

This report presents information on complaints about Lothian and Borders Police for the financial year 1 April 2010 to 31 March 2011.

#### 1. ALL COMPLAINTS: KEY FINDINGS 2010-11

- The total number of complaint cases received by Lothian & Borders Police in 2010-11 is down (-6.2%) on last year (2009-10), compared with an overall reduction for Scotland of -8.0%.
- The number of complaint allegations received by the force in 2010-11 is down -9.0% on last year (2009-10), compared with an overall reduction for Scotland of -8.8%.
- The majority of allegations received concerned on-duty conduct (88.9%), followed by 6.7% about the quality of service and 4.4% for off-duty conduct.
- The majority of on- and off-duty allegations received were directed at police officers (93.1%), compared with 7.6% at police staff and 0.6% at special constables<sup>1</sup>.
- The number of all allegations disposed of was down -11.0% on last year, compared with a reduction of -5.8% for Scotland as a whole.

**TABLE 1: SUMMARY STATISTICS – LOTHIAN & BORDERS POLICE, 2005-06 to 2010-11<sup>2</sup>**

Fiscal year	05/06	06/07	07/08	08/09	09/10	10/11
Complaint cases recorded	436	505	788	991	899	843
Complaint allegations received: on duty	572	665	771	1076	1153	1083
Complaint allegations received: quality of service	n/a	n/a	175	135	131	82
Complaint allegations received: off duty	n/a	n/a	78	105	54	53
Complaint allegations: total received	572	665	1024	1316	1338	1218
Complaint allegations disposed of: on duty	584	492	586	944	1329	1211
Complaint allegations disposed of: quality of service	n/a	n/a	148	103	142	96
Complaint allegations disposed of: off duty	n/a	n/a	37	114	60	55
Complaint allegations: total disposed of	584	492	771	1161	1531	1362
Complaint cases recorded per 10k population: Lothian & Borders	4.8	5.5	8.6	10.7	9.6	8.9
Complaint cases recorded per 10k population: Scotland	5.4	6.1	8.3	9.4	8.8	8.1
Complaint allegations received per 10k population: Lothian & Borders <sup>3</sup>	6.3	7.3	11.1	14.2	14.3	12.8
Complaint allegations received per 10k population: Scotland <sup>4</sup>	8.2	9.3	13.3	16.6	14.8	13.4

There can be various reasons for the differences seen in these statistics, including poor or better conduct of members of a force, new procedures adopted or varying public confidence in reporting dissatisfaction:

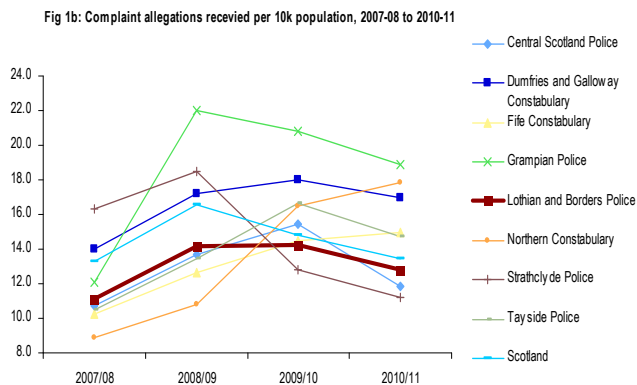
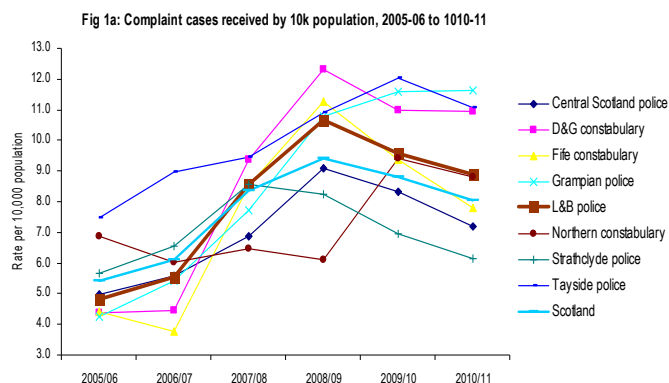
- The rate of complaint cases per 10k population received by Lothian and Borders Police has fallen for the second consecutive year, but remains above the Scottish average.
- This year the force experienced a fall in the rate of allegations received per 10k population and its rate remains lower than the Scottish average rate.

