

OFFICIAL

Our Ref: IM-FOI-2022-1821
Date: 21st September 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.

Also want all CCTV I Can get from all locations and public streets around Scotland

In terms of section 14(1) of the Freedom of Information (Scotland) Act 2002, I am refusing to respond to your request on the basis that I consider it to be 'vexatious'.

In particular, I note that the request appears to have been a reaction to a previous response where we refused to confirm or deny that information was held.

I would stress once again that *personal information* requests are not best dealt with using FOI legislation and that your request was passed to our data protection team who will be in touch separately.

'Vexatious' is not defined in the Act but I would refer to the following factors as set out in the Commissioner's guidance:

- a) It would impose a significant burden on the public authority.
- b) It does not have a serious purpose or value.
- c) It is designed to cause disruption or annoyance to the public authority.
- d) It has the effect of harassing the public authority.
- e) It would otherwise, in the opinion of a reasonable person, be considered to be manifestly unreasonable or disproportionate.

The purpose of FOI is to provide a right of access to recorded information and we respond to thousands of requests each year which seek to exercise that right.

We are committed to the principles of openness and accountability and that means focusing on those requests whereby individuals are genuinely motivated by accessing the information we hold.

It is my assessment that overall, your request has no serious purpose or value, is designed to cause annoyance to Police Scotland and, in the opinion of a reasonable person, would be considered to be manifestly unreasonable.

Notwithstanding the above, public space CCTV is typically retained for a period of around 31 days unless it is required for evidential reasons. Clearly, it would contain extensive personal data in the form of images of identifiable individuals and on that basis, it is highly likely that exemptions would apply.

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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.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.