| Police Scotland logo | Freedom of Information Response Our reference: FOI 24-0090 - 0099  Responded to: xx February 2024 |
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Your recent request for information is replicated (abbreviated) below, together with our response which comprises all ten requests received on this subject matter.

## Please provide copies of all:

## 1. Internal correspondence

## 2. Correspondence with the Scottish Government

## regarding the proposed closure of the following police stations: Portobello Police Station, West End Police Station, Fettes Police Station, Leith Police Station and Balerno Police Station.

## This is in terms of i) The effects on long term policing and ii) Policing numbers in the local area(s).

To first provide the appropriate context, in 2019 the Scottish Police Authority (SPA) approved the Police Scotland Estate Strategy which provides a framework for our transformation, supporting the long-term policing vision by reviewing the demand and opportunities within our estate.  The Police Scotland Estate Transformation Team use this framework as a basis for changes to the Police Scotland estate portfolio.

On 14th December 2023, Police Scotland announced plans to consult on proposals to close a number of properties across the country – full details for which can be found via the link below:

[Police Scotland launches consultation and engagement on proposed estate disposals - Police Scotland](https://www.scotland.police.uk/what-s-happening/news/2023/december/police-scotland-launches-consultation-and-engagement-on-proposed-estate-disposals/)

Turning to the scope of your request:

**1. Internal correspondence**

In terms of the first part ‘Internal correspondence’, I regret to inform you that I am unable to provide you with the information you have requested, as it would prove too costly to do so within the context of the fee regulations.

As you may be aware the current cost threshold is £600 and I estimate that it would cost well in excess of this amount to process your request.

As such, and in terms of Section 16(4) of the Freedom of Information (Scotland) Act 2002 where Section 12(1) of the Act (Excessive Cost of Compliance) has been applied, this represents a refusal notice for the information sought.

By way of explanation, we have previously attempted to conduct similar keyword searches to the one that would be required. In this case a search for emails containing the phrases “Edinburgh station”, “station closure”, “proposed closure” and other similar phrases, along with the names of the individual locations would be required.

In addition, despite extensive efforts to retrieve emails requested by keyword it has become clear that whilst we do have the facility to conduct a keyword search, we do not have the facility to limit this to a particular date range. This means that any mention of the keywords on any date would be returned. These are returned as individual full mailbox archive files for each mailbox that contains these keywords.

To explain, once these archives are retrieved, a manual process is required to confirm which emails within each file contain the keyword required. This is further complicated by the fact that we will simply know there is at least one email within the mailbox archive that contains the keyword. There could be 1 or 100 and so each email would need to be manually checked for the topic requested.

On this basis, Police Scotland have assessed that this would breach the £600 cost threshold within the Act in order to deliver an accurate response.

## 2. Correspondence with the Scottish Government

## Turning to the second part of your request ‘2. Correspondence with the Scottish Government’ I have provided a copy of an email trail initially circulated to local government and parliamentary offices as well as other local partners and agencies - 24-0090 Information refers.

The content of the emails has been replicated word-for-word and for clarity, I can confirm that no information has been withheld with the exception of the names of three individuals.

These individuals, as opposed to the others named, do not occupy a senior or public facing role in Police Scotland and, as such, I consider that whilst you may have a legitimate interest in the disclosure of the personal data (the individual’s names), disclosure would be unwarranted by reason of prejudice to the rights and freedoms or legitimate interests of the data subject (Condition 6 of Schedule 2 of the Data Protection Act 1998).

As such, in terms of Section 16 of the Freedom of Information (Scotland) Act 2002 I am refusing to provide you with the information sought and the exemption that I consider to be applicable to the information requested by you is set out at Section 38(1)(b) of the Act - Personal Data.

As intimated above, I have not included email ‘signatures’ or ‘direct mailboxes’. Any spelling/ grammatical errors are the author’s own, as is any emphasis.

