

NOT PROTECTIVELY MARKED

28 January 2010

Your Ref:

Our Ref: 0680/09

Mr Michael Traill
Request-17277-1a722f2d@whatdotheyknow.com

Force Disclosure Unit
Police Headquarters
173 Pitt Street
GLASGOW
G2 4JS

Tel: 0141 435 1216

Fax: 0141 435 1218

Dear Mr Traill

FREEDOM OF INFORMATION REQUEST REFERENCE NUMBER 0680/09

I refer to your request for information dated 23 August 2009, which was received by Strathclyde Police on same date. Your request has now been considered and on 28 January 2010, a decision was made to grant your request. Please accept my apologies for the delay in responding to you.

Please note that the information provided is not a full and final response, as although the majority of the information is held centrally, some of the data is not, and we are currently trying to ascertain whether it is possible to collate the remainder of the information within the cost limits under the Act.

A breakdown of costs incurred by the force for each month from January 2008 to present in relation to hotel accommodation. I would like the information for each transaction to include the dates, the hotel involved including its location amongst the cost information.

The information you have requested can be found in the attached tables.

In providing this information I would also request a copy of all relevant original documentation.

I note that you have requested 'all relevant original documentation' in relation to Hotel Accommodation, however, in light of a recent decision by the Court of Session where both the meaning and definition of the term "information" under the Freedom of Information (Scotland) Act 2002(the Act) has been clarified, this information has not been provided to you.

The Court held that while the Act provides access to information recorded in any form, their decision made it clear that there is a distinction between the information itself and the document in which it is contained, for example a memo, e-mail, minutes, etc. While the act provides a right of access to information, it does not follow that an applicant has a right of access to the documentation in which it is contained. The Court took the view that if an

NOT PROTECTIVELY MARKED

applicant has the right to be given information then it would be that data, rather than the document that it is contained within that is disclosed. This could be, for example the provision in a summary of what is contained within a document, rather than providing a copy of the record that contains the information.

I hope this information is helpful, however, if you are not satisfied with the way in which your request has been dealt with, you are entitled in the first instance to request a review of the decision made by the Force. Should you wish to request such a review, please write to Mrs Sheena Brennan, Disclosure Manager at the above address within 40 working days of receiving this letter.

Once informed of the Review Panel's decision, if you are still not satisfied, then you are entitled to apply to the Scottish Information Commissioner within six months for a decision. Contact details are; Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS, telephone 01334 464610.

I would like to take this opportunity to thank you for your interest in Strathclyde Police. Should you require any further assistance concerning this matter please contact me directly on 0141 435 1216 quoting the reference number given.

Yours sincerely

Colette McFarlane
Freedom of Information Officer