



Meeting	Complaints & Conduct Committee
Date	14 November 2024
Location	Webex
Title of Paper	Complaints & Conduct Committee Annual Report 2023-24
Presented By	Darren Paterson, Head of Workforce Governance
Recommendation to Members	For Noting
Appendix Attached	Yes Appendix A – Complaints & Conduct Committee Annual Report 2023-24 Appendix B – Report Data Tables

PURPOSE

The purpose of this report is to update the Committee on the intention to publish the fourth annual Committee-specific Annual Report for 2023-24, and to provide update on text included in the SPA Annual Report 2023-24.

The paper is presented in line with:

- *Scottish Police Authority Committee Terms of Reference*

The paper is submitted:

- *For Noting*

1 BACKGROUND

- 1.1. The Final Report on the 'Review of Complaints Handling and Misconduct Issues in Relation to Policing', published on 11 November 2020, made a number of recommendations with regard to the SPA Annual Report (both of which now discharged), as follows.
- 1.2. *The SPA Complaints and Conduct Committee's scrutiny function should be reported on in the SPA annual report, drawing out particular trends, highlighting improvements or concerns and using complaints data as an indicator of communities' satisfaction or dissatisfaction with policing services (Recommendation 31).*
- 1.3. *In order to ensure public confidence in the police, the SPA should confirm each year in its annual report whether or not in its view, based on an informed assessment by the Complaints and Conduct Committee and evidence from the relevant audits, the Chief Constable has suitable complaint handling arrangements in place (Recommendation 59).*
- 1.4. In respect of Recommendation 31, it was agreed by the Committee that a high-level summary would be included in the SPA Annual Report each year, which would be supplemented by the publication of a more detailed, Committee-specific annual report.

2 FURTHER DETAILS ON THE REPORT TOPIC

SPA Annual Report 2023-24

- 2.1. As above, a high-level summary is included in the 2023-24 SPA Annual Report, detailing complaints received annually by Police Scotland and the Authority respectively, providing links to relevant Committee reports and signposting to the publication of the Committee-specific Annual Report.
- 2.2. In line with Recommendation 59, a high-level summary of key complaint handling performance indicators has been included, alongside the following suitability assessment:

"In May 2021, Police Scotland implemented a new national complaint handling operating model, which the Committee were advised would result in improvements in the quality and timeliness of the complaint handling process. Whilst this is apparently not supported by the above [performance indicator] evidence, it is recognised that demands on the Professional Standards Department (not limited to complaint handling) have increased significantly over the subsequent period amidst tightening resource constraints.

Police Scotland recognises that demand now outweighs its resource capacity and has established a group tasked with addressing its complaints backlog and enhancing long-term complaint service delivery.

Engagement has continued with Police Scotland in respect of the development of its assurance reports, with a view to enabling the Authority to provide a more informed assessment as to the suitability of its complaints handling arrangements. Whilst a number of significant improvements and additional disclosures were made during 2023-24, the Committee continues to seek the development of, and reporting against, targets for completing key stages of the complaints handling process; the diversity profile of those raising complaints or those complained about; the appropriateness of current complaint categories; data on complainant satisfaction; evidence that learning is being identified and actioned to prevent recurring complaints; and improved trend analysis.

Based on the above, the Committee will continue to seek assurance on improvement action being taken to ensure the suitability of Police Scotland complaint handling arrangements going forward.”

- 2.3. Prior to inclusion in the Annual Report, the above text was shared with Police Scotland and the PIRC and agreed with the Committee Chair.

Complaints & Conduct Committee Annual Report 2023-24

- 2.4. The Committee-specific Annual Report for 2023-24 is included at Appendix A. Compared to previous years, additional information is also included this year, beyond complaints, in respect of wider matters considered by the Committee, particularly in relation to officer misconduct.
- 2.5. The majority of the report content is based on items considered by the Committee during 2023-24 in public session and corresponding minutes, as well as ‘public’ minutes of private sessions, all of which are already in the public domain. As with previous years, SPA officials have engaged with both Police Scotland and the PIRC on the draft prior to publication. The draft report was also shared with the Committee Chair for review and input.
- 2.6. The report includes a foreword from the Committee Chair, followed by an introduction which outlines the functions of the Authority, Police Scotland and the PIRC in respect of complaints, as well as setting out the role of the Committee as relevant to the report.

- 2.7. It then provides a summary of key business considered by the Committee under the following headings:
- Complaints Handling Performance Reports
 - Conduct Performance Reports
 - Report Development
 - Monitoring of the Handling of Complaints by the Chief Constable
 - Vetting
 - Professional Boundaries
 - Preventions & Professionalism Programme
 - Review of Committee Effectiveness
- 2.8. The report then provides a summary of complaint handling performance statistics in respect of both the SPA and Police Scotland, and Committee oversight of the same, as well as information on PIRC Complaint Handling Reviews in respect of Police Scotland, and an overview of organisational learning resulting from complaints within Police Scotland. Additionally this year, a summary of statistics and Committee oversight is provided in respect of officer misconduct, as well as details of PIRC statutory referrals and investigations. Trend analysis is provided, by year, over a 6-year period, wherever possible. To enable sharing of a wider range of data this year, data tables are provided separately to the report, under Appendix B.
- 2.9. There is a further section on the Angiolini Review, which provides links to the Review reports; most recent progress report in relation to discharge of recommendations not dependent on legislative change; and a link to the Scottish Parliament webpage in respect of the Police (Ethics, Conduct & Scrutiny) (Scotland) Bill.
- 2.10. There is a subsequent section on the National Complaint Handling Development Group. Whilst not an area of Committee oversight, per se, the Committee is the agreed vehicle (through SPA quarterly public reports) to provide public update on cross-agency work being progressed via the group.
- 2.11. The final section sets out the focus of the Committee for 2024-25, based on its agreed immediate term priorities and broader target outcomes.

3 FINANCIAL IMPLICATIONS

- 3.1. There are no financial implications in this report.

4 PERSONNEL IMPLICATIONS

4.1. There are no personnel implications in this report.

5 LEGAL IMPLICATIONS

5.1. There are no legal implications in this report.

6 REPUTATIONAL IMPLICATIONS

6.1. There are reputational implications associated with this paper. The publication of a Committee-specific Annual Report seeks to highlight trends in respect of complaints and conduct matters, and provide assurance in respect of Authority scrutiny in this important area, recognising its key link to public confidence in policing in Scotland.

7 SOCIAL IMPLICATIONS

7.1. There are no social implications in this report.

8 COMMUNITY IMPACT

8.1. There are no community implications in this report.

9 EQUALITIES IMPLICATIONS

9.1. There are no equality implications in this report.

10 ENVIRONMENT IMPLICATIONS

10.1. There are no environmental implications in this report.

RECOMMENDATIONS

Members are invited to:

- Note the summary text include in the 2023-24 SPA Annual Report
- Note the 2023-24 Complaints & Conduct Committee Annual Report



SCOTTISH POLICE
AUTHORITY
ÙGH DARRAS POILIS NA H-ALBA

Complaints & Conduct Committee

Annual
Report



2023-24



OFFICIAL



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Committee Chair Foreword

This is the Authority's fourth Complaints and Conduct Committee annual report, which serves to highlight trends in respect of complaints received during 2023-2024, performance in respect of complaints handling during that period and provide assurance in respect of Authority scrutiny in this important area, recognising its key link to public confidence in policing in Scotland. Additional information is also included, this year, in respect of wider matters considered by the Committee, particularly in relation to officer misconduct.

Introduction of annual reporting in this regard was prompted by the [Final Report](#) on the 'Independent Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing', undertaken by Lady Elish Angiolini (hereinafter referred to as the Angiolini Review), which recommended that:

- "The SPA Complaints and Conduct Committee's scrutiny function should be reported on in the SPA annual report, drawing out particular trends, highlighting improvements or concerns and using complaints data as an indicator of communities' satisfaction or dissatisfaction with policing services." (Recommendation 31)
- "In order to ensure public confidence in the police, the SPA should confirm each year in its annual report whether or not in its view, based on an informed assessment by the Complaints and Conduct Committee and evidence from the relevant audits, the Chief Constable has suitable complaint handling arrangements in place." (Recommendation 59)

In respect of Recommendation 31, as with last year, a high-level summary has been included in the 2023-2024 SPA Annual Report, this more detailed, Committee-specific report aiming to supplement this approach.

In respect of Recommendation 59, a statement has been included in the 2023-24 Annual Report and Accounts as follows:

“In May 2021, Police Scotland implemented a new national complaint handling operating model, which the Committee were advised would result in improvements in the quality and timeliness of the complaint handling process. Whilst this is apparently not supported by the above evidence [as set out in this report], it is recognised that demands on the Professional Standards Department (not limited to complaint handling) have increased significantly over the subsequent period amidst tightening resource constraints. Police Scotland recognises that demand now outweighs its resource capacity and has established a group tasked with addressing its complaints backlog and enhancing long-term complaint service delivery.

Engagement has continued with Police Scotland in respect of the development of its assurance reports, with a view to enabling the Authority to provide a more informed assessment as to the suitability of its complaints handling arrangements. Whilst a number of significant improvements and additional disclosures were made during 2023-24, the Committee continues to seek the development of, and reporting against, targets for completing key stages of the complaints handling process; the diversity profile of those raising complaints or those complained about; the appropriateness of current complaint categories; data on complainant satisfaction; evidence that learning is being identified and actioned to prevent recurring complaints; and improved trend analysis.

Based on the above, the Committee will continue to seek assurance on improvement action being taken to ensure the suitability of Police Scotland complaint handling arrangements going forward.”



Katharina Kasper

Chair –Complaints and Conduct Committee

November 2023

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Introduction

The Authority has specific functions under the [Police & Fire Reform \(Scotland\) Act 2012](#) in respect of complaints. These are summarised below:

- It must deal with “relevant” complaints against the Authority, its staff, and senior officers of Police Scotland (i.e. officers of the rank of Chief Constable, Deputy Chief Constable and Assistant Chief Constable); and
- It must keep itself informed of the manner in which Police Scotland deals with relevant complaints, and be satisfied that Police Scotland has suitable arrangements in place.

The Police Investigations & Review Commissioner (PIRC) has a similar statutory duty to the Authority in this regard. Under the Police, Public Order and Criminal Justice (Scotland) Act 2006, it must keep under review all arrangements maintained by both the Scottish Police Authority and Police Scotland for the handling of relevant complaints; and seek to secure that those arrangements are efficient and effective, contain and manifest an appropriate degree of independence, and are adhered to.

In the context of Police Scotland:

- It must deal with “relevant” complaints against Police Scotland, police officers at the rank of Chief Superintendent and below, and police staff.

“Relevant” complaints are as defined in the 2006 Act, although a summary is provided in section 3 below.

Whilst the Authority has specific functions in respect of misconduct allegations against senior officers of Police Scotland, it also has an oversight role in respect of misconduct matters concerning constables below senior officer rank, as part of its main functions set out under section 2 of the Act.

The role of the Authority's [Complaints & Conduct Committee](#) (in the context of this report) is:

- To monitor, oversee and scrutinise the handling by the Authority and Police Scotland of "relevant" complaints
- To monitor, oversee and scrutinise Police Scotland's arrangements for handling misconduct allegations against constables

It fulfils this role by:

- Considering and approving arrangements, including policies and procedures and guidance, relating to the handling of relevant complaints by the Authority, seeking the views of other stakeholders as necessary.
- Considering and determining relevant complaints against the Authority, its staff and senior officers of Police Scotland in accordance with the SPA Complaints Handling Procedures, provisions of the Police Public Order and Criminal Justice (Scotland) Act 2006 and the statutory guidance produced by the PIRC.
- Monitoring the handling of relevant complaints by the Authority and Police Scotland, seeking information on themes or trends as appropriate, with a view to the Committee satisfying itself that the arrangements maintained by the Authority and Police Scotland for the handling of relevant complaints are suitable.
- Considering reports from Police Scotland on its handling of misconduct allegations under the Police Service of Scotland (Conduct) Regulations 2014, with a view to ensuring that arrangements for handling these allegations are efficient and effective.
- Critically examining reports from HMICS, PIRC, and any other information provided by Police Scotland in relation to complaints about the police and ensuring that appropriate improvement plans are implemented, or remedial action is taken within agreed timescales.
- Contributing to and considering the findings of official reviews of complaints and conduct matters and ensuring that recommendations from such reviews are implemented as appropriate.

Committee Business During 2023-24

Current [Committee](#) members:

- Katharina Kasper- Chair
- Paul Edie
- Fiona McQueen CBE
- Dr Catriona Stewart OBE

Former Committee member:

- Grant Macrae (to November 2023)

The Committee met on five occasions during the 2023-2024 financial year. During this period the Committee considered a number of standing, cyclical and ad hoc items as outlined below.

