

Our Ref: IM-FOI-2022-2158  
Date: 1<sup>st</sup> November 2022



## FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

I refer to your recent request for information which has been handled in accordance with the Freedom of Information (Scotland) Act 2002.

For ease of reference, your request is replicated below together with the response.

**I am making a request under the Freedom of Information Act, relating to powers exercised under the Police, Crime, Sentencing and Courts Act since it came into force earlier this year.**

**In particular, the parts relating to restrictions on protest - that is, clauses 73, 74, and 75 of the act as referenced here:**

<https://www.legislation.gov.uk/ukpga/2022/32/part/3/crossheading/public-processions-and-public-assemblies/enacted>

**To help assist your search, my understanding is that the act came into force on 28 June 2022, although it gained Royal Assent on 28 April.**

**Please tell me:**

- a. Any times you have placed restrictions on protests (aka processions or assemblies) using these powers**
- b. Any arrests made using the powers**

**For any cases falling under either a or b (or both), please provide as much contextual information on the incidents as you are able to. For any arrests, please also provide information on whether the individual was charged, released, or released under investigation (and so on).**

In response to your request, I must advise you that this legislation (for the most part) does not extend to Scotland.

As such, in terms of Section 17 of the Freedom of Information (Scotland) Act 2002, this represents a notice that the information you seek is not held by Police Scotland.

Should you require any further assistance please contact Information Management Dundee, quoting the reference number given.

If you are dissatisfied with the way in which Police Scotland has dealt with your request, you are entitled, in the first instance, to request a review of our actions and decisions.

## OFFICIAL

Your request must specify the matter which gives rise to your dissatisfaction and it must be submitted within 40 working days of receiving this response - either by email to [foi@scotland.police.uk](mailto:foi@scotland.police.uk) or by post to Information Management (Disclosure), Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH.

If you remain dissatisfied following the outcome of that review, you are thereafter entitled to apply to the Office of the Scottish Information Commissioner within six months for a decision. You can apply [online](#), by email to [enquiries@itspublicknowledge.info](mailto:enquiries@itspublicknowledge.info) or by post to Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS.

Should you wish to appeal against the Office of the Scottish Information Commissioner's decision, there is an appeal to the Court of Session on a point of law only.

As part of our commitment to demonstrate openness and transparency in respect of the information we hold, an anonymised version of this response will be posted to the Police Scotland Freedom of Information [Disclosure Log](#) in seven days' time.