

Report of a Complaint Handling Review in relation to Tayside Police

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

Summary and Key Findings

The applicant's complaints arose from the death of his son and the police investigation into this.

Of the 6 complaints considered, the Commissioner found that four were dealt with in a reasonable manner while two were not. The Commissioner made a number of recommendations in this connection and also identified a learning point.

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.

Background

On 31 December 2008 Ms A found the applicant's son (Mr B) lifeless in her flat. Ms A telephoned the emergency services who, after attempting to revive Mr B, pronounced him dead at 1.20 pm. Tayside Police were informed of the death and police officers arrived at the flat at 1.44 pm. Due to information provided by Ms A and evidence found at the scene, Detective Chief Inspector C instructed that the death be treated as drugs-related. Detective Sergeant D was appointed as the crime scene manager; Detective Constable E and Constable F arranged for the removal of Mr B's body to the mortuary.

Ms A was taken to a police station and interviewed as a witness in relation to the circumstances of Mr B's death. According to Tayside Police it was difficult to obtain information from Ms A due to her distressed state. Constable G was appointed as Family Liaison Officer (FLO) and was briefed by CID officers on the circumstances of Mr B's death. Constable G later attended the applicant's home and informed him of Mr B's death.

In March 2009 the applicant contacted Detective Sergeant H enquiring as to the whereabouts of a necklace worn by Mr B at the time of his death. Subsequent enquiries established that Detective Constable E and Constable F had removed the necklace from Mr B's body and left it within Ms A's home, believing this to be Mr B's place of residence.

Further enquiries resulted in Ms A being reported to the Procurator Fiscal for alleged drugs offences and the theft of the necklace. Despite enquiries, the necklace was not recovered by Tayside Police.

The Complaints

Based on the contents of the application form, the correspondence received from the applicant, and the information obtained from Tayside Police, the Commissioner has identified the following complaints:

- (1) that Tayside Police failed to notify the applicant of Mr B's death within a reasonable time period;
- (2) that Tayside Police failed to investigate the theft of Mr B's property;
- (3) that Mr B's personal property was given away by Tayside Police;
- (4) that the applicant has been provided with misinformation by Tayside Police;
- (5) that the applicant was not updated regularly on the progress of the investigation; and
- (6) that Tayside Police failed to collect crucial information.

The Commissioner's Review

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

Complaint 1: Notification of Mr B's death

The applicant raised this complaint in his statement of 21 September 2009, which reads:

"My first complaint specifically is in relation to the apparent time it took police to notify me of [Mr B's] death. I was notified of his death by the officer appointed as my family liaison officer, who attended at my home at twenty past four in the afternoon of 31 December 2008. I am aware that news of [Mr B's] death was already in the public domain before I knew. I received a telephone call from [Ms J] minutes after the liaison officer arrived and she was already aware. [Ms J] had received a text from [Ms A] on another person's phone telling her to phone. I find it unacceptable that the delay was 3 hours as I believe that the call was received at 1.20pm."

Internal Handling

As part of the enquiries into this complaint, statements were obtained from Constable G and Detective Chief Inspector C. The family liaison log completed by Constable G was also obtained.

On 27 April 2010 the Deputy Chief Constable wrote to the applicant, stating:

"I note from the police report that you were notified of your son's death within 2 hours of police attending the scene. Whilst it will always be our intention to notify next of kin of a death and any known circumstances as soon as is reasonably practical, unfortunately this does not always prove possible. In relation to this incident initial information was extremely difficult to obtain from Ms [A] due to her distressed state. Once sufficient details had been obtained from her a decision was made, given the circumstances of your son's death, to appoint a Family Liaison Officer to be the point of contact with you. Having been appointed the officer was required to travel to [location] from [location] to meet with you, this being a journey of some 30 minutes. The time period that elapsed between police becoming

involved in their enquiries into your son's death, and you being informed of the circumstances, is not excessive in my view given the factors I have described and I agree with the previous findings of senior detectives in relation to this."

Consideration

The incident log records police officers attending the scene of Mr B's death at 1.44 pm. At the time of the Deputy Chief Constable's response, a statement had been obtained from Constable G and his family liaison log recovered. The family liaison log records the death message being passed to the applicant at "1605 hrs".

