| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-0808  Responded to: 21 April 2023 |
| --- | --- |

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

## I have been in correspondence with Keith Brown, Cabinet Secretary for Justice and my MSP, on matters related to my request set out below and understand that it is Police Scotland who hold the information I am seeking. I guess that I am far from alone in being appalled by the recent exposure of the level of abuse against women by officers of the metropolitan police. In the past days there are similar reports emanating from other english police forces so it is clearly not just an issue in London where they reportedly have some 1,600 such cases that they are/will investigate.

## I am interested to know if I can be assured that similar problems do not exist in Police Scotland.

## I would expect that Police Scotland, like their London counterparts, records all instances of alleged and/or suspected abuse of women and girls and would ask for your confirmation that this is so?

In terms of section 16 of the Act, I am refusing to provide you with the information sought on the basis that it is publicly available. Section 16 requires Police Scotland to:

(a) state that it holds the information,   
(b) state that it is claiming an exemption,   
(c) specify the exemption in question and   
(d) state, if that would not be otherwise apparent, why the exemption applies.

I can confirm that the information requested is held by Police Scotland and the exemption that I consider to be applicable is set out at section 25(1) of the Act:

“Information which the applicant can reasonably obtain other than by requesting it under Section 1(1) is exempt information”

By way of assistance, I can confirm that all complaints about the police are recorded, assessed and progressed in accordance with the nature of the allegations.

Please refer to 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) for further information on how we deal with complaints.

**I also ask what is the current number of "live" cases in Scotland and what the trend is over, say, the last five years?**

Police Scotland are unable to search complaints and conduct data for the term “abuse of women and girls” as the terminology does not align to our own recording procedures.

As Police Scotland do not currently gather the information as you specifically request, any attempt to re-categorise or identify trends associated with such a category would involve the creation of new data, as opposed to collating it.

Notwithstanding, re-categorisation of data in that way would be significantly time consuming and I regret to inform you that I am unable to provide you with the information sought 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.

To be of assistance, information collated specifically for a recent, and now presently ongoing, Case Review is provided below.

In 2021, a review of all investigations involving police officers and members of police staff which involved instances of sexual misconduct was carried out for the period 1 January 2017 to 21 October 2021. The purpose of the review was to ensure Police Scotland had discharged its responsibilities in relation to the management of risk relating to reports or complaints which include sexual circumstances, sexual offending or misconduct by officers or staff of Police Scotland and, where appropriate, to ensure that these matters were fully investigated and progressed within the relevant legislation, powers and regulations.

During the review, it was found that over the 4 ¾ year period, 410 reports relating to both on and off duty sexual misconduct were received via a range of sources, including members of the public, complaints about the police, internal reports, intelligence and anonymous reporting. No significant issues were identified in terms of the quality of individual investigations and it was found that, where a report outlined a breach of professional boundaries, the investigation was carried out thoroughly.

I can also confirm that, as at 18 December 2021, 18 complaint/conduct cases involving a domestic circumstance and involving a female victim, were live.

As previously noted, this work remains ongoing from 22 October 2021 to the present day and now also includes domestic complaints and conduct instances. Concluded statistical data is not yet available.

**Additionally, please advise me who is responsible for the investigation of such complaints?**

This information is otherwise accessible and is therefore exempt in terms of section 25 of the Act; however, by way of assistance, I refer you once more to our Complaints About the Police Standard Operating Procedures (SOP) which outlines procedures, both in relation to on and off duty complaints.

**And how might the public be assured of the independence of the investigator in a single police force?**

The [Police Investigations & Review Commissioner (PIRC)](https://pirc.scot/) is responsible for the investigation of incidents involving the police and to independently review the way the police handle complaints from the public.

Further, in accordance with Police Scotland’s Complaints About the Police SOP, all allegations of on duty criminality against police officers are reported to the Crown Office and Procurator Fiscal Service (COPFS) for consideration, in order to ensure independence in the assessment and consideration of criminal proceedings takes place.

**Finally, what is Police Scotland doing now to ensure that and sexist and misogynist police culture, also reported in London, is being identified and eliminated, should it be found, from the ranks of Police Scotland?**

Police Scotland remains committed to supporting the work of the National Police Chiefs Council – Violence Against Women and Girls (VAWG) programme.

Police Scotland’s most recent strategy and implementation plan was presented in March 2023, details of which can be found online:

[Police Scotland’s strategy to tackle violence against women and girls was presented to the SPA Policing Performance Committee - Police Scotland](https://www.scotland.police.uk/what-s-happening/news/2023/march/violence-against-women-and-girls-strategy/)

The strategy includes Police Scotland’s commitment to tackling such issues involving police officers and members of police staff.

**I understand from the earlier correspondence to which I referred, that Police Scotland is to undertake re-vetting of all serving officers in line with the Home Secretary's instruction to English forces. Please confirm that this is underway or, alternatively, when it will commence?**

I can confirm that the Continuous Integrity Screening process that you refer to is underway. You may find the following statement regarding vetting from Deputy Chief Constable Fiona Taylor QPM useful: [Police Scotland statement on vetting checks of officers and staff.](https://www.scotland.police.uk/what-s-happening/news/2023/january/police-scotland-statement-on-vetting-checks-of-officers-and-staff/)

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.