

Our Ref: IM-FOI-2016-2614

23rd November 2016



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.

Can you provide name information of registered Sex Offenders living in Wick, Caithness? The postcode there is KW1.

Police Scotland endeavours to provide information whenever possible. However, under section 18(1) of the Act, a public authority may refuse a request where:

- if the information existed and was held by the authority, it would be exempt from release under any of Sections 28 to 35, 38, 39(1) or 41 of the Act; and
- the authority considers that to reveal whether the information exists, or is held by it, would be contrary to the public interest.

In this instance, it is considered that to reveal whether the information you have requested exists, or is held by Police Scotland, would be both exempt from release under the Act and contrary to the public interest. There is a strong public interest in protecting individuals' privacy, and personal information (such as individuals' names) is exempt from release into the public domain under section 38 of the Act if it would be unfair, unlawful or otherwise breach the Data Protection Act.

For these reasons, Police Scotland must refuse your request under section 18(1) of the Act.

This notice should not be taken as conclusive evidence that the information you have requested exists or is held.

Should you require any further assistance concerning this matter please contact Information Management, Stirling on 01786 456321 quoting the reference number given.

If you are dissatisfied 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 our actions and decisions. Should you wish to do so, please contact us at the following address, stating what has caused your dissatisfaction and what you require us to review:

Information Management (Disclosure), 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.

Information Management – Stirling
01786 456321