| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-1964  Responded to: 25th August 2023 |
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Your recent request for information is replicated below, together with our response.

## Please explain why Police Scotland withheld information from Alison Hernandez regarding Will Kerr's alleged history of misconduct in public office.

Our interpretation of your request is that by ‘*alleged history of misconduct in public office*’ you are referring to the allegations outlined in this recent IOPC statement:

[Investigation launched into allegations of misconduct against the Chief Constable of Devon and Cornwall Police | Independent Office for Police Conduct (IOPC)](https://www.policeconduct.gov.uk/news/investigation-launched-allegations-misconduct-against-chief-constable-devon-and-cornwall)

The allegations referred to do not relate to his time at Police Scotland and the information sought is therefore *not held* by Police Scotland.

DCC Will Kerr left Police Scotland in 2022.

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.