| Police Scotland logo | Freedom of Information Response Our reference: FOI 24-1587  Responded to: 12 July 2024 |
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Your recent request for information is replicated below, together with our response.

## ****[During arrest an officer] took my knife.  Can police officers behave this way? can they take possession**** of an item of legal character without inspecting it?

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.

[Care and Welfare of Persons in Police Custody SOP](https://www.scotland.police.uk/spa-media/0mfjn3pa/care-and-welfare-of-persons-in-police-custody-sop.pdf)

[Criminal Law (Consolidation) (Scotland) Act 1995 (legislation.gov.uk)](https://www.legislation.gov.uk/ukpga/1995/39/part/VI/crossheading/offensive-weapons)

[Carrying of Knives etc. (Scotland) Act 1993 (legislation.gov.uk)](https://www.legislation.gov.uk/ukpga/1993/13/enacted)

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.