

# Report of a Complaint Handling Review in relation to Strathclyde Police

under section 35(1) of the Police Public Order and Criminal Justice  
(Scotland) Act 2006

## Summary and Key Findings

**On 9 July 2008 the applicant was detained at his home by officers from Strathclyde Police and taken to a police station. While detained there the applicant made five complaints about the police. On 13 October 2008 the applicant made a further three complaints.**

Of the eight complaints reviewed, the Commissioner has decided that all but one were handled in a reasonable manner. The Commissioner has recommended that Strathclyde Police write to the applicant providing him with additional information so that he is properly informed of the reasons for the decision not to pursue misconduct proceedings against one its officers.

The Commissioner has also identified as a leaning point the need for all statements provided by police and other witnesses interviewed in connection with a complaints investigation to be dated. This follows a number of similar decisions made previously on this issue.

## The Commissioner's role

Section 35 of the Police Public Order and Criminal Justice (Scotland) Act ("the Act") gives the Commissioner the power to examine the manner in which a policing body has dealt with a "relevant" complaint, as defined in the Act.

The Commissioner is independent of the police service and performs his functions in a fair and impartial manner. Before considering a complaint, the Commissioner's office obtains all papers held by the policing body against which the complaint has been made. These papers are considered alongside information provided by the applicant. The Commissioner then assesses whether the policing body's handling of the complaint was reasonable in all the circumstances. The Commissioner will look at the entire handling process, from the initial investigation by the policing body to the final response issued to the applicant. Among the factors which the Commissioner takes into account are the following:

- whether the policing body's response to the complaint is supported by all material information available;
- whether in dealing with the complaint the policing body has adhered to all relevant policies, procedures and legal provisions;
- where the complaint has resulted in the policing body identifying measures necessary to improve its service, whether these measures are adequate and have been implemented;
- whether the policing body's response to the complaint is adequately reasoned; and
- whether the policing body has communicated with the applicant in a reasonable manner.

## Introduction

The applicant made two sets of complaints to Strathclyde Police which were addressed in two separate complaints investigations. The present report is therefore divided into two parts: the first part (reference PCCS/503/PF-SP(A)) deals with five complaints; the second (PCCS/503/PF-SP(B)) deals with a further three complaints.

Case reference/PCCS/00503/PF-SP(A)

## Background

### The Applicant's account

The following account is taken from the applicant's statement to police provided on 9 July 2008 at Police Station X.

At around 6.15 pm on 9 July 2008 Constable A, accompanied by Constable B, attended at the applicant's house having left a calling card earlier in the day. The applicant recognised Constable A because he had made a complaint about him in the past. According to the applicant, Constable A adopted an aggressive attitude from the point at which he entered his home.

The applicant immediately attempted to clarify the date and facts of the incident which Constable A was investigating. However, Constable A would not allow the applicant to clarify these details and became more aggressive, overbearing and condescending.

The applicant considered that Constable A was attempting to make him lose his temper. The applicant's wife, Witness D, was also distressed at Constable A's behaviour.

Constable A eventually informed the applicant that he was being detained and taken to Police Station X for further questioning. Constable A thereafter handcuffed the applicant and escorted him from his house to a police vehicle. The applicant considered that Constable A handled him in a rougher manner than was necessary.

The applicant was adamant that during the journey to Police Station X Constable A was driving faster than the mandatory speed limit. He claimed to have observed the police vehicle's speedometer reading 90 mph at one point during the journey.

Just before arriving at Police Station X Constable A stopped the police vehicle and said to the applicant: "last chance [applicant's first name] to say that you did it and we can end it all now." In reply, the applicant said: "[Constable A] I'm not sure how to converse with you; anything I do say to you results in a further tirade of abuse." The applicant was thereafter transferred from the police vehicle to Police Station X.

While the applicant was being processed by the Duty Sergeant within Police Station X, Constable A asked the applicant for his "BMA Registration Number". The applicant perceived that Constable A had asked this question to "imply that that [the applicant] had a lot to lose" owing to the nature of his professional career.

### Constable A's account

The following account is taken from Constable A's operational statement provided on 9 July 2008.

At 3.30 pm on 9 July 2008 Constable A, who was on duty with Constable B, was instructed to attend at an address to interview a witness following an allegation that the applicant had been photographing children. As this witness was not at home Constable A left a calling card and thereafter called at the home of the applicant. The applicant was also not at home, so again Constable A left a calling card.

