

Our Ref: FOI/630/13/jm

Your Ref:

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foienquiries@grampian.pnn.police.uk

www.grampian.police.uk

Date: 29 January 2013

Donnie Mackenzie

By Email

Dear Mr Mackenzie,

### **FREEDOM OF INFORMATION REQUEST 630/13**

I refer to your email of 28 December 2013, in which you requested information in terms of the Freedom of Information (Scotland) Act 2002.

I have repeated your questions hereunder, for your ease of reference;

**1. Please could you tell me if Grampian Police is involved in any joint agency operations which include surveillance?**

**2. If so, could you please specify how many operations and how many staff are committed to these for the date of my original request at the top (?)**

**3. Could you also please specify the total number of people who were the target of these operations for the same date?**

I can advise that 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.

However, if the authority considers that to reveal whether the information is held would be contrary to the public interest, the authority can issue a refusal notice under Section 18(1) of the Act neither confirming nor denying that the information is held. Please consider this a refusal notice in terms of Section 18 of the Act.

To provide a substantive response to your question would either confirm or deny that such operations are ongoing. Given the sensitive nature of these matters, the disclosure of this information could prove harmful.

However, if the Force held the information, it would be exempt in terms of the section of the Act listed below. This should not be taken as conclusive evidence that the information you have requested exists or does not exist.

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

Please do not hesitate to contact me should you have any queries. However, if you are not satisfied with the way in which your request has been dealt with, you are entitled, in the first instance, to request a review of the decision made by the Force. Should you wish to proceed, please write to Iain Gray, Head of Information Disclosure Unit, Grampian Police, Woodhill House, Westburn Road, Aberdeen, AB16 5AB, within 40 working days of receiving this letter, stating clearly that you request a review and the decisions you wish reviewed.

If, after having been informed of the review decision you are still not satisfied, you are entitled to apply to the Scottish Information Commissioner for a decision within six months of the date of the review response. Contact details are Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS, telephone 01334 464610.

Yours sincerely,

Mrs Jody McKenzie  
Compliance Manager