| Police Scotland logo | Freedom of Information Response Our reference: FOI 24-1389  Responded to: 21 June 2024 |
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Your recent request for information is replicated below, together with our response.

It was reported by the media that a complaint was made to Police Scotland about the MSP Michael Matheson and the force chose not to investigate:  
<https://news.stv.tv/politics/police-scotland-investigating-complaint-about-michael-matheson-amid-ipad-11000-roaming-charge-bill-row>  
Can you confirm this is correct?  
Also given that the Holyrood's Standard Committee has found that he broke their rules saying "no improper use should be made of any payment or allowance made to members for public purposes"  
[https://www.bbc.co.uk/news/articles/c999r0r0g72o](https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.bbc.co.uk%2Fnews%2Farticles%2Fc999r0r0g72o&data=05%7C02%7Cfoi%40scotland.police.uk%7Ca83f3ddfc4b942e594fb08dc7b710462%7C6795c5d3c94b497a865c4c343e4cf141%7C0%7C0%7C638520972533705619%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=tsudD9onAPuPVJ9poynlQNDdAN2vnKlXTRwoB2Di8ms%3D&reserved=0)  
can you confirm if this decision will be reviewed?

Lastly, can you share the decision making process and any record of the discussions around this decision? Given that it is public record that he lied to falsely claim expenses from the government it would seem an open and shut case and very unusual that it wasn't investigated.  
I can advise that Police Scotland does not hold information in the format requested.

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 you have requested opinion and a yes/no answer, 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, I would refer you to the statement Police Scotland made previously, which stated:

“A complaint which had been received has been assessed and no further action will be taken by Police Scotland at this time.”

Finally, should you require additional information on the full investigation that was completed, I would advise that a information request should be submitted to the Scottish Parliament at:

foi.officer@parliament.scot

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.