| Police Scotland logo | Freedom of Information Response Our reference: FOI 24-1981  Responded to: 19th August 2024 |
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I refer to your recent correspondence seeking access to information about a matter you were involved in.

Part of your request is technically a Subject Access Request(SAR)and it will therefore be considered in terms of the Data Protection Act 2018/ GDPR as explained on our [website](http://www.scotland.police.uk/access-to-information/data-protection/subject-access-requests).

Our Data Protection team will contact you separately in relation to your SAR.

Because you mentioned FOI in your request, we are required by law to provide this *additional* response in terms of the Freedom of Information (Scotland) Act 2002 specifically.

In terms of section 18 of the Act, I am refusing to confirm or deny whether Police Scotland holds the information sought.

Bearing in mind that FOI disclosures are essentially public disclosures, the public interest overwhelmingly lies in protecting individual’s rights to privacy and the integrity of any police investigations.

If the information was held, it would be exempt from disclosure in terms of at least one exemption set out in the Act. In this instance, the following exemptions apply:

Section 34(1)(b) - Investigations

Section 35(1)(a)&(b) - Law Enforcement

Section 38(1)(a) - Personal Data (applicant’s own)

Section 38(1)(b) - Personal Data (third parties)

I understand that this response may seem confusing and/ or unhelpful in the circumstances, but I would stress that FOI is not the appropriate means by which information about personal matters can be accessed.

Information can also be accessed by individuals, their solicitors and Insurance Companies via our [Provision of Reports](https://www.scotland.police.uk/access-to-information/provision-of-reports/) processes.

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.