

LETTER SENT BY EMAIL ONLY

24 April 2025

FOI Ref 2025/26-004

Request

Your request for information dated 3 April 2025 is not copied below as it includes personal information.

Response

The Scottish Police Authority has considered your request under the Freedom of Information (Scotland) Act (FOISA).

The Authority considers that if the information existed and was held, it would be exempt, and that to reveal whether the information exists or is held would be contrary to the public interest.¹

Section 18 applies where the following two conditions are met:

- If the information was held, it would be exempt from disclosure in terms of one or more of the exemptions set out in sections 28 to 35, 38, 39(1) or 41 of the Act.
- It would be contrary to the public interest to reveal whether the information is held.

Section 38(1)(b) and 38(2A) of the Act apply as you have requested third party personal data which is exempt where assessed that disclosure would contravene the data protection principles as defined in the Act.

Section 34(a) and 34(c) of the Act apply where information is held for the purposes of an investigation which was subsequently subject to criminal proceedings.

Whilst you may have a particular interest in whether or not the information sought exists and is held, the public interest overwhelmingly lies in maintaining both data protection principles and established

¹ This represents a notice in terms of Section 18 of the Freedom of Information (Scotland) Act 2002

processes for the disclosure of information held for the purpose of investigations.

Right to Review

If you are dissatisfied with the outcome of your request you can ask for a review within 40 working days. You must specify the reason for your dissatisfaction and submit your request by email to foi@spa.police.uk or by letter to Scottish Police Authority, 1 Pacific Quay, Glasgow, G51 1DZ.

If you remain dissatisfied after review, you can appeal to the Scottish Information Commissioner within six months. You can apply [online](#), by email to enquiries@foi.scot or by letter to Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS.

Should you wish to appeal against the Commissioner's decision, you can appeal to the Court of Session, only if you think the law has not been applied correctly.

This response will be posted to our [Disclosure Log](#) after seven days.

Yours faithfully

Scottish Police Authority

