| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-1840  Responded to: 14th August 2023 |
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Your recent request for information is replicated below, together with our response.

**The Strategic Leadership Board "Discussion Summary" from January 25th this year on the PSOS website states:**

**"8.3 Safer Drug Consumption Facilities (SDCF)**

**ACC Ritchie presented a report detailing the current position with the Crown Office in relation to SDCF. The Chief requested further discussion on this."**

**Please provide a copy of this report.**

A copy of the report is enclosed and you will note that some of the content has been redacted.

In terms of section 16 of the Act, I am refusing to provide you with the redacted content.

Section 16 requires Police Scotland to:

(a) state that it holds the information,   
(b) state that it is claiming an exemption,   
(c) specify the exemption in question and   
(d) state, if that would not be otherwise apparent, why the exemption applies.

I can confirm that the information requested is held by Police Scotland and the exemption that I consider to be applicable is set out at section 30(c) of the Act - prejudice to the effective conduct of public affairs.

It is acknowledged that the report refers to matters of considerable public, political and media interest.

Nevertheless, public disclosure of the document requested would substantially prejudice due process in the sense that discussions between Police Scotland and COPFS remain ongoing at this time and no final decisions have been made.

In that sense, the timing of the request is a key factor in reaching a decision on disclosure but it is not the only factor.

Police Scotland has a responsibility to its partner agencies, its staff and the wider public that any decisions are well-informed, based on the best possible guidance and with the full participation of the parties involved.

In ensuring that this is the case, the organisation must not be inhibited from exploring any and all options and being frank as to the potential implications of those options, for fear that such content may be publicly disclosed.

It is essential that any options which are either to be taken forward or subsequently discarded are shared in an appropriate, considered and fair way and that potential problems can be discussed in confidence, particularly where those concerns are not realised.

Where such deliberation takes place, there is no reasonable expectation that those deliberations will be made public - particularly in circumstances where a final outcome regarding those discussions will be public knowledge.

It is essential that relationships, for example between Police Scotland and COPFS, are not undermined by the public disclosure of information which would prejudice the ability of either or both organisations in terms of their statutory role effectively.

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.