At around 6 pm that evening Constable A became aware that the applicant was at home and attended at his address with Constable B. The applicant, Constable A recalls, denied any

involvement in the alleged incident and “began a play of words in an arrogant, demeaning, condescending manner for the benefit of his wife who had joined us in the kitchen.”

As the applicant was “skirting around the issue” Constable A was unable to proceed with his investigation and so detained the applicant under section 14 of the Criminal Procedure (Scotland) Act 1995 and took him to Police Station X for further questioning.

Later that night Constable A cautioned and charged the applicant with breach of the peace.

## The Complaints

Based on the contents of the application form, and the information obtained from Strathclyde Police, the Commissioner has identified the following complaints:

- (1) Constable A was aggressive and overbearing at the applicant’s home;
- (2) Constable A used excessive force at the applicant’s home;
- (3) Constable A drove at excessive speed;
- (4) Constable A was aggressive and overbearing outside Police Station X; and
- (5) Constable A used excessive force when transferring the applicant from a police vehicle to Police Station X.

## The Commissioner’s Review

The applicant first contacted the Commissioner’s office by telephone on 15 September 2008. He thereafter submitted an application form on 16 September 2008.

This section sets out the Commissioner’s views on the manner in which the complaints were handled by Strathclyde Police. Each complaint is set out in turn and is followed by details of Strathclyde Police’s handling of it and the Commissioner’s views on this.

### Complaint 1: Alleged aggressive behaviour by Constable A at the applicant’s home

The applicant maintains that Constable A was aggressive and overbearing with him at his home on 9 July 2008. Specifically, the applicant states that Constable A would not listen to him and constantly interrupted him when he attempted to clarify the facts of the incident which Constable A was investigating.

#### *Internal Handling*

This complaint, along with complaints 2 to 5 below, was raised by the applicant in a statement he provided to Inspector C of Strathclyde Police on 9 July 2008 at Police Station X. It was recorded on a Complaint about the Police (CAP) form the same day.

An investigation into all seven complaints was carried out by Inspector C, with a report being produced on 16 July 2008. As part of his investigation Inspector C sought operational statements from Constables A and B as well as a statement from the applicant’s wife, Witness D.

Constable A, in his operational statement dated 9 July 2008, denied that he was aggressive and overbearing with the applicant. Constable A also explained in his statement that the applicant had

acted in an “arrogant, demeaning and condescending” manner during his interactions with him. Constable A stated that in these circumstances he could not proceed with his enquiry and so he detained the applicant for further questioning and conveyed him to Police Station X.

Constable B, in his operational statement dated 9 July 2008, stated that he believed all the applicant’s complaints to be false. Constable B also explained that the applicant, when being interviewed at his home on 9 July 2008, “tried to divert the conversation in a condescending manner by accusing [Constables A and B] of falsely representing the circumstances.” Constable B also stated that the applicant was subsequently detained for further questioning in the absence of Witness D, and conveyed to Police Station X.

Witness D, in the statement she provided to Inspector C on 10 July 2008, stated that Constable A on entering her house was “immediately very hostile and aggressive”. Witness D also stated that Constable A would not allow the applicant or herself to clarify the incident under investigation. Witness D denied that she or the applicant were condescending to Constable A in any way.

In his report of 16 July 2008 Inspector C, in relation specifically to complaint 1, noted that its validity was to be “determined on the credibility of witnesses”. Inspector C thereafter transmitted his report to Chief Inspector E who wrote a final letter to the applicant and his wife on 22 July 2008 dealing with complaints 1 to 5. In this letter Chief Inspector E explained to the applicant and Witness D that because there were no independent witnesses he could not substantiate their complaints and had therefore decided to take no formal action against either Constable A or Constable B.

### *Consideration*

In the Commissioner’s view, Inspector C carried out a thorough investigation into this complaint by interviewing all relevant witnesses and recording their statements. Both the applicant and Witness D maintained in their statements that Constable A had acted aggressively at their home on 9 July 2008, while both Constables A and B deny that this was the case. The Commissioner considers that, faced with these two contradictory accounts, and with no independent evidence available, Chief Inspector E reached a reasonable decision in finding this complaint to be unsubstantiated.

The Commissioner therefore finds that this complaint was handled in a reasonable manner. Accordingly, no further action is required of Strathclyde Police in relation to this complaint.

