| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-0844  Responded to: 19th May 2023 |
| --- | --- |

Your request for information is replicated below, together with our response.

Please accept our apologies for the delay in responding.

In considering our response to your request, the following information may provide some useful information and context.

The Police Scotland [Complaints About the Police Standard Operating Procedure](https://www.scotland.police.uk/spa-media/fifhh5vo/complaints-about-the-police-sop.pdf) outlines how we deal with complaints.

Complaints are recorded in accordance with the categories listed at appendices G and H, none of which you will note directly align to the terminology used in your request.

You should also note that whilst a complaint *may* lead to conduct proceedings in some circumstances (not necessarily every aspect of the complaint, or every officer involved) which may then lead to disciplinary action - complaints themselves are not recorded in those terms in terms of outcome.

There is therefore potential for the same officer/ circumstances to appear on a complaint case and a conduct case and, as a result, complaints and conduct matters cannot simply be added together.

The formal conduct process for Police Officers is governed by [The Police Service of Scotland (Conduct) Regulations 2014](https://www.legislation.gov.uk/ssi/2014/68/contents/made).

The associated [Scottish Government Guidance Document](https://www.gov.scot/binaries/content/documents/govscot/publications/factsheet/2018/04/conduct-and-performance-procedures-police-guidance/documents/police-guidance-conduct-procedures/police-guidance-conduct-procedures/govscot%3Adocument/Police%2BService%2Bof%2BScotland%2B%2528conduct%2529%2Bregulations%2B2014.pdf) further details the process and conduct cases are categorised in line with our [Standards of Professional Behaviour](https://www.scotland.police.uk/about-us/who-we-are/our-standards-of-professional-behaviour/).

The complaint process and the conduct process are distinct from each other and both have separate assessment and recording processes within the Professional Standards Department (PSD) database.

**1. How many officers received any kind of disciplinary sanction in the (i) 2020/21 and (ii) 2021/22 year as a result of a complaint of (a) racism, or (b) sexism/ misogyny?  
2. Please state what disciplinary action was imposed for each of the cases referenced in Question 1.  
3. In relation to all the incidents in Q.1 where specific racist or sexist/misogynistic words or phrases were used please (i) state what these words or phrases were and (ii) the specific disciplinary sanction imposed on the officer.**

As previously mentioned, none of our recording categories directly align to the terminology used in your request, specifically ‘sexist/misogynistic’, and section 17 of the Act therefore applies - the information sought is *not held* by Police Scotland in those terms.

However, allegations are recorded in the following categories which - although not exhaustive - provide some coverage of allegations that involve a perceived racial element:

* Discriminatory Behaviour with a ‘race’ sub type
* Racially aggravated conduct
* Racially aggravated harassment

On that basis, I can confirm that no police officers were subject to formal or management action disposals linked to complaint allegations within the categories listed above, concluded between 01/04/2020 and 31/03/2022 inclusive. Please note additional misconduct disposals are detailed in the aforementioned [Scottish Government Guidance Document](https://www.gov.scot/binaries/content/documents/govscot/publications/factsheet/2018/04/conduct-and-performance-procedures-police-guidance/documents/police-guidance-conduct-procedures/police-guidance-conduct-procedures/govscot%3Adocument/Police%2BService%2Bof%2BScotland%2B%2528conduct%2529%2Bregulations%2B2014.pdf).

## 4. How many complaints of racism were made against your force by members of the public in (i) 2019/20 and (ii) 2020/21?

Your request is interpreted to be in relation to complaint allegations received between 01/04/2019 – 31/03/2021 inclusive.

Given this question refers specifically to allegations received, rather than those resulting in ‘disciplinary action’, data provided also includes relevant allegations attached to complaints received.

The undernoted allegations relating to complaint cases were made by members of the public.

*Allegations involving racial related categories (Complaints), by financial year received 1 2*

|  |  |  |
| --- | --- | --- |
| **Allegation Type** | **2019/20** | **2020/21** |
| Discriminatory Behaviour - Race | 44 | 63 |
| Racially aggravated conduct | 1 | 4 |
| Racially aggravated harassment | 2 | 4 |
| **Grand Total** | **47** | **71** |

*1 Data is based on the case received date.   
2 Each case may involve multiple allegations, therefore the number of allegations may vary from the number of cases.*

Please note that no complainer data is recorded in relation to conduct cases, therefore it cannot be determined whether those cases resulted from complaints made by members of the public. All cases are therefore detailed below:

*Allegations involving racial related categories (Conduct), by financial year received 1 2*

|  |  |  |
| --- | --- | --- |
| **Charge Category** | **2019/20** | **2020/21** |
| Racially aggravated conduct | 1 | 6 |
| Racially aggravated harassment | 0 | 1 |
| **Grand Total** | **1** | **7** |

*1 Data is based on the case received date.   
2 Each case may involve multiple allegations, therefore the number of allegations may vary from the number of cases.*

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.