| Police Scotland logo | Freedom of Information Response Our reference: FOI 25-3277  Responded to: 09 October 2025 |
| --- | --- |

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

**All my questions refer to the crime of working illegally (i.e. the worker does not have the right to work in the UK), and not to the crime of employing an illegal worker. I am aware that information about employers fined for hiring illegal workers is already published.**

1. **For every month since the beginning of 2025, how many right to work checks have been carried out by police officers (i.e. number of people's whose immigration status was checked by police)?**
2. **For every month since the beginning of 2025, how many of those right to work checks were conducted on people working as delivery riders for Deliveroo/UberEats/?**

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, any right to work checks conducted are not centrally collated.

Such information could be recorded in officer’s notebooks, incident reports, crime reports etc.As such, obtaining this information is an exercise which would exceed the cost limit set out in the Fees Regulations.

**3. For every month since the beginning of 2025, how many people were arrested for working illegally?**

**4. For every month since the beginning of 2025, how many of those arrested for working illegally were asylum seekers?**

**5. For every month since the beginning of 2025, how many of those arrested for working illegally were working as delivery riders for Deliveroo/UberEats/JustEat?**

The Criminal Justice (Scotland) Act 2016 removed the separate concepts of arrest and detention and replaced them with a power of arrest without warrant - where there are reasonable grounds for suspecting a person has committed, or is committing, an offence.

When a person is arrested, a statement of arrest should be read over as soon as reasonably practicable, and details recorded in the arresting officer’s notebook.

A person is ‘Not Officially Accused’ (a suspect) when arrested *and* *not* cautioned and charged. They are ‘Officially Accused’ once arrested *and* cautioned and charged.

If conveyed to a police station, the arrested person will have their details recorded in our National Custody System.

There are situations however whereby a person must be released from police custody prior to their arrival at a police station - effectively they are ‘de-arrested’ - where the reasonable grounds for suspicion no longer exist. In those circumstances, the details of an arrested person are not held electronically.

As a result, we are unfortunately unable to collate comprehensivearrest data, as case by case assessment of all officer notebooks would be required - in addition to the partialarrest data held in the National Custody System.

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

For the reasons outlined above, Police Scotland do not collate data on arrests.

Instead, data is compiled and published based on recorded and detected crimes - [Crime data - Police Scotland](https://www.scotland.police.uk/about-us/how-we-do-it/crime-data/).

Detected crimes are those where an accused has been identified and there exists a sufficiency of evidence under Scots Law to justify consideration of criminal proceedings.

**6. For every month since the beginning of 2025, how many people have been charged with working illegally**

The information sought is held by Police Scotland, but I am refusing to provide it in terms of section 16(1) of the Act on the basis that the section 25(1) exemption applies:

“Information which the applicant can reasonably obtain other than by requesting it […] is exempt information”.

The information sought is publicly available: [Crime data - Police Scotland](https://www.scotland.police.uk/about-us/how-we-do-it/crime-data/)

Please refer to detected crimes of ‘Alien and Immigration offences’.

**7. For every month since the beginning of 2025, how many possible hate crimes against asylum seekers have been recorded? If you do not have a figure on this specifically, please instead provide a combined figure for violent crimes recorded where the victim was an asylum seeker.**

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, each hate crime would need to be assessed to identify the immigration status of the victim.

**8. For every month since the beginning of 2025, how many violent crimes against people working as delivery riders have been recorded?**

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, all violent crimes would need to be assessed to identify the occupation status of the victim and if they were working in the role of delivery driver at the time. Again, I must advise 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.