

OFFICIAL

Our Ref:  
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David Duncan  
Assistant Chief Constable  
Policing Together  
Tulliallan Castle  
Tulliallan  
Kincardine  
FK10 4BE

ACCPolicingTogether@scotland.police.uk

Dear Mr Imrie

## **FIREWORKS AND PYROTECHNIC ARTICLES (SCOTLAND) ACT 2022**

I refer to the recent communication received on Thursday 9 November 2023 requesting further details on the workability of Part 5 of the Fireworks and Pyrotechnic Articles (Scotland) Act 2022, specifically Section 36 (Prohibition of pyrotechnic articles at designated venues or events).

As this part of the legislation only went live on 6 June 2023, I think it is still too early to provide comment on its effectiveness. That said Police Scotland have supported the Scottish Government's publicity campaign to raise public awareness of the new offences. Furthermore we have circulated internal communications and guidance to all officers and staff to raise awareness of our responsibilities to enforce the legislation. Additionally Pyrotechnic guidance documents are included in all Operational Orders as part of the briefings for officers working at all events.

Section 41 of the legislation provides officers with the power to stop and search individuals suspected of committing offences under this Act, however for events, attendees are more likely to be searched as a condition of entry which is generally carried out by stewards who monitor turnstiles and entrances. Consequently it will be hard to provide a comparison to pre event legislation specific to individuals who are searched and found to be in possession of pyrotechnics as these would be disposed off as no offence was committed.

To date 15 crime reports have raised under S36 of the Act, with 7 reported to COPFS for consideration of criminal proceedings. Enquiries remain ongoing for 4 of the incidents and 4 have been disposed through the Restorative Justice Warning process.

I trust this information is of assistance to you.

Yours sincerely

A handwritten signature in black ink, appearing to read 'DD', enclosed within a light grey rectangular border.

David Duncan  
Assistant Chief Constable