

[applicant's name and address]

PCCS/00101/11

9 November 2011

Dear [applicant]

I refer to your complaints about Lothian and Borders Police and write to advise you of my decision following a preliminary review of your case.

Firstly, I note that in section D of your application form you did not list the specific complaints you have about the police. The information you provided in other sections of the form was general in nature and did not contain any specification of your concerns. The Case Officer responsible for your case therefore had regard to your contact with Lothian and Borders Police, the details of which are summarised below.

On 11 May 2011 you attended a police office and complained about an officer who had called at your home earlier that day and spoke to your wife who was alone at the time. The precise details of your complaint was not recorded at that time. On 17 May 2011 you were advised that a senior officer would contact you regarding your complaint.

An Inspector thereafter spoke to you on the telephone and tried to arrange an appointment to meet you to discuss your complaint. The Inspector noted that you wished to have your complaint investigated by an independent police force. According to the Inspector, he attempted to explain my role in relation to the scrutiny of complaints about the police, but you insisted that you would not speak to him. On 13 June 2011 the Inspector wrote to you advising that, in order to progress your complaint, it was necessary to interview you. According to the complaints file, on 15 June 2011 you contacted Lothian and Borders Police advising that you did not wish to speak to the Inspector. On 27 June 2011, the head of Lothian and Borders Police's Professional Standards Department wrote to you advising that in the circumstances your complaint was being treated as abandoned.

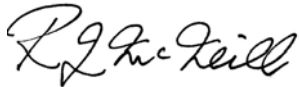
On 3 August 2011, a member of my staff wrote to you advising that before my office could accept a complaint it required first to have been dealt with by the policing body concerned. In your case the precise detail of your complaint has not been made known to Lothian and Borders Police, as a result of which it has not been able to deal with your concerns. This appears to have been explained to you and you were offered the opportunity to meet the enquiry officer to discuss your concerns. As you did not engage further with the police in this connection, I consider that Lothian and Borders Police's decision to treat your complaint as abandoned was entirely reasonable.

If you wish to pursue your complaint you should provide Lothian and Borders Police with the opportunity to deal with it. In the event that you are dissatisfied with the outcome it will be open to you to re-apply to my office to seek an independent review.

In accordance with my normal practice, a copy of this letter will be published, in anonymised form, on my office's website. This will occur on 12 November 2011.

My involvement in your case is now at an end.

Yours sincerely

A handwritten signature in black ink, appearing to read 'John McNeill', written in a cursive style.

**John McNeill**  
**Commissioner**