| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-0253  Responded to: 13th March 2023 |
| --- | --- |

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

Please accept our apologies for the delay in responding.

## In Aug 2019, information was released into the public domain, that 92 officers had been accused of sexual assault/ rape, 3 victims included WPC's.

## How many officers were processed through the courts and prosecuted/ admonished?

## How many officers remained on duty following accusation?

## How many officers took early retirement to escape prosecution?

We asked you for clarification of question 1 as follows:

*“In question one below you refer to information having been released into the public domain. It would assist us in progressing your request if you could please provide further details of that - for example, the FOI reference number if there is one, or even a link to a news article etc if relevant. Without understanding the figure quoted, which period it relates to etc, it is difficult to provide any further detail for that part of your request.”*

You refused to provide clarification in an email headed ‘Internal Review’ stating:

*“The first part requests information released by The Daily Record in 2019 of 92 officers accused of sexual assault/rape in 2019. By asking why and when I believe you are simply being obstructive, as it is included in the second part of my request. If you do not release the information requested I will have no trouble at all in asking my MSP to request the information.”*

We replied as follows:

*“I note that your email below is headed 'Internal Review'. Please note that we cannot conduct an internal review of the handling of an FOI until either:*

*a) we have issued a response; or*

*b) the statutory deadline passes and we have not issued a response*

*As stated in my original email - we will progress question 2 of your request but without further information, we have been unable to locate any FOI (or other) disclosure of information that matches the statement referred to. It would be helpful if you could include a link to the Daily Record article you refer to. Failing that, we will disregard question 1 and progress question 2.”*Again, you refused to provide clarification stating:

*“As is to be expected from Police Scotland when matters concerning rogue Police Scotland officers is concerned, despite having the figures in your files you of course deny there is a problem. Why should I do your job that you are paid to do. I will place this matter and all copies of our correspondence into the hands of my MSP.”*

Taking all of the above into account, question 1 has been treated as not clarified and it has not therefore been progressed.

## I request all of the statistics from the inception of Police Scotland (2013) of the police officers accused of sexual assault/ rape.

## How many officers were processed through the courts and prosecuted/ admonished?

This part of your request has been researched based on indecent assault and/ or rape allegations reported by Police Scotland to the Criminal Allegations Against the Police Division (CAAPD) of the Crown Office and Procurator Fiscal Service (COPFS) that subsequently led to criminal justice proceedings - i.e. proceeded to Court.

On that basis, between April 2013 and the date of your request, a total of 26 police officers are linked to such cases.

Those cases can be summarised as follows:

* case remains pending - 13
* individual convicted - 8
* individual found not guilty - 4
* case found not proven - 1

## How many officers remained on duty following accusation?

This question has been interpreted as a continuation of question 2a above.

On that basis, I can advise you that of the 26 officers referred to in question 2a), all were either suspended, restricted or retired without returning to duty

## How many officers took early retirement to escape prosecution?

In the event COPFS have determined that criminal proceedings will progress in relation to a police officer, these will continue regardless of whether a police officer elects to retire. The answer to this question is therefore zero.

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.