



Request for complaint handling review of a complaint about

Grampian Police

**under the provisions of
the Police, Public Order and Criminal Justice (Scotland) Act 2006**

September 2008

Case reference: PCCS/0809/00138/PF-GP

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Preamble

The complainer has raised a number of complaints about the police relating to events following the breakdown of his marriage around 1992-1993. Part of the outcome of the divorce proceedings was that the matrimonial home and residence of the children were awarded to the complainer's ex-wife. An interdict was also granted under civil law to the complainer's ex-wife preventing the complainer from being in the vicinity of the former matrimonial home.

During the force enquiry into his complaints the complainer has, on a number of occasions, complained about the conduct of officers appointed to deal with his complaints about the police. It is noted that in the complainer's correspondence, both to the force and my office, his concerns refer not only to the force but also to a range of public and private bodies in the UK and elsewhere.

The complainer has asked me to review the following complaints about Grampian Police:

- a. That the force conspired and abused the law in order to help others abduct the complainer's children and pillage his matrimonial assets;
- b. That the force overlooked the process of police investigation on the basis of deliberate negligence, racism and discrimination;
- c. That the force conspired and collaborated in order to imprison the complainer;
- d. That the force claim the complainer's case is civil in nature;
- e. That the complainer has been the subject of institutional racism by the force;
- f. That the force has failed to save the nation from social breakdown;
- g. That the force aimed to terrorise the complainer by detaining him in a cell for two days;
- h. That the force tried to imprison the complainer for six months through forging documents;
- i. That the content of a letter sent to the complainer by Constable A was 'totally lies, untrue and racially motivated';

- j. That Constable E did not properly investigate the complainer's complaint that he had been racially abused; and
- k. That a member of Grampian Police staff treated him unfairly.

The complainer had previously complained about Grampian Police to Her Majesty's Inspectorate of Constabulary (HMIC). From the information available to me, the last written contact by HMIC with the complainer was in September 2003. HMIC wrote to the complainer stating:

'Having completed an examination of all the documents provided by the force and very carefully considered all that you have said, HMIC has however concluded the force has responded wholly reasonably.....As a result, having regard to all the documents we have examined we do not consider it would be appropriate to ask the force to conduct any further enquiries on your behalf in relation to the allegations you have made to date.'

My office has completed a review of the documents looked at by HMIC, from which it is clear that HMIC reviewed the handling of complaints a. to f. as listed above. I have considered whether any new, material facts have come to light in relation to these complaints and have concluded that there are none. As such, I have decided not to proceed further with a case handling review regarding complaints about the police which the complainer has made prior to September 2003. As a result of this, the following complaint handling reviews do not consider any issues raised prior to this date.

Complaints g and h surround action taken by the force on 8 October 2005 where the complainer was detained in police custody for two days. From the complainer's correspondence with my office, it appears that the incident also involves another Scottish police force, the actions of which the complainer is also dissatisfied with. Although the complainer has asked my office to review the actions of both forces regarding this incident, it does not appear that the complainer has brought these complaints to the forces in terms that are readily identifiable. As such, both forces have not recorded the complainer's dissatisfaction as a formal complaint about the police. , I have written separately to the complainer advising how to make a formal

complaint about the police should he wish to do so. To that aim I have asked that the complainer engage with the force in a clear and concise manner.

I have considered each of the complaints recorded by the force post- September 2003 separately and published my findings under a single cover. The complaints which have been reviewed are:

1. That the content of a letter sent to the complainer by Constable A was ‘totally lies, untrue and racially motivated’;
2. That Constable E did not properly investigate the complainer’s complaint that he had been racially abused; and
3. That a member of Grampian Police staff treated him unfairly.

Due to the number of complaints about the police, relating to a number of different incidents, my office required an extended period of time to consider the papers. In accordance with the PCCS published standards the complainer was updated on the progress of his complaint every 28 days. However, as a result of the period of time taken by my office to review the manner in which the force handled his complaints, I have written separately to the complainer apologising for the delay.

Introduction

The role of the Police Complaints Commissioner for Scotland was established by the Police, Public Order and Criminal Justice (Scotland) Act 2006 (“the Act”) to consider and review the way police authorities, police forces and policing agencies handle complaints from the public. I was appointed by the Scottish Ministers as the first Police Complaints Commissioner for Scotland, taking up my powers from 1 April 2007. My office provides a free and independent service, reviewing the handling of complaints fairly, looking at both sides of what has happened and looking at the facts.

