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Our Ref: IM-FOI-2022-0636
Date: 5 April 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.

Police Scotland aims to provide the best possible service to the people of Scotland however recognises that on occasion the service received falls short of the standards expected by the public and the police themselves.

To provide some context to our response, it may be helpful to first outline how the complaints process operates in Scotland and to provide some additional information sources.

All complaints received by Police Scotland are managed in line with our Complaints about the Police Standard Operating Procedures (SOP) which can be accessed via the following link:

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

Further details in relation to our complaints process can be found on the Police Scotland website via the following link:

<https://www.scotland.police.uk/about-us/police-scotland/complaints/>

Furthermore, there can be one or more allegations contained within one complaint case and equally, there can be one or more subject officers relative to each allegation. Conduct cases may contain multiple allegations, but are limited to one subject officer per case.

Police Scotland receives allegations against officers and members of police staff through a variety of sources, including through our online complaint reporting system, by email or other written correspondence. In addition, Police Scotland officers and members of police staff can report, both anonymously and confidentially, any alleged criminality, conduct or integrity concerns through our Integrity Matters online confidential reporting mechanism. Such reports are received and allocated as appropriate by our Gateway Unit which is a single point of contact for all divisions and departments within Police Scotland to make referrals regarding any issues involving serving police officers or members of police staff.

For ease of reference, your request is replicated below together with the response.

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Please provide anonymised details of the ten officers who have been the subject of the most complaints in the last five calendar years i.e. from 01/01/2017 - 31/12/2021. Where possible, for each, please include their rank, the number of complaints submitted against them, the nature of the complaints and if they are still employed by the force?'

Data provided below is based on the number of complaints received. Each complaint may involve multiple allegations. Each allegation is capable of being independently concluded as upheld or not upheld. Allegations may also be concluded as abandoned, withdrawn, not deemed a relevant complaint or suitable for a frontline resolution (FLR) e.g. resolved by explanation, apology or assurance.

Details have been provided below for the Police Officers subject to the highest volume of complaints received between 01/01/2017 - 31/12/2021. *Please note that the officers ranked 10th - 16th in the table below were subject to an equal number of complaints (15).*

Please note that officer rank is based on the latest rank of the officer as at 24/03/2022. This may vary from the officer's rank at the time of complaint.

Please also note that the employment status of officers is correct as at 24/03/2022. Employment status is not necessarily linked to any formal outcome from the complaints process.

Table 1: Police Officers subject to top 10 highest volumes of complaints, by number of complaints, latest rank and employment status (01/01/2017 - 31/12/2021) ^{1 2}

Officer Reference	Number of Complaints	Latest Rank	Employment Status
1	18	Constable	No longer employed
2	18	Sergeant	In Service
3	17	Constable	In Service
4	17	Constable	In Service
5	17	Constable	In Service
6	17	Sergeant	In Service
7	16	Constable	In Service
8	16	Constable	In Service
9	16	Sergeant	In Service
10	15	Sergeant	In Service
11	15	Constable	In Service
12	15	Constable	In Service
13	15	Constable	In Service
14	15	Constable	In Service
15	15	Constable	In Service
16	15	Constable	In Service

1. Data is based on the case received date.

2. Latest rank and employment status is based on snapshot as at 24/03/2022 and is correct at that time.

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As regards the nature of complaints linked to these specific officers, data has been provided in a separate table below detailing the types of allegation linked to these officers. Each allegation may be linked to multiple subject officers and each complaint may involve multiple allegations. Therefore, the number of allegations may vary from the number of subject officers and the number of complaints.

The table below may be linked to the table above based on the officer reference number, which has been anonymised in line with this request.

Table 2: Allegations linked to Police Officers subject to top 10 highest volumes of complaints, by allegation type and officer reference (01/01/2017 - 31/12/2021) ^{1 2}

Allegation Type Description	Officer Reference															
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Assault	1	1	1	12	0	7	5	1	0	3	4	0	1	0	0	3
Corrupt Practice	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
Discriminatory Behaviour	0	0	0	0	2	0	0	0	0	0	0	1	0	0	1	0
Excessive Force	3	2	4	8	2	4	11	1	4	1	4	0	4	1	1	0
Incivility	7	9	6	13	3	5	9	1	4	6	6	8	4	6	3	6
Irregularity in Procedure	16	10	6	20	14	6	5	22	9	12	10	12	12	13	10	12
Neglect of Duty	2	2	1	0	0	0	0	0	4	0	0	2	0	1	0	2
Oppressive Conduct / Harassment	2	1	2	1	5	0	0	4	0	0	2	1	7	1	1	0
Other - Criminal	1	0	0	1	0	0	0	0	1	1	0	0	1	0	0	0
Other - Non Criminal	0	1	0	0	0	0	0	0	1	0	3	2	1	1	0	0
Traffic Irregularity/Offence	0	1	1	0	0	0	1	0	0	0	0	0	0	0	0	0
Unlawful / Unnecessary Arrest or Detention	1	0	4	3	0	0	1	1	0	2	0	0	0	0	0	0
Grand Total	33	27	25	58	26	22	32	30	23	25	29	26	30	23	17	23

1. Data is based on the case received date.

2. Each complaint may involve multiple allegations and be linked to multiple subject officers. Therefore, the number of allegations may vary from the number of subject officers and number of complaints.

Police Scotland is committed to improving performance and enhancing service delivery towards the public of Scotland and supports its workforce in terms of learning, improvement and development. As such, the organisation employs an 'Early Intervention Process', designed to identify officers who generate repeated complaints. The aim is to intervene timeously and take appropriate action to address issues to improve performance and improve service delivery to the public.

The process is based on pre-determined triggers (four separate complaints within the preceding 12 month period) and analysis of the officer's complaint history to determine any risk they may pose and provides measures to improve individual behaviour,

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thereby minimising the impact on the reputation and operational efficiency of Police Scotland.

On an Early Intervention process being triggered a PSD officer of at least Chief Inspector rank will carry out an assessment of the officer's complaint history, the nature of the complaints and the disposal and outcome of these complaints. This assessment will allow for proportionate intervention action to be undertaken which ranges from notifying the officer to a full review and investigation by the Anti-Corruption Unit.

The Early Intervention process is subject to regular review to ensure that it continues to be fit for purpose and achieves the intended improvement in performance and service delivery to the public.

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.

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