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Our Ref: IM-FOI-2022-0571
Date: 25th March 2022



FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

I refer to your recent request for information which has been handled in accordance with the Freedom of Information (Scotland) Act 2002.

For ease of reference, your request is replicated below together with the response.

I would like to request under freedom of information act. All collar numbers of J division whom is put in place to serve and protect my area, I am requesting this due to the amount of people impersonating police officers gaining access to local homes through the misbelief of them being registered and qualified officers.

In terms of section 16 of the Freedom of Information (Scotland) Act 2002, I am refusing to provide you with the information requested.

Section 16 requires Police Scotland when refusing to provide such information because it is exempt, 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.

I can confirm that Police Scotland holds the information that you have requested.

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

Section 35(1)(a)&(b) – Law Enforcement
Section 39(1) – Health, safety and the environment

35(1)(a)&(b) – Law Enforcement

The requested information, if disclosed, could be used in order to impersonate police officers. Those with criminal intent would then be in a position to more easily gain access to local homes or to otherwise commit crimes of dishonesty or fraud.

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

39(1) – Health, safety and the environment

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The disclosure of the information requested may have the potential to increase the number of crimes being committed against the public with a knock on effect that it would present a risk both to operational police officers having to respond to such incidents and members of the public and the potential to present a risk to an individual's personal safety.

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

Public Interest Test

As you will be aware, the exemptions listed above are non-absolute and require the application of the Public Interest Test. I would suggest that public accountability would favour disclosure, given that the information concerns the efficient and effective use of resources by the Service and would as pointed out by yourself, allow the public to more easily identify officers. Likewise, disclosure of the information would also inform the public debate on the issue of policing and contribute to the accuracy of that debate.

However, I would maintain that rather than decreasing the likelihood of people impersonating police officers, the information gained could be used by those impersonating officers to obtain false credibility and would in fact have the opposite effect than the one you are seeking.

Furthermore, the applicability of the exemptions listed above, the need to ensure the effective conduct of the service in relation to prevention and detection of crime and, the public safety considerations involved in the delivery of operational policing clearly favour non-disclosure of the information requested.

On balance I would contend that the public interest in disclosing the information is outweighed by that in maintaining the exemptions listed, as, it is doubtful if it can ever be in the public interest to disclose information which would jeopardise the delivery of policing and the safety of individuals and prejudice the prevention or detection of crime.

In order to be of some assistance however I would draw your attention to our officer verification check procedure. This is a process to provide reassurance to any member of the public who may be concerned about whether or not they are being spoken to by a genuine police officer. Whilst the process was initially implemented to allow members of the public to check lone officers were genuine, I have confirmed with our Contact Command and Control division that the same process can be used to check an officer is genuine, whether they are on their own or with a colleague.

I have included a link to further details below:

<https://www.scotland.police.uk/what-s-happening/news/2021/october/lone-police-officers-to-offer-verification-check-to-members-of-the-public/>

Should you require any further assistance please contact Information Management quoting the reference number given.

If you are dissatisfied with the way in which Police Scotland has dealt with your request, you are entitled, in the first instance, to request a review of our actions and decisions.

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Your request must specify the matter which gives rise to your dissatisfaction and it must be submitted within 40 working days of receiving this response - either by email to foi@scotland.pnn.police.uk or by post to Information Management (Disclosure), Police Scotland, Clyde Gateway, 2 French Street, Dalrnarnock, G40 4EH.

If you remain dissatisfied following the outcome of that review, you are thereafter entitled to apply to the Office of the Scottish Information Commissioner within six months for a decision. You can apply [online](#), by email to enquiries@itspublicknowledge.info or by post to Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS.

Should you wish to appeal against the Office of the Scottish Information Commissioner's decision, there is an appeal to the Court of Session on a point of law only.

As part of our commitment to demonstrate openness and transparency in respect of the information we hold, an anonymised version of this response will be posted to the Police Scotland Freedom of Information [Disclosure Log](#) in seven days' time.