| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-0530  Responded to: 16 March 2023 |
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Your recent request for information is replicated below, together with our response.

## During the last five years, how many civil claims for compensation have been brought against the force as a result of the conduct of an officer who has been prosecuted for Misconduct in Public Office and/or…

Crimes in Scotland are recorded in accordance with the Scottish Government Justice Department (SGJD) classifications and not the Home Office classifications.

There is no crime in Scotland of Misconduct in Public Office and, in terms of section 17 of the Act, the information sought is therefore *not held* by Police Scotland.

## […] had an allegation of abuse of position for sexual gain proven against them at a misconduct hearing.

‘Abuse of position for sexual gain’ is not a recognised category within [The Police Service of Scotland (Conduct) Regulations 2014](https://www.legislation.gov.uk/ssi/2014/68/contents/made), the legislation which governs the formal disciplinary process for police officers in Scotland.

The [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 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/).

To be of assistance to you, your request has been interpreted as referring to any misconduct hearing where an allegation involving a sexual circumstance was found to be proven. ‘Sexual circumstance’ is used to describe any allegation that appears or is perceived to contain a sexual element, whether physical or non-physical, criminal or non-criminal.

During the last five years there have been no relevant civil claims for compensation brought against Police 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.