I aim to review complaints in an independent, open and fair manner. In line with this aim I will publish the reports of my complaint handling reviews, whilst bearing in mind individuals’ rights to confidentiality. The following report therefore details my consideration, but does not include individual names of complainers, police officers or others affected by the events detailed therein.

Power to conduct a complaint handling review

Section 35 of the Act provides me with the authority to examine the manner in which an appropriate authority has handled a complaint about a police officer, member of police staff or the service provided by a relevant authority.

In order to carry out such a complaint handling review I request the complaint case papers from the force in question. I examine the facts of the complaint case, looking at information provided to me by both the complainer and the police force. I consider whether the information available does, or does not, support the complaint, and whether or not the force has responded to the complaint in a reasonable manner. I also consider whether the force communicated with the complainer in a reasonable manner, including whether the police force handled the complaint within a reasonable timescale. I then come to a view whether the conclusions drawn by the force in handling the complaint were reasonable in all the circumstances.

Once I have reached my conclusions I prepare a report which details the findings of my case handling review. This is then forwarded the relevant authority in accordance with section 35(3) of the Act. The complainer will be advised of the conclusions of this review and of what action, if any, I propose to take in consequence of those conclusions. Where the complaint is in respect of an act or

omission by an individual police officer that person will also be informed of the conclusions of this review.

2.1 Relevant complaint

Section 34 of the Act provides that I may review the handling of a complaint where the complaint is “a relevant complaint”, defined as

(1) ... a complaint which is given or sent ... to the appropriate authority in relation to the complaint.

(2) “complaint” means a written statement expressing dissatisfaction about an act or omission...

(3) But “complaint” does not include

(a) any statement made by a person serving with, or who has served with, the police, about the terms and conditions of that person's service with the police; or

(b) a statement which consists of or includes an allegation of an act or omission which constitutes a crime.

The complainer has supplied written statements expressing dissatisfaction about an act or omission by a force. The complaints are therefore relevant complaints.

2.2 Relevant complainer

The Act further provides that I may review the handling of a complaint where the complainer falls within one of the following categories (section 34(6)):

(a) a member of the public who claims to be the person in relation to whom the act or omission took place;

(b) a member of the public not falling within paragraph (a) who claims to have been adversely affected by the act or omission;

(c) a member of the public who claims to have witnessed the act or omission;

(d) a person acting on behalf of a person falling within any of paragraphs (a) to (c)

The complainer is a member of the public who claims to have been adversely affected by an act or omission by the police. The complainer is therefore a relevant complainer under the terms of section 34(6)(a).

PCCS review

A telephone call was received by my office on 3 October 2007 from the complainer expressing his wish to have his complaints reviewed. The complainer was asked to complete and sign an application for review form which was received on 22 October 2007. Throughout the course of enquiries by my office, the complainer forwarded a substantial amount of documentation detailing the complaints that he had made to the force and various public and private organisations in both the UK and elsewhere. The complainer has been advised that my office has no remit to consider complaints about organisations other than those contained in the Act.

On 22 October 2007, my office asked Grampian Police to provide the complaint case file by 6 November 2007. The force supplied a case file relating to complaint PCCS/0809/00138/PF-GPC¹. On 14 July 2008, my office wrote to the force for the files it had relating to all the complaints about the police which the complainer had made. The case files were received by my office on 25 July 2008 and relate to complaint PCCS/0809/00138/PF-GPA², PCCS/0809/00138/PF-GPB³ and the complaints referred to in the preamble of this review⁴.

¹ See page 18

² See page 9

³ See page 14

⁴ See page 3

CASE REFERENCE: PCCS/0809/00138/PF-GPA

1. Request for review

The complainer has requested that I review the handling of a complaint about Grampian Police. The complaint originates from the manner in which the force investigated his allegation that he had been threatened on 16 November 2004. His complaint is:

Complaint – That the content of a letter sent to the complainer by Constable A was ‘totally lies, untrue and racially motivated’.

2. Background

On 16 November 2004, the complainer asserts that whilst visiting a former neighbour (neighbour X), who resides close to the complainer’s former matrimonial home, he identified a third party male (Mr Y) in the vicinity of his former home and asked him to leave and to stop disturbing his family. The complainer also asserts that, following this request, Mr Y had threatened him whilst holding a piece of wood 1.5 – 2 metres long.