Constable G's initial statement reads:

"About 1435 hours on Wednesday 31 December 2008 I received a Family Liaison Officer call out via Divisional Control Room at [location] regarding a possible drugs death (deceased [Mr B]). I thereafter attended at [police station] where I was briefed by CID officers and was also instructed to attend at deceased father's address at [address] to inform him of the death and obtain details of the deceased's lifestyle and note appropriate statements accordingly.

About 1535 hours same date I attended at [address] and delivered the death message to [applicant]."

The information provided by Constable G in his statement regarding the time he attended at the applicant's home is therefore different from the information he noted in the family liaison log. Accordingly, the Commissioner does not consider that there was a sufficiently clear evidential basis for the Deputy Chief Constable's conclusion that the applicant was notified of Mr B's death "within 2 hours of police attending the scene." As such the Commissioner does not consider this complaint to have been handled reasonably.

Following receipt of the Deputy Chief Constable's response to this complaint, the applicant continued to correspond with Tayside Police about other complaints he wished to raise. As part of the enquiries into these complaints, a further statement was obtained from Constable G in which he stated:

"About 1449 hours on the afternoon of 31st December 2008 I received a phone call at my home address from the Family Liaison Co Coordinator asking if I was available for a FLO callout. I informed him that I would take the call and instructed to attend at [Divisional Headquarters], [location] where I was briefed by CID Officers. The call out was in relation to the suspected drugs death of deceased [Mr B].

After being briefed on the incident I was then instructed to make contact with the next of kin, and attended at [Divisional Headquarters] at 1533 hours same date.

I thereafter attended at [address], home address of the deceased's father, [the applicant] and informed him of his son's death about 1605 hours."

Constable G has therefore provided inconsistent accounts in his statements as to when he informed the applicant of Mr B's death. On the one hand, his subsequent statement and the family liaison log indicate that the message was conveyed at 4.05 pm; on the other, his initial statement indicates that it was conveyed at around 3.35 pm. Although the difference between the two accounts is only 30 minutes, as noted above the Deputy Chief Constable informed the applicant that the message was conveyed within two hours of the police attendance at the scene. Only Constable B's initial statement would support this position.

The Commissioner therefore recommends a further statement be obtained from Constable G to establish as precisely as possible the time at which he conveyed the news of Mr B's death to the applicant.

In his statement the applicant queried why police officers from his local police station were not asked to inform him of Mr B's death. According to Constable G's statement, it is not the role of a FLO to provide a death message to next of kin and this should always be done by a uniformed police officer. If local officers had been asked to inform the applicant of Mr B's death the time taken to do so could have been significantly reduced. The Commissioner therefore recommends that Tayside Police explains to the applicant why a local police officer was not chosen to inform him of Mr B's death.

The applicant has expressed dissatisfaction that news of Mr B's death was "in the public domain" before he was informed of the death by Tayside Police. In his statement the applicant alleges that this information was "passed around by [Ms A]" using a third party's phone. While it is regrettable that this occurred, Tayside Police cannot be held responsible for the actions of Ms A following Mr B's death. In the Commissioner's view, the only obligation upon Tayside Police in this connection was to inform the applicant of Mr B's death without undue delay.

Complaint 2: Investigation into the alleged theft

The applicant raised this complaint in his statement dated 24 November 2009, which reads:

"It took me until the 23 June when I met with the Fiscal and spoke about my son's personal effects, namely my son's jewellery. The PF contacted the police and asked for some more information. By 28 August she had not received any response and I was informed by letter on 28 August. I became aware on the 1st September, I phoned Detective Sergeant [H] and made all sort of noises. He informed me that he had looked at the crime scene video clearly showing the chain, and for reasons unknown the crime scene officer had given the necklace to [Ms A]...

Inspector [Q] came on the scene and took my statement and I was astounded that [Ms A] had been charged on 2 September and only until I had pushed for this. Had the investigation been thorough and had there been some kind of review, then all of this would have been sorted out and would have been through court system."

Internal Handling

As part of the enquiries into this complaint, statements were obtained from Detective Constable E, Constable F and Detective Sergeant H.

