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Our Ref: IM-FOI-2022-0291
Date: 16th March 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.

In follow-up to request IM-FOI-2021-2892:

You state “Further, an event (e.g. a parade or procession), which reflects the constitutional rights of the participants, such as protest, or there is royal, national or defined public interest, and there is no financial gain to the organiser, then the provision of police services to a Statutory Event is considered a core policing function and the organisers will not be charged.”

Please clarify what you mean by an event organiser would not be charged?

Does that mean an event organiser would not be charged financially?

Or would they not be charged criminally?

They would not be charged financially.

Please advise the legal definition of a procession?

Please supply the legislation surrounding the meeting of citizens under the title of Rally that does not involve a march or procession such as a ceremonial ritual for example a masonic walk, a funeral procession or indeed a local Gala day procession?

Please advise the legal definition of a rally or gathering of people who meet with a common cause?

I must advise that Police Scotland does not hold recorded information that answers the three points above. Whilst it is possible the information could be created, there is no onus under the Freedom of Information (Scotland) Act 2002 for us to do so.

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

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Should you require any further assistance please contact Information Management 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.

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.pnn.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 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.