

**OFFICIAL**

Our Ref: IM-FOI-2022-2365  
Date: 29<sup>th</sup> November 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.

**1 Do you have members from the Chinese community currently in your Independent Advisory Groups (IAG)?**

**2 Please provide current and previous IAG membership name lists that include members from the Chinese community.**

The relation to your first two questions, I can confirm that Police Scotland does not record the ethnicity of the members of our Independent Advisory Groups (IAGs). 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.

**3 Do you perform background checks on IAG members?**

This is dependent on the nature of the IAG and what is being asked of the members. I can confirm that we do perform background checks/vetting for some of our IAGs.

**4 If there are background checks on IAG members, do they include checking whether or not they are/were members of the Overseas Chinese Affairs Committee of the National People's Congress, the Overseas Chinese Committee of the Chinese People's Political Consultative Conference, or other groups linked to the Chinese government?**

Please be advised that 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.

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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 our vetting manual which includes the checks conducted is available on our website at the address below. Where vetting checks are required, individuals on an IAG would be vetted to Level 2 NPPV and I would direct you to sections 2.18-2.21 of the manual on pages 17-19.

<https://www.scotland.police.uk/spa-media/xyyll34r/20-1034-attachment-01.pdf>

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](mailto: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](mailto: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.