

Northern Joint Police Board Complaints Working Group

Minutes of Meeting of the Complaints Working Group held in Council Headquarters, Glenurquhart Road, Inverness on Friday, 1 May 2008 at 2.00 p.m.

Present

Representing the Highland Council

Mr W J Ross
Mr G M Smith
Mr N Donald
Mr G Marsden

Representing Comhairle nan Eilean Siar

Mr I Mackenzie

Representing Orkney Islands Council

Mr R Leslie

Officers in attendance:

Mr G Sutherland, Deputy Chief Constable
Inspector A Shewan
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 I Renwick and Mr B Murphy, The Highland Council, and Mr A Duncan, Shetland Islands Council.

2. Complaints Against the Police: Police Complaints Commissioner for Scotland – Published Reports

(a) Previous Reports - Updates

There had been circulated Report No. CWG3/09 by the Deputy Chief Constable updating 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, where the PCCS reports on the outcome of his complaint handling reviews had previously been reported to the Working Group.

The Deputy Chief Constable and Inspector Shewan elaborated further on the background to these various complaints and the actions taken since publication of the relevant PCCS reports.

During discussion, while fully recognising and supporting the independent role of the PCCS, Members expressed concern that, as forces had no opportunity to comment on correspondence between the PCCS and a complainer, opportunities for making positive contributions by, for example, clarifying potential misunderstandings, were being lost.

After discussion, the Working Group **NOTED** the position, including that a new Commissioner would shortly be appointed.

(b) New Cases

There had been circulated and was **NOTED** Report No. CWG4/09 by the Deputy Chief Constable advising that no further PCCS Reports relating to Northern Constabulary have been published since the last briefing on this to the Working Group at its meeting held on 11 November 2008.

3. Complaints Against the Police: Police Complaints Commissioner for Scotland – Cases Pending

There had been circulated and was **NOTED** Report No. CWG5/09 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.

4. Complaints Against the Police: Statistics

There had been circulated and was **NOTED** Report No. CWG6/09 by the Deputy Chief Constable briefing Members on a number of statistical tables offering a breakdown by category and geography of complaints received during the period 1 April 2008 to 31 March 2009.

5. Complaints Against the Police: Discriminatory Behaviour Complaints

There had been circulated and was **NOTED** Report No. CWG7/09 by the Deputy Chief Constable briefing Members on Discriminatory Behaviour Complaints received during the current financial year.

6. Complaint Against Chief Officer

There had been circulated Report No. CWG8/09 by the Clerk relating to a complaint received by the Board against the Deputy Chief Constable. Members were invited to recommend to the Board what further information might be required, what action, if any, should be taken, and what response should be made to the complainer.

Members acknowledged that much of the correspondence received from the complainer did not fall under the Board's remit, but identified one area of complaint for the Board to address. They generally expressed the view that the evidence presented did not substantiate a reasonable inference of misconduct.

The Working Group **AGREED**:

- i. to recommend that the Board take no further action, on the grounds that the allegation was unfounded; and
- ii. as would be normal practice in relation to any correspondence received alleging a criminal offence, to copy the complaint correspondence received to the Area Procurator Fiscal's office for consideration.

The meeting ended at 3.20 p.m.