Further information on Committee membership, as well as copies of reports, minutes and Livestream recordings of public sessions of the Committee are available from the [SPA website](#).

During 2023-24, a number of regular or ad hoc matters in respect of complaints and conduct were considered by the Committee in private session. In line with the SPA Corporate Governance Framework, matters may only be considered in private in prescribed circumstances. However, during the year, the Committee has actively sought to ensure that, wherever possible and as appropriate, matters are additionally reported and discussed in public.

Additionally, since May 2021, and in line with an earlier Angiolini Review recommendation, the Authority publishes a public minute of private sessions of the Committee.

Complaints Handling Performance Reports

As a standing agenda item, the Committee receive quarterly and annual reports on complaints handling performance in respect of both the SPA and Police Scotland. The Committee also receives quarterly reports from the PIRC including updates on Complaint Handling Review (CHR) applications; CHR reports; and outcomes, including CHR disposals and recommendations.

A summary of annual complaints handling performance data, and resulting analysis and insights, is provided in section 3 below.

2023-24 saw Police Scotland receive the highest volume of complaints in recent years, following an earlier increasing trend. Whilst the number of allegations has reduced, Police Scotland advise that those being received are increasingly more complex. At the same time, and following a similar trend, the number of non-criminal (non-FLR) cases closed within 56 working days has reduced to 10.4%, with the average closure time having increased to 236 days. 2023-24 also saw a significant reduction in the number of Complaints Handling Reviews where PIRC considered that they had been reasonably handled by Police Scotland. Recent dip-sampling and audit exercises also highlight performance concerns.

Over the course of 2023-24, the Committee heard from Police Scotland that its Professional Standards Department was facing increasing demand across its various business areas, not just in relation to complaints matters, but also across a number of key areas (some of which are set out in this report), attributed to a wider societal shift towards reporting complaints, increased demand on Local Policing, increased media coverage of significant police misconduct cases and a greater focus on tackling violence against women and girls, racism, misogyny and discriminatory behaviours. At the same time, Police Scotland note that it has been subject to important ongoing scrutiny from HMICS, the PIRC and the SPA to ensure its processes and procedures are robust, fair and fit for purpose across an ever changing and demanding landscape.

The Committee previously heard how, in May 2021, Police Scotland had implemented a new national complaint handling operating model, which they were advised would result in improvements in the quality and timeliness of the complaint handling process. In addition, more robust assessment, triage and supervisory processes are in place and delivery of national joint training with PIRC continues to improve standards and promote efficiencies. Whilst Police Scotland have provided assurance that all cases are prioritised in accordance with assessment of threat, risk or harm, they advise that demand now outweighs resource. In response, Police Scotland are seeking to secure additional resources, and have also established a Gold Group which will seek to address current backlogs and enhance longer-term service delivery. They are also exploring options about how to be more publicly transparent regarding current complaint handling timescales. It is of note that the recent PIRC audit comments on the 56-day target to respond to all complaints as 'not realistic', recommending that Police Scotland undertake a review to establish an evidence-based proposal around new timescale KPIs for dealing with different types of complaints. In addition, Members have heard that planned system upgrades will further support process efficiency.

Conduct Performance Reports

Whilst earlier annual reports have focussed on the remit of the Committee in respect of complaints, it also has an oversight role in relation to conduct matters (as set out above). Police Scotland include data in this respect as part of its quarterly and annual public report to the Committee, as well as providing more detailed reporting in private.

As with complaints, a summary is provided in section 3 below.

During discussions, Members have consistently expressed concern around timescales linked to conduct cases, recognising the impact on individuals and on the service. It is recognised that this is often linked to allegations of a criminal nature where, if conduct and criminal processes are unable to be conducted in parallel, the ability to progress the former is impacted by wider criminal justice system timescales. The recent HMICS Thematic Inspection of Organisational Culture in Police Scotland (see below) referred to feedback received that the conduct process took too long and that there was minimal support available to individuals. It identified that Police Scotland should improve throughcare and aftercare for misconduct cases, taking into account both the individuals and the teams involved. Police Scotland have advised the Committee that a robust process is in place to ensure that conduct matters are progressed as soon as they are able and that, where prior criminal matters are concluded, resulting conduct matters are prioritised accordingly. However, they have highlighted that timescales can be impacted by the inability to rely on statements provided as part of prior criminal proceedings, as well as the provisions of the existing Conduct Regulations (which will be subject to review as part of the Police (Ethics, Conduct & Scrutiny) (Scotland) Bill – see below). Police Scotland have emphasised the importance of officer welfare considerations as part of the process, but note that this can also impact timescales. Members have sought assurance from Police Scotland that resource is not a contributing factor to timescale delays. Members acknowledge that the management of conduct matters takes time, and the importance of ensuring due process, but have noted that any efficiency improvements which can be made would ultimately assist with reducing costs of suspension (in terms of cost to the public purse), which have risen considerably in recent years. In June 2024, Police Scotland reported action being taken to improve process timescales, and to implement root cause analysis to inform targeted preventative activity, which Members actively welcomed. Members have also expressed concern in respect of the number of officers who resign prior to misconduct proceedings (which the above Bill will also seek to address).

Another key area of discussion in this regard relates to preventative work, where the Committee has been appraised of work being undertaken by Police Scotland's Professional Standards Department (PSD) through its Preventions & Professionalism Programme (see below), as well as receiving assurance that PSD are integrated into wider cultural transformation work within Police Scotland.

Members heard that linked work to improve confidence in internal mechanisms to report conduct concerns is being borne out by increased levels of internal reporting. This links to commentary within the HMICS Culture Inspection report which identified underreporting of misconduct matters due to a fear of challenging behaviours and a general lack of trust in reporting processes.

In 2024/25, HMICS intends to undertake an assurance review of misconduct.

Report Development

Angiolini Review Recommendations

The Angiolini Review recommended that the SPA Complaints and Conduct Committee should hold Police Scotland to account for delays in investigations into complaints and misconduct. There is clear dependency on the development of Police Scotland assurance reports to Committee to enable discharge of this recommendation, with Members having been consistent in their ask in this regard during public sessions of the Committee. Specifically in respect of complaints, the Committee now receives information on overall average complaint closure timescales; the proportion of complaint cases frontline resolved within 56 days; and the proportion of non-criminal (non-FLR) complaint cases closed within 56 days (or within wider timeframes thereafter). At the time of writing, Police Scotland public reports now include high-level explanation for non-criminal complaints which took longer than 12 months to close. It has also introduced reporting in private, to be developed further, in respect of cases which have been ongoing for more than 12 months, providing explanation for the delay and detailing remedial action being taken.

In respect of misconduct, the Committee now receives information on average timescales for completion of officer misconduct investigations and for overall misconduct proceedings, as well as (in private session) a more detailed breakdown of timescales linked to ongoing cases involving suspension or restriction of duty, with explanation of current status. As a result of these developments, the Committee has recently agreed that this recommendation can be put forward for consideration of discharge.

The Review also recommended that the Committee should scrutinise Police Scotland performance in dealing with complaints and hold the service to account where targets are not being achieved. As with the above, there is a dependency on the development of Police Scotland assurance reports to enable discharge. In addition to recent developments listed above, the Committee now receives – upper and lower confidence limits in respect of complaint volumes; complaint volumes by Division/Department; reporting across all allegation categories; sub-category reporting in relation to allegations of discriminatory behaviour; reporting on upheld complaints, with information on common allegation categories/sub-categories; and improved trend analysis. The Committee has agreed that, with trend data having been provided by Police Scotland across the range of complaints data for the purposes of this Committee annual report, and with commitment to replicating corresponding trend data within its annual reports to Committee, this recommendation can be submitted for consideration of discharge.

The Committee have also asked that Police Scotland set out targets and acceptable timelines for its complaint handling process (recognising that the above recommendation relates to narrative within the Angiolini Review which states that Police Scotland should develop and publish targets for completing the key stages of the complaints handling process, which should be consistent with statutory guidance).

HMICS Thematic Inspection of Organisational Culture in Police Scotland

HMICS published its [report](#) on the above in December 2023. In the context of complaints and conduct, it stated that:

- Police Scotland were not yet fully capturing underlying causal factors in relation to misconduct in order to better understand them and take appropriate action.
- While some analysis of trends associated with complaints and misconduct was taking place, this was limited by the data being recorded and supporting analysis expertise.
- Current Police Scotland reporting to the Complaints and Conduct Committee provides limited assurance on the standards of integrity, ethics and values, with a primary focus on complaints and conduct.

It identified the following areas for development:

- Police Scotland should focus analysis of misconduct, grievance and associated HR processes on identifying causal factors and underlying cross-cutting themes for wider organisational learning.
- Police Scotland should further develop its quarterly reporting to the Complaints and Conduct Committee to provide improved analysis and insights.
- Police Scotland should consider alignment of outcome reporting across a number of areas, including complaints and conduct, to provide improved consistency and oversight of cultural change.

The report otherwise comments that:

- Misconduct (versus complaints) reporting to the Committee is less well developed, using only previous year comparisons and limited analysis. The lack of gender and ethnicity analysis is also a general weakness. Reporting on national gateway reporting, vetting and analysis of sexual misconduct has been conducted separately and would benefit from being brought into routine quarterly reporting.
- There is a continued reticence by Police Scotland about putting more sensitive data into the public domain.
- A lack of more detailed analysis is limiting Police Scotland's ability to identify issues and trends before they potentially become more widespread. Whilst recognising system development limitations, Police Scotland should use existing analytical resources to better understand trends and areas of concern relating to complaints and conduct matters.
- There is a need for improved analysis and reporting of Equality, Diversity, Inclusion and Human Rights (EDIHR) issues (referencing the May 2023 interim report of the EDIHR Independent Review Group which referred to feedback received that PSD were more prepared to act upon issues involving criminality, but less prepared to address associated issues of misconduct).

Wider Committee Feedback

Beyond action to enable discharge of Angiolini recommendations, reporting has otherwise continued to develop, with additional information provided (as set out in this report) to enable more effective Committee scrutiny and assurance. Members are keen, however, to see further improvements, whilst appreciating that this will be in part dependent on progression of planned system developments.

In respect of complaints, Members have sought, for example, more detailed analysis of the nature of complaints, complainers and those subject to complaints; and capture and implementation of learning from complaints to prevent recurrence.

In respect of conduct, Members have asked, for example, that analysis currently provided in private session in respect of suspensions/restrictions is extended to cover all misconduct cases, that Police Scotland report trend data over time, and that information is introduced in respect of misconduct appeals. The Committee have also requested that Police Scotland seek to expand what can be reported in public, recognising the broader public interest in this area, particularly in respect of process effectiveness (i.e. demonstrating that, where conduct cases come to the attention of Police Scotland, matters are taken seriously and dealt with robustly).

During 2023/24, SPA officials undertook a benchmarking exercise comparing public reporting on policing complaints and conduct matters in England, Wales and Northern Ireland. Whilst there are a number of areas where public reporting by Police Scotland goes beyond that published elsewhere, the benchmarking exercise identified a number of opportunities to further enhance reporting (whilst noting system development dependencies). The resulting report has been shared with Police Scotland colleagues with a view to exploring scope to adopt potential changes going forward, both to enhance public reporting and to enable wider performance comparisons to be drawn in future.

Recognising the above, engagement remains ongoing with Police Scotland with a view to ensuring that information provided to the Committee is of a sufficient level of detail, and has been subject to an appropriate level of analysis, to enable the Authority to more fully perform its oversight role and enabling greater public transparency in relation to this important area. However, nevertheless, the Committee have welcomed continuous improvement in respect of Police Scotland reports over the year, recognising that it is more transparent and enables better scrutiny to take place.

Monitoring of the Handling of Complaints by the Chief Constable

The Angiolini Review recommended that there should be regular audits of Police Scotland complaint handling procedures with a view to ensuring that they remain both efficient and effective, whilst identifying opportunities for learning and improvement, as well as outlining a number of specific recommendations in respect of audit more generally. The Review further notes that the Committee should consider which areas should be the subject of audit, and do so in consultation with the PIRC.

At its June 2023 meeting, the Committee was advised of the commitment to adopt a prioritised and co-ordinated approach to a broad multi-agency audit plan, co-ordinated through the National Complaint Handling Development Group (NCHDG) which aligns with the Angiolini Review recommendation that all audit arrangements, including regular dip sampling designed to identify poor practice, good practice and emerging trends, should be prioritised and co-ordinated to support the common objective of improving standards and service to the public.

