

Our Ref: IM-FOI-2022-2379  
Date: 07 December 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.

**The number of officers that attended disorder in the Kirkton area of Dundee on October 31 2022 (specific locations: Balgowan Avenue, Buealy Avenue, Gillburn Road, St Paul's RC Academy)**

**The division these officers normally work in and their job type/roles**

**The number of officers tasked with policing the Kirkton area of Dundee on November 5 2022**

**The division these officers normally work in and their job type/roles**

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.

### **Section 35(1)(a)&(b) - Law Enforcement**

Disclosure would be likely to prejudice substantially the prevention or detection of crime and apprehension or prosecution of offenders. The information sought provides a significant insight into the resource levels routinely deployed in the Dundee area and would therefore allow those intent on committing crime or causing disorder to gauge the likelihood of detection and take measures to negate it. It would allow criminals to plan how best to engage or occupy existing police resources in an effort to maximise their chances of committing serious crime.

Whilst we would of course hope that the event is a one off, it is sadly not the first time officers have responded to a large scale disorder event in Dundee involving fireworks.

**Section 39(1) - Health, safety and the environment**

Disclosure would be likely to endanger the physical safety of police officers and members of the public as criminals would use the information sought to increase their chances of committing crime and causing disorder undetected.

Accountability would favour disclosure, given that the information concerns the efficient and effective use of resources by Police Scotland.

Likewise, disclosure of the information would also inform the public debate on the issue of policing and resource levels for local communities.

However, the applicability of the exemptions listed above, the need to ensure the effective conduct of Police Scotland in relation to prevention and detection of crime and the public safety considerations clearly favour non-disclosure of the information requested.

On balance I would contend that the public interest in disclosing the information is outweighed by that in maintaining the exemptions listed as it cannot be in the public interest to prejudice the prevention or detection of crime or endanger officers and the public.

I can however advise you that D Division (Tayside) officers were supported by colleagues from our A (North East), E (Edinburgh) and P (Fife) divisions as well as our Operational Support division.

**The total cost to Police Scotland of overtime/ paying for additional resources for working in the Kirkton area of Dundee on November 5 2022**

The total overtime incurred was 26.75 hours for the date in question which amounts to in the region of £514.36 (based on the mid-point of a police constable salary).

No costs are held for the deployment of any police officers already intended to be on duty. Policing is response driven and resource is deployed according to operational requirements.

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.pnn.police.uk](mailto: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](mailto:enquiries@itspublicknowledge.info) or by post to Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS.

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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.

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