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Our Ref: IM-FOI-2022-2020
Date: 20th October 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, the questions seeking access to recorded information set out in your two emails are replicated below together with our response.

From email 1:

Please treat this letter under the Equality Act section 20 as a FOI Request and Subject Access Request as well as a Recovery of Documents under the Administration Justice Act 1995. I [...] am requesting for all documentation electronic or written, Emails, Notes as well as all recorded Telephone Calls Pertaining to myself that you have on your system.

From email 2:

1. From Sargent [...] I require all dates and times of all officers that have attended my address from October 2021 to Date in regards to my dog's [...] and [...] along with the written reasoning's for attendance and outcomes to the attendance. I also require all statements and correspondences made to and from the [...] Kennels and the Crown and Prosecution Service as well as all other third party public bodies. written reasoning as to why I was not informed of the deaths of my dog's and why the bodies were destroyed then why I was not provided the ashes and all personal belonging back from [...] Kennels. Following the repeated attempts all recorded I also require Sergeants written reasoning for the refusal to allow me or anyone into the kennels to see or do any reports on my dogs I require his written reasoning's at once for his decisions.

2. Full update and all statements and correspondences made to and from [...] Kennels and the Crown and Prosecution Service as well as all other third party public bodies in relations to Sargent [...] and Pc [...] in relations to Emails sent to the Chief Constable of Scotland and the First Minister of Scotland. Furthermore due to the complete failure of all to investigate my claims of Animal Welfare breaches particularly but not limited to Section 9 and 19 Of the Animal welfare Act 2006 and 2010 In relations to [...] Kennels [...] and now due to the reaction and now looming Court case brought against me for attempting to raise some sort of Investigation by Police Scotland into the kennels and for attempting to retrieve my dogs ashes I have decided to send this to all of you to address at once as I require the answers and

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this complete refusal to respond in impeding Justice and can be seen as attempts to pervert the course of Justice with an intent to Defeat the ends of Justice.

For the attention and assistance of all I include a FOI/SUBJECT ACCESS REQUEST that has been sent to [...] KENELS [...] several times and has went UNANSWERD I will require all above public bodies who had a duty of care to my dog's also under the Animal Welfare act 2006 and 2010 to respond at once to the questions and information requested.

- 1. Statements on [...] and [...] behavior and welfare whilst in your care.**
- 2. Copies of your certification and credentials in animal behavior if any.**
- 3. All copies of [...] and [...] veterans reports whilst in your care.**
- 4. Dates and Times in which [...] and [...] Died.**
- 5. Dates and Times in which you identified deterioration and what action you have/had taken.**
- 6. All correspondence and communication to and from Sargent [...]**
- 7. All correspondence and communication to and from The Police Service of Scotland.**
- 8. All correspondence and communication to and from Solicitor [...]**
- 9. All correspondence and communication to and from Peterhead Sheriff Court.**
- 10. All correspondence and communication to and from Aberdeen Sheriff Court**
- 11. All correspondence and communication to and from Edinburgh High Court.**
- 12. All correspondence and communication to and from Peterhead Dog Warden.**
- 13. All correspondence and communication to and from Aberdeen Dog Warden**
- 14. A full copy of your Training Policy for Staff**
- 15. [...] and [...] Daily Exercise Diary**
- 16. [...] and [...] Daily Food Intake Diary**
- 17. Name brand and type of Food provided to [...] and [...].**
- 18. Copies of [...] and [...] Daily Diary's.**
- 19. A full copy of your Quarantine Procedure and Protocols.**
- 20. Heating temperature within Kennels in the Morning**
- 21. Heating temperature in the Kennels at Night**
- 22. Heating temperatures in the Kennels during the summer.**
- 23. Heating temperatures in the Kennels during the winter.**
- 24. Size and Specification of the Kennels holding [...] and [...]**
- 25. Size and specification of Outdoor runs.**
- 26. Size and specifications of sleeping quarters.**
- 27. Provisions for comfort.**
- 28. Size and specifications of beds and bedding.**
- 29. Medical provisions and facility's on site**
- 30. Copy of your Handling Procedure and Protocols.**
- 31. List of equipment used in handling.**
- 32. All Reports relating to [...] and [...].**
- 33. Proof of [...] and [...] Vaccinations**
- 34. A full copy of your Fire safety procedure and protocols**
- 35. A full copy of your procedure of cleaning Diary's**
- 36. A full list of cleaning products name and brand used within the Kennels and sleeping quarters.**
- 37. Procedure and protocols for Dogs you receive to be deemed Dangerous.**
- 38. The exact number of Dogs you can facilitate within your kennels.**



