| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-1813  Responded to: xx July 2023 |
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Your recent request for information is replicated below, together with our response.

## Q1 I want to know the policy and procedure in place for police arriving at properties with warrants and who/how confirms that an individual lives at a property?

Please be advised that the information you request is contained in the Warrants Standard Operating Procedure document which is being prepared to be published on the Police Scotland website within the next 12 weeks.

As such, in terms of Section 16 of the Freedom of Information (Scotland) Act 2002, I am refusing to provide you with the information sought. Section 16 requires Police Scotland when refusing to provide such information because it is exempt, to provide you with a notice which:

(a) states that it holds the information,

(b) states that it is claiming an exemption,

(c) specifies the exemption in question and

(d) states, if that would not be otherwise apparent, why the exemption applies.

I can confirm that Police Scotland holds the information that you have requested and the exemption that I consider to be applicable is set out at Section 27(1) of the Act - information otherwise accessible:

*“Information is exempt information if it is held with a view to its being published […] at a date not later than twelve weeks after that on which the request for the information is made.”*

Police Scotland aim to have this document published in the near future and it will be available via the following link:

[Standard Operating Procedures T-W - Police Scotland](https://www.scotland.police.uk/access-to-information/policies-and-procedures/standard-operating-procedures/standard-operating-procedures-t-w/)

## Q2 and Q3 refer to personal information / circumstances not replicated here:

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

Should you wish to submit a request to our Data Protection team all of the information you require is available via the link below:

[Subject Access Requests - Police Scotland](https://www.scotland.police.uk/access-to-information/data-protection/subject-access-requests/)

Because you mentioned FOI in your request, we are required by law to provide this additional response to Q2 and Q3 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 an individual’s own personal information is exempt from disclosure in terms of the exemption at section 38(1)(a).

I understand that the statement above may seem confusing and/ or unhelpful in the circumstances but I would stress once again that this is the response to your FOI request in terms of Q2 and Q3 only - a SAR will be progressed separately should you wish to submit one.

Finally if you wish to make a complaint about either the quality of the policing service provided or the actions of an individual you can report this to Police Scotland using the form below:

[Police Complaints Form | Police Scotland](https://www.scotland.police.uk/secureforms/police-complaints/)

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.