### **Complaint 2: Alleged excessive force by Constable A**

The applicant maintains that Constable A, when removing him from his home on 9 July 2008, used more force than was necessary.

### *Internal Handling*

Inspector C examined the statement of Witness D, as well the operational statements provided by Constables A and B. Witness D in her statement of 10 July 2008 maintained that “the older officer [Constable A] was a bit rough in the way he handled [the applicant]”.

Constable A denied that he had used excessive force when dealing with the applicant while Constable B believed this allegation to be “entirely false”.

In his report of 16 July 2008 Inspector C again concluded that the validity of this complaint was “to be determined on the credibility of witnesses”. In his letter of 22 July 2008 Chief Inspector E explained to the applicant and Witness D that because there were no independent witnesses he

could not substantiate their complaints. Chief Inspector E therefore decided to take no formal action against either Constable A or Constable B.

### *Consideration*

In the Commissioner's view, Inspector C again carried out a thorough investigation of this complaint by obtaining statements from all relevant witnesses. Both the applicant and Witness D were of the opinion that Constable A used more force than seemed necessary when removing the applicant from his home. Constables A and B, however, denied categorically that this was the case.

Faced with these two contradictory accounts, and with no independent evidence available, Chief Inspector E reached a justifiable decision in finding this complaint to be unsubstantiated. The Commissioner therefore finds that this complaint was handled in a reasonable manner.

Accordingly, no further action is required of Strathclyde Police in relation to this complaint.

### **Complaint 3: The allegation that Constable A drove at excessive speed**

The applicant maintains that Constable A drove at speeds of up to 90 mph when conveying him to Police Station X.

### *Internal Handling*

Complaint 3 was initially categorised as a non-criminal allegation and investigated as such by Inspector C.

Inspector C examined the statement of the applicant as well as those of Constables A and B. In addition, Inspector C requested that speed camera footage be viewed for the route in question to see if any camera had been triggered by the vehicle driven by Constable A.

In his statement, the applicant was adamant that Constable A drove the police car at speeds of up to 90 mph. He explained that he was certain about this because he could observe the vehicle's speedometer from where he was seated. Constables A and B flatly denied this allegation in their statements. Additionally, the speed camera footage check proved negative.

On the basis of the evidence, Inspector C concluded that this complaint was unsubstantiated. The same conclusion was reached by Chief Inspector E in his letter of 22 July 2008, in which he wrote: "[Constables A and B] have no recollection of the vehicle travelling at excessive or high speeds during the journey." Chief Inspector D thereafter transmitted Inspector's C report to Superintendent G, the Deputy Divisional Commander, on 24 July 2008 for "his information and attention".

When reviewing Inspector C's report in relation to complaint 3, Superintendent G queried whether this should more properly have been investigated as a criminal allegation. Superintendent G noted, however, that because of the time lapse it was not possible to serve a Notice of Intended Prosecution on Constable A. Superintendent G thereafter submitted the report to Chief Superintendent H, Head of the Complaints and Discipline Branch of Strathclyde Police, for his consideration.

Chief Superintendent H decided that the complaint was a criminal allegation and referred it to the Area Procurator Fiscal on 18 August 2008. In his letter to the Area Procurator Fiscal, Chief Superintendent H apologised for the fact that complaint 3 was not identified sooner as being potentially criminal in nature.

On 25 August 2008 the Area Procurator Fiscal replied to Chief Superintendent H, stating that she had decided to take no proceedings in respect of the complaint. The Area Procurator Fiscal also advised that it may be helpful for Chief Superintendent H to reinforce within divisions the need to serve a Notice of Intended Prosecution in such cases in the future.

On 17 September 2008 Chief Superintendent H wrote again to the Area Procurator Fiscal stating that on 22 August 2008 he had written to all divisional commanders reminding them about the requirements of serving a Notice of Intended Prosecution. Chief Superintendent H also assured the Area Procurator Fiscal that this area was covered in training sessions delivered by his team.

On 17 September 2008 Chief Superintendent H also wrote to the applicant and explained that he had considered complaint 3 to be a criminal allegation and had therefore referred it to the Area Procurator Fiscal. Chief Superintendent H also advised the applicant that the Area Procurator Fiscal had decided to take no proceedings in respect of this complaint. He added:

*“I can also confirm that a review of the whole circumstances of your complaint at this time has taken place. It has been decided that it is not appropriate to take formal action against the officer subject to complaint.”*

#### *Consideration*

In the Commissioner’s view, Strathclyde Police was correct in its identification of this complaint as criminal in nature. In terms of section 34(3)(b) of the Act, the Commissioner’s office has no power to deal with complaints about the police which consist of an allegation of an act which constitutes a crime. Accordingly the Commissioner has no remit to consider the handling of this complaint.

