| Police Scotland logo | Freedom of Information Response Our reference: FOI 25-0317  Responded to: 22 April 2025 |
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Your recent request for information is replicated below, together with our response. Please accept my apologies for the delay in responding.

## For each of the past five years, please tell me how many police officers based in the Orkney area command were subject to an investigation by Police Scotland's Professional Standards Department.

## In each instance, please detail the results of the investigation.

In terms of the Freedom of Information (Scotland) Act 2002, I am refusing to confirm or deny whether the 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

- If the information was held, it would be exempt from disclosure in terms of one or more of the exemptions set out in sections 28 to 35, 38, 39(1) or 41 of the Act.

In this instance, if the information was held, sections 38(1) (b) & 35(1)(g) &(2)(b)

of the Act would apply insofar as you have requested informationwhich is exempt from disclosure.

To disclose whether or not information was held would confirm whether or not the circumstances referred to were in some way known to Police Scotland.

By way of further background, a public authority can refuse to confirm or deny whether it holds information, provided it is satisfied that revealing whether the information exists or is held would be contrary to the public interest. In such instances, it is recognised that harm exists even in confirming or denying in the public domain that the information is held.

In this instance, I believe it would be contrary to the public interest to reveal whether or not the information sought exists or is held.

**This explanation should not be taken as indicative or conclusive evidence that the information you have requested does or does not exist.**

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](https://www.foi.scot/appeal), by [email](mailto:enquiries@foi.scot) 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.