

Our Ref: IM-FOI-2015-1161



Sir Stephen House QPM
Chief Constable

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.

1. As an operator of public space CCTV, please provide me with a copy of the Police Scotland Code of Practice and Operators Manual, as detailed in 17.1 of the Standards and Regulatory Framework for CCTV in Scotland.

Police Scotland does not operate public space CCTV in every division. Where it is in operation, this is part of legacy arrangements. This area is currently being looked at as part of the Service's reform and as such there is no Police Scotland Code of Practice and Operators Manual. Therefore section 17(1) of FOISA applies: notice that information is not held.

Please note that the document you refer to, "Standards and Regulatory Framework for CCTV in Scotland" is not mandatory for Police Scotland to follow. It is guidance relating to public space CCTV. Police Scotland fulfils its legal obligations regarding CCTV via the Data Protection Act 1998 and the ICO Code of Practice.

2. As per 19.3, in the Standards and Regulatory Framework for CCTV in Scotland, please provide me with a copy of the last two Annual Reports produced by Police Scotland.

No annual reports exist with regard to CCTV in the last two years. Therefore section 17(1) of FOISA applies: notice that information is not held.

3. As per 19.4, in the Standards and Regulatory Framework for CCTV in Scotland, please provide me with the last two internal or peer data protection compliance reviews of the Police Scotland CCTV system.

No internal or peer data protection compliance reviews exist, therefore section 17(1) of FOISA applies: notice that information is not held.

4. Please also provide me with the last two reports to the Surveillance Commissioner submitted by Police Scotland.

Any reports to the OSC will refer to surveillance and not public space CCTV. The OSC reports are publicly available and will have data for Scotland:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/350857/Annual-Report-of-the-Chief-Surveillance-Commissioner-for-2013-2014-laid-4-September-2014.pdf

Section 25(1) of FOISA applies to this question: information which the applicant can reasonably obtain other than by requesting it under section 1(1) is exempt information.

5. As per 19.4, in the Standards and Regulatory Framework for CCTV in Scotland, please provide me with copies of the documentation associated with the last two system evaluation processes undertaken on Police Scotland public space CCTV cameras.

No documents regarding system evaluation processes exist therefore section 17(1) of FOISA applies: notice that information is not held.

6. As per 20.0, in the Standards and Regulatory Framework for CCTV in Scotland, please supply all MOU's that are in place between Police Scotland and any third party public space CCTV operators that would allow Police Scotland to take "full operational control" of third party system.

No MOUs between Police Scotland and third parties exist regarding the above, therefore section 17(1) of FOISA applies: notice that information is not held.

7. As part of the strategy Police Forces were tasked with conducting a review of "ANPR coverage and linked response in Scotland." Police supply me with copies of any reports produced as part of this work.

A project is ongoing within Police Scotland, which is reviewing the ANPR camera coverage across Scotland. No reports are available for this as yet, therefore section 17(1) of FOISA applies: notice that information is not held.

8. As part of the strategy Police Forces were tasked with conducting an "examination of related technology for future development of public space CCTV and ANPR systems." Was this review undertaken? If so, please provide the full report.

As mentioned above, this strategy was not compulsory for organisations to follow. As such the above review was not undertaken, and section 17(1) of FOISA applies: notice that information is not held.

Should you require any further assistance concerning this matter please contact me directly on 0131 311 3901 quoting the reference number given.

If you are not satisfied with the way in which your request has been dealt with, you are entitled in the first instance, and within 40 working days of receiving this response, to request a review of the decision. Should you wish to do so, contact details are; FOI Central Processing Unit, Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH - foi@scotland.pnn.police.uk

If you remain dissatisfied following the outcome of that review, you are thereafter 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 - enquiries@itspublicknowledge.info

Should you wish to appeal against the Scottish Information Commissioner's decision, there is an appeal to the Court of Session on a point of law only.

Yours sincerely,

Gabriella Trybalska
Information Management