| Police Scotland logo | Freedom of Information Response Our reference: FOI 24-1111  Responded to: 5th June 2024 |
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Your recent request for information is replicated below, together with our response.

## I wish to make a Freedom of Information request regarding a BBC TV documentary entitled Murder Case.

## Police Scotland employed a film crew to record investigations including visiting crime scenes following several deaths/disappearances. This took place during 2019, 2020 and possibly longer.

## My request is for the total number of investigations where the film crew attended, even if only briefly. This number may include unsolved cases.

It is important to note first of all that Police Scotland did not employ a film crew to record investigations.

Police Scotland do however, on occasion, permit filming access.

Having considered your request, I regret to inform you that the information sought is not held by Police Scotland and section 17 of the Act therefore applies.

Notwithstanding, our searches have located some, limited information, and I can confirm that on 14 occasions, officers have spoken with a film crew in relation to a murder investigation.

Please note that this is not an exhaustive total, and the information is not complete.

Not all of these investigations have been progressed into filming for a variety of reasons, including families not being willing to engage and wishing to remain private.

Families may also have agreed and then subsequently removed consent to filming, or the production company may have chosen not to progress with a particular case.

Police Scotland do not hold details of these decisions or when during the process they occurred.

## Please also include the names of the deceased.

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 following exemptions apply:

Section 39(1) - Health and Safety

Section 38(1)(b) - Personal Data

Disclosure would lead to the family of the deceased individuals being identified - and in so doing, result in harm to their mental health and wellbeing as their involvement in the process, in whatever capacity would become known publicly.

Whilst we accept that there is a public interest in better informing the public as to the process and how Police Scotland and the production company select potential cases, that must be balanced with the need to support the family of the deceased throughout the process, regardless of their decision.

Disclosure would not significantly add to public awareness of the subject matter, but it would undoubtedly lead to further intrusion into the lives of bereaved individuals who have already suffered enormously, and are engaging, or not, with the filming process wholly by choice.

On that basis, disclosure cannot be in the public interest.

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.