| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-2009  Responded to: 1st September 2023 |
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Your recent request for information is replicated below, together with our response.

**1. How would Police Scotland investigate suspected unlawful disclosure of commercially sensitive or inside information? Does it have an arrangement with the Financial Conduct Authority to work together on such matters?**

In terms of how Police Scotland investigate crimes, the requested information 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”

I can confirm that the information requested is available on our website and I have attached a direct link to the relevant document below:

[Crime Investigation - Standard Operating Procedure (SOP) (scotland.police.uk)](https://www.scotland.police.uk/spa-media/uwwcamlx/crime-investigation-sop.pdf)

Police Scotland will work with partner agencies where appropriate and I would direct you to section 1.3 of the SOP in this regard.

**2. Has Police Scotland investigated any alleged breaches of section 105(1) of the Utilities Act 2000 in the past 5 years? If so, how many?**

**3. Has Police Scotland investigated any alleged breaches of the insider dealing provisions of the Criminal Justice Act 1993 in the past 5 years? If so, how many?**

In regards to your second two questions, crimes in Scotland are recorded under the Scottish Crime Recording Standard with each crime allocated a Scottish Government Justice Directorate or SGJD code. I have checked with our statistics unit and neither of the offences you have mentioned are recorded under the standard or have a SGJD code attached and as such, in terms of Section 17 of the Freedom of Information (Scotland) Act 2002, this represents a notice that the information requested is not held by Police Scotland.

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.