

Our Ref: FOI/492/11/js

Your Ref:

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foienquiries@grampian.pnn.police.uk

www.grampian.police.uk

Date: 5 October 2011

Mr Alex Anderson

By Email

Dear Mr Anderson,

FREEDOM OF INFORMATION REQUEST 492/11

I refer to your email of 7 September 2011, 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. How many complaints by the public of murder have Grampian Police refused to investigate since 1994?**
- 2. If evidence has been produced, why/how can the police refuse to even meet with the concerned public to discuss the information?**

Grampian Police do not refuse to investigate claims of murder – if such a complaint was made to the Force, and evidence produced, the matter would be investigated to ascertain whether any criminality was involved. As we would not refuse to investigate such matters, I cannot provide you with the information you seek in terms of Section 17 (1) (b) of the Freedom of Information (Scotland) Act 2002 – Information Not Held.

- 3. How many people have been classed as "Vexatious" by Grampian Police?**
- 4. How long can the police ignore a member of the public who has been classed as "Vexatious?"**

Under Section 14 (1) of the Freedom of Information (Scotland) Act 2002, a request can be made vexatious and since 1 January 2009, Grampian Police has made 4 requests vexatious. Please note that under the legislation, it is not the applicant who is made vexatious, but the request. The same applicant can make requests on other topics and these requests would be answered.

The Force Professional Standards and Conduct department also have a procedure where they may deem a complaint to be unreasonable, but again, it is not the complainer who is deemed unreasonable, but the complaint.

Therefore, the information which you seek is not held by the Force and cannot be provided in terms of Section 17 (1) (b) of the Freedom of Information (Scotland) Act 2002 – Information Not Held.

5. Does the Procurator Fiscal intervene with cases where a member of the public has evidence and concerns about a murder the police refuse to investigate?

As per the responses to questions 1 and 2, Grampian Police do not refuse to investigate claims of murder therefore this question cannot be answered in terms of Section 17 (1) (b) of the Freedom of Information (Scotland) Act 2002 – Information Not Held.

6. To whom can the member of public take their concerns and be heard?

If you feel that Grampian Police has not progressed a complaint you have made correctly, you can write to the following address

Professional Standards Department
Grampian Police
Bucksburn Police Office
Inverurie Road
Bucksburn
Aberdeen
AB21 9AS

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
Assistant Manager (Freedom of Information)