Constable A’s statement shows that around 1.53pm he and Constable B were asked to attend the complainer’s former matrimonial home as the force had received a call from Mr Y advising that the complainer was in the vicinity of his former home and in potential breach of the interdict granted to his ex-wife.

Constable A’s statement also shows that upon arrival, Mr Y advised him that he had been approached by the complainer who demanded to know who he was and what he was doing in the vicinity of his former home. Constable A states that Mr Y advised him that the complainer then left the scene when he threatened to call the police.

Constable A and B’s statements show that they searched the area and found the complainer in the home of neighbour X and that the complainer advised them that the reason he was in the area was to visit neighbour X and to hand over a birthday present to one of his children. Constable A stated that a check of the Police National Computer (PNC) showed that an interdict was still in place against the complainer and that he advised the complainer if the interdict was still in force *‘he would be breaching this and would leave himself open to potential prosecution’*. Constable A asserts that the complainer then left the area having made no complaints or allegations against Mr Y.

At around 10.44pm, the complainer called the force alleging that he had been assaulted by Mr Y. Upon receipt of this allegation, Constable A was allocated to investigate the matter. On 20 November 2004, Constable A interviewed neighbour X. The neighbour's statement shows that, following the breakdown of the complainer's marriage, he kept in contact with her and usually visited once a year. This statement also shows that during the complainer's visit on 16 November 2004, the complainer noticed Mr Y looking at his former home and went outside to ask him why he was in the vicinity. The neighbour then asserts that the complainer returned advising that Mr Y was a friend of a former relative. Neighbour X's statement shows that she did not see Mr Y carrying anything other than a mobile phone or hear what had been discussed between the complainer and Mr Y.

On 21 November 2004, Constable A took a statement from Mr Y. This statement shows that at around 1.40pm on 16 November 2004, he received a call from his partner advising that the complainer's daughter had called her 'terrified' because the complainer was wandering around the former matrimonial home. Mr Y states that he went to the house where the complainer demanded to know who he was and why he was there. Mr Y states that he then asked the complainer to leave and walked to his car to retrieve his mobile phone to call the police. Mr Y states that the complainer watched him make the call then headed towards a neighbour's property. Mr Y's statement continues that at no time did he threaten the complainer and that he did not have anything in his hand other than a mobile phone.

At the conclusion of his enquiries, Constable A closed the complainer's report as 'no crime'. He also sent a letter to the complainer advising him of the results of his enquiries. Constable A's letter stated that:

'On 17 November 2004 you made a statement of complaint to Grampian Police against a male person, alleging that he had committed an offence on [Area Z] earlier that day.

I write to inform you that having made enquiry with an independent witness as well as interviewing the man you said had committed the offence no evidence to corroborate your claim has been obtained and as such the incident has now been closed.

It is known that minutes after the alleged offence was committed you spoke to two Police officers in a neighbouring house and then again, soon after, on [Area Z]. At this time you made no mention of any offence having been committed and it may have assisted the enquiry if you had done so'.

3. Force internal handling

Complaint – That the content of a letter sent to the complainer by Constable A was 'totally lies, untrue and racially motivated'.

Grampian Police received notification of this complaint by letter dated 6 February 2005. A 'Complaint Against the Police' (CAP) form detailing this complaint was completed on 7 February 2005.

Having received the complainer's letter, two initial reports and assessments were completed on 8 and 15 February 2005. These reports viewed the complainer's complaint as being:

'In relation to an incident on 161104 at [Area Z], which Constable [A] dealt with, and in particular the content of a letter sent to complainer, which he believes are 'totally lies, untrue and racially motivated'

The force wrote to the complainer on 23 February 2005 advising that as it had sufficient information regarding his complaint, there was no need to meet. On 21 May 2005, statements were taken from both Constables A and B. On 27 May 2005, Sergeant C called the neighbour who had witnessed the events in question on 16 November 2004. The file note of this conversation shows that neighbour X did not see Mr Y holding anything other than a mobile phone. No statement was taken from the complainer whilst the force investigated his complaint about the police.

On 1 July 2005, Sergeant C prepared a report on the circumstances of the complaint. The report stated that:

'Having read the letter sent to the complainer by the Subject Officer, I am of the opinion that there is nothing that could be regarded as being remotely racist in its content. Equally, following enquiry I have found nothing in the letter that could be construed as inaccurate'.

