

OFFICIAL

Our Ref: IM-FOI-2022-1985
Date: 07 October 2022



FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

I refer to your recent request for information which has been handled in accordance with the Freedom of Information (Scotland) Act 2002.

For ease of reference, your request is replicated below together with the response.

Please provide a full statistical count of all and any incidences of any individual(s) making contact with or being contacted by Police Scotland, The Chief Constable, or any Police Staff Worker, from the following organisations:

A) MI5, B) Any other secret service, C) MI6

In pursuant to HM Covert Intelligence Sources (Criminal Conduct) Act 2021 in order to carry out any authorised actions as detailed in my previous foisr concerning the cited intelligence act. Between 1/3/2021 - 1/3/2022

I do not require a disclosure of any cases, if any, just the statistical count.

In response to our email seeking further clarification of your request, you replied:

The actions are below:

Authorised deadly acts, Authorised sexual acts, and Authorised violent acts as detailed in my foi ukccc act foir IV sent to Police Scotland on 23/04/2022.

In April 2022 you asked:

Please provide a full statistical count or record of all and any incidences of any adult being deployed, recruited, or otherwise solicited by the UK Government(s), Police Scotland or any other agency whatsoever as a "Covert human resource", "Spy" or "Informant" and in the course of their use being given so called "legal authorisation" to allegedly commit the following acts:

a) Authorised deadly acts.

b) Authorised sexual acts.

c) Authorised violent acts.

upon any other adult, between 1/3/2021 - 1/3/2022 under HM Covert Human Intelligence Sources (Criminal Conduct) Act of 2021.

We responded (FOI 22-0662) that we could neither confirm nor deny whether any information was held in terms of section 18 of the Act, in conjunction with the exemptions set out at sections 34(1)(b), 35(1)(a)&(b), 38(1)(b) and 39(1).

OFFICIAL

OFFICIAL

Later that month, you asked:

Please provide a full statistical count of all and any incidences of any individual being deployed, recruited, or otherwise solicited by Police Scotland, The Chief Constable of Police Scotland or any other agency whatsoever as a "Covert human resource" "Spy", or "Informant" and in the course of their use being given legal authorisation to commit the following acts:

A) Authorised deadly acts.

B) Authorised sexual acts.

C) Authorised violent acts.

Upon any other individual. Between 1/3/2021 - 1/3/2022

Under HM Covert Human Intelligence Sources (Criminal Conduct) Act of 2021.

Noting the slight difference in terminology (all individuals as opposed to just adults) we responded (FOI 22-0937) that again, we could neither confirm nor deny whether any information was held in terms of section 18 of the Act, in conjunction with the exemptions set out at sections 34(1)(b), 35(1)(a)&(b), 38(1)(b) and 39(1).

In this new request, you are seeking information regarding contact between Police Scotland and various agencies in relation to the same subject matter.

It therefore clearly follows that the same provisions of the Act would apply - and I am therefore refusing to confirm or deny whether any information relating to your request is held in terms of section 18 of the Act, in conjunction with the exemptions set out at sections 34(1)(b), 35(1)(a)&(b), 38(1)(b) and 39(1).

In general terms, I can advise you that whilst we fully understand the significant public interest in the use of Covert Human Intelligence Sources, only very limited information can safely be publicly disclosed on this subject matter.

Should you require any further assistance please contact Information Management quoting the reference number given.

If you are dissatisfied with the way in which Police Scotland has dealt with your request, you are entitled, in the first instance, to request a review of our actions and decisions.

Your request must specify the matter which gives rise to your dissatisfaction and it must be submitted within 40 working days of receiving this response - either by email to foi@scotland.police.uk or by post to Information Management (Disclosure), Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH.

If you remain dissatisfied following the outcome of that review, you are thereafter entitled to apply to the Office of the Scottish Information Commissioner within six months for a decision. You can apply [online](#), by email to enquiries@itspublicknowledge.info or by post to Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS.

Should you wish to appeal against the Office of the Scottish Information Commissioner's decision, there is an appeal to the Court of Session on a point of law only.

As part of our commitment to demonstrate openness and transparency in respect of the information we hold, an anonymised version of this response will be posted to the Police Scotland Freedom of Information [Disclosure Log](#) in seven days' time.