| Police Scotland logo | Freedom of Information ResponseOur reference: FOI 23-2249Responded to: 27th September 2023 |
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Your recent request for information is replicated below, together with our response.

## The number of police officers within the force who have faced disciplinary actions related to sexual misconduct, sexual harassment, or any similar offence, for the past five years.

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 allegations 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/).

Your question has been interpreted as relating to Police officers subject to formal or management action in relation to allegations involving a sexual circumstance concluded between 1 April 2018 and 31 March 2023 inclusive.

Data has been provided below on that basis, broken down by financial year as recorded on the Professional Standards Department database.

Please note that each case is limited to one subject officer, however the same individual officer may appear against multiple cases.

Each case may include multiple allegations and therefore the number of cases may vary from the number of allegations.

As the Conduct regulations apply only to serving Police officers, should an officer retire or resign then the Conduct or Misconduct process immediately ceases.

In these instances, the subject officer therefore cannot face formal or management action as they are no longer in service.

The data is based on the case closed date.

*Police officers subject to formal or management action in relation to allegations involving a sexual circumstance, by case type and financial year*

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Case Type** | **2018/19** | **2019/20** | **2020/21** | **2021/22** | **2022/23** |
| Conduct | 10 | 13 | 11 | 14 | 21 |
| Misconduct | 3 | 0 | 0 | 1 | 0 |
| Total | 13 | 13 | 11 | 15 | 21 |

The types of misconduct or offences for which disciplinary actions were taken, without disclosing specific case details.

This question has been interpreted as a continuation of the previous question and the response is again based on Police officers subject to formal or management action in relation to allegations involving a sexual circumstance concluded between 1 April 2018 and 31 March 2023 inclusive.

The tables below break that down by allegation type and financial year.

Please note that each case may include multiple allegations and therefore the number of cases may vary from the number of allegations.

The data is based on the case closed date.

*Police officers subject to formal or management action in relation to allegations involving a sexual circumstance - Conduct cases by allegation type and financial year*

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Conduct Cases by Allegation Type** | **18/19** | **19/20** | **20/21** | **21/22** | **22/23** |
| Authority, Respect and Courtesy | 7 | 16 | 13 | 5 | 6 |
| Discreditable Conduct | 12 | 15 | 7 | 8 | 20 |
| Duties and Responsibilities | 0 | 0 | 0 | 1 | 0 |
| Honesty and Integrity | 0 | 0 | 1 | 3 | 0 |
| Total | 19 | 31 | 21 | 17 | 26 |

*Police officers subject to formal or management action in relation to allegations involving a sexual circumstance - Misconduct cases by allegation type and financial year*

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Misconduct Cases by Allegation Type** | **18/19** | **19/20** | **20/21** | **21/22** | **22/23** |
| Conduct likely to bring discredit | 4 | 0 | 0 | 4 | 0 |
| Total | 4 | 0 | 0 | 4 | 0 |

 **The outcomes of these disciplinary actions, including whether the officers were reprimanded, suspended, or dismissed from their positions.**

This question has been interpreted as a continuation of the previous questions and the response is again based on Police officers subject to formal or management action in relation to allegations involving a sexual circumstance concluded between 1 April 2018 and 31 March 2023 inclusive.

The tables below break that down by allegation disposal and financial year.

As referenced previously, the Conduct regulations apply to serving officers only. The process ceases should an officer retire or resign.

The data is based on the case closed date.

*Police officers subject to formal or management action in relation to allegations involving a sexual circumstance - Conduct cases by allegation disposal and financial year 1 2*

| **Conduct Cases by Allegation Disposal** | **18/19** | **19/20** | **20/21** | **21/22** | **22/23** |
| --- | --- | --- | --- | --- | --- |
| Dismissal | 1 | 0 | 6 | 0 | 0 |
| Demotion in Rank | 0 | 2 | 0 | 0 | 0 |
| Final Written Warning | 0 | 2 | 0 | 1 | 5 |
| Written Warning | 0 | 5 | 3 | 0 | 3 |
| Verbal Warning | 1 | 1 | 2 | 1 | 1 |
| Management Action | 17 | 21 | 10 | 15 | 17 |
| Total | 19 | 31 | 21 | 17 | 26 |

*1 Data is based on the case closed date.
2 Each case may include multiple allegations and therefore the number of cases may vary from the number of allegations.*

*Police officers subject to formal or management action in relation to allegations involving a sexual circumstance - Conduct cases by allegation disposal and financial year 1 2*

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Misconduct Cases by Allegation Disposal** | **18/19** | **19/20** | **20/21** | **21/22** | **22/23** |
| Required to Resign | 1 | 0 | 0 | 0 | 0 |
| Reduction in Rank | 2 | 0 | 0 | 0 | 0 |
| Reduction in Rate Of pay | 1 | 0 | 0 | 0 | 0 |
| Counselled | 0 | 0 | 0 | 4 | 0 |
| Total | 4 | 0 | 0 | 4 | 0 |

*1 Data is based on the case closed date.
2 Each case may include multiple allegations and therefore the number of cases may vary from the number of allegations.*

 **Any available information on the reasons for retaining or dismissing officers who faced disciplinary actions.**

Where an officer faces misconduct proceedings in relation to allegations of sexual misconduct or other linked matters, the circumstances will be subject to an assessment and enquiry in terms of [the Police Service of Scotland (Conduct) Regulations 2014](https://www.legislation.gov.uk/ssi/2014/68/contents/made) and in particular assessed against the ten [Standards of Professional Behaviour](https://www.scotland.police.uk/about-us/who-we-are/our-standards-of-professional-behaviour/).

The final determination of this will be proportionate to the specific circumstances of the allegations made.

If the matter results in misconduct proceedings the circumstances are heard by an independent chair who decides on the outcome based on all the evidence available.

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.