| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-1539  Responded to: 4th July 2023 |
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Your recent request for information is replicated below, together with our response.

**I am writing to make a formal request under the Freedom of Information (Scotland) Act 2002 to obtain information regarding the current status and progress of any investigations related to leaks from ongoing criminal investigations to the press and commentators from within Police Scotland.**

**To assist in providing the requested information, I would appreciate if you could kindly provide the following details:**

* **Confirmation of whether there has been any concern raised by Officers leading criminal investigations, the Chief Constable or any other member of Police Scotland's Management Team regarding the danger that leaks from serving Police Officers and staff can pose to the ability to successfully prosecute ongoing criminal investigations.**
* **If concern has been raised has this resulted in an internal investigation to identify the source of leaks to the press and wider commentators and institute systems to prevent leaks occurring.**
* **If an investigation has occurred the date on which the investigation was initiated.**
* **The scope and nature of the investigation, including any specific incidents or instances being investigated.**
* **An update on the progress made in the investigation, including any milestones, outcomes, or findings achieved thus far.**
* **Any measures taken or planned to prevent future leaking incidents within Police Scotland.**
* **The expected timeline for the completion of the investigation, if available.**

Having considered your request it is assessed that any information of relevance would most likely be held in complaint and/or conduct files.

The Police Scotland [Complaints About the Police Standard Operating Procedure (SOP)](https://www.scotland.police.uk/spa-media/fifhh5vo/complaints-about-the-police-sop.pdf) outlines how we deal with complaints and we can provide data on any of the complaint categories listed at appendices G and H.

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.

The formal disciplinary 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) provides further information on the Conduct 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/).

Again, we can provide data on conduct cases based on any of the standards listed.

We are unfortunately unable to search complaints/conduct data by the type of behaviour referred to in your request as it could fall under several of our recording categories and every case would have to be individually reviewed for potential relevance.

I note that there is no time period in your request but even considering it in terms of currently live cases only, the numbers would be hundreds if not thousands.

I therefore 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 Act where section 12(1) (Excessive Cost of Compliance) has been applied, this represents a refusal notice for the information sought.

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.