Complaint Triage Audit

The Angiolini Review specifically highlighted that the arrangements Police Scotland has in place for complaint triage/assessment need to withstand robust internal and external scrutiny and require regular and meaningful audit by Police Scotland, the SPA, and the PIRC. Complaints triage is the process of assessing information in order to decide how serious allegations are and how they should be dealt with. It is a critical stage in the complaints process, as it determines the route and processes that apply to each complaint. It includes the initial assessment on whether a complaint is a relevant complaint about the police and, if so, whether the complaint is a quality of service issue, or has arisen due to poor individual performance, or is a potential misconduct issue or a criminal allegation.

An initial joint SPA/PIRC audit was undertaken in 2022, which examined complaint triage during the three month period prior to and following the introduction by Police Scotland, in May 2021, of a new national complaint handling operating model (whereby all non-criminal complaints are recorded, assessed and managed within the Professional Standards Department), providing a baseline against which the new model could be assessed and assurance as to its effectiveness, with a view to identifying opportunities to strengthen and/or improve those new arrangements.

The Committee welcomed presentation of the resulting [report](#) on the audit findings and recommendations at its meeting in June 2023, the report identifying concerns around inappropriate attempts at frontline resolution, failure to correctly categorise matters as relevant complaints, and incomplete record keeping, and identifying a number of areas for improvement, including more specific training, clearer guidance on complaint classification and more accurate, streamlined recording processes.

An [update](#) on progress against recommendations was presented to the Committee in November 2023, at which point all remained ongoing, but with 5 (of 8) recommendations anticipated to be completed imminently, and with 2 of the remainder dependent on updates to the Police Scotland Centurion IT system. It is expected that a further report will be presented to the Committee in 2024-25. The Committee have also sought to understand when a repeat of the audit will be carried out in order to assess the impact of changes made.

Six-Stage Complaint Handling Process Audit

The Angiolini Review also highlighted the need for the PIRC to independently audit Police Scotland compliance with the six-stage process set out within its statutory guidance. PIRC undertook a resulting audit considering a sample of complaints closed during quarter 2 of 2023-24. Its resulting [report](#) identified increasing delays in Police Scotland responding to complaints, as well as issues around communication. Commenting on the report, the Commissioner stated that “Overall, the audit has shown a complaint handling system that demonstrates areas of good practice and highlights opportunities for further improvements. We have made ten recommendations that are aimed at improving the service to the public and streamlining processes to enable complaints to be dealt with more quickly.” The Committee will consider the report and update from PIRC on Police Scotland progress in discharging recommendations during 2024-25.

Dip-Sampling

Following engagement with Police Scotland and the PIRC, in 2023-24 the SPA Complaints Team reintroduced its quarterly dip-sampling of Police Scotland complaints (a process previously paused during the COVID-19 pandemic). This involves assessing a 5% sample of closed complaints each quarter, in line with recognised auditing techniques, for compliance with the Police Scotland ‘Complaints about the Police’ Standard Operating Procedure (CAPSOP), and the underpinning PIRC Statutory Guidance. Three quarterly samples were undertaken during the year, covering quarter 3 of 2022-23 to quarter 1 of 2023-24, with findings and recommendations reported to the Committee. Given the planned 2023 PIRC Audit, amendments were made to the scope of dip-sampling activity during 2023-24 to avoid duplication.

As with the earlier joint audit (and more recent PIRC audit), this found examples of delays in Police Scotland making contact with complainers (identifying that this was a likely contributing factor in a sizeable minority of abandoned complaints each year), as well as instances of incorrect complaint categorisation and inaccurate or incomplete record keeping.

Vetting

When an individual applies to join the Scottish Police Authority or Police Scotland in any role, relevant background checks are conducted by the Force Vetting Unit, which involve researching a wide range of information on the applicant, including third parties and associates. A thorough and effective vetting process is a key component in assessing an individual's honesty and integrity. By identifying those who might pose a risk, vetting acts to prevent crime or harm and to protect members of the public against improper conduct by people working for, on behalf of, or in partnership with the Authority or Police Scotland. The process reassures the public that appropriate checks are conducted on individuals in positions of trust and supports public confidence. It also ensures there are no conflicts of interest which could adversely impact the ability of the individual to discharge their policing duties effectively and impartially.

There are a number of vetting types which reflect the requirements of different roles, and the process is undertaken in line with the Police Scotland Vetting Manual of Guidance, which is largely mirrored on the College of Policing's Authorised Professional Practice and Code of Conduct for vetting in England and Wales.

The vetting process is fair and proportionate in that thorough and careful consideration is given to whether any risks can be managed or not in respect of granting clearance. The degree of proximity with family members and associates will be a consideration. However, there may be occasions where the risk of reputational damage and negative impact on public confidence through association cannot be managed.

Vetting is by its very nature, an intrusive process. In order to ensure vetting officers are equipped to carefully consider the varied and diverse range of issues they may encounter, they are trained to ensure that they are culturally aware and treat each applicant's circumstances individually and sensitively. Every aspect of the process is objective, professional and non-judgemental.

In 2023-24, Police Scotland considered 7,950 vetting applications, of which 743 (9.3%) were refused (compared to 8.6% of 6,843 applications in 2022-23).

Vetting Improvements

In June 2023, the Committee received a [report](#) from Police Scotland in which it advised that, over the previous 12 months, it had refined its approach and added additional safeguards to the vetting process. Recognising the fundamental role vetting plays in keeping the public safe, it had also enhanced capacity within its vetting department, ensuring that it was able to keep abreast of growing demand whilst continuing to develop and grow processes, benchmarking and learning from outcomes from other police forces.

Prior to taking their oath of office to become probationary constables, individuals are now subject to a reaffirmation process to ensure that any changes in personal circumstances since their initial vetting are declared and risk assessed. Where it is subsequently deemed that the individual is not suitable to become a police officer, steps are taken immediately to remove their vetting and offer of appointment.

Police Scotland has additionally reviewed its tolerance levels in respect of areas of risk such as finances and associations and have taken on board improvements and recommendations arising from the [HMICFRS Inspection into Vetting, Conduct and Misogyny in police forces in England and Wales](#).

The report also outlined further planned improvements. This included a review of the organisation's designated posts list (i.e. posts with access to sensitive information, intelligence, financial or operational assets) and plans to introduce a process of renewals of recruitment vetting across the workforce.

During discussions (in June 2023, and earlier in March 2023), the Committee recognised the limitations of vetting and the importance of other controls to address risk to ensure public confidence. Police Scotland acknowledged that it is not a single solution, and that they were taking forward wider action as part of its Preventions and Professionalism Programme (see below).

Monitoring Vetting Outcome Proportionality

Having heard concerns suggesting disproportionate vetting outcomes for applicants from an ethnic minority background, and noting the former Chief Constable's statement in respect of institutional discrimination, Members sought assurance from Police Scotland that specific community group applications were not being excluded, with a resulting [report](#) presented to the Committee in February 2024.

The report confirmed that vetting application forms do not currently ask for protected characteristic or diversity data for the purposes of vetting as it is not relevant for decision making and risk assessment, nor is there any requirement contained within the Vetting Manual of Guidance to monitor this type of data for disproportionality purposes. This is in contrast to England and Wales, where police forces must monitor vetting applications, at all levels, against protected characteristics to understand whether there is any disproportionate impact on particular groups and, where disproportionality is identified, take positive steps to address this, while maintaining the safeguards that vetting provides. The report noted that work was ongoing within the College of Policing to develop and introduce new vetting application forms which will specifically ask for protected characteristic information from applicants and explain why, encouraging people to provide the data; and that it was the intention of Police Scotland to adopt the new vetting forms in their entirety when available.

Police Scotland were able, however, to undertake an analysis based on diversity data separately collected during the recruitment process and covering the period from December 2021. Whilst this showed that the percentage of vetting approvals was in fact slightly higher for ethnic minority applicants, Police Scotland committed to monitoring statistics on an ongoing basis going forward.

Whilst Members welcomed future reporting in this regard, they have also requested a joint deep-dive with the People Committee, with a view to understanding analysis of any disproportionality of outcome within the recruitment process more generally (not limited to vetting) and considering other protected characteristics as well as race.

Historic Data Wash

In February 2023 following the high-profile arrests of police officers in the Metropolitan Police for Murder, Rape and Domestic Offences, the UK Home Office announced that all forces in England and Wales would undertake retrospective vetting checks on their existing workforce. Whilst policing in Scotland is devolved, at the February 2023 Authority meeting Police Scotland committed to also undertaking this exercise (and reporting to the Committee on findings), as well as introducing a range of other improvements to vetting processes. The exercise also included SPA employees. Members also expressed an interest in understanding how outputs in Scotland compared to those in England and Wales.

[UK-wide results](#) were published in January 2024, with a high-level public [report](#) presented to Committee in February. 73 issues were identified which were referred to the Professional Standards Department Gateway Unit for triage. Of those, 3 officers and 2 staff were required to undergo an Advice & Guidance Briefing or submit a Notifiable Association Form; 3 volunteers were subject to a vetting review which subsequently remained in place; and 1 member of staff was subject to further criminal investigation and suspended from duty. Members heard that the exercise did not highlight any sexual matters of concern.

HMICS Assurance Review

In January 2023, HMICS published a terms of reference for its Organisational Culture Thematic Inspection, which included commitment to assure the quality of vetting and renewals, and whether these effectively identify potential misconduct. However, it was subsequently determined that this would be the subject of a separate, earlier review, given its importance and scale.

A resulting [report](#) was published in October 2023 and presented by HMICS at the November 2023 Committee, where it was welcomed by both Members and Police Scotland. HMICS praised the work of the Police Scotland vetting team in working effectively in line with current vetting arrangements, acknowledging that Police Scotland were still dealing with the legacy of reform in terms of vetting undertaken prior to the establishment of Police Scotland, as well as the current absence of clear legislative provision in respect of individuals who fail to maintain minimum vetting clearance.

Police Scotland presented its [action plan](#) in response to the review to the June 2024 Committee. Members welcomed the plan, which outlined actions and associated timescales to address formal recommendations (which HMICS will formally discharge upon satisfactory completion), as well as identified areas for development (which will be for the Committee to oversee). During discussion, HMICS commented positively on work taken forward by Police Scotland to date and welcomed the risk-based approach adopted within the plan. However, they expressed some concern around potential delay linked to actions dependent on a review of vetting guidance in use within England and Wales. The Committee will continue to seek assurance on delivery against the plan through regular assurance reporting.

Professional Boundaries

As previously reported, Police Scotland recognise the imperative upon its workforce to act with integrity and professionalism at all times, given its privileged position and the vital importance of upholding public trust and confidence, and have reinforced that any inference that [Standards of Professional Behaviour](#) are not being met will be thoroughly investigated.

In 2021-22, following a number of high-profile matters, including the tragic murder of Sarah Everard by Wayne Couzens, a serving officer from the Metropolitan Police Service, there has been a push for UK police forces to look at their internal approach to professional boundaries. In October 2021, Police Scotland commissioned a review of all complaints and conduct matters which had been reported to or within the organisation since January 2017 and which contained sexual circumstances. This aligns with an [approach in England and Wales](#) where, in December 2021, police forces were asked to conduct an urgent review of the handling of police-perpetrated violence against women and girls. In May 2022, the Committee considered a resulting [report](#) outlining findings and proposed next steps. Whilst the review found no significant issues in terms of how these matters were investigated, opportunities were identified to enhance organisational learning and raise awareness of the Standards of Professional Behaviour (as set out in the Police Service of Scotland (Conduct) Regulations 2014 and which reflect the expectations of officers, whether on or off duty). A number of recommendations were identified, including enhancement of vetting arrangements, and a range of actions and preventative activity to be progressed over the next twelve months. Police Scotland have since provided biannual update to the Committee on progress in this regard. During resulting discussions, Members have sought to understand how organisational learning is obtained in respect of the experience of individuals who raise concerns (whether internal to the workforce or members of the public); any reflections on planned action in light of the statement made by the former Chief Constable in 2023 in respect of institutional discrimination in policing; and how Police Scotland will evaluate the impact of action taken as a result of the review. Most recently, following a report in June 2024, the Committee emphasised the importance, from a public confidence perspective, of providing a fuller picture, outlining what has been discharged and what has been mainstreamed into business as usual activity.

In March 2023, the Committee heard that Police Scotland intended to refresh the above review, to cover the period from October 2021, and to extend its terms of reference to include all domestic abuse related matters (covering a 3-year period). In respect of the latter, Police Scotland presented a public [report](#) to the Committee in June 2024, outlining resulting recommendations identified. Members have requested that a more detailed report on findings is presented to the Committee in private. As with the earlier review, it is expected that Police Scotland will set out planned actions in response to the recommendations, and provide biannual reporting on progress to the Committee. It is anticipated that a report in respect of the ongoing refreshed review of matters containing sexual circumstances will be presented to the Committee during 2024-25.

