| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-0347  Responded to: 21st February 2023 |
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Your recent request for information is replicated below, together with our response.

## What legislation do police Scotland use I.e. Black's law maritime law corporation legislation or common law??

Please be advised that a list of charge codes which details all crimes by common law/ legislation is publicly available.

As such, in terms of Section 16 of the Freedom of Information (Scotland) Act 2002, I am refusing to provide you with the information sought. Section 16 requires Police Scotland when refusing to provide such information because it is exempt, 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.

I can confirm that Police Scotland holds the information that you have requested and the exemption that I consider to be applicable is set out at Section 25(1) of the Act - information otherwise accessible:

“Information which the applicant can reasonably obtain other than by requesting it under Section 1(1) is exempt information”

The information you are seeking is available on the Scottish Government website, via the following link:

[Scottish Criminal Justice Information Systems list of charge codes](https://www.gov.scot/publications/crime-and-justice-statistics-iscjis-charge-codes-october-2018/)

## What jurisdiction is a police officer??

## What jurisdiction is a police constable??

It is not entirely clear what information is being sought in these points however the duties and functions of a Police Constable are set out in Legislation at Sections 19 and 20:-

[Police and Fire Reform (Scotland) Act 2012 (legislation.gov.uk)](https://www.legislation.gov.uk/asp/2012/8/section/19)

## Do police do so by consent??

You will see that there are repeated reference on our website to Police Scotland policing by consent, for example in our Code of Ethics:-

[Code of Ethics for policing in Scotland - Police Scotland](https://www.scotland.police.uk/about-us/who-we-are/code-of-ethics-for-policing-in-scotland/)

## Common Law in Scotland is more powerful than Black's law maritime law legalese why do police Scotland ignore the law for corporation legislation??

## Statutory acts need consent why does police Scotland ignore this in sheriff courts

## Fraud is fraud irrelevant of the perpetrators

As this part of your request does not seek a copy of recorded information, it is not a valid request in terms of Section 8 of the Freedom of Information (Scotland) Act 2002.

By way of explanation, your questions are seeking an opinion which is not considered recorded information as per the Act.

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](http://www.itspublicknowledge.info/Appeal), by [email](mailto:enquiries@itspublicknowledge.info) 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.