclosure of the information requested. In conclusion, it is considered that the public interest in disclosing the information requested by you is outweighed by the public interest in maintaining the exemption as detailed above.

By way of information, I can advise that Authorised Firearms Officers (AFOs) within Police Scotland will typically have access to Heckler and Koch or Sig Sauer carbine weapons. In addition officers may be trained in handguns and a range of less lethal weapons. These typically involve the Glock self loading pistol, Taser X26 Conducted Energy Device (CED) and Heckler and Koch Attenuating Energy Projectile (AEP) Launcher.

I trust that the information available is of assistance and should you require any further assistance concerning this matter please contact me on 0141 435 1262 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, 173 Pitt Street, Glasgow, G2 4JS. (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.

Yours sincerely

Lorna Grieve
Information Management
Freedom of Information