

**OFFICIAL**

Our Ref: IM-FOI-2021-2227  
Date: 02 November 2021



## **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.

**Please advise me of the number of arrests of protesters outside The Scottish Parliament at Holyrood for the past 5 years?**

**Please break this number down year on year, month on month, week on week and whether due to an event or a individual occurrence?**

In response to the two questions above, I regret to inform you that I am unable to provide you with the information you have requested, as it would prove too costly to do so within the context of the fee regulations.

As you may be aware the current cost threshold is £600 and I estimate that it would cost well in excess of this amount to process your request.

As such, and in terms of Section 16(4) of the Freedom of Information (Scotland) Act 2002 where Section 12(1) of the Act (Excessive Cost of Compliance) has been applied, this represents a refusal notice for the information sought.

By way of explanation, there is no tag for crime type marked against arrests which would enable the straightforward retrieval of the information you require.

In order to determine figures for persons arrested at a protest each record of arrest would need to be individually manually assessed. The figures for arrests, particularly for the time period specified reaches into thousands. Even a conservative estimate of 2 minutes per record would greatly exceed the cost threshold set out within the Act.

Police Scotland have determined that the £600 cost threshold within the Act equates to 40 hours of work.

By way of assistance, please see the table below, I have provided the number of recorded crimes, that relate to protests at or approximate to the location and time period specified.

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Year	2015	2016	2017	2018	2019	2020	2021
Number of Recorded Crimes relating to protests	0	0	0	0	0	1	13

It is worthy of note that these are recorded crimes, not single interactions with Police. Multiple crimes may have been committed simultaneously by a single person or group.

**Please advise me of the number of any protesters (at an organised or expected event) that have intruded or been arrested inside the Scottish Parliament at Holyrood in the past five years?**

**Please break this number down year on year, month on month, week on week and whether due to an event or an individual occurrence?**

In response to questions 3 and 4 above, in relation to arrests please see the response to questions 1 and 2.

With respect to "intrusions" I have manually examined all of the recorded crimes for the location and date specified. I can advise that the number of intrusions in relation to protesters is zero.

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](mailto: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](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.