Sergeant C's report concluded:

'I have found nothing in this enquiry to substantiate or even allude to the allegations made by the complainer that his complaint was not properly dealt with or that the content of the letter sent to him by the Subject Officer was 'totally lies, untrue and racially motivated'.

This report was then forwarded to Superintendent D. On 20 July 2005, Superintendent D wrote to the complainer with the force conclusions on his complaint. This letter also detailed the force's position on a separate complaint that the complainer had made on 10 May 2005⁵. This letter stated:

'Sergeant [C]'s enquiries have confirmed that Constable [A]'s enquiries regarding your complaint against the male, included speaking to all potential witnesses. Whilst acknowledging you may have a genuine belief that the actions of the male, in carrying a large section of wood, which you found threatening, were also witnessed by another person, Sergeant [C]'s enquiries have confirmed this not to be the case.

⁵ See page 14 - PCCS/0809/00138/PF-GPB

I am satisfied that Constable [A] carried out a detailed enquiry in a professional manner regarding your allegation, and that the content of his letter to you on 16 November 2004, is wholly accurate. I am sorry that you regard the content of the letter to be racially motivated, but this is not a view I share, and cannot see anything to support this assertion’.

4. Consideration

Complaint – That the content of a letter sent to the complainer by Constable A was ‘totally lies, untrue and racially motivated’.

I note that the complainer’s letter of 6 February 2005 contains various allegations against both Constable A and other members of the force. These allegations include Constable A abusing his position to protect other individuals and to dismiss his complaints. The complainer also refers to incidents where Constable A, and the force, have allowed crimes against humanity and ethnic cleansing to take place.

As the complainer’s dissatisfaction with Constable A is a direct result of his letter of 23 November 2004, it is my view that the force acted reasonably in concentrating on the content of this letter as the complainer’s ground of complaint. As such, this review will concentrate on the manner in which the force has dealt with the complaint as identified from the complainer’s letter.

During his investigation, Sergeant C took statements from Constable A and B and gathered the original statements taken from neighbour X and Mr Y. During his enquiries, Sergeant C also called the neighbour again to confirm the content of her original statement. I note that, in coming to the conclusions which he forwarded to Superintendent D, Sergeant C took into account the content of these statements and also the fact that the complainer made no complaint against the third party male when Constable A and B attended the scene on 16 November 2004. I also note that Sergeant C’s report makes reference to Constable A’s letter and concludes that, having looked at the evidence available, the complainer’s allegation was unsubstantiated.

As noted above, it is my view that the force acted reasonably in confining the complainer’s complaint to the content of Constable A’s letter. In this regard, Sergeant C has correctly confined his investigation to comparing the content of Constable A’s letter to the accounts of the individuals who were present on 16 November 2004. It is also my view that Sergeant C has taken into consideration the relevant evidence gathered originally by Constables A and B and made his own efforts to clarify and confirm the events of 16 November 2004. As such, I believe that Sergeant C investigated this complaint in a reasonable manner and came to reasoned conclusions based on the evidence available.

5. Conclusion

Complaint – That the content of a letter sent to the complainer by Constable A was ‘totally lies, untrue and racially motivated’.

It is my view that the force both identified and investigated this complaint in a reasonable manner. It also came to reasoned conclusions based on the evidence available and communicated these to the complainer in a clear and concise way. As such, **I do not uphold this complaint.**

CASE REFERENCE: PCCS/0809/00138/PF-GPB

1. Request for review

The complainer has requested that I review the handling of a complaint about Grampian Police. The complaint originates from the manner in which the force investigated racial abuse that the complainer was subjected to on 25 January 2005. His complaint is:

Complaint – That Constable E did not properly investigate the complainer's complaint that he had been racially abused.

2. Background

On 25 January 2005 the complainer received a postcard from an un-named individual which contained racist remarks. On 26 January 2005, the complainer reported the incident to Grampian Police by fax, enclosing a copy of the postcard which the complainer had received.

Constable E was allocated the incident to investigate and met, alongside Constable F, with the complainer on 31 January 2005. Constable E took a signed statement from the complainer at this time. During this meeting the complainer advised both officers that he believed the postcard was sent to him by a solicitor (solicitor G) who had represented him in the past regarding '*family matters*' and that the reason he believed this was that, in the past, she had used similar language to that contained in the postcard.

