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Our Ref: IM-FOI-2022-1902  
Date: 05 October 2022



## **FREEDOM OF INFORMATION (SCOTLAND) ACT 2002**

I refer to your recent request for information which has been handled in accordance with the Freedom of Information (Scotland) Act 2002.

For ease of reference, your request is replicated below together with the response.

**I would like a list of all complaints received by yourselves in May 2022 including the general substance of the complaint, the date it was received, the date it was allocated to an investigating officer and the date it was closed and the outcome of each case.**

In response to your request, I regret to inform you that I am unable to provide you with the information you have requested, as it would prove too costly to do so within the context of the fee regulations.

As you may be aware the current cost threshold is £600 and I estimate that it would cost well in excess of this amount to process your request.

As such, and in terms of Section 16(4) of the Freedom of Information (Scotland) Act 2002 where Section 12(1) of the Act (Excessive Cost of Compliance) has been applied, this represents a refusal notice for the information sought.

By way of explanation, I can advise that in May 2022, 607 complaints were received by Police Scotland. In order to provide the data that you have requested each complaint case would need to be manually examined. A highly conservative estimate is that it would take 10 minutes to assess each record, this would greatly exceed the cost threshold set out within the Act.

Police Scotland have assessed that the £600 cost limit within the Act equates to 40 hours of work and so this part of your request would breach the cost threshold.

Please be advised that all complaints received by Police Scotland are managed in line with our Complaints about the Police Standard Operating Procedure (SOP) which can be accessed via the following link:

<https://www.scotland.police.uk/spa-media/fifhh5vo/complaints-about-the-police-sop.pdf>

Further details in relation to our complaints process can be found on the Police Scotland website via the following link:

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<https://www.scotland.police.uk/complaints/>

In order to be of assistance I can provide the table below that identifies allegation types attached to complaints received in May 2022.

Please note there can be one or more allegations contained within one complaint case and, equally, there can be one or more subject officers relative to each allegation.

<b>Allegations attached to complaints received in May 2022, by allegation type</b>	
<b>Allegation Type</b>	<b>Number</b>
Assault	36
Corrupt Practice	5
Discriminatory Behaviour	14
Excessive Force	54
Incivility	162
Irregularity in Procedure	320
Neglect of Duty	6
Oppressive Conduct/Harassment	21
Other	1
Other - Criminal	11
Other - Non Criminal	11
Other Crimes	1
Policy/Procedure	49
Service Delivery	108
Service Outcome	105
Traffic Irregularity/Offence	14
Unlawful/Unnecessary Arrest or Detention	11
<b>Grand Total</b>	<b>929</b>

Additionally, as of 14 September 2022, I can advise that of the 607 complaints received in May 2022, 509 were allocated to an Investigating/Enquiry officer and 400 complaints received a closed status.

Finally, the table below provides results for complaint cases received in May 2022. Please note that each complaint case may include multiple allegations, therefore the number of allegations may vary from the number of complaint cases.

Also, allegations received may remain subject to live enquiry, therefore may not yet be concluded.

<b>Allegations attached to complaints received in May 2022, by allegation result</b>	
<b>Allegation Result</b>	<b>Number</b>

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Abandoned	85
Not Upheld - Concluded by explanation	49
Not Upheld - Insufficient evidence	10
Resolved by FLR (Apology)	61
Resolved by FLR (Assurance)	159
Resolved by FLR (Explanation)	131
Upheld - Concluded by explanation	8
Withdrawn	44
Ongoing - not yet concluded	382
<b>Grand Total</b>	<b>929</b>

Should you require any further assistance please contact Information Management quoting the reference number given.

If you are dissatisfied with the way in which Police Scotland has dealt with your request, you are entitled, in the first instance, to request a review of our actions and decisions.

Your request must specify the matter which gives rise to your dissatisfaction and it must be submitted within 40 working days of receiving this response - either by email to [foi@scotland.police.uk](mailto:foi@scotland.police.uk) or by post to Information Management (Disclosure), Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH.

If you remain dissatisfied following the outcome of that review, you are thereafter entitled to apply to the Office of the Scottish Information Commissioner within six months for a decision. You can apply [online](#), by email to [enquiries@itspublicknowledge.info](mailto:enquiries@itspublicknowledge.info) or by post to Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS.

Should you wish to appeal against the Office of the Scottish Information Commissioner's decision, there is an appeal to the Court of Session on a point of law only.

As part of our commitment to demonstrate openness and transparency in respect of the information we hold, an anonymised version of this response will be posted to the Police Scotland Freedom of Information [Disclosure Log](#) in seven days' time.