| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-3229  Responded to: 17 January 2024 |
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Your recent request for information is replicated below, together with our response.

## From 13th December 2022 to 13th December 2023 how many people were arrested and taken to Greenock Police Station to be charged?

I can advise that Police Scotland does not hold information in the format requested. In terms of Section 17 of the Act, this letter represents a formal notice that information is not held.

As you will be aware an individual’s right in terms of the legislation is to obtain information held by a public authority at the time a request is received and there is no obligation on them to create new information specifically for this request.

By way of explanation, under the Criminal Justice (Scotland) Act 2016, you can be arrested Officially Accused or Not Officially Accused. If you are arrested as Officially Accused you have to be charged at the time of your arrest, you can’t be arrested and then charged later on.

If you are arrested as a Not Officially Accused, you are arrested because there’s not enough evidence to charge you and further enquiries need to be carried out. Once these enquiries are carried out then you are either released or charged.

Whether you are arrested Officially Accused or Not Officially Accused, you aren’t then taken to a custody centre just to be charged – that doesn’t exist.

## From 13th December 2022 to 13th December 2023 how many people were held in custody at Greenock Police Station?

I can advise that Police Scotland does not hold information in the format requested. In terms of Section 17 of the Act, this letter represents a formal notice that information is not held.

Again, I would refer to the explanation provided at Question 1. Should you wish to clarity your request, for example to consider – How many people came into custody? How many stayed overnight? How many stayed for court the following day? We can look at it again.

## From 13th December 2022 to 13th December 2023 how many police officers currently based at Greenock Police station were required to attend Greenock Sheriff Court as part of their duty?

## From 13th December 2022 to 13th December 2023 how many police officers currently based at Greenock Police station were required to attend Greenock Sheriff Court To provide evidence as a witness ?

In the period from 13 December 2022 to 13 December 2023 there was 4976 citations recorded at Greenock Police Station. Of these 2063 were subsequently countermanded, leaving a total of 2913 citations.

## From 13th December 2022 to 13th December 2023 how many police officers currently based at Greenock Police station responded to an emergency call when they were situated within Greenock Police station when the response was initiated?

I can advise that Police Scotland does not hold information in the format requested. In terms of Section 17 of the Act, this letter represents a formal notice that information is not held.

As you will be aware an individual’s right in terms of the legislation is to obtain information held by a public authority at the time a request is received and there is no obligation on them to create new information specifically for this request.

By way of explanation, this information does not currently exist and there is no simple way of ascertaining it.

## From 13th December 2022 to 13th December 2023 how many police officers were based at Greenock Police station?

## From 13th December 2022 to 13th December 2023 what was the total number of shifts worked by all police officers based at Greenock Police station?

I would advise that this information is considered to be exempt in terms of the Freedom of Information (Scotland) Act 2002 (the Act).

Section 16 of the Act requires Police Scotland 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. Where information is considered to be exempt, this letter serves as a Refusal Notice that information is held and an explanation of the appropriate exemption is provided.

**Section 35(1) (a) and (b) Law Enforcement**

Release of the information requested would adversely impact on the operational effectiveness of the Service. Being aware of the numbers of officers deployed to a specific area would allow persons or groups intent on committing offences, or causing disorder, with the means to make a reasonable assessment of the number of officers on duty and thus to make an assessment of the capacity of the Service to deal with such eventualities.

Disclosure of this information would compromise any tactical advantage the police may have over such persons or groups when dealing with any crime or disorder.

Disclosure of this information would, or would be likely, to prejudice substantially the prevention or detection of crime.

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

**Section 39 (1) – Health, Safety and the Environment**

The safety of police officers who have to deal with any crime and disorder is also a consideration. Where disclosure of the information would adversely impact on the effectiveness of the Service in preventing crime and disorder then it follows that this would subsequently increase the risk to the safety of the public and police officers through them becoming victims of such conduct.

Release of the information therefore would, or would be likely to endanger the physical or mental health or the safety of an individual.

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

**Public Interest Test**

Public awareness and accountability would favour a disclosure on this subject as it would contribute to the public debate surrounding the efficient and effective use of resources by the Service. However, in contrast, there is no public interest in disclosing information which is likely to damage the efficient and effective conduct of the police service in relation to its law enforcement role, or which is likely to have an adverse impact upon public safety. As explained above, disclosure would allow those intent on wrong-doing to gauge, with some accuracy, the level of specific police resources in existence in certain areas, thus affording them the opportunity to take steps to circumvent the ability of the Police to deliver effective law enforcement provision, and placing themselves, members of the public and the police force at increased risk.

I consider that the decision must fall in favour of preventing crime and safeguarding the health and safety of the public. Accordingly, on balance, the public interest in disclosing the information requested is outweighed by that in maintaining the exemptions detailed above.

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.