

E Storey
By email : request-439785-30b459f4@whatdotheyknow.com



Police Investigations &
Review Commissioner

23 October 2017
FOI 471

Dear E Storey

FREEDOM OF INFORMATION REQUEST

Thank you for your request which we received on 20 October 2017, in which you asked for the following information under the Freedom of Information (Scotland) Act 2002 (FOISA) for:

- “1. How many incidents of broken arms have been reported to you as occurring in St Leonards police station (Edinburgh) since May 2017.*
- 2. What procedures do you have in place to prevent Police Scotland from covering up serious injuries they have caused? - Do you just believe them????”*

The PIRC has considered this as a request under the Freedom of Information (Scotland) Act 2002 (“FOISA”). An application for information held by public authorities under Section 1 of FOISA requires that a public authority release all information held, subject to any applicable exemptions. Public authorities have twenty working days following the date of receipt of the request to respond to an applicant. Therefore, the deadline for response is 17 November 2017.

I will now address your queries in turn.

I can confirm we have received no notification of anyone sustaining a broken arm occurring in St Leonards police station (Edinburgh) since May 2017.

With regard to our procedures in relation to Police Scotland reporting serious incidents to the PIRC, under the Police Investigations and Review Commissioner (Investigations Procedure, Serious Incidents and Specified Weapons) Regulations 2013 The Chief Constable must request the Commissioner to investigate any serious incident involving the police i.e. a constable or member of police staff. Serious incident is a circumstance in or in consequence of which a person has died or has sustained serious injury at a time when the person was being detained or kept in custody by a person serving with the police. The legislation places a duty on the Chief Constable to refer such matters and there is no power within the legislation to allow the Commissioner to put procedures in place.

YOUR RIGHT TO REQUEST A REVIEW

You have a right under FOISA to request a review of this decision. If you wish to exercise this right, you must do so within forty working days following the date of receipt of this decision.

Your request for a review must be in writing and you must specify your name and address for correspondence. You must also identify the decision that you wish to be reviewed. Should you wish to request a review, please address your request to:

The Police Investigations & Review Commissioner
2nd Floor, Hamilton House
Caird Park
Hamilton
ML3 0QA

Your review will be undertaken by an individual not involved in the original decision making process.

YOUR RIGHT OF APPEAL

If you are dissatisfied with the outcome of a review, you have a right under the FOISA to appeal to the Scottish Information Commissioner. If you wish to do so, you must appeal to the Commissioner within six months following the date of receipt of the review notice. The Commissioner's contact details are as follows:

The Scottish Information Commissioner
Kinburn Castle
Doubledykes Road
St Andrews
Fife
KY16 9DS
Email: enquiries@itspublicknowledge.info
Tel: 01334 464610

Yours sincerely



Janice Carter
Information Officer