

Our Ref: IM-FOI-2022-0145
Date: 28 January 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.

foi request refers to the police being aware (or not) of the number of times mr Stephens m.p is linked to human right abuses mentioned on the blog of Uni of Glasgow.

I would first of all advise you that there is no obligation for an organisation to seek out third party information when responding to a FOI request i.e. *linked to human right abuses mentioned on the blog of Uni of Glasgow* as such in context of this response we have no knowledge of what is contained on this blog.

Nevertheless, in terms of the Freedom of Information (Scotland) Act 2002, I am refusing to confirm or deny whether the information sought exists or is held by Police Scotland in terms of section 18 of the Act.

Section 18 applies where the following two conditions are met:

- It would be contrary to the public interest to reveal whether the information is held

Whilst we accept that you may have a particular personal interest in being informed as to whether or not the information sought is held, the overwhelming public interest lies in protecting individuals' right to privacy and the expectation of confidence that the public have in Police Scotland as regards their information.

- 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

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In this instance, sections 38(1)(b) and 38(1)(2A) of the Act apply insofar as you have requested third party personal data which is exempt from disclosure where it is assessed that disclosure would contravene the data protection principles as defined in the Act.

This email is the nom deplume of [] felt necessary to employ because of another breach of human rights namely the Roman Catholic law ? of having ability to declare someone a " vexatious correspondent" to stop them being accountable and answering the questions . This abuse of the law { politicians like everyone else cant pick n choose foreign laws to replace Constitutional rights (according to the St. Andrews House Constitutional dept.)} However that is exactly what is happening

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along with the ICO commissioner not able to take complaints forward as the politicians contacted have simply NOT REPLIED. several Constitutional ministers in Edinburgh have failed to uphold this part of the law as have most of the westminster m.p's contacted . Trust this clarifies Matters . Ironically Mr Stephens is ALSO ignoring his constituents who have written to him as has SNP compliance dept and westminster whip marion fellowes

This part of your request is not deemed to be a valid request for recorded information. As such Section 8 of the Act has been applied. I can only suggest that you direct any concerns with regard to the relevant Information Commissioner's /Government offices.

Should you require any further assistance please contact Information Management - Dundee on foidundee@scotland.pnn.police.uk 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.pnn.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.

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