

Our Ref: IM-FOI-2022-0176
Date: 09 February 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.

- 1) Since the introduction of lockdown restrictions in March 2020, how many people have appeared in court for breaching covid restrictions? If possible and within cost allowance for FOI responses, please break the details down to show what the alleged breaches consisted of and what sanctions, if any, resulted from the cases brought against people.**
- 2) If possible and within cost limitations of FOI responses, please provide details of all cases involving people who have appeared in court for covid restriction breaches that occurred at any time between Dec 22, 2021 until now. Please also provide me with the date of the alleged breach, the nature of the breach (i.e. gathering that flouted distance rules) and details of any sanctions resulting from these cases.**

In response to your request, I can advise you that it is the decision of the Crown Office and Procurator Fiscals Service whether a case should be prosecuted in the courts. As such, in terms of Section 17 of the Freedom of Information (Scotland) Act 2002, this represents a notice that the information you seek is not held by Police Scotland.

You may wish to contact the Crown Office and Procurator Fiscals Service (COPFS). A request can be submitted to COPFS via email using the following address foi@copfs.gsi.gov.uk

I can further advise you that Police Scotland publish information regarding our COVID-19 response including enforcement and response data on our website. You may find this information useful: [Enforcement and response data - Police Scotland](#)

Should you require any further assistance please contact Information Management - Dundee on foidundee@scotland.pnn.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.pnn.police.uk or by post to Information Management (Disclosure), Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH.

OFFICIAL

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.

OFFICIAL