| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-1525  Responded to: 04 July 2023 |
| --- | --- |

Your recent request for information is replicated below, together with our response.

**In respect of the 174 persons in the response who are “United Kingdom-British Citizens”; (a) what is the legal basis for detaining them under UK immigration legislation in a police custody suite; (b) do you monitor this group (“United Kingdom-British Citizens”) by ethnicity or racial group in respect of this function of detention in a police custody suite under UK immigration legislation; and (c) if so, what is the ethnicity or racial group status of this 174 persons cohort?**

In researching this request we have revisited the data provided to you in FOI 23-1436 and unfortunately, it appears that it was incorrect.

The correct data is provided at Appendix A of this document.

As you will see, the correct figure for the number of individuals with a recorded nationality of ‘United Kingdom - British Citizen’ is **3**, not 174.

Please accept our apologies for the confusion.

We have carried out further enquiry into the three British citizens and can advise that although that is recorded as their nationality on the National Custody System, two out of the three have a recorded place of birth out with the UK.  It is therefore possible, in the circumstances, that the nationality information was recorded in error.

Alternatively, as nationality is recorded on the basis of self-identification, it is still possible that such individuals can be suspected of immigration offences.

The recorded ethnicity of these individuals is -

Place of Birth - Lithuania - Nationality - UK British - Ethnicity - Other white

Place of Birth - Thurso - Nationality - UK British - Ethnicity - White Scottish

Place of Birth – Sudan – Nationality - UK British – Ethnicity - White Scottish

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.

**Appendix A**

**Immigration Custody less than 24h**

| **Nationality** | **Cathcart** | **Dumfries** | **Dundee** | **Dunfermline** | **Falkirk** | **Fraserburgh** | **Govan** | **Greenock** | **Inverness** | **Kittybrewster** | **Livingston** | **London Road** | **Motherwell** | **St Leonards** | **Stranraer** | **Grand Total** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Afghanistan |  |  |  |  |  |  | 1 |  |  |  |  |  |  |  |  | 1 |
| Albania | 3 | 3 |  |  | 1 |  |  | 1 | 1 | 3 |  | 3 | 2 |  | 1 | 18 |
| Algeria |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 1 | 1 |
| Bangladesh |  |  |  |  |  |  |  |  |  |  |  |  |  | 2 |  | 2 |
| Brazil | 1 |  | 4 |  |  |  |  |  |  |  |  |  |  |  |  | 5 |
| China |  | 1 |  |  | 1 |  |  |  |  |  |  |  |  |  | 1 | 3 |
| Eritrea |  |  |  |  |  |  |  |  |  |  |  | 1 |  |  |  | 1 |
| France |  |  |  |  |  |  |  |  |  |  |  | 1 |  |  |  | 1 |
| Gambia |  |  |  |  |  |  |  |  |  |  |  |  |  | 1 |  | 1 |
| Georgia |  | 2 |  |  |  |  |  |  |  |  |  |  |  |  |  | 2 |
| Guinea |  |  |  |  |  |  | 1 |  |  |  |  |  |  |  |  | 1 |
| India |  | 3 |  |  | 1 |  |  | 1 |  |  |  |  |  |  |  | 5 |
| Iran (Islamic Republic Of ) |  |  |  |  |  |  |  | 3 |  |  |  | 1 |  |  |  | 4 |
| Iraq |  |  |  |  |  |  | 2 |  |  |  |  |  |  |  |  | 2 |
| Lithuania |  | 1 |  |  |  |  |  |  |  |  |  |  | 1 |  |  | 2 |
| Malaysia | 1 |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 1 |
| Nigeria |  |  |  |  |  |  |  | 1 |  |  |  |  |  |  | 1 | 2 |
| Pakistan |  |  |  | 1 |  |  |  |  |  |  |  |  |  |  | 1 | 2 |
| Poland |  |  |  |  |  | 1 |  |  |  |  |  |  |  |  |  | 1 |
| Portugal |  |  | 1 |  |  |  |  |  |  |  |  |  |  |  |  | 1 |
| Romania |  |  |  |  |  |  | 2 |  |  |  |  | 1 |  |  | 6 | 9 |
| Sudan | 1 |  |  |  |  |  | 2 |  |  |  | 1 |  |  |  |  | 4 |
| Syrian Arab Republic |  |  |  |  |  |  | 1 |  |  |  |  | 2 |  |  |  | 3 |
| Togo |  |  |  |  |  |  |  |  |  |  |  | 1 |  |  |  | 1 |
| Tuvalu |  |  |  |  |  |  |  |  |  |  |  | 1 |  |  |  | 1 |
| United Kingdom-British Citizen |  |  |  |  |  |  | 1 |  |  |  |  |  |  |  |  | 1 |
| Vietnam |  |  |  |  |  |  | 1 | 1 |  |  | 1 |  | 1 | 1 |  | 5 |
| Zimbabwe |  | 1 |  |  |  |  |  |  |  |  |  |  |  |  |  | 1 |
| Grand Total | 6 | 11 | 5 | 1 | 3 | 1 | 11 | 7 | 1 | 3 | 2 | 11 | 4 | 4 | 11 | 81 |

**Immigration Custody 24-48h**

| **Nationality** | **Cathcart** | **Clydebank** | **Dumfries** | **Govan** | **Kittybrewster** | **London Road** | **Oban** | **St Leonards** | **Stranraer** | **Grand Total** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Albania | 2 |  | 1 | 1 | 1 |  |  |  |  | 5 |
| Brazil |  |  | 2 |  |  |  |  |  |  | 2 |
| Estonia |  |  |  |  |  | 1 |  |  |  | 1 |
| India |  |  |  | 1 |  |  |  | 2 |  | 3 |
| Malaysia | 2 |  |  |  |  |  |  |  |  | 2 |
| Morocco |  |  |  |  |  |  |  |  | 1 | 1 |
| Palestinian Territory, Occupied |  |  |  |  |  |  |  | 1 |  | 1 |
| Romania |  |  |  |  |  |  | 1 |  | 1 | 2 |
| Sudan |  | 1 |  |  |  |  |  |  |  | 1 |
| Zimbabwe |  |  |  |  | 1 |  |  |  |  | 1 |
| Grand Total | 4 | 1 | 3 | 2 | 2 | 1 | 1 | 3 | 2 | 19 |

**Immigration Custody 48-72h**

| **Nationality** | **Dumfries** | **Inverness** | **St Leonards** | **Stranraer** | **Grand Total** |
| --- | --- | --- | --- | --- | --- |
| Albania | 1 |  |  | 1 | 2 |
| Romania | 2 |  |  |  | 2 |
| United Kingdom-British Citizen |  | 1 | 1 |  | 2 |
| Grand Total | 3 | 1 | 1 | 1 | 6 |