

## Your complaint at a glance

**STEP 1** Contact the police organisation concerned and complete their complaints process.

**STEP 2** If you remain unhappy contact the Commissioner to request a review of your complaint.

**STEP 3** If the Commissioner decides to carry out a review, he will ask the police body you are complaining about for all the information it has about what has happened so far.

**STEP 4** The Commissioner will examine the facts of the case, looking at all the information provided by you and the police organisation. He will review the evidence on which the police conclusions were based and come to a view on whether the conclusions were reasonable.

**STEP 5** The Commissioner will write to you and the police body involved to let you know his decision. His report, known as Complaint Handling Review, will usually be published, fully anonymised, on the PCCS website [www.pcc-scotland.org](http://www.pcc-scotland.org).

### The Complaint Handling Review will outline:

- the complaint
- the background to the complaint
- what the police body did to deal with the complaint
- the Commissioner's consideration of the way the police body handled the complaint
- the Commissioner's conclusions and, where appropriate, any recommendations to the police body.

#### Police Complaints Commissioner for Scotland

Hamilton House, Hamilton Business Park  
Caird Park, Hamilton ML3 0QA

Tel: 0808 178 5577 Fax: 01698 542 901

Email: [enquiries@pcc-scotland.org](mailto:enquiries@pcc-scotland.org)

Website: [www.pcc-scotland.org](http://www.pcc-scotland.org)

## Relevant Police Bodies

### Scottish police forces

- Central Scotland Police
- Dumfries and Galloway Constabulary
- Fife Constabulary
- Grampian Police
- Lothian and Borders Police
- Northern Constabulary
- Strathclyde Police
- Tayside Police

### Scottish police authorities and boards

- Central Scotland Joint Police Board
- Dumfries & Galloway Police and Fire and Rescue Authority
- Fife Police, Fire and Safety Committee
- Grampian Joint Police Board
- Lothian & Borders Joint Police Board
- Northern Joint Police Board
- Strathclyde Police Authority
- Tayside Joint Police Board

### Scottish police bodies

- Scottish Crime and Drug Enforcement Agency
- Scottish Police Services Authority

### UK police bodies operating in Scotland

- British Transport Police and British Transport Police Authority
- Civil Nuclear Constabulary and Civil Nuclear Constabulary Authority
- Ministry of Defence Police
- Serious and Organised Crime Agency
- United Kingdom Border Agency

Contact details for these organisations are listed in full on the PCCS website [www.pcc-scotland.org](http://www.pcc-scotland.org), on their websites and in the phone book.

# A guide for the public on the role of the Police Complaints Commissioner for Scotland

## Who is the Police Complaints Commissioner for Scotland?

The post of the Commissioner was established in 2007 under the **Police, Public Order and Criminal Justice (Scotland) Act 2006**. The current Commissioner is John McNeill.

## What is his role?

The Police Complaints Commissioner for Scotland (PCCS) provides independent scrutiny of the way that police forces, police authorities and policing agencies in Scotland respond to complaints from the public. As well as scrutinising the way that complaints have been handled, the Commissioner's role is to drive up standards in police complaints handling.

If you have made a complaint about the police to the police body concerned and you are unhappy with the way that they dealt with your complaint, the Commissioner may be able to review the way it was handled.

**His service is free and impartial.**

## How can I be confident that the Commissioner will be fair?

The Commissioner is appointed by Scottish Ministers and is independent of all police bodies. It is also a condition of his appointment that the Commissioner has no previous connections with the police.

It is important for him to be independent of all police forces, police authorities and policing agencies so that people can trust him to be fair and impartial.

## What can I complain about?

The Commissioner reviews complaints about the behaviour of police officers and civilian staff, as well as complaints about the quality of service from police bodies. This may include off duty complaints.

Before you complain to PCCS, you must first complete the complaints process of the police body concerned. The police bodies that fall within the Commissioner's remit are listed at the back of this leaflet.

## What can the Commissioner do?

The Commissioner reviews the evidence and forms a view on whether the conclusions reached by the police body were reasonable.

### The Commissioner can recommend that the police body:

- carries out further investigation and provides a further response to the person who made the complaint
- reconsiders the entire complaint, sometimes under his direct or indirect supervision
- makes changes to its practices and procedures to prevent the same problem arising again.

## Are there any complaints that the Commissioner cannot look at or make recommendations on?

### The Commissioner cannot:

- look at criminal allegations about a police officer or civilian staff; these issues are handled by the Crown Office and Procurator Fiscal Service
- review complaints by serving officers or civilian staff about their terms and conditions of service.
- order the payment of compensation or other financial penalty.

## How do I ask the Commissioner to review my complaint?

You can call free on **0808 178 5577**, complete an online form on the PCCS website **www.pcc-scotland.org** or write to the Police Complaints Commissioner for Scotland at:

Hamilton House  
Hamilton Business Park  
Caird Park  
Hamilton ML3 0QA

## Accessibility

You can request materials in other formats such as Braille or large print or choose to receive information in languages other than English.

## How will the Commissioner keep me informed about my complaint?

Your initial contact will be acknowledged within two working days and you will be told as soon as possible if your complaint falls within the Commissioner's remit. If the Commissioner can accept your case, you will be advised on progress at least once every 28 days.

If your complaint falls outside the Commissioner's remit, wherever possible, you will be given details for the appropriate agency to deal with your complaint.

## What if I don't agree with the Commissioner's conclusion?

You can consult your local Citizen's Advice Bureau or a solicitor about what further action you can take, which could include a judicial review. Contact details for your local Citizens Advice bureau can be found in the phone book or on their website **www.cas.org.uk**

**"It is vital that the public continues to have confidence in our police service. Modernising Scotland's police complaints system through the PCCS is an important element in that work."**

**Cabinet Secretary for Justice**

**"I want to set standards for the way the police handle complaints and, when something has gone wrong, I want to help the police learn lessons and improve the way they work."**

**John McNeill, Police Complaints Commissioner for Scotland**