

14 May 2012

Our Ref: 0141/2012

Martin McGartland

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Dear Mr McGartland

**FREEDOM OF INFORMATION REQUEST REFERENCE NUMBER 0141/12**

I refer to your request for access to information made under the terms of the Freedom of Information (Scotland) Act 2002 (hereinafter referred to as 'the Act') and the response dated 10 April 2012 from Mr Andrew McCulloch of the Freedom of Information (FOI) Unit. In accordance with the Act, the Review Panel (hereinafter referred to as 'the Panel') convened on 08 May 2012 to consider your request for a review of that decision and I can advise that the Panel has upheld the original decision made without modification in terms of Section 21(4)(a) of the Act.

You have in your request asked for a "...review of this entire case.." and additionally have listed 6 numbered specific requests. For purposes of this letter your request number 1 has been split into two sections as follows:

1(a) "...full details of panel members and"

1(b) "...full details of all information evidence used by them when dealing with that request."

In response to your request for a "...review of this entire case.." the Panel considered that under the Act the Panel is required to review each individual FOI request on a case by case basis and there is no provision for a combined review of a series of requests. In any event the chronology below clarifies that all requests have been responded to, and been the subject of review other than in respect of the response given by Mr McCulloch in his letter of 10 April 2012 – which is the subject of the present review.

FOI Request 0489/2011

Received: 21/06/2011

Response: 26/07/2011

Review: 24/08/2011

OSIC Decision: 14/12/2011

Conclusion: OSIC upheld Strathclyde Police response.

FOI Request 0733/2011

Received: 27/08/2011

Response: 27/09/2011 and 03/10/2011

Review: 01/11/2011

OSIC Decision: 22/02/2012

Conclusion: OSIC required Strathclyde Police to respond to part b only. New reference 0141/2012 generated for this response.

FOI Request 0141/2012 (current request)

Received: 22/02/2012

Response: 10/04/2012

Review: contained in this letter.

In response to your request 1(a) “..full details of panel members and” the Panel noted that this information has already been supplied to you in the letter of 01/11/2011 (copy attached) being the result of the review into 0733/2011.

In response to your request 1(b) “..full details of all information evidence used by them when dealing with that request.” the Panel upheld the application of the exemption Section 30(b) (i) and (ii) and (c)- Prejudice to effective conduct of public affairs. The Panel did however consider that the front sheet of the Review Decision Log could be provided and accordingly a copy is attached.

In response to your requests numbered 2-6 the Panel noted that they have been responded to in terms of the response to request 0733/2011, letter dated 27/09/2011 (copy attached). Furthermore this has also been previously considered in the review of that request as per the letter dated 01/11/2011 (copy attached).

In conclusion the Panel considered that your requests 1(a), and 2-6 as listed in the review request have been appropriately responded to, and reviewed. The only matter that the Panel considered had not been the subject of review was that relating to the application of the S30 exemption to request 1(b). Accordingly it is that response that the Panel have upheld without modification in terms of S21(4) of the Act.

If, after receiving the decision of the Panel, you are not satisfied, you are entitled to make an application for decision to the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife FY16 9DS, telephone number 01334 464610.

Yours sincerely

Douglas Cochrane

Head of Information and Administration Services

Attached:

- 1) Copy Letter of 01/11/2011: Review of 0733/2011.
- 2) Copy Letter of 27/09/2011: Response to 0733/2011.
- 3) Copy of FOI(S)A Review Request 0489/2011 front page.