| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-1588  Responded to: 6th July 2023 |
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Your recent request for information is replicated below, together with our response.

## There is a by-law in Lerwick that prevents people drinking alcohol in public places (other than licensed premises and on certain days of the year).

## People breaking the by-law can be fined.

## Would it be possible to get a year-by-year (financial or calendar which ever is easiest) account of the number of by-law breaches recorded and the number of fines issues and the value of each of those fines issued.

## Please could I have figures for the past three years?

Please be advised that crime statistics are publicly available, broken down by Multi-Member Ward area, on the Police Scotland website.

As such, in terms of Section 16 of the Freedom of Information (Scotland) Act 2002, I am refusing to provide you with the information sought. Section 16 requires Police Scotland when refusing to provide such information because it is exempt, to provide you with a notice which:

(a) states that it holds the information,

(b) states that it is claiming an exemption,

(c) specifies the exemption in question and

(d) states, if that would not be otherwise apparent, why the exemption applies.

I can confirm that Police Scotland holds the information that you have requested and the exemptions which I consider to be applicable are set out at Section 25(1) and Section 27(1) of the Act - information otherwise accessible:

*“Information which the applicant can reasonably obtain other than by requesting it under Section 1(1) is exempt information”*

*“Information is exempt information if it is held with a view to its being published […] at a date not later than twelve weeks after that on which the request for the information is made.”*

The information you are seeking is available via the below link and the relevant MMWs are Lerwick North and Lerwick South. The relevant crime classification is ‘Consumption of alcohol in designated places, byelaws proh.’

[Crime data - Police Scotland](https://www.scotland.police.uk/about-us/how-we-do-it/crime-data/)

Please note that data from the end of the 2022/23 period and from 2013/14 to date will be published within the next couple of weeks.

Anti-Social Behaviour Fixed Penalty Notices (ASBFPNs) allow the police to issue offenders a £50 fine for a range of offences including drunken-related behaviours and playing loud music. Please see the Scottish Government website for further information:-

[15. Police disposals - Criminal proceedings in Scotland: 2020-2021 - gov.scot (www.gov.scot)](https://www.gov.scot/publications/criminal-proceedings-scotland-2020-21/pages/19/)

If you require any further assistance please contact us quoting the reference above.

You can request a review of this response within the next 40 working days by [email](mailto:foi@scotland.police.uk) or by letter (Information Management - FOI, Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH). Requests must include the reason for your dissatisfaction.

If you remain dissatisfied following our review response, you can appeal to the Office of the Scottish Information Commissioner (OSIC) within 6 months - [online](http://www.itspublicknowledge.info/Appeal), by [email](mailto:enquiries@itspublicknowledge.info) or by letter (OSIC, Kinburn Castle, Doubledykes Road, St Andrews, KY16 9DS).

Following an OSIC appeal, you can appeal to the Court of Session on a point of law only.

This response will be added to our [Disclosure Log](http://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log) in seven days' time.

Every effort has been taken to ensure our response is as accessible as possible. If you require this response to be provided in an alternative format, please let us know.