On 27 April 2010 the Deputy Chief Constable wrote to the applicant, stating:

"It is the position of Detective Sergeant [H] that when you raised this issue with him he could find no record of the existence of the chain and at that time he had no evidence to prove [Ms A] was ever in possession of it. However, once further enquiries had been made in respect of her possession of the chain these led to her being charged with its theft. He denies that it was only as a result of your representation to the Procurator Fiscal that brought this about as he is firmly of the view that his enquiries were already ongoing at the same time as you were communicating with the Procurator Fiscal."

Consideration

From the information available to the Commissioner the applicant first enquired about the whereabouts of the necklace in a conversation with Detective Sergeant H in March 2009. At that

time Detective Sergeant H was unaware of the existence of the necklace. However, following his conversation with the applicant Detective Sergeant H began enquiries into the whereabouts of the necklace. A statement was obtained from Constable F on 27 June 2009 and Detective Sergeant H also recovered a video of the scene of Mr B's death. These enquiries proved conclusively that Mr B was wearing a necklace at the time of his death and that it has been left by the police within Ms A's home.

Further enquiries were made with Ms A who stated that she had worn the necklace for a time before leaving it at the home of a third party who had refused to return it. When interviewed, the third party stated that Ms A was in possession of the necklace and had been attempting to sell it at a local jewellers. Enquiries were thereafter made at local pawn shops but the necklace was not recovered.

Detective Sergeant H submitted two undated memos to the Procurator Fiscal detailing the findings of his enquiries. Following instruction from the Procurator Fiscal on 28 August 2009, Ms A was interviewed by Tayside Police on 1 September 2009, and was charged with the theft of the necklace on 2 September 2009.

Enquiries into the whereabouts of the necklace therefore clearly began in March 2009. The results of those enquiries were passed to the Procurator Fiscal. It was for the Procurator Fiscal to decide what action to take based on the outcome of these enquiries. In this case, there is no evidence that Tayside Police received any instruction from the Procurator Fiscal prior to 28 August 2009 to interview Ms A in relation to the alleged theft. Having received this instruction, the police interviewed Ms A and later reported her to the Procurator Fiscal.

In these circumstances, the Commissioner considers that the Deputy Chief Constable provided a reasonable response to this complaint, and that overall the complaint was dealt with in a reasonable manner.

Complaint 3: Mr B's personal property

The applicant raised this complaint in his statement of 3 September 2009, in which he stated:

"Another element of my complaint lies with the fact that jewellery, in particular a silver neck chain was removed from my son and given to [Ms A] despite being at a very early stage when ownership was not confirmed."

Internal Handling

As part of the enquiries into this complaint, a review was undertaken of the evidence obtained during the enquiry into the theft of the necklace (described under complaint 2) and a statement obtained from Detective Constable E. In the statement, Detective Constable E confirmed that he and Constable F had left the necklace within Ms A's flat believing this to be Mr B's place of residence.

On 27 April 2010 the Deputy Chief Constable wrote to the applicant, stating:

"The chain was left with [Ms A] as there was a mistaken belief that she was the girlfriend of your son which subsequently turned out not to be the case. It has been explained to you that police erred in doing so and have apologised for this. I would reiterate that apology and would further advise that the officers concerned have been reminded of Force Policy in respect of this."

The applicant was subsequently offered financial compensation for the loss of the necklace.

Consideration

Although not recorded in the crime scene log, there is no doubt that crime scene officers removed Mr B's necklace and left it within Ms A's home.

Tayside Police has acknowledged the officers' error, reminded them of the correct procedure, apologised to the applicant and offered him compensation. While this may represent little consolation for the applicant, in the Commissioner's view there is nothing more that Tayside Police can do regarding this complaint.

In these circumstances, the Commissioner considers the handling of this complaint to be reasonable

Complaint 4: Provision of misinformation

In his statements, the applicant refers to several conversations he has had with officers who he alleges provided him with misinformation. The specific complaints made by him in this connection are detailed below.

(a) Information regarding the necklace

"One of the most concerning complaints is that I have concerns that the silver chain was in possession of [Ms A] yet I was told by [Detective Sergeant H] that there was insufficient evidence to prove that she had it despite crime scene images showing the necklace on my son's body and knowing that the Crime Scene Manager removed the chain and provided it along with other property to [Ms A]."

