

26th March 2015

Your Ref:

Our Ref: IM-FOI-2015-0245



Sir Stephen House QPM
Chief Constable

FOI Central Processing Unit
Clyde Gateway
2 French Street
Dalmarnock
G40 4EH

foi@scotland.pnn.police.uk

FREEDOM OF INFORMATION (SCOTLAND) ACT 2002
SUBJECT: Officer/Staff misconduct

I refer to your email dated 2nd February 2015 regarding the above and apologise for the delay in responding.

In answer to question one I can advise as follows:

- a) Full time equivalent (FTE) police officers - 17,253.78
- b) Full time equivalent (FTE) constables - 13,381.90
- c) Full time equivalent (FTE) other persons with the remit of the prevention of crime (i.e. police staff) - 5,618.52

I must advise that the remaining questions you have posed are somewhat difficult for Police Scotland to answer. To explain, the terminology you have supplied are English terms that do not apply in Scotland, nor are they comparable with the terms or system our Professional Standards Department follows when investigating a complaint made against a member of staff.

The system which records misconduct cases uses the following categories, as per the Police (Conduct) (Scotland) Regulations 1996:

- Conduct Likely to Bring Discredit on the Force
- Failure to comply, without good and sufficient cause, with a lawful order
- Failure to report any matter which is a constable's duty to report or to account for any act or omission occurring in the ordinary course of duty
- Neglect of Duty
- Wilful or Careless Falsehood
- Malingering
- Being absent from duty, or being late for duty, without leave.
- Having been found guilty by a criminal court of a criminal offence

I have provided below a link to the statistical information reported to the Police Investigations and Review Commissioner, who published the annual statistical return for police complaints up until last year. This contains the statistics in relation to police complaints and although the recording categories are slightly different from those you list the information may be of use to you.

http://www.pirc.scotland.gov.uk/police_complaints_statistics_for_scotland

Most recently the Scottish Police Authority publishes the data. You can view the most recent figures at the link below.

<http://www.spa.police.uk/meetings-events/complaints-and-conduct/>

This link also provides current information regarding officers on restricted duties/ suspension and the reasons. It also provides information about misconduct case findings. The statistical information is broken down into the number of allegations made rather than the number of officers / staff members.

It should be noted that one allegation can be made against several officers/staff members, and also officers/staff members can be the subject of the same allegation from a number of complainers. Each counts as a single allegation. Therefore it is the number of allegations that are counted, rather than the number of officers/staff members. The system cannot be interrogated to produce the number of officers/staff members, only the number of allegations.

I hope this provides some context to the complexities your request has presented and would therefore recommend that you might wish to review the statistics published in the links above and then revert to us with a further Freedom of Information request if you have queries, based on the system in use in Scotland.

I am afraid that if we were to attempt to answer your questions in their current form significant analytical work would be required in order to collate reliable statistics which were comparable with the terms you have provided. 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.

I trust that the information available is of assistance and should you require any further assistance concerning this matter please contact me on 0131 311 3901 quoting the reference number given.

If you are not satisfied with the way in which your request has been dealt with, you are entitled in the first instance and within 40 working days of receiving this letter to request a review of the decision made by the Service. Should you wish to do so, contact details are; Police Scotland, FOI Central Processing Unit, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH. (Or email foi@scotland.pnn.police.uk).

Once informed of the review decision, if you are still not satisfied, then you are entitled to apply to the Scottish Information Commissioner within six months for a decision. The contact details are: Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS, telephone 01334 464610. Should you wish to appeal against the Scottish Information Commissioner's decision, there is an appeal to the Court of Session on a point of law only.

Yours sincerely

Stephanie Laing
Information Management