

TAYSIDE JOINT POLICE BOARD

COMPLAINTS SUB-COMMITTEE

MONDAY 19 MAY AT 9.00 AM

**IN CONFERENCE ROOM 1, POLICE HEADQUARTERS,
WEST BELL STREET, DUNDEE**

AGENDA

1. MINUTE OF PREVIOUS MEETING

Submit minute of meeting of this Sub-Committee of 4 February 2008.

(Approved by the Board on 14 April 2008)

2. POSSIBLE EXCLUSION OF PUBLIC AND PRESS

The Sub-Committee will be asked to consider whether the public and press should be excluded from the meeting during consideration of the following items, so as to avoid the possible disclosure of exempt information.

3. PROFESSIONAL STANDARDS UPDATE

(a) Submit Report No PB 36/08 by the Chief Constable.

(b) Consider details of Closed cases

(c) Letter of Appreciation

TAYSIDE JOINT POLICE BOARD

MINUTE of MEETING of the **COMPLAINTS SUB-COMMITTEE** held in Conference Room 1, Police Headquarters, West Bell Street, Dundee on Monday 19 May 2008 at 9.00 am.

Present: Councillors IAN MACKINTOSH, Bailie GEORGE REGAN, Councillors ARCHIBALD MACLELLAN, ALEXANDER STEWART and Bailie HELEN WRIGHT.

Councillor MACKINTOSH, Convener, in the Chair.

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTE OF PREVIOUS MEETING

The minute of meeting of this Sub-Committee of 4 February 2008, which had been submitted to the Board on 14 April 2008, was approved as a correct record and signed by the Convener.

4. EXCLUSION OF PUBLIC AND PRESS

The Sub-Committee resolved that the public and press be excluded from the meeting during consideration of the following item of business in order to avoid disclosure of information which was exempt in terms of Part 1 of Schedule 7(A) to the Local Government (Scotland) Act 1973, Paragraph 1.

5. PROFESSIONAL STANDARDS UPDATE

There was submitted Report No PB 36/08 by the Chief Constable which detailed the number of complaints made against the Police for the period 1 January 2008 - 31 March 2008, and their subsequent disposal, together with the figures for the previous year.

The Sub-Committee agreed to note:-

- (i) the figures for Complaints Against the Police for the period 1 January-31 March 2008;
- (ii) the file containing letters of appreciation which had been sent to the Chief Constable;
and
- (iii) the completed case files for the stated period.

TAYSIDE JOINT POLICE BOARD

COMPLAINTS SUB COMMITTEE

19 May 2008

Report by the Chief Constable No. PB36/2008

SUBJECT : PROFESSIONAL STANDARDS UPDATE

Abstract : The report shows the number of complaints made against the Police for the last quarter, up to and including 31 March 2008 and their subsequent disposal, together with the figures for the previous year.

1. RECOMMENDATION

1.1 It is recommended that the Sub Committee:

- (a) note the contents of the report and the figures for Complaints against the Police for the period 1 January 2008, to 31 March 2008,
- (b) note the letters of appreciation which have been sent to the Chief Constable,
- (c) review the completed case files and
- (d) note the content of the Police Complaints Commissioner for Scotland reviews.

2. BACKGROUND

- 2.1 Reference is made to Paragraph 6 Minute of Meeting of Tayside Joint Police Board of 20 May 1996 wherein the Board approved Report PB 48/1996 by the Chief Constable.
- 2.2 A complaint can have more than one disposal, eg no proceedings by the Procurator Fiscal but resulting in action under the Police (Conduct) (Scotland) Regulations 1996 and this will be reflected in the complaints disposal total.

3. CURRENT POSITION

- 3.1 This year 382 complaint cases have been received by the Force compared to 352 in the same period in 2006 (8% increase). There has however been a 20% increase in the number of complaints received during this reporting period (01.01.08 – 31.03.08) compared to the previous reporting period (01.10.07 – 31.12.07). There is no identifiable reason for this increase.

Reporting Period	No. of Command & Control Incidents	No. of Letters of Appreciation received	No. of Complaint Cases Received	No. of Allegations received
01/04/2007 – 30/06/2007	51,038	29	79	92
01/07/2007 – 30/09/2007	52,020	33	69	71
01/10/2007 – 31/12/2007	47,890	25	104	104
01/01/2008 – 31/03/2008	46,104	26	130	139
TOTAL	197,052	113	382	406

3.3 The current performance indicator used to report complaints against the police is 'the number of complaints per 100 employees' and for this reporting period, it equates to a figure of **6.2** compared to **5.2** for the previous reporting period. As previously stated the performance indicator to be utilised next year will change to 'the number of complaints per 10,000 incidents' and using the current data this provides a figure for the year of **19.4**.

3.4 Breakdown of Allegations

As indicated in previous reports allegation types are now categorised as On Duty, Off Duty and Quality of Service and an additional allegation type of Excessive Force is included. Due to these changes, not all allegations have comparable data available at this time.