In the Commissioner’s view, however, the purpose of section 34(3)(b) is to preserve the role of the Crown in considering criminal complaints about the police, and to prevent any conflict between its functions and those of the Commissioner. In the present case, the Area Procurator Fiscal decided to take no proceedings against Constable A. The applicant’s allegation was thereafter considered by Strathclyde Police as potential misconduct, the decision being made that there was no basis for such proceedings against Constable A deciding that there was no basis for proceedings against the officers.

Given that the Area Procurator Fiscal considered the allegation, and that it was thereafter treated by Strathclyde Police as a non-criminal allegation under the Police (Conduct) (Scotland) Regulations 1996, the Commissioner considers that he has the power to review the manner in which Strathclyde Police handled this matter. In the Commissioner’s view, any other approach to section 34(3)(b) would mean that this aspect of Strathclyde Police’s handling of the complaint would not be open to independent scrutiny.

In situations such as these, applicants should be given as much information as is necessary to properly inform them of the reasons why misconduct proceedings are not considered justified. The conveying of such information is clearly essential if applicants are to be fully informed of the outcome of their complaints. In the Commissioner’s view, the reasons given by Chief Superintendent H were not sufficiently detailed to properly inform the applicant as to why misconduct proceedings were not being pursued. The Commissioner therefore recommends that Strathclyde Police writes to the applicant providing him with sufficient information to properly inform him of the reasons why misconduct proceedings were not considered justified.

#### **Complaint 4: Alleged aggressive behaviour by Constable A outside Police Station X**

The applicant maintains that Constable A was aggressive and overbearing towards him outside Police Station X on 9 July 2008, and encouraged him to admit to the incident under investigation.

### *Internal Handling*

Inspector C examined the applicant's statement as well as those of Constables A and B. In his statement of 9 July 2008, the applicant alleged that Constable A was aggressive and overbearing with him in the police vehicle while outside Police Station X on 9 July 2008. The applicant made specific mention of the fact that Constable A had encouraged him to admit to the incident under investigation.

However, Constables A and B in their statements of 9 July 2008 denied that they had been in any way uncivil towards the applicant.

Based on the evidence, Inspector C viewed this complaint to be unsubstantiated. The same conclusion was reached by Chief Inspector E in his letter to the applicant of 22 July 2008. Chief Inspector E explained to the applicant and Witness D that because there were no independent witnesses he could not substantiate their complaints and had, therefore, decided to take no formal action against either Constable A or Constable B.

### *Consideration*

Inspector C examined the statements of all available witnesses, namely the applicant and Constables A and B. Constable A denied that he had been uncivil in any way towards the applicant; Constable B also denied the allegation. Accordingly, on the basis of the available evidence, Inspector C and Chief Inspector E were justified in finding this complaint to be unsubstantiated.

The Commissioner therefore finds that this complaint was handled reasonably by Strathclyde Police. Accordingly, no further action is required by Strathclyde Police in relation to this complaint.

### **Complaint 5: Alleged aggressive behaviour by Constable A while transferring the applicant**

The applicant maintains that Constable A was aggressive when transferring him from the police vehicle to Police Station X.

### *Internal Handling*

Inspector C examined the applicant's statement as well as those of Constables A and B. In his statement the applicant maintained that Constable A was aggressive with him outside Police Station X and was rough in his handling of him "throughout the whole procedure".

Constables A and B denied this allegation in their respective statements.

Based on this evidence, Inspector C viewed the complaint as unsubstantiated. In his letter to the applicant of 22 July 2008 Chief Inspector E explained that because there were no independent witnesses he could not substantiate the complaint and had therefore decided to take no formal action against either Constable A or Constable B.

### *Consideration*

Inspector C examined the statements of all available witnesses, namely the applicant and Constables A and B. Both Constables A and B denied the allegation, Constable A stating specifically that he was in no way uncivil towards the applicant. Accordingly, in the Commissioner's view, based on the available evidence, Inspector C and Chief Inspector E were justified in finding this complaint to be unsubstantiated.

The Commissioner therefore finds this complaint to have been handled reasonably by Strathclyde Police. Accordingly, no further action is required of Strathclyde Police in relation to this complaint.

