

**NOT PROTECTIVELY MARKED**

5 January 2010

Your Ref:

Our Ref: 0872/09

Mr Mark Walker  
[Request-22481-bbc4abd0@whatdotheyknow.com](mailto:Request-22481-bbc4abd0@whatdotheyknow.com)

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

Tel: 0141 435 1216

Fax: 0141 435 1218

Dear Mr Walker

**FREEDOM OF INFORMATION REQUEST REFERENCE NUMBER 0872/09**

I refer to your request for information dated 3 November 2009, which was received by Strathclyde Police on same date. Your request has now been considered and on 5 January 2010, a decision was made to grant some of your request. Please accept my apologies for the delay in responding to you.

*The Secretary of State, in exercise of the powers conferred on him by paragraph 1 of Schedule 1 to the Police Regulations 2003 (S.I.2003/527), and having complied with the requirements of regulation 46, has determined that, with effect from 1st January 2005, there shall be inserted before Annex A of the Determinations under the Police Regulations 2003 the following Annex:*

***“ANNEX AA Regulation 6 Schedule 1  
RESTRICTIONS ON THE PRIVATE LIFE OF MEMBERS OF POLICE FORCES***

*No member of a police force may be a member of any of the following organisations-*

- a) the British National Party;*
- b) Combat 18;*
- c) the National Front.”*

Please note that the Police Regulations in Scotland are different from that of which you have stated above, therefore, I have based my response to you in terms of the Police (Scotland) Regulations 2004.

*I would like to request the following information under the Freedom of Information Act*

*1. Prior to 1st January 2005 had any members of your Police Force been disciplined in connection with membership of:-*

- a) the British National Party;*
- b) Combat 18; or*
- c) the National Front*

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*Please provide details of how many and the outcomes of such disciplinary procedures if any.*

I can inform you that prior to 1 January 2005, no member of Strathclyde Police Force has been disciplined in connection with membership of the British National Party, Combat 18 or the National Front.

*2. After 1st January 2005 have any members of your Police Force been disciplined in connection with membership of:-*

- a) the British National Party;*
- b) Combat 18; or*
- c) the National Front*

*Please provide details of how many and the outcomes of such disciplinary procedures if any.*

Again, I can inform you that after 1 January 2005, no member of Strathclyde Police Force has been disciplined in connection with membership of the British National Party, Combat 18 or the National Front.

*3. After 1st January 2005 did you review the Human Rights implications of the restriction? Please supply minutes and other documentation relating to such a review.*

Your request for information has now been considered and I can advise you that Strathclyde Police does not hold any of the information requested by you. In terms of Section 17 of the Act, this letter represents a formal notice that information is not held.

By way of explanation, a search of our systems has revealed no documentation in relation to your question.

*4. The restriction relates to membership. Do you consider that there is any restriction on a member of your Police Force:-*

- a) donating to the British National Party*
- b) subscribing to a British National Party publication*
- c) purchasing goods from the British National Party*
- d) signing a petition in favour of the British National Party*
- e) signing a nomination form for a British National Party candidate*

As explained above Scottish Police Forces are bound by the terms of the Police (Scotland) Regulations 2004 and these regulations state the following -

#### **Schedule 1 - Restrictions on the Private Life of Members of Police Forces**

##### **Regulation 7**

1. A member of a police force shall at all times abstain from any activity which is likely to interfere with the impartial discharge of that member's duties or which is likely to give rise to the impression amongst members of the public that it may so interfere; and in particular a member of a police force shall not take any active part in politics.

2. A member of a police force shall not, unless that member has previously given written notice to the chief constable, receive a lodger in a house in

which that member resides and in respect of which that member receives an allowance under a housing allowance or a transitional rent allowance or sub-let any part of such a house.

3. A member of a police force shall not wilfully refuse or neglect to discharge any lawful debt. **(Schedule 1)**.

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