**i. The effects on long term policing**

In response to your mention of the effects on long term policing, the requested information is considered to be exempt in terms of the Freedom of Information (Scotland) Act 2002 (the Act). Section 16 of the Act requires Police Scotland to provide you with a notice which:

(a) states that it holds the information,

(b) states that it is claiming an exemption,

(c) specifies the exemption in question and

(d) states, if that would not be otherwise apparent, why the exemption applies.

Where information is considered to be exempt, this letter serves as a Refusal Notice that information is held and an explanation of the appropriate exemption is provided.

The exemptions that I consider to be applicable to the information requested by you are:

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

The information requested is exempt, as its disclosure would or would be likely to prejudice substantially the prevention or detection of crime and apprehension or prosecution of offenders. If the details of Police Scotland’s resource deployment in any specific area are disclosed in any context, experience has shown that it would allow those intent on committing crime or causing disorder to gauge the likelihood of detection or to take measures to negate the likelihood of detection. It would allow criminals to plan how best to engage or occupy existing police resources in an effort to maximise their chances of committing serious crime, therefore harming the efficient and effective conduct of the service.

Such information would prove extremely useful information for persons involved in criminality as they would be able to plan and conduct their activities to avoid detection. It would confirm the amount of resources available in a specific area, which would allow those intent on wrong doing to judge the police response time to a variety of incidents. In turn this would prejudice substantially the ability for our officers to prevent and detect crime and apprehend or prosecute offenders.

Disclosure would have an adverse impact on the ability of the Police to carry out its law enforcement role effectively, and thereby prejudice substantially the prevention and detection of crime.

This is a non-absolute exemption and requires the application of the public interest test.

Section 39(1) – Health, safety and the environment

Disclosure of the information requested would prove extremely useful for criminals and those intent on wrongdoing, to estimate the level of resources deployed by the Police and would assist them in circumventing the efficient and effective provision of law enforcement by the police service, which in turn would have an adverse impact on the safety of the officers involved and the general public.

This would increase the risk to the personal safety of individuals and also the safety of the police officers responding to incidents.

This is a non-absolute exemption and requires the application of the public interest test.

Public Interest Test

Public awareness would favour a disclosure as it would contribute to the public debate surrounding the use and deployment of police resources.

I would, however, contend that the efficient/effective conduct of the service and public safety favours retention of the information as it cannot be in the public interest to release information that would prejudice law enforcement or which is likely to have an adverse impact upon public safety.

Moreover, it is likely that those subject matters are still under discussion and the exemptions in section 30(b) may apply where it focuses on the effect that disclosure of such information would have (or would be likely to have) on the free and frank provision of advice or the free and frank exchange of views for the purposes of deliberation. Release of this information would inhibit and undermine the aims and outcomes of any ongoing evaluation, undermining this process.

There can be no public interest in disclosing information which would make it more difficult to offer an efficient and effective service.

## ii. Policing numbers in the local area(s)

Finally, in response to policing numbers in the local area(s) I can confirm that changes to Police Scotland’s estate have no linked effect to officer numbers and accordingly in terms of Section 17 of the Freedom of Information (Scotland) Act 2002, this represents a notice that the information you seek is not held by Police Scotland.

The statement above confirms that our presence in communities is not defined by buildings but by the officers and staff who work there, and we have already introduced technology that enables our officers to remain in local areas, reducing the need for them to return to police stations to deal with paperwork.

If you require any further assistance please contact us quoting the reference above.

You can request a review of this response within the next 40 working days by [email](mailto:foi@scotland.police.uk) or by letter (Information Management - FOI, Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH). Requests must include the reason for your dissatisfaction.

If you remain dissatisfied following our review response, you can appeal to the Office of the Scottish Information Commissioner (OSIC) within 6 months - [online](http://www.itspublicknowledge.info/Appeal), by [email](mailto:enquiries@itspublicknowledge.info) or by letter (OSIC, Kinburn Castle, Doubledykes Road, St Andrews, KY16 9DS).

Following an OSIC appeal, you can appeal to the Court of Session on a point of law only.

This response will be added to our [Disclosure Log](http://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log) in seven days' time.

Every effort has been taken to ensure our response is as accessible as possible. If you require this response to be provided in an alternative format, please let us know.