

NOT PROTECTIVELY MARKED

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

23rd April 2026

Dear ██████████

HMICS Freedom of Information Response – FOI.26.00010

I refer to your request dated 25 March 2026, under the Freedom of Information (Scotland) Act 2002 (FOISA), for the following information:

“Please provide a copy of the inspection/reporting document referred to as the HMICS “Assurance Review of Conduct and Discipline”.

For the avoidance of doubt, this is the report referred to in correspondence from HM Chief Inspector of Constabulary dated 20 March 2026, which states that HMICS had intended to publish the report on 17 March 2026 but delayed publication following requests from Police Scotland and the Scottish Police Authority.

If the full report is being withheld, please instead provide:

- 1. A copy of the report with any exempt information redacted.*
- 2. The specific exemption or exemptions relied upon for each redaction or refusal.*
- 3. The reasons why each exemption is considered to apply.*
- 4. Where applicable, the outcome of the public interest test in relation to each qualified exemption.*
- 5. Any correspondence, internal note, submission or recorded decision explaining why publication of the report was delayed.*

I would prefer to receive the information electronically by email.

If my request is considered too broad, please contact me so that I may refine it.”

Regarding points 1,2 and 3, we are unable to provide you with a copy of the report as we have not yet received a reply to our correspondence to Police Scotland, requesting information on potential implications for ongoing investigations. An exemption under section 27(1) of FOISA applies to the information requested because we intend to publish that information in May 2026, which is within 12 weeks of the date of your request. We consider that it is reasonable to withhold the information until that date, rather than release some of this information before the planned publication date.

4) Exemption 27(1) is subject to the ‘public interest test’

The arguments in favour of disclosing the information are:

- It is Freedom of Information good practice to release information held in the spirit of transparency.
- There is considerable interest in the content of the report.

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The arguments against disclosing the information are:

- Our statutory obligation requires that the report is provided to Scottish Ministers in advance of publication.
- We have not yet been made aware of the information in the report which could potentially impact ongoing conduct proceedings.
- Our process requires that the report is laid before parliament prior to publication.
- Freedom of Information responses will now be published on our website from Monday 27th April 2026, releasing this report would mean it is in the public domain prior to meeting our statutory obligations.
- This report will be published in the following calendar month, which is within 12 weeks of the date of your request.

Therefore, taking account of all the circumstances of this case, we have considered if the public interest in disclosing the information outweighs the public interest in applying the exemption. We have found that, on balance, the public interest lies in favour of upholding the exemption.

5) I have attached the correspondence received from Police Scotland and the Scottish Police Authority requesting the pause in publication and also our responses to both requesting confirmation of the steps taken to mitigate any risk to ongoing matters.

I trust this information is satisfactory for you, however, if you are unhappy with this response you may ask us to carry out an internal review, by writing to the address shown on this letterhead or by emailing HMIC@hmic.gov.scot. Your request should explain why you wish a review to be carried out and should be made within 40 working days of receipt of this letter. We will then reply within 20 working days of receipt of any such letter.

You then have a right of appeal to the Scottish Information Commissioner if you are dissatisfied with our internal review. The Commissioners website has a guide containing the full details for this process (www.itspublicknowledge.info) or they can be contacted via the following:

Scottish Information Commissioner

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

Yours Sincerely,

