

Our Ref: IM-FOI-2021-0689  
Date: 16 April 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 requests for a copy of recorded information are replicated below together with the response.

[Information request - 1]

I request a copy of the statutory legislation that states that gatherings are illegal below or above thirty people and the reasons why this relied upon legislation is not in the public domain. (Expansion attached)

[Information request - 2]

I request a copy of the statutory legislation that permits police officers of Scotland on front line duties in outdoor public arenas to make use of face coverings when engaging with the public. (Expansion attached).

In terms of section 17 of the Freedom of Information (Scotland) Act 2002 the information requested is not held by Police Scotland.

To explain, there is no legislation which makes *specific reference* either to gatherings of above/ below thirty people or to police officers wearing face coverings.

To be of assistance, information regarding the Police Scotland response to the COVID-19 pandemic and associated legislation can be found online:

<https://www.scotland.police.uk/about-us/covid-19-police-scotland-response/>

Should you require any further assistance please contact Information Management - Dundee 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.

## 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](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.