

Our Ref: IM-FOI-2022-1186
Date: 28 June 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.

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

To first provide some context, all allegations attached to Complaints or Conduct / Misconduct cases (and their subsequent outcomes) which involved a sexual circumstance received between 01/01/2020 and 20/05/2022 were manually reviewed in order to provide the requested information.

Please note it is possible for both types of alleged crimes to be involved in a single case, therefore there is potential for the same officer to be counted in both instances separately given the specifics of your request.

In all cases the following applies:

- Data is based on the case received date. This may vary from the date charged and the date of conviction (where applicable).
- Each subject officer may be linked to multiple allegations. Subject officers are counted once per case.
- Cases received may remain subject to live enquiry and/or ongoing legal proceedings. Therefore, the volume of subject officers charged and convicted remains subject to change.

1. How many police officers in your force have been charged with child sexual offences from the period 1 January 2020 to May 20 2022?

Two.

Please note Question 1 is interpreted to relate only to sexual offences against a child aged under 18, excluding those which relate to indecent images (as those have been requested separately in question 2 below).

2. How many police Officers in your force have been charged with viewing or making indecent images of children from the period 1 January 2020 to May 20 2022?

Two

3. Of those charges how many resulted in a conviction?

One

4. Of these convictions, how many officers were given a suspended prison sentence?

One

Please note that the Lord Advocate is the head of the systems of prosecution and investigation of deaths in Scotland, functions which he/she exercises independently of any other person. The Crown Office and Procurator Fiscal Service (COPFS) is the sole prosecuting authority in Scotland. It receives reports about crimes from the police and other reporting agencies and then decides what action to take, including whether to prosecute.

All criminal allegations against the police are reported to COPFS. You may wish to contact COPFS at foi@copfs.gsi.gov.uk who may be able to provide you with further guidance in relation to conviction statistics.

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 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.