| Police Scotland logo | Freedom of Information ResponseOur reference: FOI 23-0775Responded to: 26th April 2023 |
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Your clarified request for information is replicated below, together with our response.

Please accept our apologies for the delay in responding.

As previously explained, 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 Police Service of Scotland (Conduct) Regulations 2014 [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 Conduct 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/). Please note that the Police Service of Scotland (Conduct) Regulations 2014 cease to take effect once an officer retires or resigns as they only apply to serving officers.

**Each year 2018, 2019, 2020, 2021, 2022 & 2023 up to 20 March:
Misconduct allegations - all - by type (standard of professional behaviour) and outcome**

Data has been provided regarding all allegations subject to preliminary assessment under Regulation 10 of The Police Service of Scotland (Conduct) Regulations 2014.

These are based on assessments dated between 01/01/2018 – 20/03/2023 inclusive, broken down by calendar year.

Please note that cases will have been received prior to the assessment date.

Allegations which have been subject to preliminary assessment may remain subject to investigation or further proceedings within the misconduct process and therefore may not yet be concluded.

Only once concluded will allegations be subject to a disposal.

*Table: Allegations subject to preliminary assessment, by allegation type and year of assessment (01/01/2018 – 20/03/2023) 1 2*

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Allegation Type** | **2018** | **2019** | **2020** | **2021** | **2022** | **2023** |
| Authority, Respect and Courtesy | 118 | 55 | 74 | 73 | 43 | 10 |
| Challenging and Reporting Improper Conduct | 2 | 1 | 18 | 0 | 12 | 0 |
| Confidentiality | 28 | 21 | 58 | 50 | 14 | 7 |
| Discreditable Conduct | 358 | 338 | 273 | 330 | 248 | 60 |
| Duties and Responsibilities | 38 | 47 | 57 | 61 | 35 | 18 |
| Equality and Diversity | 0 | 0 | 3 | 3 | 2 | 0 |
| Fitness for Duty | 4 | 0 | 0 | 0 | 1 | 0 |
| Honesty and Integrity | 32 | 49 | 33 | 26 | 23 | 4 |
| Orders and Instructions | 17 | 39 | 15 | 16 | 3 | 0 |
| Use of Force | 22 | 9 | 19 | 18 | 22 | 1 |
| **Grand Total** | **619** | **559** | **550** | **577** | **403** | **100** |

1. Data is based on the preliminary assessment date.
2. Data for 2023 covers the period of 01/01/2023 – 20/03/2023 inclusive.

*Table: Allegations subject to preliminary assessment, by allegation disposal and year of assessment (01/01/2018 – 20/03/2023)  1 2 3*

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Allegation Disposal** | **2018** | **2019** | **2020** | **2021** | **2022** | **2023** |
| Hearing - Demotion in Rank | 0 | 2 | 0 | 0 | 3 | 0 |
| Hearing - Dismissal With Notice | 3 | 0 | 8 | 0 | 0 | 0 |
| Hearing - Dismissal Without Notice | 6 | 4 | 0 | 4 | 0 | 0 |
| Hearing - Final Written Warning | 16 | 7 | 1 | 7 | 3 | 0 |
| Hearing - No Action | 14 | 12 | 6 | 0 | 3 | 0 |
| Hearing - Verbal Warning | 1 | 1 | 0 | 0 | 0 | 0 |
| Hearing - Written Warning | 35 | 2 | 2 | 3 | 0 | 0 |
| Meeting - Final Written Warning | 3 | 0 | 9 | 1 | 0 | 0 |
| Meeting - Improvement Action | 3 | 5 | 3 | 1 | 0 | 0 |
| Meeting - No Action | 3 | 9 | 11 | 2 | 1 | 0 |
| Meeting - Verbal Warning | 0 | 9 | 4 | 5 | 2 | 0 |
| Meeting - Written Warning | 18 | 4 | 8 | 9 | 0 | 0 |
| Management Action | 236 | 250 | 250 | 278 | 180 | 32 |
| Performance Regulations | 25 | 20 | 33 | 23 | 8 | 7 |
| No Action | 191 | 183 | 153 | 191 | 147 | 30 |
| Retired/Resigned | 36 | 43 | 54 | 34 | 21 | 0 |
| Ongoing - not yet concluded | 29 | 8 | 8 | 19 | 35 | 31 |
| **Grand Total** | **619** | **559** | **550** | **577** | **403** | **100** |

1. Data is based on the preliminary assessment date.
2. Data for 2023 covers the period of 01/01/2023 – 20/03/2023 inclusive.
3. Allegations subject to preliminary assessment may remain subject to investigation or further proceedings and therefore may not yet be concluded.

**Misconduct allegations - with sexual circumstance marker - by type and outcome**

This is interpreted to be a continuation of the previous question, but specifically in regards to those allegations listed in response to question 1 which involved a ‘sexual circumstance’. Data has been provided below on that basis.

Please note a ‘sexual circumstance’ can be added to any allegation relating to the on or off duty conduct of a Police Scotland officer to which an element of sexual motivation is, or could be, attributed. This could apply to contact or non-contact offences.

