

1 June 2022

2022-034

FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

REQUEST DETAILS

Please find below our response to your correspondence dated 31 May in which you made the following request under the Freedom of Information (Scotland) Act 2002:

I would be grateful if you could provide me with details of the policy adopted by the Scottish Police Authority in relation to the giving of Recorded Police Warnings and especially the guidance given to its police officers as to when and how they should give such warnings, in particular, the following;

- (i) how a police officer should decide when it is appropriate to give such a warning,
- (ii) how the police officer should engage with the person to whom the warning is to be given and
- (iii) how the person receiving the warning should be advised that the warning has been recorded.

RESPONSE

Your request for information has been considered and the Scottish Police Authority (SPA) is able to provide the following;

The Scottish Police Authority provides governance and oversight of policing in Scotland. The Authority does not hold information on operational policing matters.

Therefore, this represents a notice in terms of Section 17 of the Freedom of Information (Scotland) Act 2002 – Information not held.

By way of assistance, information may be available by contacting Police Scotland. Information on how to make an FOI request to Police Scotland is provided at – <http://www.scotland.police.uk/access-to-information/freedom-of-information/>

RIGHT TO REVIEW

If you are dissatisfied with the way in which your request has been dealt with 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@spa.police.uk or by post to Corporate Management Team, Scottish Police Authority, 1 Pacific Quay, Glasgow, G51 1DZ.

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 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 Scottish Police Authority Freedom of Information [Disclosure Log](#) in seven days' time.