



The Scottish Parliament
Pàrlamaid na h-Alba

Scottish Parliament
Edinburgh
EH99 1SP

foi.officer@parliament.scot

18 August 2021

Dear Requester

REQUEST FOR INFORMATION: 2021-663538

We acknowledge your request for the following information:

Please make available any emails or other electronic correspondence from Mr James Dornan MSP (Glasgow Cathcart) to any other member or employee of the Scottish Parliament which contain the phrase “anti - catholic” and “Irish racism” between the dates of 01/05/2021 and 28/07/2021

Your request was received on 28 July 2021 and has been handled in accordance with the Freedom of Information (Scotland) Act 2002 (FOI(S)A).

We are replying to each part of your request as follows:

- 1) Electronic correspondence between James Dornan MSP and other MSPs

While the Scottish Parliamentary Corporate Body (SPCB) provides an IT framework to enable MSPs to communicate by email, parliament staff have no access to that system with the exception of technical staff when required to resolve system problems which arise. For the purposes of FOI legislation, this means that the Scottish Parliament does not hold any of the information contained in MSPs' email communications and therefore cannot provide it to you.

Instead, you may wish to contact MSPs directly about this request. A list of MSPs and information on how to contact them is available at the following link:

<https://www.parliament.scot/msps/current-msps.aspx#H>

However, as you may be aware, individual MSPs are not covered by FOI because FOI(S)A applies to public authorities and not to individuals. This was established by a Decision of the Scottish Information Commissioner in 2005. You can read the content of that Decision at the following link: <https://www.itspublicknowledge.info/200500463.aspx>. More information about elected members and their status with regard to FOI is available at the following link: <https://spice-spotlight.scot/2018/02/20/spice-enquiries-faq-msps-and-foi/>

In line with the technical requirements of FOI(S)A we have provided a notice advising that the information you have requested in this part of the request is not held by the Scottish Parliament.

2) Electronic correspondence between James Dornan MSP and Scottish Parliament staff

In order to answer your question, we have checked with key offices within the Scottish Parliament who are most likely to receive correspondence of the type contained in your request directly from an MSP. These include all Committees, the Office of the Clerk and Chief Executive and the Office of the Presiding Officer. Each of these offices have confirmed that no information covered by your request is held.

In line with the technical requirements of FOI(S)A we have provided a notice advising that the information you have requested in this part of the request is not held by the Scottish Parliament.

Finally, we can confirm that some information that relates to your request is already in the public domain as part of the Official Report which is included on the Scottish Parliament website. This covers what was said in the Scottish Parliament by Members covering each item of business taken in Chamber by debate, motion or during First Minister's Questions. Having searched the Official Report for the period of your request we have identified the following extracts from speeches by the MSP which includes the phrases "anti-catholic" and "Irish racism", which can be accessed here:

<http://archive2021.parliament.scot/parliamentarybusiness/report.aspx?r=13227&i=119824&c=2333078&s=anti%2520catholic>

<http://archive2021.parliament.scot/parliamentarybusiness/report.aspx?r=13236&i=119960&c=2334695&s=Irish%2520racism>

In keeping with our FOI procedures, this information may also be posted on the Parliament's disclosure log (usually within 24 hours). For further details on the Parliament's Disclosure Log and the information released under FOI, visit:

<https://archive2021.parliament.scot/abouttheparliament/17700.aspx>

The supply of information under FOI does not constitute permission for its use in a way that would infringe copyright

<https://www.parliament.scot/about/copyright>

We would welcome feedback or comment on how we handled your request.
Please feel free to contact the Head of Information Governance at
foi.officer@parliament.scot

Please find below Annex A, which explains how we handle FOI requests and reviews.

We are currently working remotely and so would ask you to contact us by email at foi.officer@parliament.scot

Yours sincerely,

Robin Davidson
Information Compliance Officer

REQUESTS MADE UNDER THE FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

How we handle FOI requests

Information on how we handle FOI requests is available on the Parliament's website at:

<https://www.parliament.scot/about/information-rights/requesting-information>

Alternatively, please contact the Public Information & Resources Team to request a copy.

<https://www.parliament.scot/contact-us>

Review

If you are dissatisfied with the way in which we have dealt with your request for information, you can ask us to review our decision and actions. You must do this in writing (or other permanent form) within 40 working days of the date of this letter, stating the reasons for your dissatisfaction, and we will respond within 20 working days of receipt. A request for a review should be made to the Head of Information Governance:

Post: Head of Information Governance
The Scottish Parliament
Edinburgh
EH99 1SP

Telephone: 0131 348 6913

We welcome calls using the Text Relay service or in British Sign Language through [contactSCOTLAND-BSL](#).

E-mail: foi.officer@parliament.scot

Application to the Scottish Information Commissioner

If, on the outcome of any review, you are still dissatisfied, or if we are unable to resolve any other complaint, then you can contact the Scottish Information Commissioner:

Post: The Office of the Scottish Information Commissioner
Kinburn Castle
Doubledykes Road
St Andrews
Fife
KY16 9DS

Email: www.itspublicknowledge.info/Appeal

Telephone: 01334 464610

Fax: 01334 464611

Website: www.itspublicknowledge.info

A decision by the Scottish Information Commissioner may be appealed on a point of law to the Court of Session.

Copyright in relation to information provided

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Feedback or comment

We would welcome feedback or comment on how we handled your request. Please contact the Head of Information Governance.

Data Protection

If you wish to find out more about how we use your personal data then you can access our Privacy Notice at the following link:

<https://www.parliament.scot/about/information-rights/data-protection/privacy-notice/freedom-of-information-handling>

Complaints

If you are dissatisfied with the way in which we dealt with your enquiry, then you may wish to raise the matter with Public Information and Resources.

How to contact us

Post: The Scottish Parliament
Edinburgh
EH99 1SP

Telephone: 0131 348 5000
0800 092 7500 (Public Enquiries)
0131 348 5395 (Gàidhlig)

We also welcome calls using the Text Relay service or in British Sign Language through [contactSCOTLAND-BSL](#).

E-mail: info@parliament.scot