Additional to the above, in February 2024 the Committee received a [report](#) on referrals within Police Scotland during the first 3 quarters of 2023-24 which contained a sexual circumstance (covering concerns raised by members of the public, as well as internally). Members were encouraged by this public report, particularly in terms of the level of detail provided in demonstrating greater transparency, and requested that Police Scotland introduce annual reporting in this regard. Members requested that this includes further breakdown of cases (although recognising that this may require an element of additional reporting in private). Members also heard from Police Scotland that the report demonstrated the impact of earlier improvement activity seeking to raise confidence amongst the workforce in terms of raising concerns, the Chief Constable having previously commented on the importance of self-policing by colleagues speaking out about unacceptable behaviour as a frontline defence mechanism.

Preventions & Professionalism Programme

During 2022-23, Police Scotland introduced a Preventions and Professionalism programme, focussed on standards of professional behaviour, and which seeks to embed the desired organisational culture, and in turn prevent complaints arising in this regard. It sought to identify and drive prevention and awareness activities intended to influence positive cultures, whilst empowering the workforce to appropriately challenge and report harmful behaviours. It also highlighted the key role that leaders and bystanders play in robustly and proportionately addressing concerns at the earliest opportunity, and the support available to do this. The programme, which was informed using organisational learning identified from complaints, was embedded across all stages of training within the organisation. Whilst Police Scotland advise that it will be difficult to quantify how many complaints are prevented as a result of this work, measures were identified for different parts of the programme which they hope will demonstrate impact in terms of improvements going forward.

Essential to this programme was the Standards of Professional Behaviour campaign, a focussed year-long initiative which launched in November 2022, involving a monthly spotlight on each of the 10 standards, providing relatable context of the behaviours expected of officers alongside examples of actions that do not align with policing values, as well as increased Code of Conduct awareness for police staff colleagues. Following the campaign, the Committee have heard that Police Scotland are planning an evaluation, focussed on learning and outcomes.

In May 2023, Police Scotland launched a quarterly internal newsletter (The Standard), as part of its Preventions & Professionalism Programme, providing information about common themes from complaints and conduct investigations, aiming to raise awareness, improve standards and conduct, and prevent officers and staff from becoming the subject of a complaint or conduct investigation. The newsletter, informed by learning points from complaints and conduct investigations, PIRC learning and recommendations, as well as emerging trends, highlights articles and learning documents and, using case studies, focusses on current themes to help individuals understand the types of behaviours or incidents which feature in PSD investigations. From November 2023, Police Scotland have provided copies of The Standard within its public reports to Committee. During 2023-24, key themes have focussed on use of social media; data protection; road traffic matters; integrity issues; and lived experiences of people from marginalised backgrounds. Additionally, from April 2023, Police Scotland have internally published the outcome of gross misconduct hearings which have resulted in officers leaving Police Scotland, with the intention of enhancing confidence in reporting matters or concern internally, whilst driving values and standards across the service. From November 2023, a copy has also been included in public reports to the Committee. Police Scotland report significant internal interest in these products, with line managers also being encouraged to use them to generate discussions at team briefings to further reinforce preventions messaging and learning.

Review of Committee Effectiveness

A review of Committee performance is a beneficial way to provide a constructive view of its work and to enhance its effectiveness. Each Committee of the Authority prepares an annual report on the discharge of its responsibilities based on its terms of reference and workplan. The purpose of these reports is to provide evidence that the Authority, supported by its committees, has satisfactorily met its responsibilities for the governance of policing through the application of its governance principles.

Complaints & Conduct Committee Members considered an evaluation of Committee effectiveness for the period 2023-24, agreeing that there had been improvement in each area of focus from the 2022-23 review, its work reflecting organisational priorities, with visibility on areas of high public interest and a focus on organisational culture, capacity and capability. In terms of scope for further improvement, Members noted the following areas:

- Timeliness of response to Committee actions
- Whilst the work of the Committee is appropriately transparent, there may be scope for more to be heard in public
- Whilst report quality is improving, there is more work to do in this regard

This section provides a summary of reports provided to the Committee in respect of 2023-24, with more detailed reports available via the [Committee](#) pages of the SPA website. The report references data tables provided within the appendix to this report, and which provide more detailed statistics. It should be recognised that those statistics are a snapshot in time, correct only at the time collated and differences may be seen compared to data previously reported. Where possible comparison is provided against 2022-23 and more broadly against the period from 2018-19. Where references are made below to five-year averages, this refers to the average across the period 2018-19 to 2022-23 (inclusive).

Complaints Definitions

What is a 'Complaint'?

A 'Complaint' relates to the overall expression of dissatisfaction provided by the complainer about an act or omission by the Police or Quality of Service received.

What is a 'Relevant Complaint'?

A 'Relevant Complaint' is defined in legislation and is essentially a non-criminal complaint by a member of the public about the police, the SPA, or a staff member of the police or the SPA.

What is an 'Allegation'?

Allegations are the component parts of a Complaint, which:

- Categorise specifically what has happened
- Are capable of being independently Upheld or Not Upheld

Each complaint case may include multiple allegations.

Police Scotland Complaints Performance

Complaints

Table 1 provides details of complaints received by Police Scotland during 2023-24, including comparison to the previous five years. The impact of COVID-19 related complaints during 2020-21 and 2021-22 should be considered when drawing comparison to previous years.

During 2023-24, 7,099 complaints from members of the public were received, an increase of 345 (5.1%) from 2022-23, and an 8.3% increase from the five-year average. This volume sits outwith complaint volume confidence limits (i.e. between 6,316 and 6,971 complaints) and, following an earlier increasing trend, represents (discounting impact of COVID-19 related complaints) the highest volume in recent years. The level of complaints in 2023-24 was influenced by a spike during the first half of the year, with no specific Division assessed by Police Scotland as having influenced this.

North Command

The North Command Area experienced a 7.5% increase in complaints compared to 2022-23, and a 9.2% increase against the earlier five-year average. Increases from 2022-23 and against the five-year average were seen across all territorial Divisions in the North, with volumes in each (except Highlands & Islands) sitting outwith confidence limits and with Tayside seeing the highest volume increase. Whilst no specific allegation types were identified as influencing the increase compared to 2022-23, **Service Delivery** and **Service Outcome** allegations consistently influence the highest volume increases against the five-year average.

East Command

The East Command Area experienced a 4.8% increase in complaints compared to 2022-23, and a 3.9% increase against the five-year average. Increases from 2022-23 and against the five-year average were seen across all territorial Divisions in the East (except Lothian & Borders), although only Fife, which saw the highest volume increase, sits outwith confidence limits. **Service Delivery** allegations consistently influence the highest volume increases against the five-year average across each Division in the East (except Lothian & Borders). **Assault** allegations in Edinburgh are the highest volume category increase which influences the overall increase in that Division (against both 2022-23 and the five-year average).

West Command

The West Command Area registered a 4.1% increase in complaints compared to 2022-23, and an 11.0% increase against the five-year average. This increase is spread across every territorial Division in the West, all sitting outwith confidence limits and with the highest volume increase against 2022-23 registered in Renfrewshire & Inverclyde. No specific allegation types are assessed to have influenced the wider increases across the West. However, **Assault** and **Discriminatory Behaviour** allegations are assessed to have influenced the increase within Greater Glasgow Division; **Policy/Procedure** and **Service Delivery** allegations most influence the Lanarkshire increase; and **Irregularity in Procedure** allegations most influence the increase in Renfrewshire & Inverclyde.

Proportionality of Divisional Complaints

Members had previously been advised that fluctuations in complaint levels geographically were reflective of variations in the number of officers working within the 3 command areas. As a result, they requested that future reports enable understanding of any disproportionality when controlling for workforce size. **Table 2** shows the spread of complaints per 100 employees per Division over the past 4 years. Rates for specialist Divisions are typically lower than those for local policing. It should be noted that, depending on the nature of allegations, there may be multiple subject officers or, in the case of Quality of Service allegations, there may be no subject officers attached. The table highlights that, over the 4-year period, Dumfries & Galloway and Tayside consistently received a disproportionately higher number of complaints.

Complaint Categories

Table 3 provides a breakdown of complaints by category over the past 3 years. Withdrawn complaints are those where the complainer intimates that they wish to withdraw a complaint. Abandoned complaints are those which cannot proceed without the complainer's further co-operation.

Overall, 49.3% of all complaints received during 2023-24 were concluded via Frontline Resolution (FLR). As outlined in the [PIRC Statutory Guidance on handling of complaints about the police in Scotland \(October 2022\)](#), the ability to resolve complaints promptly and simply is a key element of an efficient and effective police complaints system. FLR allows complaints to be resolved at an early stage by way of explanation, assurance or apology, usually over the phone or in person, and is intended to be a pragmatic and proportionate approach that benefits all parties involved in a complaint. The Committee have previously heard that the PIRC have not undertaken any significant analysis to date in respect of complaints addressed by Police Scotland through the informal FLR process, although the PIRC have noted that this should only be used in relation to low-level complaints. They have confirmed, however, an intention to undertake an audit of the FLR process in due course.

A further 27.9% of complaints were categorised as Non-Criminal (not FLR). Taken together, the vast majority of complaints received were either frontline resolved at some stage, or resulted in Non-Criminal enquiry. This contrasts with the 6.2% of complaints categorised as Criminal.

The remainder of complaints received were either Abandoned (11.3%), Withdrawn (4.5%), Not Relevant Complaint (1 complaint) or were Ongoing with the PSD NCARU (0.8%).

As shown in the table, the increase in overall complaint volumes, compared to 2022-23, is mainly attributed to a rise in the number of Non-Criminal complaints requiring formal enquiry and determination. Whilst the number of abandoned complaints has reduced compared to previous years, it still accounts for a sizeable minority of complaints.

Allegations

Table 4 provides details of allegations received by Police Scotland during 2023-24, including comparison to the previous five years. During the course of 2023-24, a total of 10,820 allegations were received, a reduction of 9.8% compared to the previous year. Reductions in the number of allegations were identified across all three Command Areas. In contrast with overarching complaint levels, allegation numbers have continued to reduce in recent years, with 2023-24 seeing the lower volume since 2018-19 (i.e. a reduction in the average number of allegations per complaint). However, Police Scotland have advised that the nature of allegations has become more complex over this period.

Allegation Categories

There are three broad categories of police complaint allegations:

- On Duty
- Off Duty
- Quality of Service

Table 5 provides a breakdown of allegations by category. As with previous years, the majority of allegations received are in relation to the On Duty category, which accounted for 65.9% of allegations received by Police Scotland in 2023-24, although numbers in this category are the lowest seen over the reporting period (following a year-on-year reduction from a peak in 2020-21). Off Duty allegations continue to be very small in number, 2023-24 continuing a year-on-year reduction in those received.

On or Off Duty allegations which allege criminality account for 6% of all allegations received in 2023-24. Whilst numbers saw a reduction against 2022-23, this is in the context of a gradually increasing trend over the prior reporting period.

Quality of Service allegations account for 34.1% of allegations. This represents a significant reduction compared to 2022-23 (which saw the peak of an earlier year-on-year increase over the reporting period).

Allegation Type & Sub-Type

Allegations categories are further broken down into a number of allegation types (and, where applicable, sub-types). **Table 6** provides breakdown of all allegations by type.

Tables 7 to 9 provide further breakdown by sub-type for Quality of Service allegations (covering Service Outcome, Service Delivery and Policy/Procedure), Irregularity in Procedure allegations, and Discriminatory Behaviour allegations.

Over the past six years, the allegation types with the highest number of allegations continue to be Irregularity in Procedure, the three Quality of Service types of Service Outcome, Service Delivery and Policy/Procedure, and Incivility. Taken together, these allegation types accounted for 82.2% of all allegations received during 2023-24. This proportion has remained broadly steady over the reporting period.

Following earlier discussion, Members had sought to understand any correlation between **Quality of Service** allegations and resourcing levels within Police Scotland. Whilst each **Quality of Service** allegation type saw a decrease compared to 2022-23 (which represented a peak over the reporting period), they remain at an elevated level, each having increased against the five-year average. Whilst supplemented by low volume increases across other Divisions, Police Scotland advise that those assessed to have most influenced the increase against the earlier five-year period are: in respect of **Policy/Procedure**, Lanarkshire and Edinburgh; for **Service Delivery**, Fife, Tayside and North East; and for **Service Outcome**, Tayside and North East. The sub-types with the highest volume of allegations are: in respect of **Service Outcome**, 'Lack of satisfaction with action taken'; **Service Delivery**, 'Type of Response'; and **Policy/Procedure**, 'Policing Procedure'. This is the case in each year across the reporting period.

