| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-0930  Responded to: 09 May 2023 |
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Your recent request for information is replicated below, together with our response.

## My request concerns PIRC's Annual Report: [PIRC Annual Report & Accounts 21-22](https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fpirc.scot%2Fmedia%2F5482%2Fpirc-annual-report-2021-2022.pdf&data=05%7C01%7Cfoi%40scotland.police.uk%7Ca8bcb248453c41307a3b08db3772cb08%7C6795c5d3c94b497a865c4c343e4cf141%7C0%7C0%7C638164739428583118%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=%2BQi75hs4eeeE26QXhRkMM7wddSdtI2nquOKjXJFOf0w%3D&reserved=0)

## 'PSOS response: Police Scotland raised this matter with its Criminal Justice Services Division and confirmed that guidance was issued to custody staff to ensure that the reasons for the Vulnerability Assessment Questions and Pre-Release Questions as part of the Risk Assessment Question Set are adequately explained to young persons.' p23

## The above relates to a complaint regarding a 12-year-old child you arrested.

## Please provide a copy of the guidance issued to custody staff and all questions that form part of the Risk Assessment Question Set.

Please be advised that the guidance is publicly available.

As such, 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 that you have requested and the exemption that I consider to be applicable is set out at Section 25(1) of the Act - information otherwise accessible:

*“Information which the applicant can reasonably obtain other than by requesting it under Section 1(1) is exempt information”*

The information you are seeking is available on the Police Scotland website:

[Care and Welfare of Persons in Police Custody SOP](https://www.scotland.police.uk/spa-media/0mfjn3pa/care-and-welfare-of-persons-in-police-custody-sop.pdf)

Section 8.6 refers to Arrest of a Child, section 8.6.2 to Care and Welfare considerations.

Section 8.6.2.1 states ‘A child should be risk assessed in the same way as any other detainee to ensure that the appropriate care plan is delivered.’.

Section 9 of this guidance is ‘Risk Assessment and Management’.

To assist, the Risk Assessment Question Set is:

Q1: do you have any injuries?

Q2: have you had any knocks to the head in the past 48 hours?

Q3: are you dependent on alcohol?

Q4: have you used alcohol in the last 24 hours?

Q5: are you dependent on drugs or other substances?

Q6: have you used drugs or any other substances or psychoactive substances (commonly known as legal highs) in the last 24 hours?

Q7: are you a regular user of psychoactive substances (commonly known as legal highs)?

Q8: are you suffering from or have you previously suffered from withdrawal symptoms?

Q9: have you ever attempted self harm or suicide?

Q10: do you have any thoughts at present of self-harm or suicide?

Q11: do you have any mental health problems or have you ever received treatment for mental health problems?

Q12: are you suffering from any ongoing medical condition, allergies or infectious diseases?

Q13: do you take any prescribed medication?

Q14: are you currently taking any other medication that you haven't mentioned already?

Q15: do you have any dental or medical implants or surgical plates or pins?

Q16: do you have any dietary requirements?

Q17: do you have any difficulties reading or writing?

Q18: are you pregnant and if yes, for how long?

Q19: have you recently been pregnant?

Q20: have you ever served in HM armed forces?

Q21: are there any compliance or other issues that might affect the care of this custody?

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.