

Our Ref: FOI/556/12/jm

Tel: 01224 305171

Your Ref:

Fax: 01224 305161

Date: 3 December 2012

foienquiries@grampian.pnn.police.uk
www.grampian.police.uk

Mr xxx xxxxxx

By Email

Dear Mr xxxxxx,

FREEDOM OF INFORMATION REQUEST 556/12

I refer to your email of 2 November 2012, in which you requested information in terms of the Freedom of Information (Scotland) Act 2002.

I have repeated your questions hereunder, for your ease of reference;

1) Can I please request the legislation or place it states where an allegation of conspiracy to pervert the course of justice of senior members of the Armed Forces cannot be investigated?

Grampian Police does not have a policy or procedure which outlines this, therefore, you may need to seek legal advice as to whether such decisions are based on legislation.

2) Since an allegation of conspiracy to pervert the course of justice has been made and requested to be investigated. The fact it has been referred back to the MoD by Grampian police, can I request all correspondence, minutes, emails etc between the home office, Grampian Police and the MoD etc for the reasoning behind that decision.

No such correspondence is held in regard to your report of an incident, with the exception of the email which was sent to you by the service centre, which was provided in response to your earlier request (FOI 555/12). No other correspondence can be provided in terms of section 17 (1) (b) of the Freedom of Information (Scotland) Act 2002 – information not held.

3) I notice the email has been marked NOT PROTECTIVELY MARKED, can I request any policy or information you have on security classifications?

The Force does not have a policy on this matter, therefore, the information cannot be provided in terms of section 17 (1) (b) of the Freedom of Information (Scotland) Act 2002 – information not held.

If staff have any questions about protective markings, we do have an information security officer who can deal with such queries.

4)Can I request any correspondence, minutes, etc as to reason why it has been given a security classification?

All emails sent from Grampian Police email accounts must have a security classification as the system does not allow an email to be sent without one. No correspondence is held in regard to the decision to mark the email as 'not protectively marked' and as such it cannot be provided in terms of section 17 (1) (b) of the Freedom of Information (Scotland) Act 2002 – information not held.

Please do not hesitate to contact me should you have any queries. 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 proceed, please write to Iain Gray, Head of Information Disclosure Unit, Grampian Police, Woodhill House, Westburn Road, Aberdeen, AB16 5AB, within 40 working days of receiving this letter, stating clearly that you request a review and the decisions you wish reviewed.

If, after having been informed of the review decision you are still not satisfied, you are entitled to apply to the Scottish Information Commissioner for a decision within six months of the date of the review response. Contact details are Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS, telephone 01334 464610.

Yours sincerely,

Mrs Jody McKenzie
Compliance Manager