| Police Scotland logo | Freedom of Information Response Our reference: FOI 25-1070  Responded to: 17 April 2025 |
| --- | --- |

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

**In accordance with section 1 of the Freedom of Information Act 2000, we are requesting information in relation to the following points:**

**We would appreciate data covering the longest period for which records are available. If the information is not available in the format requested, we would be grateful if you could provide any relevant alternative data.**

1. **The number of instances in which holders of a firearm or shotgun certificate have refused to surrender their firearm(s) and/or shotgun(s) when voluntarily requested to do so by your constabulary.**

The information sought is not held by Police Scotland and section 17 of the Act therefore applies.

By way of explanation, the term “refused” is not an outcome that is measured in relation to firearm certification.

We can, however, advise the removal of guns from a certificate holder is done initially on a voluntary basis with their consent.  Some actively volunteer their guns, with others requiring more time to understand the reasons for the removal of the guns and consider their legal options before doing so.

Should a certificate holder decide not to hand over their guns voluntarily, it is necessary for officers to obtain a firearms search warrant from a Sheriff to take possession of the guns and force entry if necessary.

1. **In relation to (1), the subsequent action taken by your constabulary in each instance.**

The information sought is not held by Police Scotland and section 17 of the Act therefore applies.

As advised in the previous question, “refusals” are not recorded.

We can, however, advise that we have been granted warrants on five occasions over the past three years where certificate holders have decided not to hand over guns. Therefore, warrants have been obtained to allow us to take them by force if necessary.

1. **The number of instances in which your constabulary has had to force entry (either with a warrant or under existing statutory powers) into the dwelling of a firearm or shotgun holder.**

Of the five warrants obtained, it has not been necessary to force entry on any occasion, as production of the warrant has brought about the co-operation of the certificate holder and the guns have been handed over.

**4. The number of instances in which your constabulary has had to force entry (either with a warrant or under existing statutory powers) to a dwelling where it was suspected (reasonably or otherwise) that illegal firearms were present.**

Unfortunately, I estimate that it would cost well in excess of the current FOI cost threshold of £600 to process your request. I am therefore refusing to provide the information sought in terms of section 12(1) of the Act - Excessive Cost of Compliance.

By way of explanation, this information is not collated or held centrally.

To obtain this information, would require a manual review by all 13 local divisions, as well as specialist departments in relation to their own local warrants process and information retention policies.As such, this is an exercise which would exceed the cost limit set out in the Fees Regulations.

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.