(b) Information regarding the locus

"My next point of complaint is the misinformation from Police, from the point that the family liaison officer tried to tell me he was found dead in the house of his long-term girlfriend '[Ms A's first name]'. I knew this not to be the case as I spoke to [Ms J, who was Mr B's girlfriend] and soon learned it was [Ms A] whom he had only known a short time."

(c) Information regarding Ms A being charged

"On 3^d or 4th January 2009 I was told by the liaison officer that [Ms A] had 'put her hands up' and by that I took to mean that she had admitted to telling the Police lies and also supplying the drugs that killed [Mr B]....a meeting was arranged for 6th January, at Perth Police office. During this meeting I was told that [Ms A] hadn't been charged with anything and that the liaison officer had misinformed me."

(d) Information regarding the search of Ms A's home

"I asked if Police had carried out a drugs search in relation to [Ms A's] house. [Detective Chief Inspector C] told me that no such search had been carried out as Police did not have a warrant. I was quite irate about this and questioned where [Mr B's] property was, including a silver neck chain. He told me he didn't know and suggested I call on [Ms A] myself in an effort to get [Mr B's] property. [Detective Chief Inspector C] could not tell me what property [Mr B] had or where it was."

Internal Handling

As part of the enquiries into this complaint, statements were obtained from Detective Chief Inspector C, Detective Sergeants D and H, Detective Constable E and Constable F.

On 27 April 2010 the Deputy Chief Constable wrote to the applicant in response to the complaints. With regard to complaint (a), the Deputy Chief Constable's response is quoted in the internal handling section of complaint 2.

With regard to complaint (b) the Deputy Chief Constable stated the following:

"You allege that the Family Liaison Officer informed you that your son had been found at the home of his long term girlfriend. That is denied by the officer who states that what he did tell you was that your son had been found at the home address of a female by the name of [Ms A] which is factually correct. Detective Chief Inspector [C] confirms that this was the information given to the Family Liaison Officer to provide to you. No information was provided to the officer to the effect that [Ms A] was your son's girlfriend."

With regard to complaint (c), the Deputy Chief Constable stated:

"You further allege that you were advised by the Family Liaison Officer that [Ms A] 'had put her hands up' to having some responsibility for your son's death but were later told by Detective Chief Inspector [C] that she had not been charged in connection with this. It is the position of the Family Liaison Officer that at no time did he furnish you with sensitive information in relation to the police enquiry as that is not his position to do so. Detective Chief Inspector [C] agrees that he subsequently told you that [Ms A] had not been charged with any offence as there was no corroboration of any alleged admission by her and he told you this in an effort to keep you as fully advised as possible of the facts known to him at that time. He confirms that he later informed you that charges were subsequently preferred as corroboration of other pieces of evidence had been obtained from the results of toxicological tests carried out."

With regard to complaint (d), the Deputy Chief Constable stated the following in relation to the search of Ms A's home:

"This suggestion is totally refuted by Detective Chief Inspector [C] who states that given the circumstances of your son's death, police acted in accordance with Force procedures for major crime investigations, and fully searched [Ms A's] home without the need for a warrant being applied for. This is confirmed by the Crime Scene Manager appointed to supervise the search of the premises."

In relation to Mr B's property, the Deputy Chief Constable stated:

"Again this is totally refuted by Detective Chief Inspector [C] who states he had no knowledge of any issues arising in respect of property belonging to your son and the first he did become aware of any issue was when he learned of the circumstances surrounding the missing chain. An explanation regarding the result of the police enquiries into this issue has already been provided ..."

Consideration

In relation to complaint (a) the applicant states that the conversation in question took place on 27 February 2009. As discussed under complaint 2, at that time Detective Sergeant H would not have been aware of the necklace's existence or any evidence to prove its existence. Accordingly, if Detective Sergeant H made the comment alleged by the applicant, he would have been entirely correct. It was only after Detective Sergeant H instructed that further enquiries be carried out that the existence of the necklace was confirmed.

The Commissioner considers that his conclusion in respect of complaint 2 above applies equally to this complaint. In the Commissioner's view, this complaint was dealt with in a reasonable manner.

