



## LETTER SENT BY E-MAIL ONLY

11 July 2024

2024/25-031

### Freedom of Information (Scotland) Act 2002

#### Request

Please find below our response to your initial correspondence dated 27 May, in which you made the following request under the Freedom of Information (Scotland) Act 2002:

"I would like to make a Freedom of Information request for information contained in:

Documents meetings communications and discussions relating to any allegations or information supplied to or obtained by the Scottish Policing Authority that several high senior officials in Police Scotland and others - secretly were involved in a long running campaign to undermine a former police officer for criminality.

With a motivation to destroy his reputation to protect the officers involved with the actual crime and cover up what really went on.

On 29 May we requested clarification and provided advice to help us progress your request. On 27 June you responded:

"Allegations corruption, abuse of power related to Motherwell and coatbridge policing area".

#### Response

Your request for information has been considered and the Scottish Police Authority is able to provide some of the information you request.

Some of the information you requested can reasonably be obtained<sup>1</sup>. This is published by the Employment Tribunals Service on its website in a Final

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<sup>1</sup> This represents a notice in terms of Section 25 of the Freedom of Information (Scotland) Act 2002 – where information is already available, there is no need to provide an alternative right of access to it through FOISA.

Hearing Judgment available at the following link: [Employment Tribunals \(Scotland\)\(publishing.service.gov.uk\)](#)

The Authority considers the remaining part of the information requested exempt in terms of the Act. The Authority received this information from third parties<sup>2</sup> in respect of its statutory duties. To disclose this information would be a breach of confidence<sup>3</sup>. This exemption is absolute and does not require the application of the public interest test.

## **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](mailto:foi@spa.police.uk) or by letter to Scottish Police Authority, 1 Pacific Quay, Glasgow, G51 1DZ.

After review, if you remain dissatisfied, you can appeal to the Scottish Information Commissioner within six months. You can apply [online](#), by email to [enquiries@itspublicknowledge.info](mailto:enquiries@itspublicknowledge.info) 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](#) in seven days' time.

Yours faithfully

**SPA Corporate Management**

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<sup>2</sup> This is a notice in terms of Section 38(1)(b) of the Freedom of Information (Scotland) Act 2002 – Third party data. Disclosure would contravene the data protection principle in Article 5(1)(a) of the General Data Protection Regulation; personal data shall be processed lawfully, fairly and in a transparent manner relation to the data subject.

<sup>3</sup> This is a notice in terms of Section 36(2) of FOISA – actionable breach of confidence.