



## Freedom of Information Response

Our reference: FOI 24-1088

Responded to: 21 May 2024

Your recent request for information is replicated below, together with our response. Please accept my apologies for the delay in responding.

**Can you advise why the investigation referred to as operation Branchform has still not concluded?**

**It will be 3 yrs this summer since the investigation began. Surely Police Scotland are either now in a position to issue charges or drop the case as there is no case to answer. The lengthy delay in bringing this case to a resolution runs the risk of opening up Police Scotland to accusations of actively aiding opposition parties to smear the current Scottish Government in upcoming election campaigns. Were such an accusation to be substantiated it could seriously bring into doubt Police Scotland political impartiality and diminish the general public trust in them which is in nobody's interest.**

As you will be aware an individual's right in terms of the legislation is to obtain information held by a public authority at the time a request is received and there is no obligation on them to create new information specifically for such a request.

In this instance the information requested is seeking opinion, not recorded information, accordingly, in terms of Section 17 of the Act, this letter represents a formal notice that information is not held.

By way of assistance, this investigation is still live.

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](#) or by letter (Information Management - FOI, Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH). Requests must include the reason for your dissatisfaction.

## OFFICIAL

If you remain dissatisfied following our review response, you can appeal to the Office of the Scottish Information Commissioner (OSIC) within 6 months - [online](#), by [email](#) 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](#) 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.