| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-2095  Responded to: 8th September 2023 |
| --- | --- |

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

**Please can you provide us with details on misconduct cases raised by the public against officers in Police Scotland broken down by total per year for the past 6 years (i.e. internal complaints).**

**Please can you specify the nature of each complaint and the result of the complaint i.e. are they ongoing or was there found to be insufficient evidence or was the officer in question disciplined. If found guilty of misconduct, can you also please provide details on whether they were transferred positions, suspended or whether their employment was terminated.**

Unfortunately, I estimate that it would cost well in excess of the current FOI cost threshold of £600 to process this part of your request.

I am therefore refusing to provide the information sought in terms of section 16(4) of the Act, as section 12(1) - Excessive Cost of Compliance - applies.

To explain, there is no ‘complainer type’ searchable field within the Professional Standards Department database in relation to Misconduct cases.

Whether the complainer is a member of the public or police colleague may be mentioned in the records associated with each individual case but this would, in some cases, necessitate a comparison of the complainer’s name with our personnel records to confirm.

Given the number of Misconduct cases for the six year period covered by your request, that research is an exercise I estimate would far exceed the cost limit.

If you would be interested in Misconduct data more generally, please submit a new request.

You should note that 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 associated [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 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 may also find our [Police Scotland Professional Standards Annual and Quarterly Performance Report](https://www.spa.police.uk/spa-media/yg1lgakz/004-item-3-police-scotland-professional-standards-department-quarterly-per.pdf) of interest.

Previous versions can be accessed online within the papers of the various SPA [Complaints and Conduct Committee Meetings](https://www.spa.police.uk/meetings/complaints-and-conduct-committee/).

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.