

Our Ref: IM-FOI-2022-1035
Date: 23 May 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 would like to request information regarding deaths in police custody in Scotland for the years 2021 and any information pertaining to deaths in 2022.

For ease of reference, your request is replicated below together with the response.

The data provided below is based on the undernoted definitions held by the Professional Standards Department (PSD).

Death in Police Custody: includes circumstances where a death occurs in a police custody facility, or when a person has been arrested/detained by police and is no longer free to go about their business.

The cause or means of a death are established by a Fatal Accident Inquiry (FAI).

FAIs are mandatory when someone dies in custody in prison or in a police station.

This information is available on the Scottish Courts Fatal Accident Inquiry website, via the link below BUT are only published once all investigations to establish cause or means of death are concluded.

<https://www.scotcourts.gov.uk/search-judgments/fatal-accident-inquiries>

Table 1: Death in Police Custody Referrals, by Calendar Year ¹

| Referral Reason | 2021 | 2022 |
|-------------------------|------|------|
| Death in Police Custody | 1 | 1 |

1. Data for 2022 covers the period of 01/01/2022 – 09/05/2022.

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

OFFICIAL

foi@scotland.pnn.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 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.