## Conclusions, Recommendations and Learning

### **Complaint 1: Constable A was aggressive and overbearing at the applicant's home**

In the Commissioner's view, for the reasons given the manner in which this complaint was dealt with by Strathclyde Police was reasonable. Accordingly, no further action is required of Strathclyde Police in respect of this complaint.

### **Complaint 2: Constable A used excessive force at the applicant's home**

In the Commissioner's view, for the reasons given the manner in which this complaint was dealt with by Strathclyde Police was reasonable. Accordingly, no further action is required of Strathclyde Police in respect of this complaint.

### **Complaint 3: Constable A drove at excessive speed**

In the Commissioner's view, the manner in which the non-criminal aspect of this complaint was dealt with by Strathclyde Police was not reasonable. The Commissioner therefore recommends that Strathclyde Police writes to the applicant providing him with sufficient information to properly inform him of the reasons why misconduct proceedings were not considered justified.

The Commissioner wishes to make clear that this recommendation is made with the sole aim of keeping applicants fully informed of the outcome of their complaints. The Commissioner has no view on whether misconduct proceedings were justified in the present case.

### **Complaint 4: Constable A was aggressive and overbearing outside Police Station X**

In the Commissioner's view, for the reasons given the manner in which this complaint was dealt with by Strathclyde Police was reasonable. Accordingly, no further action is required of Strathclyde Police in respect of this complaint.

### **Complaint 5: Constable A used excessive force when transferring the applicant**

In the Commissioner's view, for the reasons given the manner in which this complaint was dealt with by Strathclyde Police was reasonable. Accordingly, no further action is required of Strathclyde Police in respect of this complaint.

Case reference/PCCS/00503/PF-SP(B)

## Background

The background to the complaints dealt with in this part of the report is set out in the previous report (reference PCCS/503/PF-SP(A))

The following account is taken from the applicant's statement to police provided on 15 October 2008.

The applicant stated that Inspector C deliberately failed to record a complaint when noting his statement on 9 July 2008. The complaint was that Constable A had made a sectarian comment to the applicant while he was being held in the cells of Police Station X on 9 July 2008. The alleged comment was as follows:

*"We'll see how your Mason friends get you out of this doctor... this is you finished!"*

The applicant stated that Constable A knew that he was a Mason because, on a previous occasion when he had come into contact with Constable A, the applicant had been wearing a neck tie bearing a Masonic emblem. The applicant further stated that Constable A seemed to act aggressively on seeing this neck tie.

The applicant also believed that Chief Inspector D, who visited the applicant at his home to discuss the complaints he had made, had deliberately ignored the same complaint.

## The Complaints

Based on the contents of the application form, and the information obtained from Strathclyde Police, the Commissioner has identified the following complaints:

- (1) Constable A made an offensive comment to the applicant;
- (2) Inspector C failed to record a complaint; and
- (3) Chief Inspector D failed to record a complaint.

## The Commissioner's Review

This section sets out the Commissioner's views on the manner in which the complaints were handled by Strathclyde Police. Each complaint is set out in turn and is followed by details of Strathclyde Police's handling of it and the Commissioner's views on this.

### Complaint 1: Alleged offensive comment by Constable A

The applicant maintains that the Constable A said to him within the cells of Police Station X: "We'll see how your Mason friends get you out of this one doctor ... this is you finished."

#### *Internal Handling*

This complaint was raised by the applicant in the statement he provided to Inspector F on 15 October 2008. It was recorded on a Complaint about the Police (CAP) form the same day.

Inspector F thereafter carried out an investigation into this complaint and sought statements from Constable A as well as the other police officers and police staff who were within Police Station X when the alleged comment was made.

In his statement of 21 November 2008 Constable A denied the allegation which he considered to be “a complete fabrication”. Constable B was also adamant in his undated statement that Constable A did not make the alleged comment. Other police witnesses stated that they did not hear Constable A making the alleged comment.

In her report of 10 December 2008, Inspector F considered that this complaint inferred criminality on the part of Constable A. Consequently, Chief Superintendent H wrote to the Area Procurator Fiscal on 9 March 2009 seeking direction on how to proceed with the complaint. On 10 March 2009 the Area Procurator Fiscal wrote to Chief Superintendent H stating that she did not consider this to be an allegation from which criminality could be inferred.

