| Police Scotland logo | Freedom of Information Response Our reference: FOI 25-2897  Responded to: 16 September 2025 |
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I refer to your recent request for information which has not been repeated here due to the fact that it names specific individuals.

I am refusing to confirm or deny whether the personal information sought exists or is held by Police Scotland in terms of section 18 of the Act. Section 18 applies where the following two conditions are met:

* It would be contrary to the public interest to reveal whether the information is held.  
  Whilst we accept that you may have a particular personal interest in being informed as to whether the information sought is held, the overwhelming public interest lies in protecting individuals’ right to privacy and their expectation of confidence as regards their information.
* If the information was held, it would be exempt from disclosure. In this instance, sections 38(1)(b) and 38(1)(2A) of the Act apply insofar as you have requested *third party* personal data, the disclosure of which would contravene the data protection principles set out in the Act.

If you are seeking information in connection with legal proceedings - eviction for example - you may wish to contact the relevant Local Authority for information in the first instance.

You can also contact the relevant [Local Policing Division](https://www.scotland.police.uk/your-community/) - [contactus@scotland.police.uk](mailto:contactus@scotland.police.uk).

## […] how long does it typically take between a sentence being determined and incarceration beginning?

Police Scotland does not hold prosecution or sentencing data and section 17 of the Act therefore applies. You may wish to contact the Crown Office and Procurator Fiscal Service (COPFS) and/ or the Scottish Courts Service.

## As a landlord, am I allowed to request (for peace of mind) for a forensic search of my property to take place to determine if any sexual misconduct did take place at my property?

## I suspect I will not renew the tenancy when it is due to end. Once it does come to an end, am I free to redecorate the flat or would that be considered tampering with a crime scene?

As you may be aware, the Act provides a right of access to recorded information only.  Questions seeking the creation of comment or opinion in relation to a particular query, are not therefore valid in terms of [section 8 of the Act](https://www.legislation.gov.uk/asp/2002/13/section/8).

We are unable to offer any comment therefore as regards the matters set out above.

In terms of any pre-existing recorded information that would set out the Police Scotland 'position', such information is not held, and section 17 of the Act therefore applies.​

If you believe that sexual offences have been committed by someone at your property, then I would urge you to report these concerns to the police by calling 101.

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.