

28 February 2013

Your Ref:

Our Ref: 0101/2013

Mr Paul Hughes
Request-148162-ec3070d8@whatdotheyknow.com

Information Management
Police Headquarters
173 Pitt Street
GLASGOW
G2 4JS

Tel: 0141 435 1204

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Dear Mr Hughes

FREEDOM OF INFORMATION REQUEST REFERENCE NUMBER 0101/13

I refer to your request for information dated 31 January 2013, which was received by Strathclyde Police on same date.

Can you confirm that two officers of the Linn Community Policing Office received information from a member of staff in a Secondary School in Castlemilk who approached them regarding widespread drug use in and around the school grounds late 2009/ early 2010?

Can you confirm that the member of staff supplied a whole-school role of pupils identifying those pupils involved in drug use in and around the school grounds?

Can you confirm that two officers attended at St. Margaret Mary's Secondary School as a follow-up to this shortly afterwards and spoke to both the headteacher of the school and the member of staff who raised the original concern?

Can you confirm that the pupil believed to be responsible for the sudden upsurge in drug use was identified by both members of staff of the school?

Can you confirm that several other pupils (3) were identified as being involved in supplying drugs to other school pupils?

Can you confirm that the Community Policing team increased officer patrols around the school and placed two officers at the gates of the school for a period to monitor the situation?

With regards to the above questions, in terms of Section 18 of the Freedom of Information (Scotland) Act 2002 (the Act) Strathclyde Police can neither confirm nor deny that it holds the information requested by you. However, if the information was held by the Force, it would be considered exempt in terms of one or more of the exemptions detailed in Section 18 of the Act, which are listed below:

- Section 34 – Investigations by a Scottish Public Authority
- Section 35 – Law Enforcement
- Section 39(1) – Health Safety and the Environment

Section 18 of the Act also provides that there is no requirement on a public authority, when issuing a Refusal Notice in terms of Section 18, to state why the public interest in maintaining the exemption outweighs that in disclosure of the information; nor is there any requirement to state why the exemption applies in so far as that statement would disclose information which would itself be exempt information. This should not, however, be taken as conclusive evidence that the information you have requested exists or does not exist.

By way of explanation, whilst we may disclose information on the total number of call outs and type of calls relating to schools, we will not confirm information in relation to specific incidents/investigations.

Disclosure of information in relation to a specific incident/investigation by the police would serve to discourage individuals from reporting incidents and crimes. The Police will often receive calls to forewarn officers of any impending incidents that they may have knowledge/intelligence of, or any matters of note they may have gathered through the course of their job. This is a crucial tool used by Strathclyde Police to prepare for such disorder, to prevent and detect crime and apprehend and prosecute offenders, however, the release of the information requested may result in the force losing these sources of information and impact negatively on its law enforcement capabilities.

Furthermore, even without the use of an individual's name, there can always be assumptions when a crime is committed as to who the complainant/witness has been. To confirm any information in relation to staff/pupils would easily identify to a third party more closely involved to the incident/crime as to who had reported the incident/crime or who the accused was. This would, or would be likely to, endanger the physical or mental health or safety of such individuals should any aggrieved party seek retribution, or indeed place the individual/s concerned in fear of retribution.

Again, this should not, however, be taken as conclusive evidence that the information you have requested exists or does not exist.

I hope this information is helpful, however, if you are not satisfied with the way that 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 request such a review, please write to the Information Manager within 40 working days of receiving this letter.

If, after having been informed of the Review Panel's decision, you are still not satisfied then you are entitled to apply to the Scottish Information Commissioner within six months for a decision. The Commissioner can be contacted the Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS, Telephone: 01334 464610.

Should you require any further assistance concerning this matter, please do not hesitate to contact me directly on 0141 435 1204, quoting the reference number given.

Yours sincerely

Colette McFarlane
Freedom of Information Officer