

NOT PROTECTIVELY MARKED

[REDACTED]
Address for correspondence
[REDACTED]

23rd September 2026

Dear [REDACTED]

HMICS Freedom of Information Response – FOI.26.00020

I refer to your request dated 11th September 2026, under the Freedom of Information (Scotland) Act 2002 (FOISA), for the following information:

"Dear Sir/Madam It states within this document <https://www.spa.police.uk/spa-media/hffhzfx2/item-10-covert-policing.pdf> "3.1 External oversight around covert policing is provided by the Investigatory Powers Commissioner's Office (IPCO), the Scottish Ministers, the Investigatory Powers Tribunal (IPT), His Majesty's Inspectorate of Constabulary in Scotland (HMICS), Police Investigations and Review Commissioner (PIRC), and Crown Office & Procurator Fiscal Service (COPFS)." Can you please explain how HMICS provides oversight around covert policing in Scotland? Please explain what measures, if any, are in place to ensure senior police constables cannot grant CHIS authorisations and Criminal Conduct Authorisations against citizens not to avert crime but to harm innocent people they have developed a deep-rooted hatred for eg. during the covid years there was much scapegoating of "anti-vaxxers" (a derogatory term used to describe innocent people who declined for whatever reason not to take medical interventions)? Please explain the process of Criminal Conduct Authorisation from start to finish which occurs within the Police Service of Scotland. How many Criminal Conduct Authorisations (CCA) were made by senior police constables each year in Scotland from 2020 to 2025. How many Criminal Conduct Authorisations were vetoed each year from 2020 to 2025? What body was responsible for vetoing? In situations where a crime has been authorised, and committed, against a victim yet no crime has been averted, where can he/she go to seek help as police constables are trained at Police Scotland to side with CHIS perpetrators (presumably because CCA grants them immunity)."

HMICS is an independent scrutiny body of both Police Scotland and the Scottish Police Authority. Our role was reaffirmed by the Police and Fire Reform (Scotland) Act 2012, which gives HMICS wide ranging powers to look into the "state, effectiveness and efficiency" of both Police Scotland and the Scottish Police Authority.

HMICS operates in accordance with a published three-year scrutiny plan, which sets out our priorities for scrutiny and how we will meet our statutory purpose. The plan is developed through consultation with stakeholders and is informed by an objective assessment of policing performance and risk. Our consultation and engagement seeks views from a wide range of groups, organisations and partners, including communities across Scotland. The scrutiny plan is reviewed throughout its lifecycle to ensure that our scrutiny activity can respond to emerging issues and risks.

[HMICS Scrutiny plan 2025-28 | HM Inspectorate of Constabulary in Scotland](#)

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In relation specifically to covert policing, HMICS's most recent dedicated scrutiny was published on 7th February 2018 and was directed by the Cabinet Secretary for Justice and undertaken by HMICS under section 74(1) of the Police and Fire Reform (Scotland) Act 2012.

[Strategic Review of Undercover Policing in Scotland | HM Inspectorate of Constabulary in Scotland](#)

The Investigatory Powers Commissioners Office (IPCO) provides independent oversight of covert policing and the use of investigatory powers. It scrutinises whether police use of its covert surveillance, undercover officers and covert human intelligence sources is lawful, necessary, and proportionate, and conducts regular inspections of Police Scotland in this regard.

With regard to the remainder of your request, I can advise, under section 17(1) of FOISA that HMICS does not hold the requested information. The information sought relates to operational policing matters and would be held by Police Scotland. You may therefore wish to contact Police Scotland directly in relation to this part of your request.

foi@scotland.police.uk

I trust this information is satisfactory for you, however, if you are unhappy with this response you may ask us to carry out an internal review, by writing to the address shown on this letterhead or by emailing HMIC@hmic.gov.scot. Your request should explain why you wish a review to be carried out and should be made within 40 working days of receipt of this letter. We will then reply within 20 working days of receipt of any such letter.

You then have a right of appeal to the Scottish Information Commissioner if you are dissatisfied with our internal review. The Commissioners website has a guide containing the full details for this process (www.itspublicknowledge.info) or they can be contacted via the following:

Scottish Information Commissioner

Kinburn Castle
Doubledykes Road
St Andrews
Fife
KY16 9DS
Tel: 01334 464 610

Yours Sincerely,