In respect of **Irregularity in Procedure** (which continues to remain the highest volume allegation type), whilst overall allegation numbers increased compared to 2022-23, they otherwise remain at the lowest level for some years. However, increases have been registered across a number of sub-types. Increases (compared to 2022-23 and the five-year average) for the 'Provide insufficient updates to the complainer' sub-type are primarily linked to Tayside; and, for the 'Road Traffic Procedures' sub-type, to Greater Glasgow. Whilst increases, compared to 2022-23, are seen across a number of other sub-types ('Insufficient Enquiry Carried out', 'Length of time taken to investigate/carry out enquiries', 'Custody Procedures/Care of Prisoners' and 'Disclosure of Information (non-criminal)'), Police Scotland advise that, based on longer-term trends over the earlier five-year period, these are not assessed, at this time, as being significant. The sub-types with the highest volume of allegations are 'Insufficient Enquiry carried out', 'Other', 'Provide insufficient updates to the complainer' and 'Custody Procedures/Care of Prisoners'. It is noted that, as a proportion of **Irregularity in Procedure** allegations, the 'Other' sub-type accounts for between 20% and 27% across the reporting period, potentially giving rise to a need to review sub-type categorisation.

Incivility allegations, whilst still representing a significant proportion of allegations, have continued to reduce year on year, from an earlier high in 2020-21.

As of October 2021, all on-duty **Assault** allegations (plus any associated criminal allegations) received by Police Scotland must be referred to the PIRC for assessment and potential investigation, following recommendation made within the Angiolini Review in relation to alleged breaches of Article 3 of the European Convention on Human Rights. This ensures that these allegations are subject to independent scrutiny and investigation as required. Police Scotland note that 358 such referrals were made in 2023-24 (compared to 378 in 2022-23), with PIRC determining that 24.5% of referrals assessed required further investigation (compared to 21.7% in 2022-23). Members have sought assurance in respect of process timescales, cognisant of the impact on both the complainer and the subject officer whilst matters remain ongoing. It was confirmed that PIRC make a decision on whether or not a matter will be subject to investigation fairly quickly, with Police Scotland having 14 days thereafter to provide information required to inform investigations. However, it has been acknowledged that the overall process can take time, PIRC advising that it is currently undertaking a review which it hopes will streamline the process going forward. Although Assault allegations have decreased from last year, 2022-23 saw a peak in such allegations over the last six years, with allegations remaining at an elevated level in 2023-24. More specifically, 2023-24 saw increases against 2022-23 and the earlier five-year average across a number of Divisions, particularly Greater Glasgow and Edinburgh, and to a lesser extent Highlands & Islands, Tayside and Criminal Justice Services Divisions.

Whilst noting low numbers annually, **Discriminatory Behaviour** allegations have nevertheless increased from 2022-23 and against the earlier five-year average, with Greater Glasgow and Tayside assessed to be the primary drivers. A further notable driver here is the increase in the '**Race**' allegation sub-type (which, across the reporting period, represents between 48% and 57% of such allegations), with lower volume rises also registered for '**Gender**' and '**Sexual Orientation**' sub-types.

Members have noted emerging trends in this regard, and have sought clarity on whether any external benchmarking has been done, Police Scotland advising that they link closely with wider UK policing forums in this regard. The Committee have asked for future update on engagement activity with diversity staff associations seeking to identify any resulting learning, on the proportion of discriminatory behaviour allegations which are upheld, and on analysis of those Divisions identified as the primary drivers of recent increases.

Members have previously requested provision of further data analysis to allow the Committee to more fully understand changes in allegation levels, noting the need to gain a sense of the magnitude and complexities of complaints being received and to seek assurance around resulting organisational learning. Police Scotland have also previously committed to undertaking further analysis to identify factors which have influenced particular trends.

Determinations

Table 10 details the number of allegations attached to completed criminal and non-criminal investigations which have been concluded each year. This excludes any non-criminal complaints closed via frontline resolution. During 2023-24, 4,265 allegations concluded. Since 2019-20 the number of concluded allegations has seen a year-on-year reduction.

Of those concluded allegations, 13.8% (589) were upheld. Whilst this does not represent a significant variation from the five-year average, it is the lowest level to date over the reporting period, and against a context of fewer concluded allegations.

Table 11 provides further breakdown of upheld allegations by allegation type. In 2023-24, the majority of upheld allegations relate to the following allegation types:

- **Irregularity in Procedure** (32%), of which the highest volume sub-types were:
 - 'Other' (46 allegations)
 - 'Time of Response' (149 allegations)
 - 'Lack of Satisfaction with Action Taken' (58 allegations)
- **Service Delivery** (32%)
- **Service Outcome** (17%)

These allegation types consistently represent the highest volume of upheld allegations over the last five years. Despite the impact of fewer concluded allegations in 2023-24, the number of upheld **Service Delivery** allegations is broadly the same as in 2022-23 and represents a 52% increase on the prior five-year average, the number of upheld allegations of this type having gradually increased year on year. The number of upheld **Irregularity in Procedure** allegations, by contrast, have fallen each year from a previous high in 2019-20. Upheld **Service Outcome** allegations have fluctuated each year around the five-year average, between a trough in 2018-19 and a peak in 2022-23, and with 2023-24 representing a 44% decrease against the previous year.

It should be noted that, if complainers are dissatisfied with the handling of their complaint, they can request a review via the PIRC.

Closure Timescales

In line with PIRC Statutory Guidance, policing bodies should aim to respond to (non-criminal) complaints requiring investigation within 56 days, although it is acknowledged that factors, such as complexity and seriousness, can influence timescale within which complaints are concluded. The 56-day period does not apply to complaints closed via frontline resolution, the aim of FLR being to provide a quick, informed response within a much shorter timescale.

In 2023-24, Police Scotland reintroduced reporting on timescales for closure of non-criminal cases exclusive (rather than inclusive) of those closed via frontline resolution. **Table 12** provides trend information in this regard, detailing average closure timescales, as well as the proportion closed within 56 days. It highlights that average closure timescales have seen a year-on-year increase from 2019-20, with cases taking an average of 236 days in 2023-24, the highest in recent years. At the same time, following a corresponding decreasing trend, the proportion of cases closed within 56 days has reduced to a low of 10.4%.

Table 13 provides further breakdown in terms of the number of complaints closed within 56 days, and within further time periods thereafter. Against a context of a gradual decrease in the number of non-criminal complaints closed each year and a gradual decrease in the proportion closed within 56 days, there is an increasing trend in the proportion taking between 6 and 12 months (29.6% in 2023-24) and more than 1 year (15.5% in 2023-24).

Timescales for completion of complaints varies greatly. Some can be concluded in a matter of days whilst others can take months or longer. There are several reasons why some complaints take longer than others, including the number of allegations involved, the complexity of the complaint, the number (and availability) of subject and witness officers involved, willingness/ability of complainers to engage, volumes of correspondence submitted by complainers, challenges in meeting complainer expectations and complaints about investigations which are more specialist in nature. However, Police Scotland have also noted challenges around imbalance of demand against resource, and the impact on complaint handling timescales.

PIRC Complaint Handling Reviews

Unless otherwise stated, data in this section of the report refers to all cases considered by the PIRC. Whilst the vast majority of cases relate to Police Scotland, figures include a small minority relating to complaints handled by other policing bodies operating in Scotland.

Given the increasing number of complaints in the backlog being managed by Police Scotland, it is inevitable that this will, in due course, impact upon the volume of CHR applications, reports, outcomes and disposals ultimately generated by PIRC.

Therefore, some caution should be exercised in considering data in this section, as actual performance figures cannot be accurately ascertained until the backlog has been addressed.

Complaint Handling Review (CHR) Applications

Complaints handled by Police Scotland (and by other policing bodies operating in Scotland, including the SPA) may be subjected to an independent Complaint Handling Review (CHR) by the PIRC. Within three months of receiving a final response from Police Scotland, complainers have the opportunity to request an independent review by PIRC in respect of how their complaint was handled. The PIRC may publish an anonymised Executive Summary version of complaint handling reviews on its [website](#).

As outlined in **Table 14**, the PIRC received 252 applications requesting a complaint handling review during 2023-24, which is broadly comparable to previous years (data in relation to CHR applications specific to Police Scotland is only available from 2020 21, earlier data referring to applications received in relation to all policing bodies operating in Scotland).

Recognising that the number of CHR applications represents only a proportion of the total number of complaints handled by Police Scotland, the PIRC have emphasised the importance of the CHR process being supplemented by ongoing dip-sampling and audit activity.

Similarly noting the proportion of complainants who seek a review, the Committee have asked how Police Scotland otherwise check that individuals are satisfied with how their complaint has been handled. Police Scotland have confirmed that they issue a monthly user satisfaction survey to measure service users' experience of engaging with the complaints process and to inform improvements. This survey is issued to all, irrespective of whether or not complaints have been upheld, and with a response rate of around 20%. Members have requested that resulting data is incorporated into future reports.

CHR Reports

Table 15 provides details of CHRs which have been concluded each year (specific to Police Scotland). In 2023-24, 156 cases were concluded. Following a peak in 2019-20, the number CHR reports has reduced each year.

CHR Outcomes

Table 16 provides details of the proportion of Heads of Complaint (HoC) reviewed (and closed) by PIRC assessed as having been handled by Police Scotland to a reasonable standard. Following a high of 74% in 2022-23, the proportion of CHRs assessed by the PIRC as having been 'reasonably handled' by Police Scotland reduced to 57% in 2023-24. It should be noted that these figures do not account for applications which have been subject to 'discretionary decisions' where, had they proceeded to a CHR, in most cases a finding of 'reasonably handled' would follow. Discretionary decisions relate to applications where, following an assessment, the PIRC is satisfied that Police Scotland has taken reasonable steps to address a complaint, and so does not proceed with a review on grounds of proportionality. For 2023-24, 127 discretionary decisions were made, the PIRC reporting that this would have increased the above figure by 5%. However, even accounting for the impact of 'discretionary decisions, this equals the lowest level since 2018-19.

Whilst it is appreciated that the number of CHR's undertaken by the PIRC accounts for only a proportion of all complaints handled by Police Scotland, Members continue to note the proportion not considered to have been reasonably handled, and have previously sought clarity on the embedding of learning to prevent reoccurrence.

Noting the recent drop, the Committee have sought clarity on what this says about the effectiveness of the Police Scotland complaint handling process. Whilst the PIRC have noted the introduction, during 2023-24, of an improved training provision for complaint handlers, as well as complaint handler practitioner forums, which they consider will increase quality in this regard, Members have additionally noted the importance of internal quality assurance checks being undertaken internally by Police Scotland themselves.

While CHR outcomes are assessed as 'reasonable' or 'not reasonable', the PIRC are proactive in highlighting good complaint handling practice in feeding back to Police Scotland and will comment in instances where this has been particularly good. This includes instances where the PIRC exercise discretionary decisions, with letters to Police Scotland highlighting good complaint handling and application of the PIRC Statutory Guidance. PIRC advise that, by highlighting good practice and reinforcing positive learning, they hope complaint handling standards will improve and build public trust and confidence.

CHR Disposals

Table 17 provides details in relation to CHR disposals that have been issued (as with Table 13, data specific to Police Scotland is only available from 2020-21). Police Scotland are asked to implement all learning points, recommendations and reconsideration directions within 56 days. These are tracked and there is ongoing dialogue between PSD and PIRC around progress.

Reconsideration Directions are reserved for cases where serious shortcomings or concerns have been identified. It is noted that no Supervised Reconsideration Directions have been made in the last five years and that, whilst there was a slight increase in Unsupervised Reconsideration Directions in 2023-24 compared to 2022-23, this follows earlier year on year improvement from the high of 2018-19.

Whilst the number of recommendations increased slightly in 2023-24, numbers remain largely consistent over the longer-term period. **Table 18** provides further breakdown in relation to the nature of recommendations issued. As previously, recommendations continue to consistently identify common themes, with a particular spike in 2023-24 in the number and proportion of those recommending that PSD conduct further inquiry into closed complaints. Police Scotland embrace all recommendations that are returned from the PIRC following CHRs, and any recommendations remain open until the PIRC are satisfied that they have been fully implemented. The Committee now receive additional assurance reporting on recommendation implementation (including the proportion implemented within 56 days).

The PIRC identifies opportunities for organisational or individual learning and improvement as part of the Complaint Handling Review process. These learning opportunities are highlighted to the police as Learning Points within CHR reports. The Learning Points are also opportunities for the PIRC to highlight examples of good complaint handling practices. Following an earlier request, Committee reports now include further details of some of the learning points identified, and the Police Scotland response to the same. Police Scotland report that its approach is to embrace all of these, although noting that they can take longer to implement, where they relate to a need to make changes to policy. There was an increase in the number of learning points issued in 2023-24, although numbers are largely consistent over the reporting period. However, it should be noted that the trend in 2023-24 is against a context of a 22% reduction in the number of CHR applications progressed to review compared to 2022-23.

