| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-1761  Responded to: 25th July 2023 |
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Your recent request for information is replicated below, together with our response.

## I'm looking for information on police Scotland policy on body-worn video pertaining to subject access requests. Im looking to understand when the police decide not to provide this data when the data is identifiably the subject in question. For example, if body worn video contained information about a person, namely audio, and was identifiably that person in the discussion but did not include the person in the conversation or in video then what is police scotlands police on providing this information? I have heard that members of other police forces within the UK are only providing information when the person is physically part of the BWV or part of the audio. As i'm sure police scotland are aware this is not the case when applied to email conversations internally within police scotland, any emails pertaining to an individual about an individual are considered that individuals data and have a right to this information and im trying to understand if police Scotland is consistent and would provide this information as per GDPR law. Any help, information or documented policy would ideal to understanding compliance with law in this scenario.

Police Scotland has no policy or guidance etc. which specifically refers to the handling of Subject Access Requests for Body-Worn Camera footage.

As such, in terms of Section 17 of the Freedom of Information (Scotland) Act 2002, this represents a notice that the information you seek is not held by Police Scotland.

To be of some assistance, you may be interested in the [Data Protection Standard Operating Procedure (SOP)](https://www.scotland.police.uk/spa-media/h5cnsyl5/data-protection-sop.docx). Details on how to submit a Subject Access Request are also available on the Police Scotland website:-

[Subject Access Requests - Police Scotland](https://www.scotland.police.uk/access-to-information/data-protection/subject-access-requests)

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.