| Police Scotland logo | Freedom of Information Response Our reference: FOI 24-1133  Responded to: xx May 2024 |
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Your recent request for information is replicated below, together with our response.

***NOTE: To clarify, this request relates to complaints made against police officers regarding their conduct in their personal lives. It is not asking about complaints concerning how police officers responded while on the job attending cases of alleged domestic abuse.***

## 1. How many police officers serving with your force had a complaint of domestic violence made against them in each of the last three calendar years (i) 2021, (ii) 2022 and (iii) 2023?

The Police Scotland [Complaints About the Police Standard Operating Procedure (SOP)](https://www.scotland.police.uk/spa-media/lgyddvsi/complaints-about-the-police-sop.docx) outlines how we deal with complaints and they are categorised as per appendices C and D of that document.

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/).

The Complaint process and the Conduct process are distinct from each other and both have separate assessment and recording processes within the Professional Standards Department (PSD) database.

Once complaint matters are concluded, the circumstances may be referred for a Conduct Assessment (not necessarily every aspect of the complaint, or every officer involved). There is therefore potential for the same individual/circumstances to appear on a Complaint case and a Conduct case.

Due to these processes, Complaints and Conduct matters cannot simply be added together.

There can be one or more allegations contained within one Complaint case and equally, there can be one or more subject officers relative to each allegation.

Conduct cases may contain multiple allegations but are limited to one subject officer per case. Subject officers are counted once per Conduct case; however the same officer may be subject to multiple cases and therefore may appear more than once.

Each case may involve multiple allegations and (for Complaints only) each allegation may be linked to multiple subject officers.

The PSD database does not record ‘domestic violence’ as a specific category however a ‘domestic circumstance’ marker can be added to a Conduct or Complaint case containing allegations which are perceived to contain a domestic element, whether physical or non-physical, criminal or non-criminal.

For the purposes of this request, data has therefore been provided based on allegations linked to the criminal categories of either ‘Crimes of Violence’ or ‘Petty Assault’ with a ‘domestic circumstance’ marker.

Please note that criminal allegation categories recorded on the PSD database have recently been updated on 01/04/2024 to align to the current Scottish Crime Recording Standards (SCRS) at Scottish Crime Recording Standard: Crime Recording and Counting Rules - gov.scot (www.gov.scot) .

Data recorded prior to this date may therefore not align with the current SCRS and this may impact on specific criminal categories, in terms of how they have been recorded on the PSD database prior to this date.

Please also note that allegations involving a ‘domestic circumstance’ may be attached to both Complaint and Conduct cases.

Our response below therefore includes both types of case however I can confirm that no Complaints involving ‘domestic violence’ have been received between 01/01/2021 – 31/12/2023 inclusive therefore only Conduct cases/allegations are included in the tables below.

***Table 1:***

*Police officers linked to allegations received involving domestic violence (Conduct), by calendar year 1*

| **Category** | **2021** | **2022** | **2023** |
| --- | --- | --- | --- |
| Number of subject officers | 9 | 9 | 5 |

*1 . Data is based on the case received date.*

## 2. In (i) how many of these cases was disciplinary action taken against the officer and (ii) was some sort of disciplinary sanction imposed on the officer?

## 3. For each case where a sanction was imposed please detail what this sanction was.

We have answered questions 2 and 3 within the table below.

Please note that allegations received may remain subject to live enquiry and therefore may not yet be concluded.

Furthermore, should an officer retire or resign prior to the conclusion of the misconduct process then proceedings immediately cease, as The Police Service of Scotland (Conduct) Regulations 2014 apply only to serving Police officers. In these instances, relevant allegations linked to Police officers would not result in formal or management action disposal.

Please note that each subject officer may be linked to multiple allegations and that each allegation is subject to an individual disposal. Therefore, the number of allegations may vary from the number of subject officers.

I can confirm in the table below, each subject officer linked to an allegation which resulted in formal or management action involved only one allegation per subject officer.

***Table 2:***

*Police officers linked to allegations involving domestic violence (Conduct), by allegation disposal and calendar year 1*

| **Allegation disposal** | **2021** | **2022** | **2023** |
| --- | --- | --- | --- |
| Meeting - Final Written Warning | 0 | 1 | 0 |
| Meeting - Verbal Warning | 1 | 0 | 0 |
| Management Action | 2 | 1 | 1 |
| No Action | 2 | 1 | 0 |
| Retired/Resigned | 2 | 2 | 1 |
| Ongoing – not yet concluded | 2 | 4 | 3 |
| **Total** | **9** | **9** | **5** |

*1 . Data is based on the case received date.*

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.