The concerns expressed by the applicant in relation to complaints (b) and (c) relate to a conversation between himself and Constable G. Constable G denies making the comments alleged by the applicant. As there is no other evidence available, it is not possible to substantiate these complaints. Accordingly, the Commissioner considers that they were dealt with in a reasonable manner.

In terms of complaint (d), Detective Chief Inspector C denies that he told the applicant what is alleged by him. The applicant indicated in his statement of 21 September 2009 that he was accompanied to the meeting with Detective Chief Inspector C by a witness, Ms R, who could corroborate his complaint. Following further correspondence with Tayside Police on this matter a statement was obtained from Ms R on 31 January 2011. In the statement Ms R recalls accompanying the applicant to a meeting with two police officers, one of whom she believed was the family liaison officer. Mr R states the following:

"[The applicant] asked why the property where [the applicant] had died [was] not searched for the keys and jewellery. The policeman who wasn't the liaison officer said 'we couldn't search the property as we had no warrant.' I remember that because it seemed odd for a death."

As no statement was taken from Ms R prior to the Deputy Chief Constable's response of 27 April 2010, the Commissioner does not consider that this complaint was dealt with in a reasonable manner.

There is no doubt that a search was conducted of Ms A's home following the officers' attendance at her home. Indeed, the report sent to the Procurator Fiscal contains a list of items found during the search. However, the issue is whether Detective Chief Inspector [C] misrepresented the position at a meeting with the applicant. Currently, there are two sources of evidence (the applicant and Ms R) which indicate that inaccurate information was provided at the meeting, and one source (Detective Chief Inspector C) disputing this. However, it appears from Ms R's statement that Constable G may also have been present at the meeting. As neither of Constable G's statements makes reference to his being present at the meeting, the Commissioner recommends that the position is clarified with him. If it transpires that a different officer was present at the meeting, the Commissioner recommends that a statement be obtained from the officer concerned regarding his recollection of the conversation. Once these enquiries are complete, a further response should be issued to the applicant reflecting the findings.

Complaint 5: Failure to keep the applicant informed

In his statement of 24 September 2010 the applicant states:

“As next of kin I was not provided with updates other than from my FLO on the 3 January until I attended at [Divisional Headquarters] on Tuesday 6 Jan 2009.”

Internal Handling

A statement was obtained from Constable G in relation to this complaint. On 28 October 2010 Superintendent K wrote to the applicant, stating:

“I have reviewed the number and frequency of contacts made between you and the FLO [Constable G] and these are as I would expect in such circumstances, bearing in mind that the FLO will only contact you when they have specific information to pass on and that the Senior Investigating Officer retains control and overview of all aspects of the investigation. Having said this, you obviously feel that you did not receive the standard and frequency of contact that you expected from Tayside Police, this being the case I would like to apologise on behalf of Tayside Police for you not receiving the standard of service that you expected and any unnecessary suffering caused during this exceedingly difficult time for you and your family.”

Consideration

In effect, the applicant's complaint is that he received one update from Constable G between 31 December 2008 and 6 January 2009. The family liaison log records Constable G contacting the applicant on 3 January 2009. According to the log, on 5 January 2009 Constable G received a message from the applicant on his mobile phone and when he returned this call the applicant was verbally abusive towards him. Constable G thereafter arranged a meeting with Mr B for the following day.

Accordingly the applicant received updates on 31 December 2008 and 3, 5 and 6 January 2009. In his statement Constable G states that between 31 December 2008 and 3 January 2009 there was no information to give to the applicant and therefore no reason to contact the applicant during that period.

In these circumstances, the Commissioner is satisfied that the applicant was updated regularly by Constable G, and considers that this complaint was dealt with in a reasonable manner.

Complaint 6: Failure to collect crucial information

The applicant states the following in his statement of 24 September 2010:

“Tayside Police failed to collect crucial information in that they were made aware of my son's death at 1320 hours on 31 December 2008 and [Ms A] was free to go about her business and contact people at just after 1600 hours when she phoned his girlfriend ([Ms J]) claiming to be outside [Divisional Headquarters]. I feel that two and a half hours is insufficient time to gather full details, particularly in the light of the fact the none of the family had even been contacted.”