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39. The exact number of dogs in your care showing signs of illness or disease from 2007 to date.
40. The exact number of Seized and deemed Dangerous dogs in you care from 2007 to date.
41. The exact number of Seized and deemed Dangerous dogs that have died in your care from 2007 to date.
42. The exact number of non-seized dogs that have died in your care from 2007 to date.
43. The number of interactions [...] had with other people and dogs.
44. The number of interactions [...] had with other people and dogs.
45. A copy of the contact details of the Veterinary Practice that you use for all dogs in your care.
46. A copy of the Veterinary Practice Details used for [...] and [...].
47. Copy of Diagnosis of cause of death for [...] and [...]
48. Date and Time of Veterinary visitations for [...] and [...].
49. Date and Time the bodies of [...] and [...] were disposed of.
50. Contact details of the Funeral Directors used to cremate or bury [...] and [...].
51. Written reasons as to why I was denied access to visit [...] and [...].
52. Written reasons why I was denied the right to carry out a behavior assessment and welfare check on [...] and [...].
53. Written reasons why you denied me the right to have the bodies of [...] and [...] examined by autopsy.
54. Written reasons why I was not informed of the death of [...] and [...]
55. Written reasons why you did not ask if I consented to the veterans Diagnosis and action to be taken.
56. Name and contact details of the decision maker who authorized euthanasia of [...] and [...].
57. Copy of all Emails and Letters to and from anyone stating [...] and [...] welfare and health was fine.
58. Itemized cost Schedule and fees for [...] and [...]
59. Full copy of all CCTV footage of [...] and [...] within the Kennels (Runs Sleeping Quarters and Kennels)
60. Full copy of CCTV of every time I was visiting the Kennels.

As you may be aware, Freedom of Information legislation provides a right of access to *recorded information* held by public authorities.

In general terms, the legislation is unlikely to prove helpful with requests about personal matters which an applicant has been involved in.

Responses to FOIs are essentially 'public', meaning our response has to be suitable for any audience and cannot breach the right to privacy of any individual.

Your request above includes several references to seeking information *about you*.

I note that you have a subject access request in progress and I can confirm that that is the appropriate route for requesting personal information.

In terms of FOI and specifically section 18 of the Act, I am therefore refusing to confirm or deny whether Police Scotland holds information about you.



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The public interest overwhelmingly lies in protecting your right to privacy and an individual's own personal information is exempt from disclosure in terms of the exemption at section 38(1)(a).

I understand that the statement above may seem confusing and/ or unhelpful in the circumstances but I would stress once again that this is the response to your FOI request only - a SAR will be progressed separately.

Your request goes on to ask for information that you have previously requested from a Kennels. Again, most of the questions listed relate to a personal matter and so the difficulties outlined above would apply but in general terms, I can advise that Police Scotland will not hold information about the day to day running of a private Kennel facility and section 17 of the Act would therefore apply even to the more generic questions.

I note you say that your request to the Kennels has gone unanswered and I can perhaps explain that the FOI Act applies only to public authorities, not to private businesses.

It is clear from your two emails that you are dissatisfied with Police Scotland and whilst FOI might not be able to assist you much in the circumstances, you can complain to Police Scotland about our action or lack of action, or about the standard of service provided by us.

Further details are available on our website:

[Complaints - Police Scotland](#)

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.

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.police.uk or by post to Information Management (Disclosure), Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, 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.