Police Scotland Organisational Learning

Learning and improvement is a key focus across Police Scotland, particularly in respect of complaint handling and public confidence in the process. The Committee understands that Police Scotland is committed to promoting a culture of organisational learning, and that trying to reduce, appropriately, complaints is an organisational imperative.

Organisational learning is identified and derived through a variety of sources, including, but not restricted to, PIRC Complaint Handling Reviews, PIRC Investigations, reports shared by the Crown Office and Procurator Fiscal Service, audits by external agencies, internal reviews of particular incidents, conduct matters or processes, and from internal feedback identified as part of the complaint handling process.

There are various avenues for the dissemination of learning, review and the implementation of improvement of policies and procedures. The most appropriate route for dissemination is identified, whether through the governance structure instigated in respect of serious incidents, or through a communications strategy and via the quarterly Divisional Commanders' report, e-briefings, memoranda, news articles on the internal website and SPA Complaints and Conduct Committee quarterly reports.

Complaint handling is a standing item on local scrutiny boards, in preparation for which PSD engage directly with Divisions. Each quarter, Divisional Commanders are provided with complaint data, highlighting both quantity and types of complaints in their specific areas, alongside comparative data and any identified themes and/or trends. This forum is also used to deliver organisational learning messages and instigate associated actions.

Compliance with recommendations and learning is monitored to ensure it has been successfully embedded in practice. The reports are supplemented by quarterly meetings where learning opportunities can be identified and reinforced. Additional support can be provided by the dedicated PSD training team.

In November 2021, Police Scotland committed to bringing forth future reporting focussed on learning, at both organisational and divisional levels, and how this is being progressed. The Committee previously noted that being a learning organisation, although the right thing to do, can be a challenge to achieve in practice. In November 2022, the Committee heard that Police Scotland was reviewing its approach to organisational learning (not limited to complaints), subsequently updating in March 2023 that processes were now being established to more effectively capture, implement and monitor the impact of learning.

Police Scotland subsequently presented a report to the Committee in June 2023, which outlined current and planned improvements in respect of organisational learning in relation to complaints. The report acknowledged that they are keen to provide more substantive assurance reporting in this regard, and are committed to exploring how best to improve how the organisation captures, analyses and implements learning identified internally and not only as a result of formal recommendations from independent investigation or CHR. However, they noted that there are system challenges in being able to extract and analyse data to enable review of success of resulting improvement actions. Members encouraged Police Scotland to progress the continuous improvement element as much as possible and to assess the effectiveness of proactive steps being taken to reduce complaints. A further report was presented in November 2023, again focussed on development of organisational learning, describing introduction of a process to measure effectiveness of action taken in respect of formal external review recommendations, as well as a process to analyse upheld complaints in order to identify key themes and agree actions to mitigate against repeat complaints. It confirmed commitment to include evidence of resulting improvements within future Committee reports.

Looking ahead to 2024-25, Members have requested introduction of annual reporting in this regard, comprising identified learning and assurance around the effectiveness of the developing organisational learning process, by demonstrating operational improvements realised as a result of action taken in response to learning from complaints.

Examples of learning identified during 2023-24 were as follows:

Learning in Respect of Complaint Handling

- Any complaints made which involve an on-duty criminal allegation should be passed to PSD to assess and investigate at the outset.
- Subject officers should submit their own, independent statements to a complaint enquiry.
- Recognising that the Contact, Command & Control Division (C3) it is often the first point of contact for the public in respect of complaints, guidance is being reviewed to improve their understanding of the process, to provide the best possible service to the public at an early stage.
- Where complaints are not progressed due to undue delay on the part of the complainer, complaint handlers must first assess their seriousness and any reasonable explanation for the delay, and ensure that their rationale, in line with PIRC statutory guidance, is fully recorded.

Learning in respect of Policing Practice

- In cases of protracted neighbour disputes, a single point of contact should be identified where possible, addressing an emerging theme of members of the public expressing dissatisfaction at being required to repeatedly provide details to numerous different officers.
- The importance of recording full details of what is discussed/agreed with a member of the public reporting an incident which is subsequently closed as a 'civil matter', and consulting with a supervisor where there is any dubiety.
- Regardless of the environment, the use of translation services should be considered on all occasions where there is a requirement to engage with a member of the public with whom there are communication difficulties, in line with guidance which recognises "the rights of all persons in their contact with the police service to understand and to be understood".
- Policy and guidance in respect of post-incident Taser discharge is being reviewed in recognition of the human right of those subject to discharge to receive medical assessment.

- In light of associated complaint trends, work is being undertaken to understand reasons preventing officers from providing timely or sufficient updates to members of the public, including exploration of more efficient uses of technology.
- Updated guidance has been circulated to all North-East Division officers in relation to body-worn video, making it mandatory to wear when available and to activate the camera when responding to incidents.
- Procedure in relation to domestic abuse is being updated to ensure clear, effective management oversight in instances where officers attend an incident outwith their sub-division or command area.
- C3 have been reminded of the need to ensure callers are appropriately notified of legal requirements when they call to ask for advice on or report road traffic offences.
- Where it can be reasonably assumed that CCTV should be retained in relation to an incident within Custody, the supervisor should be notified without delay, to ensure that arrangements are made for it to be retained, and alternative methods should be considered in the event of problems in downloading footage. The relevant custody record should detail any decision (and rationale) not to retain footage, as well as any problems in recovering footage (and attempts made to do so), to ensure an appropriate audit trail.
- Planned activity to emphasise the need, within Custody, to offering water to individuals and the importance of the recording same.
- Work is ongoing to address learning which identified the need to ensure the accurate undertaking and recording of vulnerability assessments within Custody.
- Guidance is being developed relating to the process for dealing with crime reports involving serving officers, particularly those of a sensitive nature, to ensure that investigating officers are suitably independent and to mitigate against any allegations of bias where a serving officer is the alleged victim.

- The Collaboration Agreement with the Civil Nuclear Constabulary (CNC) is being reviewed to strengthen the obligation that CNC officers must comply with PIRC investigations when deployed under the command of Police Scotland to potentially life-threatening incidents.

Scottish Police Authority Complaints Performance

The following charts provide information regarding the handling of relevant complaints received by the Authority during 2023-24, and provide comparison to previous years. Due to prior arrangements for reporting to Committee, trend information is only available (except where otherwise stated) from 2019-20. Earlier data based on the previous reporting approach is outlined in previous annual reports.

In all instances, data below relates solely to cases received within the remit of the SPA. The SPA continues to receive significantly more complaints than it is responsible for within the legislative framework. The vast majority of these are matters which require to be brought to the attention of Police Scotland's Professional Standards Department (PSD). Engagement has taken place with other policing oversight bodies, which has evidenced that the SPA is not unique in this regard and that activity to ensure appropriate signposting to complainants is consistent with that undertaken elsewhere.

Complaints

Table 19 shows the number of relevant complaint cases received per year, as well as other cases within the remit of the SPA (see Introduction). 'Other' cases include grievances, whistleblowing, misconduct allegations, criminal allegations etc.). In the context of low case numbers received generally, volumes of relevant complaint cases (and allegations) show a gradual decline (although noting a steep drop in 2022-23). Across the five-year period, 59% of cases received (within the SPA remit) were categorised as relevant complaints. There has been a steady increase in other cases not categorised as relevant complaints.

Table 20 shows the number of relevant complaint cases received per year, broken down by subject of complaint. The majority of relevant complaints (69%) relate to senior officers of Police Scotland, although absolute volumes remain low. From 2019-20, the number of relevant complaints (and allegations) about senior officers was largely static, until 2022-23 when no cases were received.

Whilst four complaints were received in 2023-24, this remains lower than previous levels. Since 2019-20, relevant complaints (and allegations) about the SPA (including Forensic Services) have remained consistently low.

Allegations

Table 21 and 22 show the number of allegations contained in relevant complaint cases received by the SPA, broken down by both subject of complaint and allegation category.

The split of allegations by subject of complaint mirrors that of overall relevant complaint cases, with 61% (of 77 individual allegations over the five-year period) relating to senior officers of Police Scotland.

In respect of allegations by category, On Duty allegations were broadly similar in number from 2019-20, until a significant drop in 2022-23, following which numbers remained low in 2023-24. Since 2019-20, the number of Quality of Service allegations have remained low. No Off Duty allegations have been received over the reporting period.

Determinations

Table 23 shows the determination of 'relevant complaint' allegations.

From closed cases, 26% of all allegations during the past five years were resolved through Early Stage Resolution (which enables complaints to be resolved at an early stage by way of explanation, assurance or apology). During 2022-23 and 2023-24, specifically, all allegations were addressed in this way.

Of those allegations (over the five-year period) which did require a determination by the SPA, 7% were upheld. In respect of complaints received (and subsequently closed) during this period, the PIRC completed one Complaint Handling Review, determining that the complaint had been handled to a reasonable standard by the SPA.

Closure Timescales

Table 24 shows the average timescales for the closure of 'relevant complaints' handled by the SPA. Following a high of 96 days in 2017-18, the average time to closed relevant complaints has broadly reduced, with cases closed in 2023-24 taking an average of 17 days.

Table 25 shows the number of cases which were completed outwith the 40-working day (i.e. 56 calendar day) target, and the length of time taken (shown in bands). Following a high in 2018-19, the number closed over target has decreased, with all cases closed within target during the last two years.

As with Police Scotland, a number of factors can affect the time taken to conclude relevant complaints. In respect of cases completed outwith target during the reporting period, these include:

- Complexity/seriousness of enquiries and investigations undertaken
- Requirement for case reviews by Forensic Services
- Large volumes of documentation provided by the complainer
- Information required from outside the SPA which was not readily available
- Multiple requests for complainer to submit information

Police Scotland Conduct Performance

The Police Service of Scotland (Conduct) Regulations 2014 is the primary legislation through which allegations of misconduct by serving police officers up to the rank of Chief Superintendent are considered. These regulations are underpinned by Scottish Government [guidance](#) and supported by Staff Associations, Scottish Government and Police Scotland.

The misconduct procedures aim to provide a fair, open and proportionate method of dealing with alleged misconduct while recognising that police officers have a special status as holders of the Office of Constable.

The procedures are intended to encourage a culture of learning and development for individuals and the organisation. Disciplinary action has a part, when circumstances require this, but improvement will always be an integral dimension of any outcome.

Suspensions & Duty Restrictions

Table 26 provides trend information in respect of the number of officers suspended or subject to duty restrictions.

Suspension of a serving police officer may occur, in line with regulations, where there is an allegation from which it can reasonably be inferred that the alleged conduct of an officer may constitute a criminal offence, or amount to misconduct or gross misconduct. Suspension will be invoked where either: an effective criminal or misconduct investigation may be prejudiced if the officer is not suspended; or, having regard to the nature of the allegation and any other relevant considerations, it is required in the public interest.

The decision to impose Duty Restrictions is not a regulated process, but is a management tool for use where it is considered, based on risk, that some form of restriction is required, but the circumstances do not merit suspension. A risk assessment is conducted, which considers the circumstances in terms of risk to the public, the officer and the organisation. Duty Restrictions are not a punitive measure, but rather a protective measure to mitigate potential risk, while still utilising the officer in a meaningful role.

Whilst 2023-24 saw a slight reduction in the number of officers suspended compared to 2022-23, this still represented a 102% increase against the earlier 5-year average, numbers having steadily risen year on year over this period. The number of officers with duty restrictions fell by 19% compared to 2022-23, and by 17% against the 5-year average.

Conduct Assessments

Where an allegation of misconduct is made about a police officer, an assessment must be undertaken to establish whether the alleged conduct, if proven, would amount to misconduct, gross misconduct or neither. Following an assessment of potential misconduct, a determination is made on whether the matter should be investigated, or whether improvement action is an appropriate and proportionate response. An assessment of potential gross misconduct will always result in investigation. A number of options exist where it is assessed as neither misconduct or gross misconduct (i.e. take no further action, take improvement action, refer the matter to be dealt with under the Performance Regulations, or other disposals, for example where it may be more appropriate to deal with the matter via the grievance procedure).

Table 27 provides trend information in respect of the number of officer conduct assessments and resulting assessment outcomes. During 2023-24, 471 preliminary assessments were carried out, an increase of 18.3% compared to 2022-23 and 27.3% compared to the earlier 5-year average. Police Scotland advise that this is predominantly linked to Edinburgh and, to a lesser degree, Highlands & Islands, supplemented by lower volume increases across 11 other Divisions.

65.4% of cases were assessed as potential misconduct, 12.5% as potential gross misconduct, and 22.1% as neither misconduct nor gross misconduct. Over the earlier 5-year period, the proportion of misconduct investigations resulting from preliminary assessments ranges from 5-10%. In respect of gross misconduct investigations, this ranges from 10-14%.