TYPE – ON DUTY	C	E	W	HQ /OF	TOTALS		
					PERIOD TOTAL	2007	2006
Assault	10	2	7	0	19	57	84
Excessive Force	1	0	0	0	1	19	-
Incivility	11	3	3	1	18	43	50
Irregularity in Procedure	9	2	1	0	12	32	25
Neglect of Duty	19	5	5	0	29	66	118
Oppressive Conduct/Harassment	7	1	3	0	11	34	39
Traffic Irregularity/Offence	1	4	0	3	8	17	19
Unlawful/Unnecessary Arrest or Detention	4	1	2	0	7	18	28
Discriminatory Behaviour	0	0	0	0	0	3	4
Corrupt Practice	0	0	1	0	1	3	3
Other Criminal	4	0	1	0	5	10	14
Other – Non Criminal	3	0	2	0	5	14	12
Total	69	18	25	4	116	316	396
TYPE – OFF DUTY							
Crimes of Violence	0	0	0	0	0	1	-
Crimes of Indecency	0	0	0	0	0	1	-
Crimes of Dishonesty	0	0	0	0	0	4	-
Fireraising, Malicious Mischief etc.	0	0	0	0	0	0	-
Other Crimes	0	0	0	0	0	0	-
Miscellaneous Offences	0	0	0	0	0	2	-
Offences involving motor vehicles	0	0	0	0	0	4	-
Incivility	0	0	0	0	0	2	-
Other	3	0	1	0	4	9	-
Total	3	0	1	0	4	23	-
TYPE – QUALITY							
Policy/Procedure	2	0	1	0	3	12	-
Service Delivery	4	6	4	0	14	50	-
Service Outcome	1	0	1	0	2	5	-
Total	7	6	6	0	19	67	-
Total Allegations Received	79	24	32	4	139	406	396

- 3.5 Again the most significant change is reflected in the number of Neglect of Duty allegations which continues to decrease (44% in 2007). Analysis of these figures identifies no trend in relation to complaints containing numerous allegations, no repeat areas/beats or sections involved or persistent/repeat complainers.

3.6 Case Disposal

Complaint Cases Disposed Of During The Period	2006	2007
Withdrawn by the complainer	2	1
Abandoned due to non co-operation of the complainer	4	1
Unsubstantiated by available evidence	4	12
Resolved by explanation to the complainer	46	48
Leading to "No Proceedings" by Area Procurator Fiscal (PF)	35	14
Leading to criminal proceedings	0	0
Leading to criminal conviction	0	0
Resulting in advice	1	19
Resulting in misconduct procedures	0	4
Noted no action	0	1
Change to Policy/Process	0	0
Training Needs identified	0	0
Total Number Of Complaint Cases Disposed Of	92	100

- 3.7 As highlighted in previous reports, the above table indicates that the majority of allegations over the previous two years have been resulted as being 'Resolved by Explanation' or 'Leading to No Proceedings' by the Area Procurator Fiscal. As in the previous report there is a significant increase in the number of cases resulting in advice being given to officers which is indicative of a more robust recording process.

4. LEARNING POINTS

- 4.1 It is intended that any learning points identified as a result of enquiries into complaints about the police will be brought to the attention of the Staff Development Unit who will look to incorporate these into future training inputs.
- 4.2 During this period, only one case resulted in Learning Points being highlighted and addressed throughout areas within the force.
- 4.3 This case resulted in one police officer receiving corrective advice and a Force Guidance Manual being updated to provide advice to officers as to how they should deal with individuals who suffer from mental disorders that are not readily apparent to the officers. This followed a complaint investigation whereby staff, who had been informed of a prisoner's required medication, failed to administer same.
- 4.4 As a part of this process it has been recognised that there have been a number of issues that have arisen in relation to custody. A senior officer has been appointed by the force to carry out a full review of the force custody procedures in order to fully capture and implement requisite changes.

5. MALICIOUS ALLEGATIONS

- 5.1 No malicious allegations were identified whereby further action could be progressed.

6. FINANCIAL IMPLICATIONS

- 6.1 Financial monitoring continues to be undertaken on individual complaint cases and the following figures are provided to indicate the actual cost of investigating complaints in the relevant periods. The table below indicates that the overall cost in investigating complaints about the police for this year has decreased by 3.7%. The significant cost for the period 1 October to 31 December 2007, was previously explained in the relevant report.

Reporting Period	Cost of Complaints Investigations	
	2007	2006
1 April – 30 June	£24,013.85	£40,930.04
1 July – 30 September	£34,493.64	£45,279.67
1 October – 31 December	£65,587.90	£30,985.06
1 January – 31 March	£35,017.00	£47,774.35
Total	£159,112.39	£164,969.12

7. COMPLAINT HANDLING REVIEW REPORTS BY PCCS

- 7.1 There have been no review reports received from the PCCS within this reporting period.

JOHN D VINE CBE QPM
Chief Constable

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6 May 2008

NOTE: No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above Report.