| Police Scotland logo | Freedom of Information Response Our reference: FOI 24-1757  Responded to: 6 August 2024 |
| --- | --- |

I refer to your recent correspondence seeking information about a deceased person.

Any FOI response is a public disclosureand so it is not usually possible to disclose information about particular individuals or related police involvement and/ or investigations.

In terms of section 18 of the Act, I am refusing to confirm or deny whether the information sought is held by Police Scotland. The public interest overwhelmingly lies in protecting individuals’ right to privacy and honouring their expectation of confidentiality - even in death.

Furthermore, any information held for the purpose of a police investigation is exempt from disclosure in terms of section 34(1) of the Act and section 35(1)(a)&(b) would also apply insofar as disclosure of any such information would be prejudicial to the law enforcement role of Police Scotland more generally.

To be of assistance, you may wish to submit a Subject Access Request(SAR)and this would 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).

However, I would point out that the subject access provisions provide a right of access to *your own* personal data - you are not entitled to the personal data of any third parties.

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.