

NOT PROTECTIVELY MARKED

██████████
Address for correspondence
██████████

25th March 2026

Dear ██████████

HMICS Freedom of Information Request - FOI.26.00009

I refer to your request dated 23 March 2026, under the Freedom of Information (Scotland) Act 2002 (FOISA), for the following information:

“Does his Majesty’s Inspectorate of Constabulary have any legal or statutory obligation (including under the Police Reform Act 2002, associated regulations, or statutory guidance) to refer or otherwise present credible evidence of fraud, police and or Institutional corruption to any appropriate authority for investigation?”

Please answer “Yes” or “No”.

If the answer is Yes, please specify the relevant legal or statutory basis.

If the answer is No, please confirm that no such obligation exists.”

In response to your request, the answer is No.

HM Inspectorate of Constabulary in Scotland (HMICS) is established under the Police and Fire Reform (Scotland) Act 2012 and has wide-ranging powers to look into the ‘state, effectiveness and efficiency’ of both the Police Service of Scotland (Police Scotland) and the Scottish Police Authority (SPA).

HMICS does not have a legal or statutory obligation – *whether under the Police Reform Act 2002, associated regulations, or statutory guidance* – to refer or otherwise present credible evidence of fraud, police corruption, or institutional corruption to another authority for investigation. No such statutory duty exists.

However, HMICS’s own inspection methodology and internal guidance set out expectations for how inspectors should act if serious concerns arise during an inspection. This guidance states that:

“If at any point during the inspection, inspectors identify a significant risk to the public or to policing, or if an allegation of misconduct is made, consideration will be given to escalating this immediately with the inspected body.”

“The lead inspector should discuss the issue with the HMCIC or AIC prior to feeding back to the inspected body.”

These internal processes guide how HMICS manages significant risks or allegations encountered during inspection activity, but they do not constitute a statutory reporting obligation.



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If you are dissatisfied with the way in which we have dealt with your request, you are entitled, in the first instance, to request a review. Your request should be made within 40 working days of this response and should explain why you are dissatisfied. Please send your request for review to:

hmic@hmic.gov.scot

If you are not content with the outcome of the review, you have the right to apply to the Scottish Information Commissioner for a decision. The Commissioner's contact details are:

Scottish Information Commissioner

Kinburn Castle
Doubledykes Road
St Andrews
Fife
KY16 9DS
Tel: 01334 464 610

www.itspublicknowledge.info

Yours Sincerely,

[Redacted signature]

