

Our Ref: IM-FOI-2022-1009  
Date: 13<sup>th</sup> 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.

### 1. The number of 999 calls received over the past 5 years on a yearly basis.

Please be advised that call handling statistics are publicly available on the Police Scotland website.

As such, in terms of Section 16 of the Freedom of Information (Scotland) Act 2002, I am refusing to provide you with the information sought. Section 16 requires Police Scotland when refusing to provide such information because it is exempt, to provide you with a notice which:

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

I can confirm that Police Scotland holds the information that you have requested and the exemption that I consider to be applicable is set out at Section 25(1) of the Act - information otherwise accessible:

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

The information you are seeking is available via the following link at the bottom of the page:

[How we are performing - Police Scotland](#)

### 1.1. Specifically, the number of 999 on a yearly basis calls related to attendance of singularly or as a group:

- 1.1.1. Bailiffs,
- 1.1.2. High court enforcement officers and
- 1.1.3. Debt collectors

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In response to this question, I regret to inform you that I am unable to provide you with the information you have requested, 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, whilst incidents are categorised, there is no specific category on our incident recording system, STORM, which relates to the type of incident referred to in your request.

The only way to determine whether the call was made in relation to Bailiffs, High Court Enforcement Officers or Debt Collectors would be to carry out case by case assessment of each and every incident report for the time period specified.

As illustrated by our statistics above, this would involve individually examining thousands of reports - an exercise which I estimate would far exceed the cost limit set out in the Fees Regulations.

**1.2. The total number of criminal charges against Bailiffs; a,b,c above on scene, for breach of any law, including but not exclusively;**

- 1.2.1. Misfeasance,**
- 1.2.2. Fraud,**
- 1.2.3. Highways act,**
- 1.2.4. S68 Aggravated trespass,**
- 1.2.5. Perjury,**
- 1.2.6. Stalking.**

**2. The number of Charges brought against Bailiffs, resulting from Bailiffs on scene at private properties.**

**2.1. The number of arrests of non-bailiffs when 'Bailiffs' a,b,c above on scene at Private properties.**

**2.2. Number of 'no crime incidents' as a result of 999 calls referencing 'Bailiffs' a,b,c above on scene.**

In response to these questions, I regret to inform you that I am unable to provide you with the information you have requested, as it would prove too costly to do so within the context of the fee regulations.

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 crime recording systems used by Police Scotland have no facility whereby the occupation of the accused can be easily extracted, nor is it possible to carry out a search of crime reports based on the occupation of the accused.

As such, case by case assessment of all potentially relevant crime reports would be required, which would involve individually examining thousands of reports for the time period requested - an exercise which I estimate would far exceed the cost limit set out in the Fees Regulations.

### **3. Number of Warranted Detectives in the force of any rank.**

I must first of all advise you that all police officers within Police Scotland are classed as warranted officers.

The table below provides the number of Police Officers, including Detectives, by rank, as of the 31<sup>st</sup> March 2022.

<b>Police Officer Ranks</b>	<b>FTE</b>
Chief Constable	1
Deputy Chief Constable	3
Assistant Chief Constable	10
Chief Superintendent	30
Detective Chief Superintendent	8
Superintendent	87
Detective Superintendent	42
Chief Inspector	169
Detective Chief Inspector	77
Inspector	596.931
Detective Inspector	281
Sergeant	1792.418
Detective Sergeant	712.311
Police Constable	10353.18
Detective Constable	2641.816
<b>Total</b>	<b>16804.656</b>

### **4. Number of 'civilian investigators' with no power to obtain evidence.**

Police Scotland does not have civilian investigators as such, they way they do in England. There are some specialist posts that involve some investigative skills but they are not a particular 'class' of employee we can search on.

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

### **5. Number of warranted Police officers under investigation (any reason) for the same time period.**

Having considered this part of your request, it is not clear what is meant by 'under investigation'.

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Police Scotland aims to provide a high quality service to the people of Scotland, however recognise that the service can sometimes fall short of the expectations of the public and the police themselves.

To first provide some context to this subject matter, it may be helpful to outline how the complaints and conduct processes operate in Scotland.

The *complaint* process and the *conduct* process are distinct from each other and both have separate assessment and recording processes within the Professional Standards Department (PSD) database.

All complaints received by Police Scotland are managed in line with our 'Complaints against the Police' Standard Operating Procedures (SOP), details of which can be found at the following link:

<https://www.scotland.police.uk/spa-media/fifhh5vo/complaints-about-the-police-sop.pdf>

Once complaint matters are concluded, the circumstances may be referred for a separate Conduct Assessment. PSD manage conduct matters for Police Officers, whilst People & Development (P&D) manage conduct matters relative to Members of Police Staff.

In terms of Police Officers, their conduct is assessed, categorised and recorded on the PSD database in accordance with our Standards of Professional Behaviour, details of which can be found at the following links:

<https://www.scotland.police.uk/spa-media/2r3p0bsx/standards-of-professional-behaviour.pdf>

Police Scotland's Conduct Regulations can be found at this link:

<https://www.legislation.gov.uk/ssi/2013/60/contents/made>

Police Scotland manage complaints and conduct matters for all police officers up to and including officers of the rank of Chief Superintendent only. Complaints and Conduct matters relative to Senior Officers (Assistant Chief Constable and above) are the responsibility of the Scottish Police Authority (SPA).

Turning to your request, I would note that the question posed is wide ranging and non-specific in nature.

As such, I would direct you to the SPA Complaints & Conduct Committee annual and quarterly reports which you may wish to review in the first instance:-

[SPA Complaints & Conduct Committee 2020/21 Annual Report](#)

A wealth of associated information is also available in the SPA archive section - here's an example:

<https://www.spa.police.uk/meetings/archived-meetings-2019-2021/archived-complaints-and-conduct-committee-meetings/archived-complaints-and-committee-2021/25-november-2021/>

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You may also be interested in information published on Police Scotland's disclosure log which can be searched by keyword, reference number, date etc.: As an example, a previous request which details complaint cases recorded between 2014/15 and 2019/20 is available here:

<https://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log/2020/september/20-1477-complaint-stats-by-type-outcome-nature-of-complainer-09-to-date/>

I would respectfully suggest that you review the public information available in the first instance as this may provide the data sought, and if you require anything further please contact us.

Should you require any further assistance please contact Information Management Dundee, quoting the reference number given.

If you 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 [foi@scotland.police.uk](mailto:foi@scotland.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](mailto: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.