| Police Scotland logo | Freedom of Information Response Our reference: FOI 25-0301  Responded to: 22 April 2025 |
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Your recent request for information is replicated below, together with our response.

1. **Can I have your records about sales of personal data from 2023 (01.01.2023) to 2024 (31.12.2024), including trading partners and money earned from transactions?**

I can advise that Police Scotland does not sell personal data, as such the information sought is not held by Police Scotland and section 17 of the Act applies.

1. **Do you use tracking cookies on your website, and can I have a list of third parties that you share personal data with?**

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: [Cookies information - Police Scotland](https://www.scotland.police.uk/access-to-information/cookie-policy/)

1. **Have you received any complaints about how you handle personal data? This includes collecting, storing, sharing or selling, as well as wider processing practices. Please can I view records about these complaints for 2023 and 2024?**

I can advise that Police Scotland have received complaints regarding data handling. With regards to the disclosure of those records, I am refusing to provide it in terms of section 16(1) of the Act on the basis that the exemption set out at section 38(1)(b) of the Act applies - personal data.

Personal data is defined in Article 4 of the General Data Protection Regulation (GDPR) as:

‘Information relating to an identified or identifiable natural person (“data subject”); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person’.

Section 38(2A) of the Act provides that personal data is exempt from disclosure where disclosure would contravene any of the data protection principles set out at Article 5(1) of the GDPR which states that:

‘Personal data shall be processed lawfully, fairly and in a transparent manner in relation to the data subject’.

Article 6 of the GDPR goes on to state that processing shall be lawful only if certain conditions are met. The only potentially applicable condition is Article 6(1)(f) which states:

‘Processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child’.

Whilst I accept that you may have a legitimate interest with regards the disclosure of this information, I do not agree that disclosure could be considered necessary in the circumstances.

Notwithstanding, I am further of the view that your interests are overridden by the interests or fundamental rights and freedoms of the data subjects.

On that basis, it is considered that disclosure of the information sought would be unlawful.

1. **How many subject access requests did you receive in the period 2023-2024, broken down by year? What types of personal data did they typically receive? For example email addresses, home addresses and telephone numbers?**

In 2023 Police Scotland received 7,564 Subject Access Requests.

In 2024 Police Scotland received 8,710 Subject Access Requests.

Around a third of all SARs are from people seeking access to their information as held on the Scottish Criminal History System (CHS) - their ‘criminal record’ essentially.

The remainder vary significantly in scope - everything from crime reports through to information about recruitment, complaints etc.

Such information will usually include the name, address and telephone number of the data subject as part of the content.

1. **How many data breaches have you experienced for the past 5 years (broken down by each year)?**

Please see the table below.

Please note that the data provided is correct as of 31 March 2025.

Number of data breaches broken by year.

| Year | Number of Data Breaches |
| --- | --- |
| 2021 | 1121 |
| 2022 | 475 |
| 2023 | 419 |
| 2024 | 493 |
| 2025 | 126 |

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.