

30 September 2016

Margaret Mitchell, MSP
Convener, Justice Committee
Justice Committee Clerks
Room T2 60
The Scottish Parliament
Edinburgh
EH99 1SP



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Dear Convener

SCOTTISH PARLIAMENT JUSTICE COMMITTEE MEETING – 27 SEPTEMBER 2016 – INVESTIGATORY POWERS BILL

I refer to the Scottish Parliament Justice Committee Meeting held on 27/09/2016 and specifically the questions posed regarding the Investigatory Powers Bill and the current process in relation to the deletion of data held by Police Scotland.

In respect of the current Police Scotland process as it relates to the collection and storage of intercepted material and related communications data as authorised by Part 1, Chapter 1 of the Regulation of investigatory Powers act 2000, I can confirm that any intercepted material and related communications data as well as all copies, extracts and summaries, which can be identified as the product of an interception is marked for, and deleted as soon as it is no longer required for the authorised purpose.

The deletion of the intercepted material and related communications data etc is an electronic process and I can confirm that upon deletion, the material is removed from both the primary and any back-up system. It is therefore not available to be recovered. In essence, once deleted, the material cannot be retrieved, recovered or restored.

Can I also take this opportunity to point out that Police Scotland, its systems and processes as they relate to the interception of communications and related communications data is subject of regular inspection by the Interception of Communications Commissioner's Office.

I trust this answers the Committee's query in relation to the deletion of data held by Police Scotland as it relates to intercepted material and related communications.

The broader issue of the retention of data held by Police Scotland and not related or connected to intercepted material and related communications cannot be fully explained in a letter and therefore should either yourself, or indeed any of the Committee Members wish or desire a more in depth briefing, then I would be more than happy to facilitate this at the Scottish Crime Campus.

Yours sincerely



Steve Johnson
Assistant Chief Constable (Crime)
