

**OFFICIAL**

Our Ref: IM-FOI-2022-2051  
Date: 7<sup>th</sup> November 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.

Please accept our apologies for the delay in responding.

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

**I have obtained reports from the MoD, Fire Scotland and Dumfries & Galloway council reviewing their actions on the night of 21st December 1988.**

**I understand that Dumfries & Galloway police also produced an after-action report to review their procedures for that night?**

**Hopefully such a document should not fall under section 34 (1) or 38 (1) (b) as it is about the police response to the disaster rather than subsequent criminal investigation.**

We have located two documents of potential relevance to your request.

- Document 1, attached, is an Assessment of Debrief Reports.
- Document 2, attached, is an Interim Operational Debrief.

The documents have been subject to minor redaction in terms of the identity of individuals of lower than Assistant Chief Constable rank.

In terms of section 16 of the Act, I am refusing to provide you with this information and I am therefore required 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 the information sought is held by Police Scotland and the exemption I consider to be applicable is section 38(1)(b) of the Act - personal information.

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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.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.