<sup>1</sup> A single allegation may be directed at more than one member of a police force - hence percentages may not add up to 100%.

<sup>2</sup> Complaints prior to April 2007 were recorded under an earlier definition that did not include off-duty and quality of service complaints.

<sup>3</sup> Following recalculation, revised figures are presented for allegations prior to 2009/10 from those in the 2008/09 version of this report.

<sup>4</sup> Following recalculation, revised figures are presented for allegations prior to 2009/10 from those in the 2008/09 version of this report.



## 2. ON-DUTY COMPLAINTS: KEY FINDINGS 2010-11

- A total of 88.9% of all allegations received by Lothian and Borders Police in 2010-11 were allegations concerning on-duty conduct – higher than that for Scotland as a whole (81.6%).
- The number of on-duty allegations received by the force in 2010-11 is down -6.1% on last year (2009-10), compared with an overall reduction for Scotland of -10.3%.
- The number of on-duty allegations disposed of is down -8.9% on last year, compared with a reduction of -6.5% for Scotland as a whole.
- The majority of on-duty allegations received were directed at *police officers* (93.5% compared with 94.9% for Scotland as a whole), followed by 7.5% at *police staff* (6.2% for Scotland) and 0.4% at *special constables*<sup>5</sup> (0.7% for Scotland).
- The most common types of allegation against on-duty members of the force disposed of were allegations of *irregular procedure* (47.5%), *neglect of duty* (12.4%) and *oppressive conduct* (12.4%)
- The most common outcomes of these allegations were *resolved by explanation to the complainer* (46.7%) *unsubstantiated by available evidence* (24.6%) and *resulting in advice* (7.9%).

TABLE 2: TOP THREE ALLEGATION TYPES CLOSED BY LOTHIAN & BORDERS POLICE, 2005-06 TO 2010-11

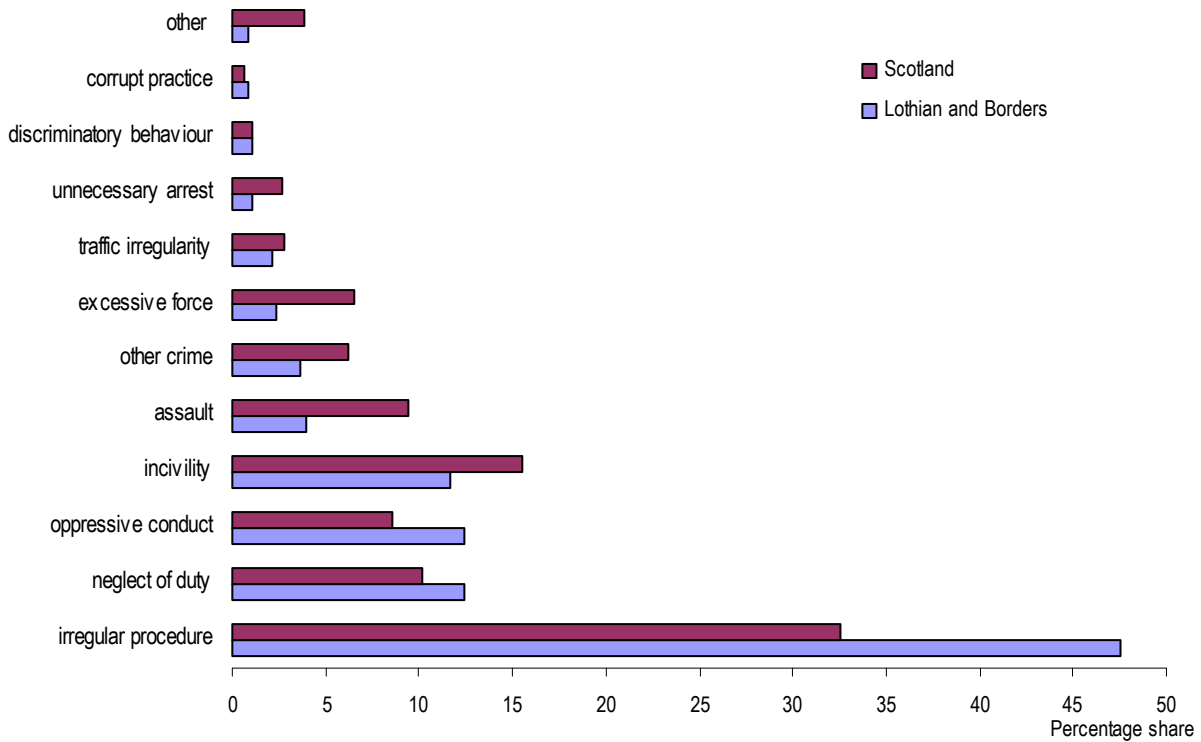
Fiscal year <sup>6</sup>	05/06	06/07	07/08	08/09	09/10	10/11
Irregular procedure – number disposed of	66	74	194	377	576	575
Percentage change on previous year (%)	-61.2	12.1	162.2	94.3	52.8	-0.2
Neglect of duty – number disposed of	118	73	72	111	152	150
Percentage change on previous year (%)	-28.0	-38.1	-1.4	54.2	36.9	-1.3
Oppressive conduct – number disposed of	187	130	113	175	202	150
Percentage change on previous year (%)	-7.4	-30.5	-13.1	54.9	15.4	-25.7

