Our Ref: IM-FOI-2021-0353

Date: 11 March 2021

**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.

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

***Please can you provide a breakdown for the number of police officers that have been investigated, reprimanded or sacked for racist behaviour in each calendar year from 2015 to 2020?***

An allegation category of Discriminatory Behaviour exists for Complaints Against the Police, with various sub type categories including one for 'Race'. These allegations have been identified and presented in the table below, within the specified date period. The number of Police Officers subject to these allegations are also listed.

Table 1: Discriminatory Behaviour Allegations with a Race sub-type and the number of Police Officers subject to those allegations, by Year Received 1 2 3

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Category** | **2015** | **2016** | **2017** | **2018** | **2019** | **2020** |
| Allegations of Discriminatory Behaviour - Race | 58 | 48 | 41 | 31 | 49 | 57 |
| Number of Police Officers subject to these allegations | 73 | 99 | 48 | 53 | 63 | 76 |

1. Data is based on the case received date.

2. Allegation data is based only on allegations which involved at least one Police Officer as a subject. Allegations linked to Police Staff - unless a Police Officer was also recorded as a subject officer on the same allegation- were excluded from the table above.

3. Subject Officers are counted once per complaint case. Complaint cases may include multiple allegations (including of the same category and sub type). An individual officer may appear against multiple complaints within the specified period.

***Can you also provide details of the incidents that led to disciplinary action taking place and the outcome of that action?***

Information on the outcome of complaints is based on closed cases involving allegations of Discriminatory Behaviour with a race sub-type. Outcomes are only known where cases are closed. The following data is based on the date which cases were closed, and therefore may vary from the date period which it was received, due to the time required to conduct enquiries and conclude a case. We have interpreted 'action taken' to be Formal or Management Action.

Table 2: Action Taken against Police Officers subject to Discriminatory Behaviour Allegations with a Race sub-type, by Year Closed 1 2 3

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Disposal Method** | **2015** | **2016** | **2017** | **2018** | **2020** |
| Formal Action | 0 | 1 | 0 | 0 | 0 |
| Management Action | 2 | 1 | 1 | 1 | 3 |
| **Grand Total** | **2** | **2** | **1** | **1** | **3** |

1. Data is based on the case closed date.

2. Disposals are counted once per Subject Officer per allegation. Each allegation may have multiple subject officers attached.

3. Data is based only on allegations which involve Police Officers as a subject. Police Staff were excluded from the table above.

No subject officer attached to the identified closed allegations above has been dismissed.

Police Officers may also be subject to Conduct or Misconduct cases where their conduct has been perceived as 'racist'. However, no category exists on these case types which would identify those specific allegations.

A total of 3,424 Conduct or Misconduct cases were received between 2015 and 2020. All of those would require manual review to identify the information requested as regards the "number of police officers that have been investigated, reprimanded or sacked for racist behaviour". In accordance with Sections 12(1) (Excessive cost of compliance) and 16(4) (Refusal of request) of the Freedom of Information (Scotland) Act 2002 (the Act), this represents a Refusal Notice for this part of your request.

Should you require any further assistance please contact Information Management - Glasgow at – foiglasgow@scotland.pnn.police.uk – quoting the reference number given.

If you 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](http://www.itspublicknowledge.info/Appeal), 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](http://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log) in seven days' time.