

**NOT PROTECTIVELY MARKED**

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

21<sup>st</sup> April 2026

Dear ██████████

**HMICS Freedom of Information Request – FOI.26.0009, FOI.26.00013**

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

*"I am grateful for the clarity of your answer that no statutory duty exists requiring HMICS to refer credible evidence of fraud, police corruption, or institutional corruption to another authority for investigation.*

*However, I would be grateful for clarification on two points, and I ask that this email be treated as a request for review if necessary.*

*My original request referred not only to statutory obligations, but also to obligations "by law or otherwise." In your response, the focus appears to be limited to statutory duties.*

*You also state that HMICS internal guidance requires inspectors to escalate serious concerns, including allegations of misconduct, where identified during inspection activity.*

*In light of this, I would be grateful if you could clarify:*

- 1. Whether HMICS considers its internal inspection guidance and escalation processes to constitute any form of obligation (whether operational, procedural, or otherwise) to refer or present credible evidence of corruption to another authority;*
- 2. If such escalation results in information being shared externally, which authority (if any) would typically receive such information;*
- 3. Whether HMICS holds any recorded information describing how allegations of corruption identified during inspections are handled beyond escalation to the "inspected body."*

*The distinction is important, as the current response confirms that no statutory duty exists, while also indicating that internal processes require escalation of serious concerns.*

*I would be grateful for clarification of how these two positions are reconciled in practice."*

Your original question stated:

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?

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We responded no to your question in the response to FOI.26.00009 and provided this commentary, which provides our stated position:

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.

As we have answered your initial question, the additional information you have requested will be treated as a new Freedom of Information request (FOI.26.00013).

We provide updates to the bodies we inspect (Police Scotland, Scottish Police Authority, SPA Forensics, British Transport Police in Scotland, Civil Nuclear Constabulary in Scotland, National Crime Agency in Scotland). If we come across concerns during our inspections these would generally be areas of failure, concerns with a case or investigation or some similar matter.

If we uncovered information that would suggest there was corruption we would report this through the Chief Inspector of Constabulary to the appropriate authority depending on the matter raised. For example if it were in relation to the corruption of a police officer or member of staff we would report it to the Deputy Chief Constable (Professionalism) in Police Scotland, if it were in relation to a senior officer we would report it to the Chief Executive of the Scottish Police Authority. The rationale and details behind the referral would be signed off by the Chief Inspector of Constabulary detailing what had been found, what evidence had been uncovered and what steps we would expect to be taken to address the matter.

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](mailto: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](http://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,

