

Our Ref: IM-FOI-2022-2759  
Date: 25<sup>th</sup> January 2023



## 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.

Please accept our apologies for the delay in responding.

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

### D Division

**1) Prior to the rollout of the RPW scheme, what was the different warning disposals available to police Officers? Please provide any legacy Tayside warnings SOP.**

We have carried out research across various force departments and I'm afraid there is no document that details all of the various disposals formerly available on the Tayside Police legacy crime recording system.

There is one SOP that relates to Tayside Police Formal Adult Warnings specifically but that does not include information regarding any other category of warning available historically.

As such, section 17 of the Act applies and the information sought is not held by Police Scotland.

To be of assistance, I can advise you that the legacy crime recording system has now been replaced with a new national system which is gradually being rolled out across Scotland.

Crime information within its corresponding retention period has been back record converted on to the new system and older data is being disposed of.

If you are interested in establishing whether your own personal data is held by Police Scotland then I would recommend you submit a subject access request - details can be found on our website:

[Subject Access Requests - Police Scotland](#)

**2) Does the legacy Tayside crime system have “Adult Informal Warning “as a disposal?”**

Again, I would advise you that there is no document that details all of the various disposals formerly available on the Tayside Police legacy crime recording system.

To be of assistance however, colleagues in our Crime Management team confirm that the Tayside Legacy crime system did used to have ‘Adult Informal Warning’ as a disposal.

**3) technical guidance, duty to provide advice and assistance  
If a suspect was issued with an “informal warning”, not entered on CHS. Is this an Alternative to Prosecution?**

There is no information held by Police Scotland that specifically states that a Tayside Police ‘informal warning’ would be classed as an alternative to prosecution and as such, section 17 of the Act applies and the information sought is not held by Police Scotland.

To be of assistance, I can confirm that crimes submitted to the Crown Office and Procurator Fiscal Service (COPFS) - ie for consideration of prosecution - would have a disposal that included reference to a report having been submitted to COPFS. As opposed to, for example, a disposal indicating a warning had been issued.

Should you require any further assistance please contact Information Management Dundee, 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](mailto: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](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.