

**Northern Joint Police Board
Complaints Working Group**

Minutes of Meeting of the Complaints Working Group held in Council Headquarters, Glenurquhart Road, Inverness on **Friday, 30 October 2009**, at **2.15 p.m.**

Present

Representing the Highland Council

Mr W Ross
Mr G Smith
Mr I Renwick

Representing Comhairle nan Eilean Siar

Mr I MacKenzie

Representing Orkney Islands Council

Mr A Drever (substituting)

Officers in attendance:

Deputy Chief Constable
Chief Superintendent A Cowie
Superintendent D O'Connor
Mrs R Moir, Assistant Clerk

Mr W J Ross in the Chair

1. Apologies for Absence

Apologies for absence were intimated on behalf of Mr G Marsden and Mr N Donald of The Highland Council, Mr R Leslie of Orkney Islands Council and Mr A Duncan of Shetland Islands Council.

2. Police Complaints Commissioner for Scotland (PCCS) – Audit of Northern Constabulary

There had been circulated Report No. CWG12/09 by the Deputy Chief Constable (DCC) briefing Members on a recent report by the Police Complaints Commissioner for Scotland (PCCS): “External Audit Report on Northern Constabulary Complaints Analysis and Recording” and setting out the Force Action Plan drawn up to meet its recommendations.

The DCC confirmed that this was the first such audit carried out by the PCCS, which had applied an overall assurance level of Substantial Assurance, signifying a finding that Northern Constabulary’s complaints system was “essentially a sound system but with weaknesses that put some objectives at risk”. He welcomed the Report and confirmed that the issues arising from it would be addressed in a positive and constructive way.

The Report had indicated a prior concern as to whether all contacts received that ought to be seen as falling under the revised definition of a complaint about the police as “any expression of dissatisfaction” were being captured and recorded as

such, particularly when received at a local level. It had made a number of related recommendations; overall, it made no Priority One recommendations, five Priority Two recommendations, and two Priority Three recommendations.

Superintendent O'Connor confirmed that a number of points of process highlighted in the Report were being addressed, such as ensuring that all complaint investigations and/or conciliation processes were concluded with a formal letter of explanation to the complainer. He acknowledged that the change in definition of a complaint had caused uncertainty but confirmed that appropriate additional training was being considered.

The Chairman confirmed that arrangements were in hand for the new PCCS, Mr John McNeill, to attend a future meeting of the Board to make a presentation on the work of his agency.

After discussion, the Working Group **NOTED** the terms of the PCCS Report and the Force's Action Plan and **AGREED** that, in addition to the proposed presentation to the full Board, the PCCS be invited to attend a future meeting of the Working Group.

3. Police Complaints Commissioner for Scotland – Cases Pending

There had been circulated Report No. CWG13/09 by the Deputy Chief Constable briefing Members on a number of complaints from dissatisfied complainers referred to the Police Complaints Commissioner for Scotland (PCCS) under the provisions of the Police, Public Order and Criminal Justice (Scotland) Act 2006, on which the PCCS had not yet reported.

Members were advised that the PCCS had accumulated a significant workload and that, on average, cases were taking at least 12 months to conclude.

The Working Group **NOTED** the terms of the report and that no PCCS Reports relating to Northern Constabulary had been published since the last briefing on this to the Working Group at its meeting held on 1 May 2009.

4. Complaints Against the Police - Statistics

There had been circulated Report No. CWG14/09 by the Deputy Chief Constable briefing Members on complaints and allegations received during the period 1 April 2009 to 30 September 2009.

Superintendent O'Connor acknowledged that the number of complaints had risen. This was the pattern across the UK and was in some part at least due to the change in definition of a complaint. The numbers in the Northern Constabulary area were still comparatively low and had to be seen against the background of the total number of police contacts with the public and the high number of expressions of appreciation received. In some cases multiple allegations originated from a relatively small number of complainers. It was the role of the Professional Standards Unit to identify any trends of concern and he was satisfied that none had emerged.

In response to a question, the DCC indicated that there did not appear to be any marked rise attributable to the increased number of new and therefore less experienced officers.

The Working Group **NOTED** the position.

5. Complaints Against the Police – Discriminatory Behaviour Complaints

There had been circulated Report No. CWG15/09 by the Deputy Chief Constable briefing Members on Discriminatory Behaviour Complaints received during the financial year.

In response to a question, it was confirmed that it could be difficult for an officer in the field to recognise conditions such as autism and to take their effects into immediate account in handling an incident. The Force, however, took all issues of discrimination very seriously.

The Working Group **NOTED** the position.

6. Complaints Against the Police – Random Sampling

There had been circulated Report No. CWG16/09 by the Deputy Chief Constable inviting the Working Group to implement a rolling random sampling audit of closed complaints about the Police on a quarterly basis.

Members were reminded that the Working Group had previously agreed that its members could “shadow” investigations and that it was for interested Members to contact the DCC to initiate this. The present proposals were for a more structured and regular process, involving all Working Group Members at some point, to provide an additional layer of scrutiny.

The Working Group **AGREED** the recommendation.

7. Complaints Against the Police – Vexatious Complainers

There had been circulated and was **NOTED** Report No. CWG17/09 by the Deputy Chief Constable briefing Members on developments in national policy on the management of vexatious complainers.

8. Complaint Against Chief Officer

All Northern Constabulary officers left the room prior to consideration of this item.

There had been circulated to Members only and was **NOTED** Report No. CWG18/09 by the Clerk concerning further recent correspondence relating to a complaint against a chief officer previously considered by the Board at its meeting held on 28 August 2009.

The meeting ended at 3.15 p.m.