| Police Scotland logo | Freedom of Information Response Our reference: FOI 25-1414  Responded to: 12 September 2025 |
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Your recent request for information is replicated below, together with our response.

**Would you please provide all communications and records of meetings between Police Scotland and Gillian McKay MSP and/or The Crown Office/Procurator Fiscal and their staff, relating to the Safe Access Zones (Scotland) bill and law as it applies when a clinic is closed, including any relating to the Scottish Family Party's demonstrations within safe access zones which took place on 8 March (Aberdeen), 22 March (Edinburgh), 12 April (Glasgow). May I point that Gillian McKay's communications and meetings were not in a personal capacity, but as an MSP.**

Please find enclosed attachments 1 and 2 that relate to your request.

Some information has been redacted from those documents as I am refusing to provide it in terms of section 16(1) of the Act on the basis that the following exemptions apply:

* *Section 30(c) - Prejudice to the Effective Conduct of Public Affairs.*

Disclosure would prejudice substantially the effective conduct of public affairs.

In this case telephone numbers and e-mail addresses have been redacted.

Disclosure would serve to disrupt the well-established processes which members of the public are encouraged to use when contacting Police Scotland, thus prejudicing our ability to effectively manage such contact appropriately.

Whilst there is a public interest in better informing the public as to the internal mechanisms used within the force, this must be balanced with the need to ensure that the appropriate channels are used for contact and that internal mailboxes are not compromised in any way.

* *Section 38(1)(b) – Personal Information*

Personal data is defined in Article 4 of the General Data Protection Regulation (GDPR) as:

‘Information relating to an identified or identifiable natural person (“data subject”); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person’.

Section 38(2A) of the Act provides that personal data is exempt from disclosure where disclosure would contravene any of the data protection principles set out at Article 5(1) of the GDPR which states that:

‘Personal data shall be processed lawfully, fairly and in a transparent manner in relation to the data subject’.

Article 6 of the GDPR goes on to state that processing shall be lawful only if certain conditions are met. The only potentially applicable condition is Article 6(1)(f) which states:

‘Processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child’.

Notwithstanding, I am further of the view that your interests are overridden by the interests or fundamental rights and freedoms of the data subjects.

On that basis, it is considered that disclosure of the information sought would be unlawful.

As such, any personal data, including names has been redacted.

**Please also provide all guidance […]**

A copy of the associated interim guidance is enclosed at attachment 3.

Some information has been redacted from those documents as I am refusing to provide it in terms of section 16(1) of the Act on the basis that the following exemptions apply:

*Section 35(1)(a)&(b) - Law enforcement*

Disclosure would prejudice the prevention and detection of crime and the apprehension and prosecution of offenders.

Revealing intelligence and other information about police tactics can only serve to undermine the integrity of the law enforcement role of Police Scotland.

Whilst we accept that the public have a right to know how their communities are policed, particularly in relation to contentious issues, this must be balanced with the need to ensure that Police Scotland can respond effectively to incidents.

**and communication within Police Scotland on the same issues.**

Unfortunately, I estimate that it would cost well in excess of the current FOI cost threshold of £600 to process your request. I am therefore refusing to provide the information sought in terms of section 12(1) of the Act - Excessive Cost of Compliance.

To explain, we are unable to carry out a force wide search of all correspondence based on a particular subject matter. Research would involve extensive enquiry with all force departments and divisions, any of whom could have had cause to engage on this subject.

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](https://www.foi.scot/appeal), by [email](mailto:enquiries@foi.scot) 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.