| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-2525  Responded to: 8th November 2023 |
| --- | --- |

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

1. **How many police officers currently employed by Police Service of Scotland have been convicted of assault.**
2. **How many police officers currently employed by Police Service of Scotland have been convicted of assault aggravated by involving abuse of their partner or ex-partner under section 1 of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016.**

In response to questions one and two, 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 are currently 16,644 FTE serving officers in Police Scotland ([Police Scotland Officer Numbers - Police Scotland](https://www.scotland.police.uk/about-us/how-we-do-it/police-scotland-officer-numbers/)) and it would be necessary to check every officer against the Criminal History System to research your request.

Given the numbers involved, such an exercise would clearly far exceed the £600 limit in terms of resource.

You may be interested in a recent statement by Deputy Chief Constable Fiona Taylor QPM in relation to police officer vetting:

[Police Scotland statement on vetting checks of officers and staff - Police Scotland](https://www.scotland.police.uk/what-s-happening/news/2023/january/police-scotland-statement-on-vetting-checks-of-officers-and-staff/)

1. **How many police officers have been dismissed by Police Service of Scotland following a conviction for either of the above offences since 2016.**

In response to this question, I can advise you that one police officer was dismissed in 2023 following a conviction for assault.

1. **Would a police officer convicted of either of the above offences be in breach of the Police Service of Scotland (Conduct) Regulations 2014 and would this give rise to Gross Misconduct Proceedings.**

As you may be aware, Freedom of Information legislation provides a right of access to recorded information only. We cannot therefore answer scenario-based questions other than by reference to recorded information where it exists.

Where a request does not describe the *recorded information* sought, it is not valid in terms of section 8 of the Act.

To be of assistance however, I can advise you 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 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/).

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.