| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-0596  Responded to: 04 April 2023 |
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Your recent request for information is replicated below, together with our response.

## 1. Did police officers attend the Scottish Parliament on official business between February 6 and February 14? If so, who did they have meetings with and did any of those meetings relate to an ongoing criminal investigation?

I can advise the Chief Constable and Deputy Chief Constable Graham attended the Scottish Parliament on 9th February 2023. This was a regular meeting with Keith Brown MSP, the Cabinet Secretary for Justice & Veterans.

For any other business in terms of investigations that may or may not have been discussed, I would advise you that under Section 18 of the Freedom of Information (Scotland) Act 2002 (the Act), Police Scotland can neither confirm nor deny that it holds the information requested by you.

However, if the information was held by the Service, it would be considered exempt in terms of one or more of the exemptions detailed in Section 18 of the Act, which are listed below:

• Section 34(1) – Investigations

• Section 35(1) (a) & (b) - Law Enforcement

To disclose whether or not information was held would confirm whether or not the individual referred to was in some way known to Police Scotland.

## 2. Has Police Scotland scheduled any meetings in relation to Operation Branchform in the next month (March)?

This information is considered to be exempt in terms of the Freedom of Information (Scotland) Act 2002 (the Act). Section 16 of the Act requires Police Scotland to provide you with a notice which: (a) states that it holds the information, (b) states that it is claiming an exemption, (c) specifies the exemption in question and (d) states, if that would not be otherwise apparent, why the exemption applies. Where information is considered to be exempt, this letter serves as a Refusal Notice that information is held and an explanation of the appropriate exemption is provided.

## Section 34(1) (a) (i) & (ii) – Investigations by a Scottish public authority and proceedings arising out of such investigations

Information is exempt information if it is held by a Scottish public authority for the purposes of an investigation which the authority has a duty to conduct to ascertain whether a person or persons should be prosecuted for an offence or held at any time for the purposes of an investigation, which may lead to the authority deciding to make a report to the Procurator Fiscal to decide whether criminal proceedings should be implemented.

As with the other exemptions in section 34, there is no harm test in any of these exemptions: information will be exempt because this is still a live investigation.

## 3. How many people have been talked to for Operation Branchform so far? List of these meetings if possible?

This information is considered to be exempt in terms of the Freedom of Information (Scotland) Act 2002 (the Act). Section 16 of the Act requires Police Scotland to provide you with a notice which: (a) states that it holds the information, (b) states that it is claiming an exemption, (c) specifies the exemption in question and (d) states, if that would not be otherwise apparent, why the exemption applies. Where information is considered to be exempt, this letter serves as a Refusal Notice that information is held and an explanation of the appropriate exemption is provided.

## Section 34(1) (a) (i) & (ii) – Investigations by a Scottish public authority and proceedings arising out of such investigations

Information is exempt information if it is held by a Scottish public authority for the purposes of an investigation which the authority has a duty to conduct to ascertain whether a person or persons should be prosecuted for an offence or held at any time for the purposes of an investigation, which may lead to the authority deciding to make a report to the Procurator Fiscal to decide whether criminal proceedings should be implemented.

As with the other exemptions in section 34, there is no harm test in any of these exemptions: information will be exempt because this is still a live investigation.

If you require any further assistance please contact us quoting the reference above.

You can request a review of this response within the next 40 working days by [email](mailto:foi@scotland.police.uk) or by letter (Information Management - FOI, Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH). Requests must include the reason for your dissatisfaction.

If you remain dissatisfied following our review response, you can appeal to the Office of the Scottish Information Commissioner (OSIC) within 6 months - [online](http://www.itspublicknowledge.info/Appeal), by [email](mailto:enquiries@itspublicknowledge.info) or by letter (OSIC, Kinburn Castle, Doubledykes Road, St Andrews, KY16 9DS).

Following an OSIC appeal, you can appeal to the Court of Session on a point of law only.

This response will be added to our [Disclosure Log](http://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log) in seven days' time.

Every effort has been taken to ensure our response is as accessible as possible. If you require this response to be provided in an alternative format, please let us know.