



Our Ref: 672 .2018-19

Your Ref:

Date: 16 April 2019

Civil Disclosure
Joint Corporate Legal Services

Dear Applicant,

FREEDOM OF INFORMATION REQUEST REFERENCE NO: 672.2018-19

I write in connection with your request for information which was received by North Yorkshire Police on 13 September 2018. Please accept our apologies for the delay in providing you with a response. I note you seek access to the following information:

Here is a link to a UK shop selling Legal hemp flowers as medicine.

<https://www.iceheadshop.co.uk/research-chemicals/herbal-incense/lemon-haze-hemp-flower-3g.htm>

As you will note, the flowers look exactly like illegal cannabis flowers.

- 1. If a police officer discovers this legal hemp about a person and this person then informs the officer that the product is legal hemp and not cannabis. What happens next? Are they arrested on suspicion of being in possession of a controlled drug? Thus wasting Police time and resources and locking and innocent person up for 8 hours only to release them without charge? Or are they unlawfully given a cannabis warning at the roadside?*
- 2. Please provide me with documentation on how your officers are trained to differentiate between legal hemp flowers and illegal cannabis flowers thus avoiding arresting innocent members of the public on suspicion of being in possession of a controlled drug which would stretch your limited resources and cost the tax payer money.*
- 3. If no training is currently available, please explain why not and explain how your officers are able to differentiate the two substances from each other, thus avoiding arresting innocent members of the public on suspicion of being in possession of a controlled drug .*

Decision

Your request has been reviewed and any relevant searches conducted.

1. Please note that under the Freedom of Information Act an authority can only consider any recorded information they hold, they do not have to create data to answer specific questions. Therefore, there is no specific recorded information held in respect of the scenario you have provided. Furthermore, all cases are reviewed independently.
2. There is no specific recorded information relating to *‘how officers are trained to differentiate between legal hemp flowers and illegal cannabis flowers’*. All Officers are trained on illegal drugs, the relevant legislation and the procedures to take where circumstances may lead them to suspect the use, or possession of a controlled drug.
3. Again, there is no specific information held explaining *‘why not and explain how your officers are able to differentiate the two substances from each other’*. Please see question 3.

Please note that systems used for recording information are not generic, nor are the procedures used locally in capturing the data. It should be noted therefore that this force’s response to your questions should not be used for comparison purposes with any other responses you may receive.

Complaint Rights

Your attention is drawn to the attached sheet which details your right of complaint.

If you have any queries concerning this request, please contact me quoting the reference number above.

Yours sincerely

Caroline Williams
Legal Officer (Civil Disclosure)
Joint Corporate Legal Services

COMPLAINT RIGHTS

Are you unhappy with how your request has been handled or do you think the decision is incorrect?

You have the right to request that North Yorkshire Police review their decision.

Prior to lodging a formal complaint you are welcome and encouraged to discuss the decision with the case officer that dealt with your request.

Ask to have the decision looked at again –

The quickest and easiest way to have the decision looked at again is to telephone the case officer that is nominated at the end of your decision letter.

That person will be able to discuss the decision, explain any issues and assist with any problems.

Complaint

If you are dissatisfied with the handling procedures or the decision North Yorkshire Police made under the Freedom of Information Act 2000 (the Act) regarding access to information you can lodge a complaint with North Yorkshire Police to have the decision reviewed. North Yorkshire Police must be notified of your intention to complain within 2 months of the date of its response to your Freedom of Information request. Complaints should be made in writing and addressed to:

Force Solicitor and Head of Legal Services
North Yorkshire Police
Alverton Court
Crosby Road
Northallerton
North Yorkshire
DL6 1BF

In all possible circumstances North Yorkshire Police will aim to respond to your complaint as soon as practicable but within 20 working days.

The Information Commissioner

After lodging a complaint with North Yorkshire Police if you are still dissatisfied with the decision you may make application to the Information Commissioner for a decision on whether the request for information has been dealt with in accordance with the requirements of the Act.

For information on how to make application to the Information Commissioner please visit their website at <https://ico.org.uk> Alternatively, phone: 0303 123 1113 or write to:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF