| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-1506  Responded to: 14th June 2023 |
| --- | --- |

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

**This is a request for information under the Freedom of Information Act 2000.   
My request relates to stop and searches. I would like the information to be broken down according to year and police force(s). I would like to request the following information:**

1. **How many complaints you have received about stop and searches in the following time periods:**

* **1 January 2018 to 31 December 2018**
* **1 January 2020 to 31 December 2020**
* **1 August 2022 to 07 June 2023**

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.

Data has been provided below which details the number of complaints received within the specified periods, which have included at least one allegation involving a stop and search circumstance.

Each complaint case may include multiple allegations, therefore the number of allegations may vary from the number of cases.

*Complaints involving an allegation with a stop and search circumstance, by period received 1 2*

| **Category** | **01/01/18 - 31/12/18** | **01/01/20 - 31/12/20** | **01/08/22 - 07/06/23** |
| --- | --- | --- | --- |
| **Complaints** | 61 | 55 | 62 |

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

1. **A breakdown of the allegations made in each complaint.**

This question has been interpreted as a continuation of the previous question.

*Allegations with a stop and search circumstance (Complaints), by allegation type and period received 1 2*

| **Allegation Type** | **01/01/18 - 31/12/18** | **01/01/20 - 31/12/20** | **01/08/22 - 07/06/23** |
| --- | --- | --- | --- |
| Assault | 0 | 3 | 1 |
| Discriminatory Behaviour | 2 | 1 | 3 |
| Excessive Force | 6 | 2 | 5 |
| Incivility | 4 | 4 | 5 |
| Irregularity in Procedure | 58 | 65 | 59 |
| Oppressive Conduct/Harassment | 3 | 6 | 2 |
| Other - Criminal | 1 | 0 | 0 |
| Other - Non Criminal | 1 | 1 | 0 |
| Policy/Procedure | 3 | 1 | 4 |
| Service Delivery | 1 | 0 | 1 |
| Unlawful/ Unnecessary Arrest or Detention | 3 | 1 | 1 |
| Grand Total | 82 | 84 | 81 |

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

1. **What the outcome was of each complaint.**

This question has been interpreted as a continuation of the previous question.

Please note that allegations received may remain subject to live enquiry and therefore may not yet be concluded.

*Allegations with a stop and search circumstance (Complaints), by allegation result and period received 1 2 3*

| **Allegation Result** | **01/01/18 - 31/12/18** | **01/01/20 - 31/12/20** | **01/08/22 - 07/06/23** |
| --- | --- | --- | --- |
| Abandoned | 20 | 22 | 11 |
| Not Upheld - Concluded by explanation | 42 | 45 | 7 |
| Not Upheld - Insufficient evidence | 5 | 6 | 1 |
| Not upheld - Leading to No Proceedings by APF | 0 | 3 | 0 |
| Resolved by FLR (Apology) | 0 | 0 | 6 |
| Resolved by FLR (Assurance) | 0 | 0 | 9 |
| Resolved by FLR (Explanation) | 0 | 0 | 21 |
| Upheld - Concluded by explanation | 12 | 3 | 2 |
| Withdrawn | 3 | 4 | 1 |
| Ongoing - not yet concluded | 0 | 1 | 23 |
| **Grand Total** | **82** | **84** | **81** |

*1 Data is based on the case received date.   
2 Each case may include multiple allegations, therefore the number of allegations may vary from the number of cases.   
3 Allegations received may remain subject to live enquiry and therefore may not yet be concluded.*

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.