| Police Scotland logo | Freedom of Information Response Our reference: FOI 25-0374  Responded to: 28 February 2025 |
| --- | --- |

Your recent request for information is replicated below, together with our response.

## How many of the 11 Police Scotland staff involved in Operation Branchform have had any contact with anyone from the Scottish Government, current and past, since the start of Operation Branchform?

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

- 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.

In this instance, if the information was held, sections 34 and 35 of the Act would apply.

To disclose whether or not information was held would confirm whether or not the circumstances referred to were in some way known to Police Scotland.

By way of further background, a public authority can refuse to confirm or deny whether it holds information, provided it is satisfied that revealing whether the information exists or is held would be contrary to the public interest. In such instances, it is recognised that harm exists even in confirming or denying in the public domain that the information is held.

In this instance, I believe it would be contrary to the public interest to reveal whether or not the information sought exists or is held.

**This explanation should not be taken as indicative or conclusive evidence that the information you have requested does or does not exist.**

## How many Police Scotland staff OUTWITH these 11 officers have had any contact with anyone from the Scottish Government, current and past, since the start of Operation Branchform?

## How many Police Scotland staff have had any contact with anyone from the SNP, current and past, since the start of Operation Branchform?

In accordance with Sections 12(1) (Excessive cost of compliance) and 16(4) (Refusal of request) of the Freedom of Information (Scotland) Act 2002 (the Act), this letter represents a Refusal Notice.

By way of explanation, the information you have requested is not held centrally and there is no marker on our recording systems to electronically extract this information.

The only way to provide this information would be to contact each of the 13 police divisions within Police Scotland and the relevant specialist divisions and ask that they search their systems, records, e-mails, etc and extract any relevant information.

Such searches would be complex and would take in excess of 40 hours for each division to complete and as such is over the £600 cost limit prescribed by the Scottish Ministers under the Act.

If you require any further assistance, please contact us quoting the reference above.

You can request a review of this response within the next 40 working days by [email](mailto:foi@scotland.police.uk) or by letter (Information Management - FOI, Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH). Requests must include the reason for your dissatisfaction.

If you remain dissatisfied following our review response, you can appeal to the Office of the Scottish Information Commissioner (OSIC) within 6 months - [online](https://www.foi.scot/appeal), by [email](mailto:enquiries@foi.scot) or by letter (OSIC, Kinburn Castle, Doubledykes Road, St Andrews, KY16 9DS).

Following an OSIC appeal, you can appeal to the Court of Session on a point of law only.

This response will be added to our [Disclosure Log](http://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log) in seven days' time.

Every effort has been taken to ensure our response is as accessible as possible. If you require this response to be provided in an alternative format, please let us know.