| Police Scotland logo | Freedom of Information Response Our reference: FOI 25-1612  Responded to: 29 August 2025 |
| --- | --- |

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

**I would like to request the following information relating to the police powers to Test Purchase alcohol using underage volunteers.**

**Can you advise how many operations have been undertaken in the last 5 years?**

**How many sales of alcohol there were to under 18’s?**

**Which force areas undertook test purchasing of alcohol?**

**How many reports were made to the PF and or relevant licensing board?**

**If the response is Nil, I would appreciate an explanation of the rationale in not conducting Test Purchasing.**

In terms of section 18 of the Act, I am refusing to confirm or deny whether the information sought exists or is held by Police Scotland. Section 18 applies where the following two conditions are met:

* It would be contrary to the public interest to reveal whether the information is held.

Whilst we accept that doing so would provide transparency and contribute to the public debate surrounding the application of these measures, the overwhelming public interest lies in protecting the integrity of tactical capabilities of Police Scotland and not disclosing the extent to which this measure is used.

* If the information was held, it would be exempt from disclosure. In this instance, the following exemptions would apply:

Section 35(1)(a)&(b) & 35(1)(g) and 2(c) - Law Enforcement

Disclosure would provide a clear insight into the extent to which this tactic is used by Police Scotland.

Armed with that knowledge, criminals could make better informed decisions as regards the likelihood of their being detected for related behaviour.

The integrity of this tactical capability would be significantly undermined by disclosure which would prejudice substantially the prevention and detection of crime, the apprehension or prosecution of offenders and associated licensing procedures.

The key test when considering where the balance of public interest lies is to establish whether, in all the circumstances of the request, the public interest in confirming or denying the information is held is not outweighed by maintaining the exemption(s).

Although I consider that public awareness would favour a disclosure as it would contribute to the public debate surrounding the application of these measures, we must ensure that the integrity of the tactic not in any way undermined.

In conclusion, it simply cannot be in the public interest for Police Scotland to confirm the extent of use of this tactic. To do so would be of significant intelligence value to criminals who could determine from the data whether or not their activities at a particular time were subject to these measures or likely to be in the future, by Police Scotland.

This explanation should not be taken as indicative or conclusive evidence that the information you have requested does or does not exist.

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](https://www.foi.scot/appeal), by [email](mailto:enquiries@foi.scot) 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.