The complainer and both Constables' statements record that Constable E advised the complainer that he intended to submit the postcard for forensic examination. However, the complainer refused to hand over the postcard, stating that he had no faith in Grampian Police and feared that it would be lost.

Constable E asserts that upon return to the police station, he contacted the force's Forensic Science Laboratory Questioned Document Unit where he was advised that only original documents could be examined.

On 28 February 2005, Constables E and H met with solicitor G. Constable E's statement shows that solicitor G stated she did not know who had sent the postcard to him but was aware of the postcard as the complainer had faxed a copy of it to her already. Constable E's statement continues that solicitor G was not interviewed under caution as there was no evidence to suggest she was the person who sent the postcard.

On the same day, Constable E called the complainer to update him on his enquiries. His statement shows that he advised the complainer that all lines of enquiry had been closed. In response, the complainer was angry that handwriting samples had not been taken from solicitor G. Constable E asserts that he advised the complainer that the original postcard was needed to compare any handwriting samples and that his refusal to hand it over meant that no forensic examination could be conducted. Constable E then asserts that the complainer requested that he take handwriting samples from all solicitor G's colleagues to explore who sent the postcard to him. Constable E concluded his statement stating he had advised the complainer that, for the reason already explained, this would not be done.

3. Force internal handling

Grampian Police received notification of the complainer's complaint through a letter dated 10 May 2005. A CAP form detailing this complaint was completed and an initial report and assessment form was completed on 13 May 2005. This report viewed the complainer's complaint as being:

'that Officer failed to make diligent enquiries regarding an offensive postcard sent to him, and in particular did not take handwriting samples from a number of people mentioned by him as being suspects'.

On 21 May 2005, a statement was taken from Constable E and on 27 May 2005, a statement was taken from Constable F. No statement was taken from the complainer whilst the force investigated his complaint about the police. On 19 July 2005, Sergeant C prepared a report on the circumstances of the complaint. The report stated that:

'The refusal of the complainer to give the postcard to the police, effectively prevented any meaningful and proportionate enquiry being carried out by the Subject Officer.....the Subject Officer did not seek to obtain handwriting samples from [solicitor G] or interview her under caution as he did not believe there was any evidence to make her a suspect. In all the circumstances, I can only concur with the Subject Officer's assessment'.

Sergeant C's report concluded:

'I have found nothing in this enquiry to suggest that the Subject Officer did not make diligent enquiries. His decision making process was proportionate and sound in relation to the subject matter'.

This report was then forwarded to Superintendent D. On 20 July 2005, Superintendent D wrote to the complainer with the force's conclusions on his complaint. This letter also detailed the force's position on a separate complaint that the complainer had made to the force on 6 February 2005⁶. This letter stated:

⁶ See page 9 - PCCS/0809/00138/PF-GPA

'I understand you refused to hand over the original postcard received by you, despite Constable E explaining to you the benefits in Grampian Police having the original document examined forensically. Constable E nonetheless interviewed [solicitor G], but she denied all knowledge of the origin of the postcard. She did acknowledge, however, having an awareness of the postcard, in as much as you had sent her a copy by fax. The provision of handwriting samples by members of the public for comparison purposes is purely voluntary. Had handwriting samples from [solicitor G] become an issue, any value in this may have been diminished by your actions in sending her a copy. In any event, other than your belief that she may be responsible as described above, there [is] no other evidence to support your suspicions. Whilst acknowledging that no handwriting samples were requested from [solicitor G], I am satisfied that Constable E's enquiries were sufficient and proportionate, based on the information and evidence available at the time'.

4. Consideration

Complaint – That Constable E did not properly investigate the complainer's complaint that he had been racially abused.

The complainer's letter of 10 May 2005 detailed his dissatisfaction with the way in which Constable E had investigated the racial abuse which he had been subjected to. The complainer clearly communicated that the reason he felt this abuse had not been investigated properly was that Constable E called him at 2.30pm on 28 February to advise him that he had *'done nothing about the investigation because of other cases'* and then called him at 9.15pm the same day to advise that the case had been closed because solicitor G had denied that she had written or sent the postcard to him. The complainer's letter also states that he had been advised by Constable E on 31 January 2005 that handwriting samples would be taken from solicitor G and that he would be kept updated on the progress of Constable E's enquiry.

