| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-1310  Responded to: 24th May 2023 |
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Your recent request for information is replicated below, together with our response.

**Can you tell me the number of negative warrants carried out by the police – where nothing is found – and the cost of compensation as a result in the last three years? Alternatively over the last 12 months if cost is a consideration.**

Please note that I have interpreted your request for negative warrants to refer to valid warrants executed by Police Scotland where there was nothing subsequently found.

In regards to the number of warrants, I regret to inform you that I am unable to provide you with the information you have requested, as it would prove too costly to do so within the context of the fee regulations.

As you may be aware the current cost threshold is £600 and I estimate that it would cost well in excess of this amount to process your request.

As such, and in terms of Section 16(4) of the Freedom of Information (Scotland) Act 2002 where Section 12(1) of the Act (Excessive Cost of Compliance) has been applied, this represents a refusal notice for the information sought.

By way of explanation, details of search warrants are held locally with divisions in divisional registers, and are not held in one central location/system. As such, the only way to provide an accurate response to your request would be to manually review each divisional register. Due to the number of warrants that Police Scotland deals with on a yearly basis, this is an exercise which I estimate would far exceed the cost threshold set out in the Fees Regulations.

Police Scotland have assessed that the £600 cost limit within the Act equates to 40 hours of work and so this part of your request would breach the cost threshold.

In regards to any compensation costs associated with the execution of warrants, as long as the warrant was valid, Police Scotland would not be liable to pay compensation solely as a result of the search being negative. As such, in terms of Section 17 of the Freedom of Information (Scotland) Act 2002, this represents a notice that the information requested is not held by Police Scotland.

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.