

THE FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

REFUSAL NOTICE

Request Number: 2022-671519

Date: 4 March 2022

This refusal notice is provided in accordance with section 16 of the Freedom of Information (Scotland) Act 2002 (FOI(S)A).

You have requested certain information which we have decided not to disclose to you. Further information about this decision is set out below.

Information which is the subject of the request	<i>'The scope of upgrades made to the Scottish Parliament car park from 24th June 2021 to 8th July 2021, including a breakdown of all changes made.'</i>
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This information is held by us but we have decided not to disclose it as we consider it to be exempt information under the Act. Details are set out below.

Exemption(s)	Section 39(1) of FOI(S)A -
Why exemption(s) applies	<p>In terms of section 39(1) information may be withheld if disclosure would, or would be likely to, endanger the physical or mental health or safety of an individual. The exemption applies to a single individual, or a group of people.</p> <p>The disclosure of information about improvements made to the perimeter security at the Scottish Parliament would, or would be likely to, endanger the physical and mental health of individuals within the Parliament building and campus. Disclosing information in response to an FOI request has the effect of putting the requested information into the public domain. Information about changes made to the perimeter security at the Scottish Parliament would be useful to individuals or groups wishing to gain access to the Parliament building for unlawful purposes. Following attacks which resulted in the death of two MPs there are well-founded reasons for concerns regarding the safety of Members and their staff. The disclosure of this information would cause significant distress to individual Members, their staff as well as parliamentary staff and would, or would be likely to, have an impact on their physical and mental health and wellbeing.</p>
Public interest	Section 39 (1) is a qualified exemption which means

(where relevant)

that application of this exemption is subject to the public interest test. We therefore have to consider whether, in all the circumstances, the public interest in disclosing this information is outweighed by the public interest in maintaining the exemption. Whilst information about upgrades to the car park may be of interest to the public, we consider that it is in the interests of the public to ensure that we do not release information that would, or would be likely to, endanger the physical or mental health or safety of Members and their staff and parliamentary staff. Accordingly, we are of the view that in this instance the public interest in disclosing the information is outweighed by the public interest in maintaining the exemption.