- This is the first year in the last five that disposals of allegations of irregular procedure have not risen in the force, although at 47.5% it still has the highest individual share of this allegation type in Scotland.
- Disposals of allegations of oppressive conduct have fallen by over a quarter, while the upward trend for neglect of duty has stalled this year,
- The force has a higher than (Scottish) average share of disposed of allegations of irregular procedure, neglect of duty, oppressive conduct and corrupt practice.
- The force has a lower than (Scottish) average share of all other allegations disposed of, particularly those of assault, use of excessive force, unnecessary arrest and other allegations.

<sup>5</sup> A single allegation may be directed at more than one member of a police force - hence percentages may not add up to 100%.

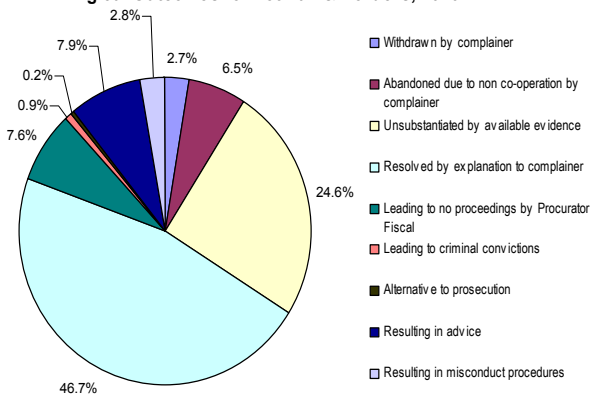
<sup>6</sup> NB: Large percentage changes can be a consequence of small raw numbers.

**Fig 2: % share of allegations - Lothian and Borders v Scotland, 2010-11**

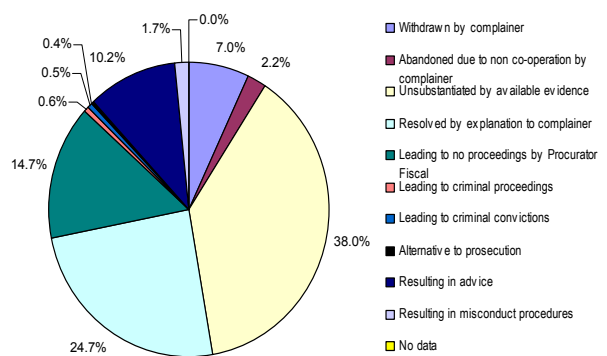


- At 46.7%, the proportion of on duty allegations disposed of by Lothian and Borders Police in 2010-11 that were resolved by explanation to the complainer is the highest in Scotland.
- Conversely, despite recent annual rises the force’s proportion of unsubstantiated allegations are amongst the lowest in Scotland.
- Also low compared with the national average is the proportion of allegations resulting in advice to members of the force in Lothian and Borders Police.

