| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-1321  Responded to: 08 June 2023 |
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I refer to your recent correspondence seeking information about incidents and/ or crimes reported to Police Scotland where the locus was a particular residential address.

I’m afraid that when a locus enquired about is a specific residential property, details of any incidents and/ or crimes reported would amount to the personal data of the residents.

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.

The exemptions outlined at sections 34(1)(b) and 35(1)(a)&(b) of the Act also apply on the basis that any information held would be held for the purpose of an investigation, and disclosure would prejudice the law enforcement functions of the force.

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 as the public interest overwhelmingly lies in protecting individuals’ right to privacy and honouring their expectation of confidentiality.

If you are seeking information in connection with prospective or ongoing legal proceedings - eviction for example - then you should apply in terms of Schedule 2, Part 1, paragraph 5 of the [Data Protection Act 2018](https://www.legislation.gov.uk/ukpga/2018/12/schedule/2/paragraph/5/enacted).

To do so, please send your request along with two forms of identification and proof that you are the landlord of the property (such as a tenancy agreement) to:

[DataProtectionEnquiries@scotland.police.uk](mailto:DataProtectionEnquiries@scotland.police.uk)

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.