| Police Scotland logo | Freedom of Information Response Our reference: FOI 24-3030  Responded to: 31 December 2024 |
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Your recent request for information is replicated below, together with our response.

## Since December 15 2023, how many further witnesses have been spoken to by police in relation to the fire at the New County Hotel in Perth on January 2 2023? Please do not include any witnesses already spoken to up to December 15 2023.

## How many police officers remain dedicated to the investigation?

In response to these questions, I can advise you that 5 witnesses have been spoken to.

Additionally, I can confirm that 1 Detective Inspector, 1 Detective Sergeant and 4 Detective Constables are still actively working on the investigation**.**

However, the nature of policing means that officers are deployed to wherever their services are most required, and the number of officers required throughout an investigation will constantly fluctuate. Officers can be involved in one or multiple investigations and can be redeployed to other duties at any given time.

## What cause, if any, have police established for the fire?

Having considered your request in terms of the Act, I am refusing to confirm or deny whether the information sought exists or is held by Police Scotland in terms of section 18.

Section 18 applies where the following two conditions are met:

* It would be contrary to the public interest to reveal whether the information is held.

Whilst we accept that there is a public interest in better informing the public as to the progress of police investigations, the overwhelming public interest lies in protecting the integrity of the investigation process.

* If the information was held, it would be exempt from disclosure in terms of at least one exemption set out in the Act. In this instance, the following exemptions apply:
* Section 34(1)(b) - Investigations - Information is exempt information if it has at any time been held by Police Scotland for the purposes of an investigation which may lead to a decision to make a report to the Procurator Fiscal to enable it to be determined whether criminal proceedings should be instituted.
* Section 35(1)(a)&(b) - Law enforcement - Disclosure would be likely to prejudice substantially the ability of the police to investigate and detect crime and would have a similar detrimental impact on the apprehension or prosecution of offenders.

## What is the current status of the investigation?

The information sought is held by Police Scotland, but I am refusing to provide it in terms of section 16(1) of the Act on the basis that the following exemptions apply:

Section 34(1)(b) - Investigations - Information is exempt information if it has at any time been held by Police Scotland for the purposes of an investigation which may lead to a decision to make a report to the Procurator Fiscal to enable it to be determined whether criminal proceedings should be instituted.

Section 35(1)(a)&(b) - Law enforcement - Disclosure would be likely to prejudice substantially the ability of the police to investigate and detect crime and would have a similar detrimental impact on the apprehension or prosecution of offenders.

Public Interest Test

Public awareness would favour disclosure as it would contribute to the public debate surrounding the police handling of such an enquiry.

I would, however, contend that the efficient/ effective conduct of the service favours non- disclosure as it cannot be in the public interest to release information that would prejudice law enforcement.

Accordingly, at this time the public interest lies in protecting the integrity of investigative and criminal justice procedures by refusing to provide the information sought.

I appreciate that there is a public interest in relation to police investigations. That said, it is essential that neither the investigation nor the potential for proceedings to be brought against an individual are put at risk.

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.