| Police Scotland logo | Freedom of Information ResponseOur reference: FOI 23-1004Responded to: 26th April 2023 |
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Your request for information is replicated below, together with our response.

The following information may be useful to explain how our complaint and conduct processes work and to provide some additional context to your response.

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 and they are categorised as per appendices G and H of that document.

The formal disciplinary process for Police Officers is governed by [The Police Service of Scotland (Conduct) Regulations 2014](https://www.legislation.gov.uk/ssi/2014/68/contents/made).

The Police Service of Scotland (Conduct) Regulations 2014 [Scottish Government Guidance Document](https://www.gov.scot/binaries/content/documents/govscot/publications/factsheet/2018/04/conduct-and-performance-procedures-police-guidance/documents/police-guidance-conduct-procedures/police-guidance-conduct-procedures/govscot%3Adocument/Police%2BService%2Bof%2BScotland%2B%2528conduct%2529%2Bregulations%2B2014.pdf) provides further information on the Conduct process and conduct cases are categorised in line with our [Standards of Professional Behaviour](https://www.scotland.police.uk/about-us/who-we-are/our-standards-of-professional-behaviour/).

You should note that the complaints and conduct processes are distinct from each other and different recording criteria apply.

**1. How many police officers serving with your force had a complaint of domestic violence made against them in each of the last three calendar years (i) 2020, (ii) 2021 and (iii) 2022?**

The Professional Standards database does not record ‘domestic violence’ as a specific category however a ‘domestic circumstance’ marker can be added to a conduct or complaint case containing allegations which are perceived to contain a domestic element, whether physical or non-physical, criminal or non-criminal. For the purposes of this request, data has therefore been provided based on allegations linked to the criminal categories of either ‘Crimes of Violence’ or ‘Petty Assault’ with a ‘domestic circumstance’ marker.

A total of 18 Police officers were linked to allegations involving a domestic circumstance and recorded as ‘Crimes of Violence’ or ‘Petty Assault’, based on cases received between 01/01/2020 and 31/12/2022 inclusive – these figures are broken down as follows:

2020 – 6

2021 – 7

2022 – 5

Please note that an individual officer may be linked to multiple cases and multiple allegations involving a domestic circumstance.

**2. (i) how many of these cases was disciplinary action taken against the officer and (ii) was some sort of disciplinary sanction imposed on the officer?
3. For each case where a sanction was imposed please detail what this sanction was.**

It should be noted that conduct proceedings will only be considered once any associated criminal matter has been dealt with. The Police Service of Scotland (Conduct) Regulations) 2014 only apply to serving officers therefore, if an officer resigns or retires, the process of considering misconduct ceases to be an option. The figures outlined in question 1 will include cases which may have been marked as ‘no criminal proceedings’ by the Crown Office and Procurator Fiscal Service (COPFS). Any inference of criminality must be reported to COPFS for independent assessment therefore the fact an allegation is reported to COPFS does not necessarily mean that an individual has been charged with an offence.

Data has been provided which details the disposals linked to allegations involving a domestic circumstance and recorded as ‘Crimes of Violence’ or ‘Petty Assault’ received 01/01/2020 – 31/12/2022 inclusive.

Please note that each allegation is subject to an individual disposal and that each officer may be linked to multiple allegations, therefore the number of allegations may vary from the number of officers. It should also be noted that

Cases received may remain subject to live enquiry and/or ongoing legal proceedings, therefore may not yet be concluded.

*Table: Allegations involving a domestic circumstance and recorded as ‘Crimes of Violence’ or ‘Petty Assault’, by allegation disposal (01/01/2020 – 31/12/2022) 1 2 3*

|  |  |
| --- | --- |
| **Allegation Disposal** | **Number** |
| Management Action | 4 |
| No Action | 6 |
| Ongoing - not yet concluded | 10 |
| **Grand Total** | **20** |

1. Data is based on the case received date.
2. Each officer may be linked to multiple allegations, therefore the number of allegations may vary from the number of officers.
3. Allegations received may remain subject to live enquiry and/or ongoing legal proceedings, 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 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 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.