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Our Ref: IM-FOI-2022-0365
Date: 04 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.

Could you please tell me under the act how many cases of CSE have been logged under the new Partners Intelligence Toolkit?

Could I have annual figures - in whichever month to month format that suits you.

Could you also tell me how many cases to come through this system have led to charges and prosecutions.

Finally, has this system been useful in identifying any organised CSE by groups or gangs?

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.

In this instance I believe Sections 35(1)(a)&(b) Law Enforcement and Section 39(1) Health and Safety apply.

Sections 35(1)(a)&(b) Law Enforcement

Information is exempt information if its disclosure under this Act would, or would be likely to prejudice substantially the prevention or detection of crime and the apprehension or prosecution of offenders.

It is important to note that Police Scotland does not utilise a Partners Intelligence Toolkit. It does however use the Partners Intelligence Portal.

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The purpose of the Partners Intelligence Portal is to allow Partner Agencies to share key information with the Police to inform and develop an understanding of known threats to vulnerable persons. The portal is a secure and confidential electronic system; it is not a third party reporting mechanism to report crimes.

It is important to bear in mind that that any disclosure under FOISA is a disclosure to the world at large, as it places the information requested into the public domain.

If information was disclosed which had been generated through this system it could provide those intent on wrongdoing with valuable information, enough to evade the detection of crime and continue harmful activities. One of the main purposes of the Police Service is to prevent crime but to disclose information from the portal would be contrary to that purpose.

Additionally, sources of information may be less likely to volunteer information to the police if Police Scotland were to disclose sensitive information from an intelligence system. This would greatly hamper our ability to proactively prevent crime.

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

Section 39(1) Health and Safety

The disclosure of the information requested may have the potential to increase the number of attacks on public figures, operational police officers and members of the public and the potential to present a risk to an individual's personal safety. Information is exempt information if its disclosure would or would be likely to endanger the physical or mental health or safety of an individual.

The functionality of the portal produces an intelligence product and as such contains sensitive, significant and confidential information not in the public domain and that by sharing any specific data in regards to submissions or outcomes we risk exposing the sources of information thus leaving persons or agencies at risk of harm and/or retribution.

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

Public Interest test

I would suggest that public accountability may favour disclosure, given that the information concerns the efficient and effective use of resources by the Service. 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, any disclosure under FOI legislation is a disclosure to the world at large and any information identifying the focus of policing activity could be used to the advantage of criminals and potentially cause harm to individuals.

Consequently, in terms of 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.

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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 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.