

Increasing Scotland's confidence in police complaints handling through impartial oversight and reform.



Police Complaints Commissioner for Scotland's vision, strategy, approach and powers

VISION

- Fortunate to live in a democratic society
 - policing by consent. More likely to give consent if have confidence in how the police go about their business.
- Key element of this is how you are treated if you want to complain
- How police and policing bodies deal with complaints is crucial to public confidence
- Commission can help secure and increase public confidence in policing by providing an independent check on the complaints handling process: holding police to account
- Identifying how this can be improved
- We contribute to the Scottish Government's strategic objectives of a "Safer and Stronger" and "fairer" Scotland
- Move away from a culture characterised by blaming individuals to one where lessons are learned and standards are driven up.
- Take on board the lessons coming out of individual complaints and build them into their standard practice

STRATEGY

Three elements

1. Do what it says on the tin. (Police, Public Order and Criminal Justice (Scotland) Act 2006)
2. Use the powers I have to fullest extent - interpret broadly - ACPOS guidance
3. Evidence whether additional powers are needed

Objectives in the short term

- Improving accessibility for public - equality issue
- Reducing the time it takes to conclude complaints
- Reviewing the format of reports
- To balance holding to account for shortcomings with the need to drive up standards

APPROACH

- Fresh perspective
- Inclusive - it's a shared agenda
- Commission, police and policing bodies can all raise standards
- Commission will seek to identify best practice - and commend it

- Developing a learning culture, working together to drive up standards
- Commissioner and staff get out and about, offer and take up secondments
- Act makes it clear that I am 'neither a servant nor an agent of the Crown'
- I will not hesitate to hold to account where necessary
- None of this will compromise our independence

POWERS

- Examine the manner in which a relevant complaint has been dealt with
- recommend actions
- direct a reconsideration, including power to have this conducted under the supervision of the Commissioner
- Report to Scottish Ministers 'grave' or 'serious' concerns
- Assurance to
 - complainant
 - police
 - public
 - Ministers
- Issue guidance, carry out audits and review arrangements that police and policing bodies have in place to handle complaints, including an appropriate degree of independence
- Encourage police to develop a human rights culture
 - dignity
 - participation
 - equality
 - fairness for everyone in Scotland
- A rights based approach (Scottish Human Rights Commission) that respect each other's roles
- Seek to ensure consistency of practice across Scotland
- Learning from other oversight bodies
- Promoting confidence in how police deal with complaints
 - holding to account
 - working together to drive up standards

POLICE AUTHORITIES/JOINT POLICE BOARDS

- PCCS may become involved in a case dealt with by a police authority:
 - where a complainer makes a complaint about a senior officer, which is then dealt with by the police authority in terms of the 1999 Regulations. Where a complainer is dissatisfied with the handling of the complaint by the police authority (or where the police authority itself refers the case to PCCS) the PCCS might then examine the manner in which the police authority had dealt with the complaint. In other words, the PCCS has an "appeals role" in relation to a police authority's handling of complaints about senior officers.
 - The second way in which the PCCS might become involved in a complaint dealt with by a police authority is where a complainer has made a complaint about the authority itself. For example, a member of the public may complain that a police authority has failed in its duty to monitor the way in which Chief Constables deal with complaints under section 40 of the 1967 Act (see above). This is different from a complaint about the way in which the authority has dealt with a complaint about a senior officer.