| Police Scotland logo | Freedom of Information Response Our reference: FOI 25-2630  Responded to: 26 September 2025 |
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Your recent request for information is replicated below, together with our response.

## The date and exact time at which the search warrant for *Named Address* was granted and signed, and the name of the court (Sheriff/JP) that issued it.

Your request is technically a Subject Access Request (SAR), and it will therefore be considered in terms of the Data Protection Act 2018/ GDPR as explained on our website.

Our Data Protection team will contact you separately in relation to your SAR.

Because you mentioned FOI in your request, we are required by law to provide this additional response in terms of the Freedom of Information (Scotland) Act 2002 specifically.

In terms of section 18 of that Act, I am therefore refusing to confirm or deny whether Police Scotland holds information about you.

The public interest overwhelmingly lies in protecting your right to privacy and your own personal data is exempt from disclosure in terms of the exemption at section 38(1)(a).

I understand that this response may be confusing in the circumstances, but I would stress that this is the response to your FOI request only - a SAR will be progressed separately.

## Any policy or procedural guidance in force in November 2022 covering:

## Securing or occupying a property in advance of a search warrant being obtained.

## Conducting pre-warrant searches or observations (e.g. sheds, outbuildings, gardens).

## The role of occupiers during searches, including whether they can be required to open cupboards, drawers, or other private spaces.

## Ensuring occupiers’ privacy and dignity during searches, including guidance on changing clothes or personal searches.

## Recording, inventorying, storage, and return of seized items from residential searches.

In response to this part of your request, please see the attached documents – Data 01-04. You will note that minimal information has been redacted. I am refusing to provide this information in terms of Section 16(1) of the Act on the basis that the following exemptions apply:

## Section 34(1)(b) - Investigations

**Section 35(1)(a) & (1)(b) - Law Enforcement**

The information requested is exempt, as it is held for the purposes of an investigation and its disclosure would or would be likely to prejudice substantially the prevention or detection of crime and apprehension or prosecution of offenders.

Although public awareness/ debate would favour disclosure, Police Scotland must ensure that disclosures do not include potentially harmful information, placing operations or investigations at risk.

**Section 30(c) - Prejudice to the Effective Conduct of Public Affairs**

Information is exempt information if its disclosure under the Act would otherwise prejudice substantially, or be likely to prejudice substantially, the effective conduct of public affairs.

In this instance an e-mail address cannot be disclosed. To release these details publicly through FOI legislation could negatively impact on the operational effectiveness of the service and partner agencies. The email address is used for operational/ business purposes, and this information has been removed to ensure that internal processes are protected.

In conclusion, it simply cannot be in the public interest for Police Scotland to provide this level of detail.

In terms of ‘the role of occupiers’ during searches, general guidance recommends best practice is to allow the occupant to observe the search if safe and appropriate to do so whilst under control for officer safety, if not arrested and removed from the property, which is the decision of the SIO.

There is no procedure which requires an occupier to open cupboards, drawers or private spaces. As such, the information sought is not held by Police Scotland and section 17 of the Act therefore applies.

If a search is conducted under warrant, then there is usually a power to force entry attached therefore there is no need to require the occupant to open these places the officers are empowered under the warrant to do so themselves. It may be the case however, that the occupier is given the opportunity to open a locked space as a courtesy to avoid it being forced open and damaged, but this would be lawful under warrant.

If no warrant is in force, then the officers involved would have to advise what policing power they were using as it is not related to building search. An occupier may be asked if it is relevant to the enquiry but if they refuse, a warrant should be craved to gain entry.

Furthermore, in relation to guidance regarding an occupier’s privacy and dignity during a house search, the information sought is not held by Police Scotland and section 17 of the Act therefore applies.

To explain, more general guidance and policies relating to Searching of an individual, Care and Welfare of Persons in Police Custody etc. applies. Police Scotland’s Guidance, SOPs and policies can be found on our website via the following link: [Policies and Procedures - Police Scotland](https://www.scotland.police.uk/access-to-information/policies-and-procedures/)

It should be noted that, in all cases, the dignity of the person should be maintained, and persons should be treated with care and respect, and their fundamental human rights should be maintained at all times.

**3. Statistics (for 2022) showing the number of house searches carried out in Greater Glasgow Division:**

* **With a warrant.**
* **Without a warrant.**

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, responsibility for the application and execution of search warrants is not confined to a single business area within a Local Policing Division; it cuts across CID, Proactive Response as well as Community Policing within respective Local Area Commands.

Policing Divisions do not maintain a central register for the warrants that are applied for and granted, nor does Police Scotland maintain a central register of house searches carried out.

Case by case review of all crime reports would be required to establish whether a house search was conducted, and if so, details regarding the warrant.

As an example, for 2022 in Greater Glasgow Division, there were over 79,000 crimes recorded. We estimate it would take approximately 3 minutes to search each crime report, resulting in a total of over 3,950 hours – an exercise which far exceeds the cost limit of £600/ 40 hours, set out in the Act.

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.