Internal Handling

On 28 October 2010 Superintendent K wrote to the applicant, stating:

“I note with sympathy your concerns relating to the status and perceived freedom of [Ms A] on the day of your son's death. Sudden death enquiries are often complex, with many

potential end results and the police have to act in accordance with the law and to preserve the rights of all the individuals concerned. As such on 31 December, 2008 [Ms A] was dealt with as a witness by Tayside Police. After the initial statement was taken from [Ms A], she was conveyed to divisional police headquarters, [location] along with another witness.

About 15.15 hours that day a further in depth, lengthy statement was obtained by a detective officer. Witnesses would be allowed breaks during this process and although a specific completion time is unknown, it is estimated that this interview will have taken between two and three hours. The phone in [Ms A's] possession was seized as a production but she could have accessed and used another phone during breaks from interview or at the conclusion of her visit to [Divisional Headquarters].

[Ms A] was later detained, after the toxicology results were received from the Procurator Fiscal, under the terms of Section 14 of the Criminal Procedure (Scotland) Act 1995, when she was again conveyed to [Divisional Headquarters], for questioning this time as a suspect. This subsequently led to her arrest and caution and charge.

Whilst I accept your concerns in relation to the status and apparent freedom you perceive [Ms A] to have had on 31 December, 2008 the police must have a sufficiency of evidence and reasonable grounds to justify a witness, suspect or accused status at all times during any enquiry in order that any information received will be admissible in any future court proceedings.”

Consideration

The applicant's complaint appears to be that Tayside Police did not gather “crucial information” before releasing Ms A and that police did not spend enough time in order to gather “full details”. However, he does not specify why he considers that the enquiries undertaken were inadequate. The enquiries into Mr B's death were not restricted to the interview with Ms A on 31 December 2008.

In the Commissioner's view, Superintendent K adequately summarised the enquiries that were conducted and which resulted in Ms A being charged and reported to the Procurator Fiscal. Accordingly, the Commissioner considers that this complaint was dealt with in a reasonable manner.

Conclusions, Recommendations and Learning

Complaint 1: Notification of son's death

In the Commissioner's view, the manner in which this complaint was dealt with by Tayside Police was not reasonable. Accordingly, the Commissioner recommends that a further statement is obtained from Constable G to establish as precisely as possible the time at which he conveyed the news of Mr B's death to the applicant. A further response should thereafter be issued to the applicant.

The Commissioner also recommends that Tayside Police explains to the applicant why a local police officer was not chosen to inform him of Mr B's death.

Complaint 2: Mr B's personal property

In the Commissioner's view, the manner in which this complaint was dealt with by Tayside Police was reasonable. Accordingly no further action is required in this connection.

Complaint 3: Investigation into theft

In the Commissioner's view, the manner in which this complaint was dealt with by Tayside Police was reasonable. Accordingly no further action is required in this connection.

Complaint 4: Provided with misinformation

In the Commissioner's view, the manner in which this complaint was dealt with by Tayside Police was not reasonable. The Commissioner recommends that Constable G confirms whether he was present during the meeting referred to by the applicant and provides any recollection he has of discussions regarding the search of Ms A's home. If it transpires that a different officer was present at the meeting, the Commissioner recommends that a statement be obtained from the officer concerned regarding his recollection of the conversation. Once these enquiries are complete, a further response should be issued to the applicant reflecting the findings.

Complaint 5: Failure to keep the applicant informed

In the Commissioner's view, the manner in which this complaint was dealt with by Tayside Police was reasonable. Accordingly no further action is required in this connection.

Complaint 6: Failure to collect crucial information

In the Commissioner's view, the manner in which this complaint was dealt with by Tayside Police was reasonable. Accordingly no further action is required in this connection.

Learning Point

The applicant has met with police on more than one occasion and been provided with verbal responses to some of his complaints. However, there is no written record of any of the discussions at those meetings. The Deputy Chief Constable initially wrote to the applicant providing a general response to his complaints and referring to the content of these meetings. The applicant complained about the lack of detail in the response and a further, written response was issued by Tayside Police. It is this written response which has enabled the Commissioner to review the handling of these complaints.

In circumstances where police forces opt to resolve a complaint through verbal explanation, it is essential that a full, written record is produced of the discussions.

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