*Table: Allegations involving a sexual circumstance subject to preliminary assessment, by allegation type and year of assessment (01/01/2018 – 20/03/2023)  1 2*

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Allegation Type** | **2018** | **2019** | **2020** | **2021** | **2022** | **2023** |
| Authority, Respect and Courtesy | 13 | 12 | 25 | 22 | 10 | 0 |
| Confidentiality | 0 | 1 | 0 | 1 | 0 | 0 |
| Discreditable Conduct | 32 | 19 | 25 | 25 | 12 | 3 |
| Duties and Responsibilities | 0 | 0 | 0 | 2 | 0 | 0 |
| Honesty and Integrity | 0 | 0 | 4 | 2 | 0 | 0 |
| **Grand Total** | **45** | **32** | **54** | **52** | **22** | **3** |

1. Data is based on the preliminary assessment date.
2. Data for 2023 covers the period of 01/01/2023 – 20/03/2023 inclusive.

*Table: Allegations involving a sexual circumstance subject to preliminary assessment, by allegation disposal and year of assessment (01/01/2018 – 20/03/2023)  1 2 3*

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Allegation Disposal** | **2018** | **2019** | **2020** | **2021** | **2022** | **2023** |
| Hearing - Demotion in Rank | 0 | 2 | 0 | 0 | 0 | 0 |
| Hearing - Dismissal With Notice | 0 | 0 | 6 | 0 | 0 | 0 |
| Hearing - Final Written Warning | 0 | 2 | 0 | 4 | 0 | 0 |
| Hearing - No Action | 0 | 6 | 1 | 0 | 0 | 0 |
| Hearing - Written Warning | 0 | 0 | 0 | 3 | 0 | 0 |
| Meeting - Final Written Warning | 0 | 0 | 1 | 0 | 0 | 0 |
| Meeting - No Action | 0 | 0 | 3 | 0 | 0 | 0 |
| Meeting - Verbal Warning | 0 | 3 | 1 | 0 | 1 | 0 |
| Meeting - Written Warning | 5 | 0 | 3 | 0 | 0 | 0 |
| Management Action | 24 | 12 | 10 | 15 | 15 | 1 |
| No Action | 8 | 3 | 10 | 13 | 1 | 0 |
| Retired/Resigned | 7 | 4 | 19 | 12 | 4 | 0 |
| Ongoing - not yet concluded | 1 | 0 | 0 | 5 | 1 | 2 |
| **Grand Total** | **45** | **32** | **54** | **52** | **22** | **3** |

1. Data is based on the preliminary assessment date.
2. Data for 2023 covers the period of 01/01/2023 – 20/03/2023 inclusive.
3. Allegations subject to preliminary assessment may remain subject to investigation or further proceedings and therefore may not yet be concluded.

**Gender and rank of alleged perpetrator**

This is interpreted to be a continuation of the previous question but in relation to officers linked to the allegations listed in response to question 1 and - separately - the officers linked to the allegations response to question 2. Data has been provided below on that basis.

Please note, for each of the tables below, that each preliminary assessment under Regulation 10 of The Police Service of Scotland (Conduct) Regulations 2014 is limited to one officer. However, each officer may be linked to multiple allegations and therefore the number of officers may vary from the number of allegations. Furthermore, the same individual officer may appear against more than one case.

*Table: Police Officers subject to preliminary assessment, by rank and year of assessment (01/01/2018 – 20/03/2023)  1 2 3*

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Rank** | **2018** | **2019** | **2020** | **2021** | **2022** | **2023** |
| Constable | 310 | 295 | 310 | 329 | 246 | 64 |
| Sergeant or above | 71 | 71 | 72 | 75 | 58 | 13 |
| **Grand Total** | **381** | **366** | **382** | **404** | **304** | **77** |

*Table: Police Officers subject to preliminary assessment, by sex and year of assessment (01/01/2018 – 20/03/2023)  1 2 3*

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Sex** | **2018** | **2019** | **2020** | **2021** | **2022** | **2023** |
| Female | 83 | 90 | 84 | 91 | 76 | 22 |
| Male | 298 | 276 | 298 | 313 | 228 | 55 |
| **Grand Total** | **381** | **366** | **382** | **404** | **304** | **77** |

*Table: Police Officers subject to preliminary assessment involving an allegation with a sexual circumstance, by rank and year of assessment (01/01/2018 – 20/03/2023)  1 2 3*

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Rank** | **2018** | **2019** | **2020** | **2021** | **2022** | **2023** |
| Constable | 16 | 14 | 23 | 19 | 14 | 3 |
| Sergeant or above | 4 | 4 | 5 | 6 | 6 | 0 |
| **Grand Total** | **20** | **18** | **28** | **25** | **20** | **3** |

*Table: Police Officers subject to preliminary assessment involving an allegation with a sexual circumstance, by sex and year of assessment (01/01/2018 – 20/03/2023)  1 2 3*

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Sex** | **2018** | **2019** | **2020** | **2021** | **2022** | **2023** |
| Female | 3 | 2 | 1 | 1 | 1 | 0 |
| Male | 17 | 16 | 27 | 24 | 19 | 3 |
| **Grand Total** | **20** | **18** | **28** | **25** | **20** | **3** |

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.