



LETTER SENT BY EMAIL ONLY

5 February 2025

FOI Ref 2025/24_104

Request

Your request for information dated 29 January 2025 is copied below.

You have stated that you do not have information showing proof that Shetland is part of Scotland. Do you have information showing how you or Police Scotland have the authority to operate in Shetland in the absence of proof that Shetland is part of Scotland?

Response

The Scottish Police Authority has considered your request under the Freedom of Information (Scotland) Act (FOISA).

The Authority's website sets out '[Who we are](#)' and '[What we do](#)'. This points to publicly available legislation which sets out the authority within which the Scottish Police Authority and Police Scotland operates.¹

The [Police and Fire Reform \(Scotland\) Act 2012](#) sets out the functions of the Authority in section two. The Chief Constable's authority for the policing of Scotland is set out in section 17, and Local Policing section 44.

In addition, we can point you to the following legislation:

- The [Local Government etc. \(Scotland\) Act 1994](#) s1 and Schedule 1;
- The [Scotland Act 1998](#) s126(1) & (2), and Schedule 1.

The legislative framework set out above shows that Shetland is officially governed as a council area of Scotland. It is one of the 32 council areas established under the Local Government etc. (Scotland) Act 1994 and follows Scottish law.

¹ This represents a notice in terms of Section 25 of the Freedom of Information (Scotland) Act 2002 - where information is already available, there is no need to provide an alternative right of access to it through FOISA.

Right to Review

If you are dissatisfied with the outcome of your request, you can ask for a review within 40 working days. You must specify the reason for your dissatisfaction and submit your request by email to foi@spa.police.uk or by letter to Scottish Police Authority, 1 Pacific Quay, Glasgow, G51 1DZ.

If you remain dissatisfied after review, you can appeal to the Scottish Information Commissioner within six months. You can apply [online](#), by email to enquiries@foi.scot or by letter to Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS.

Should you wish to appeal against the Commissioner's decision, you can appeal to the Court of Session, only if you think the law has not been applied correctly.

This response will be posted to our [Disclosure Log](#) after seven days.

Yours faithfully

Scottish Police Authority

