| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-2678  Responded to: 1st November 2023 |
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Your recent request for information is replicated below, together with our response.

## 1. Please state how many of your serving officers have got a (i) conviction or (ii) a caution for the offence of shoplifting?

## 2. For each individual please state (i) if the offence was finalised by way of a conviction or caution, (ii) was the offence picked up as a pre-employment check or was it carried out after the individual was employed as a police officer, and (iii) the year the offence was committed.

## 3. If possible where there was a shoplifting offence please state the value of the theft and the shop where the offence was committed?

In response to your request, I must first of all advise you that a caution in Scotland has a different meaning to that in England and Wales. In England and Wales, the term relates to a formal police warning.

In Scotland a caution is common law, used when interviewing a suspect, taking a statement from someone who may end up being an accused person, or when charging someone. The caution is simply informing that person of their rights.

As such, in terms of Section 17 of the Freedom of Information (Scotland) Act 2002, this represents a notice that the information you seek, in regards to Cautions, is not held by Police Scotland.

I also regret to inform you that I am unable to provide you with statistics on the number of Officers with convictions, 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, the only way to establish whether a police officer holds a conviction(s) would be to individually search over 16,000 officers against the criminal history system - an exercise which I estimate would far exceed the cost limit set out in the Fees Regulations.

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.