From his letter of 10 May 2008, it is clear that the complainer's main concerns were:

- That Constable E's investigation was confined to 2.30pm – 9.15pm on 28 February 2008.
- That Constable E did not take handwriting samples from solicitor G or her colleagues.
- That Constable E did not keep him updated on the progress of his investigation.

Upon the complainer reporting the incident of racial abuse, Grampian Police created a crime file on 30 January 2005 formally recording the incident. The force has supplied a copy of this file to my office. Throughout the course of the force's investigation, the crime file record was continually updated on the action which the force had taken. The file confirms that the force made attempts prior to 28 February 2005 to contact solicitor G. However, due to a clash of schedules this was not possible. From this file, it is clear that Constable E's investigation was not confined to 2.30pm – 9.15pm on 28 February 2008.

I note that Constable E's statement shows that in the absence of the original document, the only line of enquiry was the complainer's belief that solicitor G was responsible. It is clear that the reason the force deemed it unnecessary to take handwriting samples from solicitor G was that, following the refusal of the complainer to provide the original postcard, there was no other evidence to suggest that solicitor G, or any of her colleagues, were responsible. The force has consistently explained this position to the complainer.

I note that throughout both Constable E and Sergeant C's enquiries, both officers referred to the force's Forensic Science Laboratory (FSL) guidance and that throughout his enquiry, Sergeant C consulted with the force's Senior Forensic Document Examiner and was advised that a faxed document would not have been examined by his department. The files supplied to my office by the force included a copy of the FSL guidance which clearly states that the FSL requires **all** original documents in order to compare handwriting samples and I note that Sergeant C's report makes clear that even if solicitor G had provided handwriting samples to Constable E, in the absence of the original postcard, the FSL would not have looked at this evidence.

It is my view that Sergeant C has taken into consideration the relevant evidence gathered by Constable E and has made his own efforts to clarify and confirm that Constable E's actions were correct in the circumstances. In regard to the complainer's concern that he was not kept updated of the progress of Constable E's investigation, I can find no evidence that the force has identified this as a concern. Overall however, I believe that Sergeant C has investigated this complaint in a reasonable manner, came to reasoned conclusions based on the evidence available and that the force has consistently explained its evidence-based position to the complainer.

5. Conclusion

Complaint – That Constable E did not properly investigate the complainer's complaint that he had been racially abused.

It is my view that the force has identified and investigated this complaint in a reasonable manner. The force also came to reasoned conclusions based on the evidence available and communicated these to the complainer in a clear and concise manner. As such, **I do not uphold this complaint**

CASE REFERENCE: PCCS/0809/00138/PF-GPC

1. Request for review

The complainer has requested that I review the handling of a complaint about Grampian Police. The complaint originates from the manner in which the complainer believes he was treated by a member of Grampian Police staff following him making complaints about the actions of post office staff from 1994 onwards. His complaint is:

Complaint – That a member of Grampian Police staff treated the complainer unfairly.

2. Background

Following the breakup of his marriage, the complainer believed that post office staff in the area that he used to live had deliberately and criminally failed to deliver mail which he had sent to his children. The complainer wrote to the force on 18 May 2007 regarding this issue as he believes that the actions of the post office staff have been, and still are, part of a racist conspiracy in order to legalise the abduction of his children and the pillaging/theft of his former matrimonial home. The complainer asked that it investigate these matters and that it 'reopen' his family case.

The complainer's letter of complaint about the force states that following discussions with Sergeant J about his complaint against the post office he attended police office K on 18 June 2007 to discuss the situation personally with her. The complainer states that Sergeant J was not available and that he then discussed his complaint with staff member L. The complainer asserts that staff member L treated him arrogantly, with a racist attitude and told him to leave the meeting room and not to return to police office K. The complainer's letter also states that staff member L subjected him to psychological terror aimed to make him believe that his family breakdown was in accordance with the law.

Staff member L states that the complainer attended police office K to speak to Sergeant J. However, Sergeant J was unavailable to speak to him and that she instead offered to speak to the complainer in a nearby interview room. Staff member L's statement shows that the complainer wished to speak about matters dating back to the late 1980s and early 1990s and that she quickly established that the complainer did not have any new complaints.

Staff member L asserts that it took her at least 30 minutes to get the complainer to leave and that he took exception to this, stating that she was 'corrupt and was using

the law for [her] own ends'. Staff member L's statement concludes by stating that she then told the complainer to leave but at no time did she speak to the complainer in a manner that was uncivil or less than professional.

