

Our Ref: IM-FOI-2022-1224  
Date: 1 July 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.

***Communication between Police Scotland and the Scottish Government regarding the Scotland v Ukraine football match at Hampden Park on June 1, 2022.***  
***Communication between Police Scotland and the Home Office regarding the Scotland v Ukraine football match at Hampden Park on June 1, 2022.***

I can advise that Police Scotland does not hold any relevant information. In terms of Section 17 of the Act, this letter represents a formal notice that information is not held.

By way of explanation, searches of correspondence held by the National Football Information Point – Scotland, Greater Glasgow Operational Planning department, Greater Glasgow Divisional Commander, the Chief Constable, relevant DCC's and ACC's were undertaken and no relevant information was identified.

***Policing plans for Police Scotland regarding the Scotland v Ukraine football match at Hampden Park on June 1, 2022.***

This information is considered to be exempt in terms of the Freedom of Information (Scotland) Act 2002 (the Act). Section 16 of the Act requires Police Scotland to provide you with a notice which: (a) states that it holds the information, (b) states that it is claiming an exemption, (c) specifies the exemption in question and (d) states, if that would not be otherwise apparent, why the exemption applies. Where information is considered to be exempt, this letter serves as a Refusal Notice that information is held and an explanation of the appropriate exemption is provided.

I can confirm that Police Scotland holds the information that you have requested.

The exemptions that I consider to be applicable to the information requested by you are as follows:

### Section 35 (1) (a) & (b) – Law Enforcement

The primary duty of Police Scotland at such events is to ensure the safety of those attending and the general public who may not be otherwise involved with the event. It is

also incumbent on the Service to prevent crime, detect offenders and ensure the event proceeds with as little disruption to the community as possible.

Release of the information requested would adversely impact on the operational effectiveness of the Service in policing such events in the future, which would be similarly resourced. Being aware of the numbers of officers on duty on this occasion would allow persons or groups intent on committing offences, or causing disorder, with the means to make a reasonable assessment of the number of officers on duty at similar events in the future and thus to make an assessment of the capacity of the Service to deal with such eventualities at the time of the event.

Disclosure of this information would compromise any tactical advantage the police may have over such persons or groups when dealing with any crime or disorder.

Disclosure of this information would, or would be likely, to prejudice substantially the prevention or detection of crime.

This is a non-absolute exemption which requires the application of the public interest test.

### **Section 39 (1) – Health and safety**

As previously stated above, the main priority for the Service in policing events of this nature is to ensure the safety of those attending the event and other members of the public. In addition, the safety of police officers who may have to deal with any crime and disorder at the event is also a consideration.

Where disclosure of information would adversely impact on the effectiveness of the Service in preventing crime and disorder then it follows that this would subsequently increase the risk to the safety of the public and police officers through them becoming victims of such conduct.

Release of the information therefore would, or would be likely to, endanger the physical or mental health or the safety of an individual.

This is a non-absolute exemption and requires the application of the public interest test.

### **Public Interest Test**

Public awareness and accountability would favour a disclosure on this subject as it would contribute to the public debate surrounding the efficient and effective use of resources by the Service. However, in contrast, there is no public interest in disclosing information which is likely to damage the efficient and effective conduct of the police service in relation to its law enforcement role, or which is likely to have an adverse impact upon public safety.

As explained above, this would allow those intent on wrong-doing to gauge, with some accuracy, the level of specific police resources utilised, thus affording them the opportunity to take steps to circumvent the ability of the Police to deliver effective law enforcement provision, and placing themselves, members of the public and the police force at increased risk.

I consider that the decision must fall in favour of preventing crime and safeguarding the health and safety of the public. Accordingly, on balance, the public interest in disclosing the information requested is outweighed by that in maintaining the exemption detailed above.

***Police Scotland communication containing the words 'Russia' or 'Russian' between February 24 and July 2, 2022.***

In accordance with Sections 12(1) (Excessive cost of compliance) and 16(4) (Refusal of request) of the Freedom of Information (Scotland) Act 2002 (the Act), this letter represents a Refusal Notice.

By way of explanation, there is no easy way to extract this from our recording systems as police officers and members of police staff across Scotland may hold relevant information and each individual would require to search their correspondence to establish if they hold anything that includes the words 'Russia' or 'Russian'.

Police Scotland currently has in excess of 17,000 police officers and over 5000 members of police staff. If it took approximately 10 minutes for each of them to check their correspondence, it is clear that it would take in excess of the £600 and 40 hours prescribed by the Scottish Ministers under the Act.

Should you require any further assistance please contact Information Management - Glasgow at – [foi@scotland.police.uk](mailto:foi@scotland.police.uk) – 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.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.