

05 March 2015

Your Ref:

Our Ref: IM-FOI-2015-0287



Sir Stephen House QPM
Chief Constable

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

foi@scotland.pnn.police.uk

FREEDOM OF INFORMATION (SCOTLAND) ACT 2002
SUBJECT: OPERATION WHEELER ARRESTS

I refer to your email dated 5th February regarding the above which has been handled in accordance with the Freedom of Information (Scotland) Act 2002 (FOISA).

REQUEST

A special police taskforce was set up to tackle referendum-related crime during the independence campaign called 'Operation Wheeler'.

How many arrests were made in relation to incidents covered by Operation Wheeler during its operation?

What offences were these arrests for?

RESPONSE

Please be advised that Operation Wheeler was not strictly a taskforce. Rather, Divisions were required to flag all referendum related crimes and incidents to a central point, named Operation Wheeler, on a daily basis. This allowed Police Scotland to monitor crime and incident levels across Scotland in the

run up to the Independence Referendum, in order that any patterns or emerging trends could be identified and proactively addressed and to allow daily 'threat assessments' to be completed.

The day-to-day monitoring and management sat within the local Divisions, the purpose being to ensure the Referendum was policed appropriately and effectively, taking cognisance of local events and requirements. As a result, the focus of the Service was to ensure that any reports were appropriately reviewed and, if necessary, details taken for a crime report and thoroughly investigated.

As part of the monitoring process Divisions were asked to maintain 'running logs' of reports that could be directly attributed or perceived as being linked to the Referendum. However this log was a supplementary record to assist local policing and to inform national strategic planning and was not intended to be used as a statistical tool.

I am unable to provide the number of people arrested for crimes relating to the Independence Referendum as this information was not specifically collated and retained and our custody systems cannot be searched to this specific level. The only way to ascertain those arrested for committing offences linked to this event would be to read every custody report in the weeks leading up to and proceeding 18th September 2014 to determine the nature of the offence and whether it is likely to have been linked to the referendum, before cross-referencing this information with the associated crime or police report to confirm the exact circumstances. Identifying relevant arrests in the first place would be complex; the custody systems only hold information about the crime type alleged to have been committed e.g. breach of the peace, vandalism – there will not necessarily be any reference to the circumstances of the arrest.

Added to this Police Scotland is not in a position to confirm that all crimes alleged to have been motivated by the Referendum were indeed as a result of this event. An example would be vandalism to a vehicle displaying a campaign sticker. While it might be presumed that the crime could be as a result of the sticker, police cannot always confirm that this was the case. This is particularly true of offences where an arrested person elects to make no comment under interview and we are therefore unable to ascertain their motivation.

For all these reasons it is not possible to categorically state how many arrests were 'referendum-related'. Even if we were to undertake an exercise in an attempt to compile reliable statistics based on reports that were undeniably as a result of the Referendum (e.g. graffiti placed on a campaign sign), it would require staff reading every arrest and linked crime report created in the weeks and months leading up to and after the events of 18th September to capture all relevant reports. Due to the volume of reports this would involve, this would take a significant length of time to complete and would exceed the cost limits of the Freedom of Information (Scotland) Act 2002. Section 12, excessive cost of compliance would apply.

I trust that the information available is of assistance and should you require any further assistance concerning this matter please contact me on 0131 311 3901 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. The 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

Stephanie Laing
Information Management