| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-0193  Responded to: 5 April 2023 |
| --- | --- |

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

Please accept our apologies for the delay in responding.

1. The total number of complaints made against police officers (in your specific policing unit) of sexual harassment, domestic violence and or rape, that have been made since December 2021, to now, January 2023

Firstly, please be advised that sexual harassment is not a recording classification either in terms of the Scottish Government Justice Department (SGJD) classifications or our complaint/ conduct/ misconduct procedures.

You should also note that the [definition of domestic abuse](https://www.scotland.police.uk/spa-media/fuaflohy/domestic-abuse-investigation-sop.pdf) in Scotland is different from that of domestic violence used by English police forces.

Please note that the Police Scotland [Complaints About the Police (CAP) Standard Operating Procedure](https://www.scotland.police.uk/spa-media/fifhh5vo/complaints-about-the-police-sop.pdf) (SOP) outlines how we deal with criminal and non-criminal complaints for both on and off duty matters.

The [Police Service of Scotland Conduct Regulations SOP](https://www.scotland.police.uk/spa-media/q1jjirdw/police-service-of-scotland-conduct-regulations-sop.pdf) outlines the process for dealing with Conduct matters for police officers.

You will note from the CAP SOP that ***‘where there is a reasonable inference that a crime may have been committed’*** the circumstances must be reported to the Crown Office and Procurator Fiscal Service (COPFS) for independent assessment and consideration of criminal proceedings. All on duty offences are therefore reported to COPFS where there is a reasonable inference of criminality.

To provide information in relation to this request we have examined complaint, conduct and misconduct files relating to allegations of domestic assault and rape as recorded on the Professional Standards database.

In relation to question 1, please note as follows:

29 police officers are linked to a total of 41 allegations of domestic assault reported since 01 December 2021 to 31 January 2023.

3 police officers are linked to a total of 3 allegations of rape reported to since 01 December 2021 to 31 January 2023. It should be noted that these allegations were either abandoned or withdrawn.

Please note that one report may contain multiple allegations therefore the number of individuals will not necessarily equate to the number of allegations.

1. The total number of investigations that have materialised from the formal complaints, mentioned above,

As previously mentioned, all on duty offences where there is a reasonable inference of criminality will be investigated and reported to COPFS for independent assessment.

1. The total number of police job/contract terminations that have materialised from, if any, the above investigations.

All 32 police officers mentioned previously remain serving at this time however may be subject to restricted duties or suspension, as appropriate, whilst investigations are ongoing. These cases include live cases subject to ongoing investigation, cases reported to COPFS awaiting decision and cases which may have concluded and resulted in a disposal which does not amount to a dismissal (contract termination).

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.