**Fig 3a: Outcomes for Lothian & Borders, 2010-11**



**Fig 3b: Outcomes for Scotland, 2010-11**



### 3. OFF-DUTY COMPLAINTS: KEY FINDINGS 2010-11

- A total of 4.4% of all allegations received by Lothian and Borders Police in 2010-11 were allegations concerning off-duty conduct, compared with 5.4% for Scotland.
- The number of these allegations received by the force in 2010-11 is down -1.9% on last year (2009-10), compared with an overall rise for Scotland of +3.3%. The number disposed of fell too (-8.3%) on last year, compared with a rise of 21.2% for Scotland.
- The majority of allegations received were directed at police officers (84.9%), while 9.4% were directed at police staff and 5.7% at special constables.
- Of the allegations disposed of, a total of 61.8% were of a criminal nature, compared with 77.0% nationally and the majority were unsubstantiated (52.7%) compared with 37.6% nationally.

**TABLE 3: OUTCOMES OF OFF-DUTY ALLEGATIONS – LOTHIAN & BORDERS POLICE AND SCOTLAND, 2007-08 TO 2010-11**

Fiscal year <sup>7</sup>	Lothian and Borders Police				Scotland			
	07/08	08/09	09/10	10/11	07/08	08/09	09/10	10/11
% Action taken	24.3	24.6	56.7	21.8	54.9	48.0	52.9	51.3
% Unsubstantiated	32.4	22.8	23.3	52.7	25.3	29.1	30.1	37.6
% Resolved	43.2	47.4	10.0	16.4	17.9	19.7	11.1	7.4
% Withdrawn	0.0	2.6	6.7	9.1	1.9	1.4	5.3	3.6
% Abandoned	0.0	2.6	3.3	0.0	0.0	1.8	0.6	0.0
TOTAL - number	37	114	60	55	257	488	342	417

### 4. QUALITY OF SERVICE COMPLAINTS: KEY FINDINGS 2010-11

- A total of 6.7% of all allegations received by Lothian and Borders Police in 2010-11 concerned quality of service. The proportion for Scotland is 12.9%.
- The number of quality of service allegations received by the force in 2010-11 is down -37.4% on last year (2009-10), compared with a reduction for Scotland of -3.5%.
- The number of quality of service allegations disposed of by the force fell by -32.4% on last year, compared with a fall of -10.1% for Scotland as a whole.
- The majority of allegations received were directed at aspects of *policy and procedure* (39.0%), compared with *service delivery* (32.9%) at and 28.0% at *service outcomes* .

Fig 4a: % share of quality of service allegations - Lothian & Borders

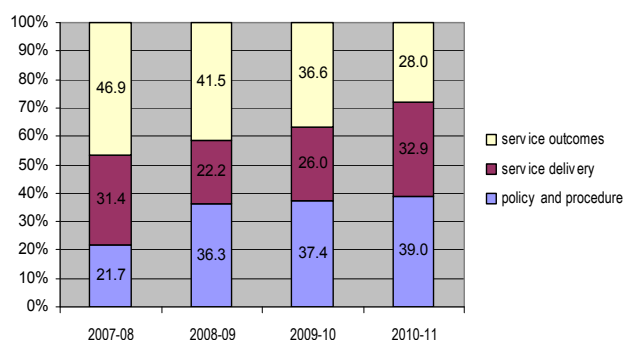
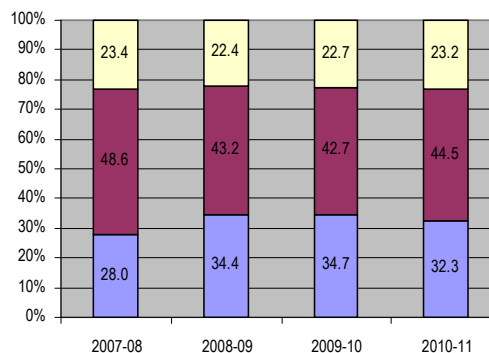


Fig 4b: % share of quality of service allegations - Scotland



<sup>7</sup> NB: Large percentage changes can be a consequence of small raw numbers.