On 17 March 2009 Chief Superintendent H wrote a final letter to the applicant informing him that the Area Procurator Fiscal had decided that the complaint did not infer criminality on the part of any police officer. Chief Superintendent H then proceeded to address the complaint. Specifically, he informed the applicant that as Constable A denied making this allegation, and was supported in this by the evidence of his colleagues, he had found the complaint to be unsubstantiated.

#### *Consideration*

All available witnesses were interviewed in connection with this complaint, the majority of whom supported Constable A in his denial of the allegation. Inspector F and Chief Superintendent H therefore reached a reasonable conclusion, based on the evidence, in finding this complaint to be unsubstantiated.

In the Commissioner’s view, the manner in which this complaint was handled was reasonable. Accordingly, no further action is required of Strathclyde Police in relation to this complaint.

#### **Complaint 2: Inspector C failed to record a complaint**

The applicant maintains that that Inspector C failed to record complaint 1 when he noted his statement on 9 July 2008.

#### *Internal Handling*

Inspector F sought a statement from Inspector C in relation to this complaint. The statement is undated. In the statement Inspector C is adamant that the applicant did not raise complaint 1 when he noted his statement on 9 July 2008:

*“Should [the applicant] have made such a comment, I would recall him doing so and more importantly I would have contained it in the statement. At no time did [the applicant] tell me about this allegation nor did he tell me about it on any subsequent occasion.”*

Inspector F also examined the original written statement taken from the applicant on 9 July 2008, which did not include any reference to the alleged Masonic comment. Inspector F noted that the statement was signed by the applicant on each page.

On the basis of this evidence, Inspector F concluded that the complaint was unsubstantiated. This finding was repeated by Chief Superintendent H in his letter to the applicant of 17 March 2009.

### *Consideration*

Inspector F interviewed all available witnesses to this complaint, namely the applicant and Inspector C. Inspector F also examined the applicant's original statement, which was signed by him on each page. On the basis of this evidence, the Commissioner considers that Inspector F and Chief Superintendent H reached a reasonable conclusion when they found the complaint to be unsubstantiated. Accordingly, no further action is required of Strathclyde Police in relation to this complaint.

### **Complaint 3: Chief Inspector E failed to record a complaint**

The applicant maintains that Chief Inspector E also failed to record complaint 1 when he visited the applicant at his home to discuss his complaints.

### *Internal Handling*

In his undated statement, Chief Inspector E was adamant that the applicant had not mentioned the comment alleged to have been made by Constable A. He recalled the applicant mentioning that Constable A had reacted badly on one occasion to the applicant's Masonic tie, but was adamant that the applicant did not "stress this, repeat it or in any way infer that he wished to complain about it."

Inspector F subsequently found this complaint to be unsubstantiated. This finding was repeated by Chief Superintendent H in his letter to the applicant of 17 March 2009.

### *Consideration*

In the Commissioner's view, Inspector F and Chief Superintendent H were justified in finding this complaint to be unsubstantiated. While the applicant is adamant that he informed Chief Inspector E of the alleged comment made by Constable A, this is denied by Chief Inspector E.

The Commissioner therefore finds that this complaint was handled reasonably by Strathclyde Police. Accordingly, no further action is required of Strathclyde Police in relation to this complaint.

## **Conclusions, Recommendations and Learning**

### **Complaint 1: Constable A made an offensive comment to the applicant**

In the Commissioner's view, for the reasons given, the manner in which this complaint was dealt with by Strathclyde Police was reasonable. Accordingly, no further action is required of Strathclyde Police in respect of this complaint.

### **Complaint 2: Inspector C failed to record a complaint**

In the Commissioner's view, for the reasons given, the manner in which this complaint was dealt with by Strathclyde Police was reasonable. Accordingly, no further action is required by Strathclyde Police in respect of this complaint.

### **Complaint 3: Chief Inspector D failed to record a complaint**

In the Commissioner's view, for the reasons given, the manner in which this complaint was dealt with by Strathclyde Police was reasonable. Accordingly, no further action is required of Strathclyde Police in respect of this complaint.

## Learning Point

The Commissioner has also identified as a learning point the need for all statements provided by police and other witnesses in connection with a complaints investigation to be dated. The Commissioner notes that on 8 January 2010 Chief Superintendent H issued to all divisional commanders within Strathclyde Police a memorandum communicating this issue which has been identified by the Commissioner in previous cases. The Commissioner will monitor whether the memorandum improves practice in this area.

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