

Our Ref: IM-FOI-2022-2349  
Date: 23 November 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'm looking to find out how many currently serving police officers in the North East Police Division and Highlands and Islands Police Division have criminal records.**

**I would like these figures split up by division, and columns included for any additional officers who may also currently be on any sort of leave or are classed as non-serving with a total number of all officers for either division, North East and Highlands and Islands.**

**Could I also have the number for any officers who have achieved the rank of sergeant or higher who also have criminal records with a column for the total number of all those who have reached that rank of above across these two divisions?**

**Finally, may I also have the figure for how many serving and non-serving police officers have criminal records across all divisions in Scotland?**

**It would be great if these could also be split into two columns to show serving and non-serving.**

Having considered these questions in terms of the Act, 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, there is no specific means of retrieving this information from the Professional Standards Department (PSD) Centurion database.

In order to obtain even part of the information requested, the details of over 2956 current serving officers in North East and Highlands & Islands Divisions would need to be checked

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against the Criminal History System (CHS) to establish if any of them held convictions. Furthermore there are currently over 16, 500 serving police officers across Police Scotland

### [Police Scotland Officer Numbers - Police Scotland](#)

We also need to recognise that criminal convictions may precede an individual joining the Police and do not necessarily bar an individual from obtaining vetting clearance (e.g. minor offences committed as a child and now spent). Again, in those instances, PSD wouldn't hold that information as they weren't serving officers at the time of offence.

As the cross referencing exercise described above is the only methodology which would allow us to identify the data in an accurate and reliable manner, I must advise you that any such undertaking would far exceed the cost limit set out in the Fees Regulations.

If you require further assistance or 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.