| Police Scotland logo | Freedom of Information Response Our reference: FOI 24-1258  Responded to: 14th May 2024 |
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Your recent request for information is replicated below, together with our response.

## Please provide Police Scotland's policy on penalising Police Scotland officers guilty of infringing ICCPR article 7.

Police Scotland has a positive duty to protect the Rights and Freedoms afforded to individuals under The European Convention on Human Rights and the Human Rights Act. There are a number of different ‘types of rights’ that require to be treated appropriately in order to ensure legal compliance.

You requested Police Scotland's policy on penalising Police Scotland officers guilty of infringing International Covenant on Civil and Political Rights article 7 (Prohibition of Torture, or Other Cruel, Inhuman or Degrading Treatment or Punishment) which is aligned with Article 3 of The European Convention on Human Rights (Prohibition of Torture and inhumane and degrading treatment or punishment).

Police Scotland Professional Standards Department have well established processes in place to assess, investigate and review any matters involving suspected breaches of Article 3 The European Convention on Human Rights. The process includes an internal conduct unit, who assess matters in relation to the officer(s) having breached any of the 10 of [Our Standards of Professional Behaviour - Police Scotland](https://www.scotland.police.uk/about-us/who-we-are/our-standards-of-professional-behaviour/)

Any reported breach is assessed on its own merits. The assessment, any investigation and/or the determination are made in line with [The Police Service of Scotland (Conduct) Regulations 2014 (legislation.gov.uk)](https://www.legislation.gov.uk/ssi/2014/68/contents/made)

To be of further assistance you may wish to see [Standard Operating Procedures C - Police Scotland](https://www.scotland.police.uk/access-to-information/policies-and-procedures/standard-operating-procedures/standard-operating-procedures-c/) regarding complaints and [Code of Ethics for policing in Scotland - Police Scotland](https://www.scotland.police.uk/about-us/who-we-are/code-of-ethics-for-policing-in-scotland/)

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.