Our Ref.:   FOI 22-1666
Date: 25 August 2022

POLICE SCOTLAND
Keeping people safe
POILEAS ALBA

Freedom of Information Request - Response

I refer to your recent correspondence seeking access to your own personal data.

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

Our Data Protection team will contact you separately in relation to your SAR.

Because you mentioned FOI in your request, we are required by law to provide this *additional* response 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 only - a SAR will be progressed separately.

We have considered whether we could answer Q1 of your request in general terms insofar as a list of what activities all local officers undertook at the relevant dates/ times. It is our view that even without the link to your own circumstances, exemptions are likely to apply to that data.

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 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, by email 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 in seven days' time.