

18<sup>th</sup> September 2007



Bob McIntosh  
Director  
Forestry Commission Scotland  
231 Corstorphine Road  
Edinburgh  
EH11 1QZ

Dear Sir

**Request for Information under Freedom of Information Act 2000**

I refer to my request for information dated 10<sup>th</sup> August 2007 and to Mr Insleys response dated 6<sup>th</sup> September 2007

As I understand it, Forestry Commission Scotland has now issued me with a Refusal Notice citing Sections 14 and 12 of the above Act. I refute the assertions made in Mr Insleys letter and I request you conduct an internal review into this matter.

I clearly identified who I was, my request contained 4 points and I subsequently explained why I require the information.

In terms of Section 14, I would be most surprised if this information was not immediately to hand therefore I cannot agree this would impose a "significant burden" on FCS or, given the stated purpose of the request, how FCS can argue this request has either: "no serious purpose or value, is designed to cause disruption, constitutes harassment or can otherwise be classed as obsessive or manifestly unreasonable."

I suggest to you that one reason for not disclosing this information would be because it would manifestly make FCS position untenable by contradicting previous FCS conclusions. I therefore request that you consider this matter when investigating my appeal.

In terms of Section 12, Mr Insley points out that “the key factor in this instance is the perception of the public authority” I suggest FCS presumptions and perceptions are misguided. FCS “perception” has already led your organisation to breach the Data Protection Act as correspondence containing my personal details has been circulated amongst third parties on more than one occasion and without my consent.

I am not satisfied therefore, that this issue has been considered with objectivity and I am not satisfied with Mr Insleys explanation or with his assurance that any steps have been taken to prevent a reoccurrence. Again, I ask that you investigate these matters.

I look forward to hearing from you as soon as possible.

Yours sincerely

Niall R Thomson  
Chairman  
CVDG