Of the 308 cases assessed as potential misconduct, only 4.2% proceeded to formal investigation under the Regulations.

The number of cases progressed to investigation for misconduct in 2023-24 reduced by 54% compared to 2022-23 and by 47% against the earlier 5-year average. The number progressed to investigation for gross misconduct, in contrast, increased by 13% against 2022-23 and by 30% against the 5-year average.

Over the reporting period (with the exception of 2020-21 when numbers were broadly comparable), considerably fewer misconduct investigations are progressed, compared to gross misconduct investigations. In 2023-24, they represented only 18% of all investigations.

Misconduct Meeting/Hearing Disposals

The conduct assessment process will also determine whether, if the matter was referred to misconduct proceedings, those proceedings would be likely to be a misconduct meeting (for cases of misconduct) or a misconduct hearing (for cases of gross misconduct or if the police officer concerned has a live final written warning at the time of the assessment and there is a further allegation of misconduct).

Table 28 provides trend information in respect of misconduct meeting disposals. Where, following the meeting, no misconduct is established, outcomes are to take no further action, take improvement action, or to refer the matters to be dealt with under the Performance Regulations. Where misconduct is established, outcomes range from improvement action through to a final written warning. During 2023-24, 10 misconduct meetings took place (compared to 11 in 2022-23), resulting in 14 formal warnings being issued.

Table 29 provides trend information in respect misconduct hearing disposals. It additionally records the number of officers who have retired or resigned prior to a hearing taking place. Where neither misconduct nor gross misconduct is established, available outcomes are as described above. Where misconduct is established, available outcomes are as described above, with the additional facility to extend an existing final written warning. Where gross misconduct is established, additional outcomes of demotion in rank and dismissal with or without notice are available. During 2023-24, 18 misconduct hearings took place (compared to 12 in 2022-23), resulting in 22 formal warnings being issued, 1 demotion in rank and 6 dismissals. A further 14 officers resigned or retired prior to a hearing taking place (compared to 15 in 2022-23).

It should be noted that each meeting or hearing may involve multiple subject officers and multiple allegations, with a disposal attached to each allegation.

Misconduct Proceeding Timescales

In 2023-24, Police Scotland introduced reporting on misconduct timescales. For misconduct cases which concluded during 2023-24, the average time for investigation of cases was 127 days, with total average time for proceedings being 263 days.

For misconduct proceedings still ongoing at the end of 2023-24, Police Scotland reported that, of 53 cases, initial conduct assessments for 3 of these predated the start of the financial year.

PIRC Statutory Referrals & Investigations

Under the Police, Public Order and Criminal Justice (Scotland) Act 2006 (as amended) and the Police Investigations and Review Commissioner (Investigations Procedure, Serious Incidents and Specified Weapons) Regulations 2013, Police Scotland must request that the PIRC investigate any serious incident involving a constable or member of police staff. On receipt of a referral from Police Scotland, PIRC undertake an assessment of the referral and decide whether to investigate or not. Assessments may include examining CCTV, Body Worn Video, other video, witness statements, command & control logs, telephone calls, Airwave radio transmissions, briefing papers or other material.

In addition, under the 2006 Act, the Crown Office & Procurator Fiscal Service (COPFS) may instruct the PIRC to investigate: Death in Custody; Death Following Police Contact; and Other Criminal Matters. Additionally, from October 2021, COPFS has a standing instruction that all on duty allegations of assault made against police officers and police staff are referred onwards from Police Scotland to PIRC for assessment and where appropriate investigation (see page 37 above).

Statistical data reported to the Complaints & Conduct Committee in respect of statutory referrals and investigations is limited to cases referred by Police Scotland, given that COPFS directed investigations relate to live ongoing criminal investigations. Due to differences in data measured prior to 2023-24, earlier information is not provided in accompanying tables for comparison.

The PIRC publish, where appropriate, reports on police referred investigations on its [website](#). Reports for COPFS instructed investigations are confidential and are not published.

Referrals

In 2023-24, 823 referrals were made to PIRC for incidents concerning Police Scotland (429 of which originated from Police Scotland itself), compared to 787 in 2022-23.

Table 30 provides a breakdown of Police Scotland referrals to the PIRC during 2023-24 by type. Police Scotland report that there was an increase of 26.9% in taser discharge related referrals compared to 2022-23. Members were advised that the national uplift in officers trained in the use of taser, and high levels of assault directed towards police officers, were relevant factors underpinning this increase. Recognising the corresponding number of resulting investigations in this regard, Police Scotland advise that this provides assurance that the use of taser in response to these events has been proportionate and justified.

Investigations

Resulting PIRC investigations are categorised depending on the complexity or seriousness of the investigation, with prioritisation given to death and other high-profile investigations. Police Scotland referrals resulted in 26 PIRC investigations in 2023-24. **Table 31** provides a breakdown by type and Division.

Investigations in respect of discharge of firearms involved Authorised Firearms Officers despatching XL Bully type dogs, where transfer of ownership had only recently taken place. In respect of taser discharge investigations, one involved multiple cycles of taser being discharged against a female, one involved a 17 year old male, and one involved a male over the age of 18. Investigations into use of incapacitant spray all involved persons under the age of 18.

Noting the number of referrals not subject to subsequent investigation, Members were advised that, whilst such a decision is made relatively quickly (recognising the potential impact on officers involved), all referrals are subject to scrutiny as part of the triage process applied prior to determining whether formal investigation is required.

Recommendations

Following investigation, resulting PIRC reports to Police Scotland may include findings and recommendations and are intended to assist organisational learning and development or to address any systemic issues discovered. Police Scotland do not have a legal requirement to implement any recommendations, however, in the main these are implemented. During 2023-24, 19 recommendations were issued to Police Scotland, 16 of a thematic nature (which are reported to the Committee), and 3 specific to individual investigations (which are not).

The Committee have asked to be updated on Police Scotland response to all thematic recommendations via future reports.

Independent Review of Complaints Handling, Investigations & Misconduct Issues in Relation to Policing

In June 2018, the Cabinet Secretary for Justice and the Lord Advocate invited Lady Elish Angiolini to conduct an independent review on complaints against the police in Scotland.

The 'Independent Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing: [Preliminary Report](#)' was published in June 2019. The 'Independent Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing: [Final Report](#)' was published in November 2020.

Police Scotland are singly or jointly responsible for the majority of recommendations from the Review which are not dependent on legislative change. As at the end of 2023-24, 31 of 36 recommendations directly singly or jointly at Police Scotland had been discharged following initial assessment of evidence by HMICS and consideration via multi-agency national governance arrangements. 7 of 11 recommendations directed singly or jointly at the SPA have similarly been discharged.

Alongside action taken to discharge recommendations directed at wider partners, significant progress has been made across themes of audit & review; efficiency & effectiveness; equality, diversity & inclusion; governance & accountability; rights & ethics; training & HR; and transparency & accessibility. Further detail is available via the Scottish Government website where thematic progress reports are being published (the [latest edition](#) dates to May 2023).

At the time of writing, a number of those remaining recommendations, not dependent on legislative change, and for which the SPA and/or Police Scotland are responsible, are ready for submission for consideration of potential discharge, subject to a further cycle of governance being scheduled.

In respect of recommendations from the Review requiring, or likely to require, legislative change or new legislation, following public consultation during 2021-22, the Scottish Government introduced its corresponding [Police \(Ethics, Conduct and Scrutiny\) \(Scotland\) Bill](#) to Parliament in June 2023. In September 2023, issued a call for views, following which it considered oral evidence, including from the Authority and Police Scotland, as part of its Stage 1 examination of the Bill. In July 2024, the Committee published its resulting report, to which the Authority and Police Scotland have issued formal responses. The Bill is likely to come into force in 2025, with associated regulations, including revised Conduct Regulations, to follow thereafter.

National Complaint Handling Development Group (NCHDG)

The NCHDG was established in August 2019 to provide a forum for the SPA, Police Scotland and the PIRC to work collaboratively to consider all aspects of complaint handling in relation to policing in Scotland. Its original focus was on bringing practitioners from partner organisations together to address a number of practical issues, most of which have since been addressed. Whilst the group was highly successful in working collaboratively to deliver better complaint handling practice in Scottish policing and ultimately to improve public trust and confidence, it was recognised that it had since moved beyond its originally intended purpose. During 2022, partners agreed to pause the group, to enable opportunity to reflect on and review its purpose and remit. The group reconvened in June 2023, and agreed a refreshed focus on delivering better complaints handling via a peer group advisory forum format, with an opportunity to focus on areas of organisational learning and picking up on key matters being raised by the PIRC or the SPA Complaints & Conduct Committee; a vehicle to address issues, such as training, which arise due to officer rotation into and out of Police Scotland Professional Standards Department; and a means of prioritising and co-ordinating partner audit/dip-sampling plans.

During 2023/24, the group met on 4 occasions, with discussions focussed on the following:

- Review of the Police Scotland Complaints about the Police Standard Operating Procedure
- Progress against the recommendations of the earlier joint SPA/PIRC audit and plans for the subsequent PIRC audit
- Capturing and sharing examples of positive learning points and good complaint handling practice
- Review of current guidance for those working in C3, who may receive contact from members of the public in respect of complaints
- Engagement with the Scottish Public Services Ombudsman (SPSP) to better understand support/resources available and how these might be utilised within complaints handling in policing in Scotland.
- Engagement with other policing complaints bodies
- Actions to address recent trends in Complaint Handling Review outcomes
- Public communications in respect of complaint handling timescales
- Enhancement of public reporting of organisational learning relating to complaints

In line with the Authority's approach to continuous improvement in committee effectiveness and governance, the Committee has identified priority areas of focus and target outcomes for which it will take responsibility for driving progress through governance and committee oversight.

Agreed priority areas of focus for the Committee in the immediate term are as follows:

- For Police Scotland to have introduced internal process improvements, and enhanced assurance reporting, to enable a more informed, positive assessment of the suitability of its complaint handling arrangements to be made.
- For Police Scotland to have introduced improved assurance reporting (particularly in public) in respect of the number and nature of workforce conduct matters.
- For all SPA and Police Scotland recommendations from the Angiolini Review, not dependent on legislative change, to have been discharged.

As broader target outcomes, the Committee will seek evidence of:

- Police Scotland identifying and actioning organisational learning to prevent avoidable recurring public complaints.
- SPA and Police Scotland having had effective influence on a fit for purpose future legislative environment in respect of complaints and conduct through its input to the Police (Ethics, Conduct and Scrutiny) (Scotland) Bill and resulting secondary legislation.
- The impact of action taken by Police Scotland to reduce the risk of those within, or seeking to enter, the workforce breaching professional boundaries.

Table 1 - Police Scotland Complaints Received

Command Area	5-year average	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	% Change from 2022-23	% Change from 5-year average
East	2,055	1,942	1,990	2,171	2,134	2,039	2,136	4.8%	3.9%
North	1,554	1,397	1,561	1,688	1,546	1,579	1,697	7.5%	9.2%
West	2,943	2,661	2,794	3,123	3,000	3,136	3,266	4.1%	11.0%
Total	6,552	6,000	6,345	6,982	6,680	6,754	7,099	5.1%	8.3%

Table 2 - Police Scotland Complaints Received by Division (per 100 employees)

Division	3-year average	2020-21	2021-22	2022-23	2023-24	% Change from 2022-23	% Change from 5-year average
<i>East Command</i>							
Forth Valley	55	58	54	51	57	13.1%	4.1%
Edinburgh	50	53	48	48	52	7.6%	3.5%
Lothians & Scottish Borders	57	59	58	54	57	5.7%	-0.3%
Fife	57	52	59	55	63	13.8%	9.4%
<i>North Command</i>							
North East	53	52	49	55	56	2.6%	6.0%
Tayside	62	59	61	61	67	9.9%	8.4%
Highlands & Islands	45	47	42	44	48	8.9%	6.1%
<i>West Command</i>							
Greater Glasgow	40	38	39	40	41	2.7%	4.1%
Renfrewshire & Inverclyde	45	41	39	45	55	23.2%	22.7%
Argyll & West Dunbartonshire	44	48	40	42	47	10.6%	6.0%
Lanarkshire	50	50	48	50	53	6.6%	5.8%
Ayrshire	47	44	40	50	52	4.5%	11.5%
Dumfries & Galloway	61	51	58	68	66	-3.0%	8.6%

Table 3 - Police Scotland Complaints by Category

	2021- 22	2022- 23	2023- 24	% Change from 2022/23
Non-criminal (FLR)	3,287	3,367	3,499	3.9%
Non-criminal (enquiry)	1,393	1,335	1,979	48.2%
Criminal	334	443	442	-0.2%
Abandoned	1,315	1,233	802	-35.0%
Withdrawn	341	372	317	-14.8%
Not Relevant	10	4	1	-75.0%
Ongoing			59	

