| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-1294  Responded to: 07 June 2023 |
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Your recent request for information is replicated below, together with our response.

## There seems to be a presumption in Police Scotland that people are somehow bound by government legislation, because they seem to be enforcing said legislation (such as the Road Traffic Act 1988) upon the people. Therefore, please provide presentable, material evidence of the lawfully-established obligation binding the people of the UK (and/or Scotland) to government legislation.

## This must be evidenced at its very root source - ie, stating that "parliament voted for it" is in no way adequate as it would require evidence of how parliament's vote ever became lawfully binding upon the people in the first place. (Ditto "royal assent" etc).

## DO NOT merely type a sentence without material evidence to back it up (eg, "it's the law", etc, as without material evidence of lawful obligation it would not be).

## DO NOT provide opinion, conjecture or hearsay.

## DO NOT send a link to "how laws are made in Scotland" (a website someone has written with zero evidence to back it up is merely opinion, conjecture, hearsay and someone "typing a sentence", as above).

## ONLY provide material evidence of obligation evidenced back to root source.

## If the lawful obligation is due to someone having authority over the people, then please provide evidence of how that authority was lawfully established at its very root source.

## This is a serious question being asked, therefore avoid attempting to label it as "vexatious". I can assure you I am not being vexatious in any way and aim to establish the facts.

In terms of section 14(1) of the Freedom of Information (Scotland) Act 2002, I am refusing to respond to your request on the basis that I consider it to be ‘vexatious’.

‘Vexatious’ is not defined in the Act but I would refer to the following factors as set out in the Commissioner’s guidance:

1. It would impose a significant burden on the public authority
2. It does not have a serious purpose or value
3. It is designed to cause disruption or annoyance to the public authority
4. It has the effect of harassing the public authority
5. It would otherwise, in the opinion of a reasonable person, be considered to be manifestly unreasonable or disproportionate.

Furthermore, an authority can reasonably conclude that a particular request represents the continuation of a pattern of behaviour.

It might, in those circumstances, decide the request can be refused as the continuation of the pattern of behaviour makes the latest request vexatious.

This may arise, for example, where a requester has an on-going grievance against a public authority, or could reasonably be described as conducting an extended campaign to the point that their behaviour can be described as obsessive.

It is my assessment that this request has no serious purpose or value.

It follows an increasingly familiar request sent to Police Scotland seeking to challenge the legitimacy of legislation and/ or policing. FOI is not a forum for philosophical debate regarding those matters.

The purpose of FOI is to provide a right of access to recorded information and we respond to thousands of requests each year which seek to exercise that right.

We are committed to the principles of openness and accountability and that means focusing on those requests whereby individuals are genuinely motivated by accessing the information we hold.

It is my assessment that overall, your request has no serious purpose or value and in the opinion of a reasonable person, would be considered to be manifestly unreasonable or disproportionate. I can confirm that your request has the effect of harassing Police Scotland in the circumstances and is both a burden and significant waste of resources.

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.