

Date: 24 April 2013

Our Ref: SJI/IHU0000910213

FOI Central Processing Unit
173 Pitt Street
Glasgow
G2 4JS

Email: [REDACTED]scotland.pnn.police.uk

By email:

[REDACTED]access-info.eu

Dear Sir or Madam

FREEDOM OF INFORMATION (SCOTLAND) ACT 2002
REQUEST FOR INFORMATION

I refer to your email of 22 February March 2013 in relation to the policing of protests and apologise for the delay in responding.

As you may be aware, as of 1 April 2013, the Police Service of Scotland (PSoS) came into existence and all requests made to individual forces prior to this date become the responsibility of PSoS to answer. Therefore, the response provided below only relates to the information you sought from the former Dumfries and Galloway Constabulary and if you made a similar request to another force area, you will receive a separate response in this regard.

For ease of reference, your request is replicated below together with the responses:

- 1 *What legislation governs the use of equipment at the disposal of police forces in protest situations?*

The Manual of Guidance on Keeping the Peace 2010 is available on the Association of Chief Police Officers' (ACPO) website, hyperlink below:

<http://www.acpo.police.uk/documents/uniformed/2010/201010UNKTP01.pdf>

This document covers public order policing, management of operations and deployment of resources at a local, regional and national level.

The Manual of Guidance on the Management, Command and Deployment of Armed Officers 2011 is also available on the ACPO website by using the following hyperlink:

<http://www.acpo.police.uk/documents/uniformed/2011/201111MCDofAO3.pdf>

This document is specific to firearms, which is another option available to the police service in certain circumstances.

Both documents include a summary of the legislative framework within which related police activities are planned and implemented.

- 2 *What types of equipment are police forces permitted to use in protest situations?*

The documents above outline this information.

- 3 *For all the equipment types available for use by police officers in situations of protest that are supplementary to normal police equipment, please provide me with data including:*

- a. *The number of items in the possession of police forces for each equipment type;*

Section 16 requires the Force, when refusing to supply such information, to provide you with a notice which (a) states that it holds the information, (b) states that it is claiming an exemption(s), (c) specifies the exemption(s) in question, and (d) states, if not otherwise apparent, why the exemption(s) applies.

This information is considered exempt in terms of the following sections of the Freedom of Information (Scotland) Act 2002:

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

The requested information is tactical and disclosure would be likely to prejudice the prevention or detection of crime or the apprehension or prosecution of offenders. Giving an indication of the divisional capability in this area would undermine the ability to effectively deploy equipment to any advantage and allow those intent on wrong doing to gauge this with some accuracy.

Section 39 (1) – Health and Safety

The information is further considered likely to endanger the health and safety of both officers and members of the public by presenting them with a risk of harm in view of the above.

- b. *The amount of times that such equipment types have been used in the last five years;*

There have been no protest situations within the Dumfries and Galloway area during the period of your request therefore no such equipment has been deployed in such circumstances.

- 4 *What guidance and training are police provided with on use of equipment for dealing with protest? Please send a copy or direct website link to any guidance documents regarding the use of force in such situations.*

Please refer to the documents previously referred to.

- 5 *Has the police or government compiled any evaluation reports on the policing of protests in the past five years? If so, please send a copy of the evaluation documents or direct me to the direct on-line link.*

The former force has not compiled any such evaluation, accordingly in terms of Section 17 of the Act; no information is held in this respect.

Should you require any further assistance concerning this matter please contact me on [REDACTED] quoting the reference number given.

If you are not satisfied with the way in which your request has been dealt with, you are entitled in the first instance and within 40 working days of receiving this letter to request a review of the decision made by the Force. Should you wish to do so, contact details are as above.

Once informed of the Review Panel's decision, if you are still not satisfied, then you are entitled to apply to the Scottish Information Commissioner within six months for a decision. Contact details are: Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS, telephone [REDACTED]

Yours faithfully

A handwritten signature in cursive script, appearing to read 'Steven Irving'.

Steven Irving
Freedom of Information Officer