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Our Ref: IM-FOI-2022-0952  
Date: 2<sup>nd</sup> June 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.

**Please provide a list of the titles of all problem profile assessments produced or commissioned by your police force on the following crime area from 1st January 2018 to the date of this request.**

- Domestic abuse
- Modern slavery
- Violence against women and girls
- Rape and sexual offences

Guidance on what constitutes a problem profile is provided by the College of Policing at the following address:

<https://www.college.police.uk/app/intelligence-management/intelligence-products>

**If providing a comprehensive list for the entire force would breach the cost limit, I would be happy to limit my request to force wide profiles held centrally.**

Please find the requested information in the attached document.

I have included the division the report relates to by way of additional context. I have also included the crime area as requested above.

I would however ask you to note the following:

The definition you have provided of problem profile assessments has been used to answer this request.

Some problem profile assessments may cover a broader area and not just the categories requested. For example, profiles which cover all violent crimes will include violence against women and girls but not exclusively so. They have been allocated the closest category to the one requested. If more than one crime area applies, this has been noted.

If the same title is included more than once, e.g. it is say a weekly or repeated report, I have indicated this where relevant.

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Finally, I must advise that it has been necessary to withhold some of the information requested, therefore, in terms of Section 16 of the Freedom of Information (Scotland) Act 2002, I am refusing to provide you with the information sought.

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 you have requested and the exemption that I consider to be applicable is set out at:

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

### **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. This exemption applies to two sets of information namely instances where specific smaller locations are included within the name of the problem profile and instances where operation names not within the public domain are included. In both cases, disclosure of this information 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 avoid detection and 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 specific areas of focus in both location and crime area, allowing avoiding action to be taken. 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 where police resources are focused 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.

## OFFICIAL

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

As you will be aware, the two exemptions detailed above are non-absolute and require the application of the 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 and specific locations and types of crime that are being targeted.

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.

I would also contend that providing the division of the areas concerned and the crime area covered strikes a balance between providing information in the public interest and law enforcement concerns.

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.pnn.police.uk](mailto:foi@scotland.pnn.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](mailto: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.