| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-0416  Responded to: 27th February 2023 |
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Your recent request for information is replicated below, together with our response.

## A chronological list of all known complaints made about mis-use of body worn video, including protocols around use of BWV, since January 1st 2019 to the date this response is compiled. Per complaint, please provide the year of the incident, description of mis-use and complaint (for example, video of female civilian recorded on BWV shared on WhatsApp), and outcome of the complaint (i.e. substantiated/ unsubstantiated, or not investigated, or misconduct case where upheld/not upheld)

Between 1 January 2019 and the date of your request Police Scotland received zero complaints in relation to misuse of body worn video. This is based on the presence of a ‘body worn video’ circumstance which can be added to complaint cases and searched upon.

## Please also provide a definitive list of records of all misconduct cases against officers accused of mis-use or incorrect use of body worn video since January 1st 2019 to the date this response is compiled. Please provide the year of the incident, description of the mis-use and reason for misconduct, misconduct outcome, outcome to officer (e.g. dismissed) and investigatory body (e.g. PSD/IOPC).

I regret to inform you that I am unable to provide you with the information you have requested, as it would prove too costly to do so within the context of the fee regulations.

As you may be aware the current cost threshold is £600 and I estimate that it would cost well in excess of this amount to process your request.

As such, and in terms of section 16(4) of the Freedom of Information (Scotland) Act 2002 where section 12(1) of the Act (Excessive Cost of Compliance) has been applied, this represents a refusal notice for the information sought.

To explain, there is no method of identifying Police Scotland conduct or misconduct cases that contain allegations relating to the misuse of body worn video.

It would therefore be necessary to individually review *all* such cases for relevance, an exercise we estimate would cost far in excess of £600 due to the numbers involved.

## Please confirm if any officers have been dismissed from their jobs as a result of a complaint or misconduct investigation where they were found to have mis-used body worn video since the force began using BWV.

In the absence of a time period in this question we have based our response on the period 1 April 2014 to the date of your request.

During that period there were zero police officers dismissed from Police Scotland in relation to allegations involving the misuse of body worn video.

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.