3. Force internal handling

Grampian Police received notification of the complainer's complaint through a letter dated 29 June 2007. On 19 July 2007, an initial report and assessment was completed by complaints officer M. It does not appear that a CAP form was completed. This assessment viewed the complainer's complaint as being:

'On 18 June 2007 the complainer called at [police office K]. He alleges that the member of staff spoke to him unfairly in order to deter him from attending at the Police Office to make a criminal complaint against post office staff'.

On 23 July 2007, Superintendent D wrote to the complainer to advise that:

'The allegation that you were treated unfairly by a member of staff at [police office K] on 18 June 2007 has been recorded as a Complaint about the Police. Once this has been investigated you will be notified of the outcome in due course'.

On 25 July 2007, a statement was taken from staff member L. No statement was taken from the complainer whilst the force investigated his complaint about the police. On 3 August 2007, complaints officer M sent a memo stating:

'on 29 June 2007 [the complainer] submitted a letter of complaint to the Force that contained a specific complaint about how he perceived a female staff member treated him when he called at the Queen Street Public Office. The allegations are unfounded'.

On 28 September 2007, Superintendent D wrote to the complainer with the force conclusions on his complaint. The force position was:

'My Complaints officer has fully investigated your allegation that a member of staff at [police office K] treated you unfairly on 18 June 2007. The member of staff you refer to denies that she spoke to you or treated you, at any time during your visit to the Police Office, in a way that was less than professional. She did however ask you to leave after a period of approximately thirty minutes as your behaviour gave her cause for concern and she became anxious for her personal safety. In addition, you wished to discuss historical allegations that she was unable to address'.

'Having considered your allegation, I am satisfied there is insufficient evidence available to support your allegation that you were treated unfairly or subjected to terrorism and psychological warfare by the member of staff. With regards to the other content of your letters I wish to refer you to my previous

correspondence and in particular my letter of 22 June 2005⁷. Again, for the avoidance of doubt, I am entirely satisfied that these previous complaints have been thoroughly investigated and do not require any further enquiry’.

4. Consideration

Complaint – That a member of Grampian Police staff treated the complainer unfairly.

Included in the papers supplied to my office by the force was the complainer’s letter of complaint containing his allegations about the post office staff. This letter contains various allegations that post office staff confiscated and destroyed letters which he had sent to his family following the break-down of his marriage. The complainer’s letter says that this has been happening from 1993 until the present and that the actions of the post office staff are part of a racist collaboration to breakdown the relationship that he had with his ex-wife and children. The complainer also makes reference to three letters which he sent in 2007 to his ex-wife and daughter which he believes were not delivered as part of this conspiracy.

I note that the complainer’s letter of complaint about staff member L detailed his belief that he was treated unfairly and was subjected to ‘terrorism’ and ‘psychological torture’ in order to deter him making a complaint about post office staff. His letter also makes reference to the perceived injustices that he has faced following the breakdown of his marriage.

From the force’s initial report and assessment, through to its final response to the complainer, it is evident that it only investigated the complainer’s complaint about staff member L and took a statement from her detailing her position on the events occurring on 18 June 2007. From this statement, combined with what the complainer advised the force, it is clear that the complainer was told to leave police office K. Staff member L advised that this was because the complainer’s ‘agitated manner’ was causing her concern whereas the complainer believes that he was told to leave in order to prevent him making a complaint about post office staff.

It is my view that, considering the above, it was reasonable for Superintendent D to conclude that there was insufficient evidence to support the complainer’s complaint about staff member L. It is also my view that the force correctly identified the complaint, took reasonable steps to investigate it, justifiably referred the complainer to the letter of 22 June 2005 and concluded that the complainer’s historical allegations had already been dealt with by the force and required no further enquiry. It is unfortunate that the complainer has been, and continues to be, unable to accept this position.

⁷ This letter, included in the papers supplied by the force, advised the complainer that Superintendent D considered that the historical complaints had been dealt with by the force and did not require any further enquiry. The letter also asked the complainer to refrain from contacting Grampian Police regarding these matters.

5. Conclusion

Complaint – That a member of Grampian Police staff treated the complainer unfairly.

It is my view that the force has identified and investigated this complaint in a reasonable manner. The force also came to reasoned conclusions based on the evidence available and communicated these to the complainer in a clear and concise manner. As such, **I do not uphold this complaint.**