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Our Ref: IM-FOI-2022-2657
Date: 30 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.

Today the Petition Committee meet regarding PE 1900, which as you know I raise due to the atrocious treatment of detainees in Elgin, little did realise the problem was Grampian wide. Strangely, Angela Constance MSP who is the Minister for Drug treatment give several answer which contradicts your response in your document M-FOI-2022-0341.

Under the Freedom Of Information Act, is Angela Constance and Dr Carole Hunter correct in stating that:

- 1) Dihydrcoedine should not be given to detainees on a OST treatment plan, it was why?**
- 2) Dihydrcoedine should only be given by and experienced clinician, so why did Police Scotland custody staff give Dihydrcoedine to detainees. I**
- 3) Who titrated and monitored the detainees, it certainly wasn't NHS Grampian nursing staff. So are your custody staff and trained to administer Dihydrcoedine and titrate and monitor detainees.**
- 4) Angela Constance MSP stated giving Dihydrcoedine to detainees was highly discriminatory, yet I have on numerous occupation asked Police Scotland to investigate this discrimination. Police Scotland have declined and put it on file, no doubt you will cite, that it is not in the public interest.**
- 5) Angela Constance MSP stated Police Scotland have on their computer system, all the information needed to identify the number discriminated against. It would seem that for 8 years at least, 7560 detainees in Moray alone and more than 33,000 in Grampian not an insignificant number. Yet when I asked Police Scotland to investigate you declined, saying you would put it on file. I ask the question is Police Scotland view that investigating the mass abuse of drug addicts in Grampian is not in the Public Interest.**

As you will be aware, FOI legislation provides a right of access to *recorded information*.

There is no provision within the Act that requires a public authority to offer comment, explanation or opinion on matters raised by applicants, except where those comments etc already exist in recorded form.

You have asked above that Police Scotland comment on whether or not two individuals were correct or otherwise in making various statements.

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You also ask for explanations and the Police Scotland view on various matters.

Overall, it is my assessment that your request is not therefore valid in terms of section 8 of the Act as it does not describe the recorded information requested.

This is your thirteenth FOI on this subject generally in 2022 alone and I would urge you to consider whether FOI is the best means for progressing this matter.

You may wish to submit a complaint against the police if you believe that Police Scotland or any member of our staff has not provided the service you expected or that they have behaved unfairly or incorrectly.

Further details are available online:

[Complaints - Police Scotland](#)

I would also remind you that medical provision for prisoners is the responsibility of National Health Service (NHS) Scotland.

The management of all medication given to an individual whilst in police custody is the responsibility of the NHS Healthcare Professional.

As such, any decision relating to medication provided to persons in custody in the Grampian area will be made by NHS Grampian.

The NHS use their own IT system to record the medication provided to persons in custody. If you require any further information relating to the provision of medication to persons in police custody, please contact NHS Grampian.

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 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 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.