| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-0337  Responded to: 22 February 2023 |
| --- | --- |

I refer to your recent correspondence requesting all reports held by Police Scotland for a named individual

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

An FOI response is a *public disclosure* and so it is not usually possible to disclose information about particular individuals or related investigations. Your identity, and any relationship you may have to the parties involved cannot be taken into account.

In terms of section 18 of the Act, I am therefore 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. Furthermore, third party personal data - where it is assessed that disclosure would contravene the data protection principles as defined in the Act, is exempt from disclosure in terms of section 38(1)(b) of the Act.

I can advise you that as the individual named is over the age of 12 then they can submit a Subject Access Request for information that is held about them. Further details can be found on our website.

However as you have not provided an email address to indicate access to the internet, I have enclosed a blank form for the individual to complete.

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.