Table 4 - Police Scotland Allegations Received

Command Area	5-year average	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	% Change from 2022-23	% Change from 5-year average
East	3,518	3,178	3,211	3,630	3,904	3,667	3,202	-12.7%	-9.0%
North	2,854	2,620	2,729	2,913	3,012	2,997	2,662	-11.2%	-6.7%
West	5,394	4,436	5,088	6,270	5,850	5,328	4,956	-7.0%	-8.1%
Total	11,767	10,234	11,028	12,813	12,766	11,992	10,820	-9.8%	-8.0%

Table 5 - Police Scotland Allegations by Category

Allegations by Category	5-year average	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	% Change from 2022-23	% Change from 5-year average
On Duty	8,336	7,963	8,425	9,503	8,521	7,266	7,130	-1.9%	-14.5%
Off Duty	20	31	25	17	17	11	3	-72.7%	-85.1%
Quality of Service	3,411	2,240	2,578	3,293	4,228	4,715	3,687	-21.8%	8.1%
Total	11,767	10,234	11,028	12,813	12,766	11,992	10,820	-9.8%	-8.0%
Of which No. of Criminal Allegations	542	309	534	571	569	725	644	-11.2%	18.9%

Table 6 - Police Scotland Allegations by Type

Allegation Type	5-year average	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	% Change from 2022-23	% Change from 5-year average
<i>Quality of Service</i>									
Policy/Procedure	678	411	450	560	854	1,114	709	-36.4%	4.6%
Service Delivery	1,103	777	860	928	1,374	1,575	1,289	-18.2%	16.9%
Service Outcome	1,630	1,052	1,268	1,805	2,000	2,026	1,689	-16.6%	3.6%
<i>On Duty</i>									
Assault	408	185	389	440	449	575	505	-12.2%	23.9%
Excessive Force	560	593	459	595	621	530	537	1.3%	-4.0%
Incivility*	1,853	1,622	1,771	2,094	2,037	1,740	1,585	-8.9%	-14.5%
Neglect of Duty	101	123	99	115	102	67	62	-7.5%	-38.7%
Irregularity in Procedure	4,415	4,415	4,739	5,049	4,348	3,526	3,622	2.7%	-18.0%
Traffic Irregularity/Offence	117	106	127	115	116	122	137	12.3%	16.9%
Oppressive Conduct/Harassment	304	313	275	369	335	228	204	-10.5%	-32.9%
Unlawful/Unnecessary Arrest or Detention	104	117	101	98	98	104	102	-1.9%	-1.5%
Discriminatory Behaviour	110	89	92	109	135	125	159	27.2%	44.5%
Corrupt Practice	31	27	42	38	21	25	28	12.0%	-8.5%
Other - Criminal	117	110	123	122	108	123	112	-8.9%	-4.4%
Other - Non Criminal	222	267	215	364	157	106	77	-27.4%	-65.3%
<i>Off Duty</i>									
Other - Criminal	5	10	10	2	0	2	1	-50.0%	-79.2%
Other	10	17	8	10	11	4	2	-50.0%	-80.0%

*Data inclusive of small number of 'Off Duty' Incivility allegations as detailed below

Incivility (Off Duty)	4	7	5	6	5	0
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Table 7 - Police Scotland Quality of Service Allegations by Sub-Type

Allegation sub-type	5-year average	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	% Change from 2022-23	% Change from 5-year average
<i>Service Outcome</i>									
Lack of satisfaction with action taken	1,139	723	852	1,343	1,364	1,414	1,137	-19.6%	-0.2%
Police failure to take action	491	329	416	462	636	612	552	-9.8%	12.4%
<i>Service Delivery</i>									
Policing presence	135	121	147	132	114	159	180	13.2%	33.7%
Time of response	338	165	251	265	489	522	364	-30.3%	7.6%
Type of response	630	491	462	531	771	894	745	-16.7%	18.3%
<i>Policy/Procedure</i>									
Policing policy	120	106	98	104	142	150	106	-29.3%	-11.7%
Policing practice	<1	0	3	0	1	0	1	N/A	25.0%
Policing procedure	557	305	349	456	711	964	602	-37.6%	8.1%

Table 8 - Police Scotland Irregularity in Procedure Allegations by Sub-Type

Allegation sub-type	5-year average	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	% Change from 2022-23	% Change from 5-year average
ASBO/Fixed Penalty Procedures	23	23	18	42	21	9	12	33.3%	-46.9%
Custody Procedures/Care of Prisoners	396	371	435	430	406	339	356	5.0%	-10.1%
Disclosure of Information (non criminal)	140	160	155	153	121	110	123	11.8%	-12.0%
Forced entry to premises	96	103	111	117	87	62	51	-17.7%	-46.9%
Inaccurate information placed on police systems	125	141	137	145	127	76	83	9.2%	-33.7%
Insufficient Enquiry carried out	933	1,057	1,049	1,006	845	709	775	9.3%	-17.0%
Interview Procedures	59	62	78	50	55	51	28	-45.1%	-52.7%
Length of time taken to investigate/carry out enquiries	150	159	186	144	124	137	154	12.4%	2.7%
Method of Arrest/Detention	65	49	73	75	64	64	59	-7.8%	-9.2%
Officer did not provide name or shoulder number	127	75	101	155	160	144	127	-11.8%	0.0%
Other	1,020	917	1,119	1,366	959	741	708	-4.5%	-30.6%
Productions/Lost & Found Property	160	169	190	172	148	120	124	3.3%	-22.4%
Provide insufficient explanation regarding police procedures	236	224	223	268	274	190	167	-12.1%	-29.2%
Provide insufficient updates to the complainer	460	456	499	392	505	449	482	7.3%	4.7%
Road Traffic Procedures	104	120	90	129	108	72	121	68.1%	16.6%
Search procedures - persons or property	180	182	160	231	192	137	131	-4.4%	-27.4%
Search procedures - stop and search	34	22	23	62	32	31	29	-6.5%	-14.7%
Statement taking	73	86	58	65	94	63	69	9.5%	-5.7%
Vehicle Recovery Scheme	34	39	34	47	26	22	23	4.5%	-31.5%

Table 9 - Police Scotland Discriminatory Behaviour Allegations by Sub-Type

Allegation sub-type	5-year average	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	% Change from 2022-23	% Change from 5-year average
Age	3	1	6	4	2	1	1	0.0%	-64.3%
Disability	20	13	25	19	19	23	22	-4.3%	11.1%
Faith	4	6	3	3	3	5	4	-20.0%	0.0%
Gender	18	13	11	16	30	20	29	45.0%	61.1%
Race	58	48	44	62	71	66	88	33.3%	51.2%
Sexual Orientation	7	8	3	5	10	10	15	50.0%	108.3%

Table 10 - Police Scotland Allegation Determinations

	5-year average	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	% Change from 2022-23	% Change from 5-year average
Number of allegations concluded	5,875	6,027	6,206	6,131	5,669	5,341	4,265	-20.1%	-27.4%
% upheld	15.30%	16.40%	16.10%	14.50%	14.10%	15.30%	13.80%	-1.5%	-1.5%

Table 11 - Police Scotland Upheld Allegations

Allegation Type	5-year average	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	% Change from 2022-23	% Change from 5-year average
<i>Quality of Service</i>									
Policy/Procedure	34	33	26	31	42	38	48	26.3%	41.2%
Service Delivery	125	83	100	124	127	191	190	-0.5%	52.0%
Service Outcome	111	75	106	98	90	184	103	-44.0%	-6.9%
<i>On Duty</i>									
Assault	2	8	1	1	1	1	1	0.0%	-58.3%
Excessive Force	10	18	9	10	7	5	5	0.0%	-49.0%
Incivility*	76	104	71	67	74	64	28	-56.3%	-63.2%
Neglect of Duty	13	13	22	11	10	8	5	-37.5%	-60.9%
Irregularity in Procedure	480	590	606	502	410	293	190	-35.2%	-60.4%
Traffic Irregularity/Offence	3	4	4	3	2	1	2	100.0%	-28.6%
Oppressive Conduct/Harassment	10	9	15	6	11	8	4	-50.0%	-59.2%
Unlawful/Unnecessary Arrest or Detention	5	9	4	3	5	2	1	-50.0%	-78.3%
Discriminatory Behaviour	2	2	2	2	3	3	4	33.3%	66.7%
Corrupt Practice	0	1	0	0	0	1	1	0.0%	150.0%
Other - Criminal	5	18	6	0	2	1	3	200.0%	-44.4%
Other - Non Criminal	19	18	21	28	12	18	4	-77.8%	-79.4%
<i>Off Duty</i>									
Other - Criminal	1	3	1	0	2	0	0	N/A	-100.0%
Other	1	1	4	1	0	0	0	N/A	-100.0%
Total	898	989	998	887	798	818	589	-28.0%	-34.4%

*As per Table 6, data inclusive of 'Off Duty' Incivility allegations

Table 12 - Police Scotland Complaint Closure Timescales

	5-year average	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	% Change from 2022-23	% Change from 5-year average
Average Closure Time (days)	132	115	106	113	133	196	236	20.6%	78.5%
% Closed within 56 Days	32.30%	37.40%	41.20%	38.60%	27.30%	17.10%	10.40%	-38.9%	-67.7%

Table 13 - Police Scotland Complaint Closure Timescales Breakdown

	5-year average	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	% Change from 2022-23	% Change from 5-year average
0 to 56 days	614	854	884	726	408	200	91	-54.5%	-85.2%
57 to 180 days	845	1,068	1,000	872	785	502	389	-22.5%	-54.0%
181 to 365 days	233	256	164	195	216	335	258	-23.0%	10.6%
Over 365 days	103	106	98	88	85	136	135	-0.7%	31.6%
Total	1,796	2,284	2,146	1,881	1,494	1,173	873	-25.6%	-51.4%

Table 14 - PIRC Complaint Handling Review Applications Received

	5-year average	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	% Change from 2022-23	% Change from 5-year average
Applications Received	265	258	278	268	269	254	252	-0.8%	-5.0%

Table 15 - PIRC Complaint Handling Reviews Concluded

	5-year average	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	% Change from 2022-23	% Change from 5-year average
No. of Cases	202	133	238	230	210	201	156	-22.4%	-22.9%

Table 16 - PIRC Complaint Handling Review Outcomes

	5-year average	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	% Change from 2022-23	% Change from 5-year average
% HoC Handled to Reasonable Standard	64	44	62	71	68	74	57	-23.0%	-10.7%

Table 17 - PIRC Complaint Handling Review Disposals

	5-year average	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	% Change from 2022-23	% Change from 5-year average
Reconsideration Direction - Supervised	<1	1	0	0	0	0	0	N/A	-100.0%
Reconsideration Direction - Unsupervised	22	54	39	17	12	4	8	100.0%	-64.2%
Recommendations	256	217	303	268	264	225	259	15.1%	1.2%
Learning Points	69	49	74	51	108	44	90	104.5%	29.8%

Table 18 - PIRC Complaint Handling Review Recommendations

Recommendation Type	2021-22	2022-23	2023-24
Reassess & Fresh Response	32%	32%	25%
Conduct Further Enquiry	34%	36%	49%
Provide Further Response	7%	11%	10%
Record Complaint & Respond	3%	5%	5%
Record as CAP	12%	12%	9%
Apologise	3%	1%	<0.5%
Revisit policy/procedure	2%	<0.5%	<0.5%
Other	7%	3%	2%

Table 19 - Scottish Police Authority Cases Received

Case Type	2019-20	2020-21	2021-22	2022-23	2023-24	% Change from 2022-23
Relevant Complaint	19	15	12	1	7	600.0%
Other	1	7	8	9	12	33.3%

Table 20 - Scottish Police Authority Relevant Complaints by Subject

Subject	2019-20	2020-21	2021-22	2022-23	2023-24	% Change from 2022-23
Senior Officer	11	12	10	0	4	<i>N/A</i>
Forensics	5	2	1	0	3	<i>N/A</i>
SPA	3	1	1	1	0	<i>-100.0%</i>

Table 21 - Scottish Police Authority Allegations by Subject

Subject	2019-20	2020-21	2021-22	2022-23	2023-24	% Change from 2022-23
Senior Officer	15	13	15	0	4	<i>N/A</i>
Forensics	9	3	1	0	3	<i>N/A</i>
SPA	11	1	1	1	0	<i>-100.0%</i>

Table 22 - Scottish Police Authority Allegations by Category

Category	2019-20	2020-21	2021-22	2022-23	2023-24	% Change from 2022-23
On Duty	16	12	16	1	4	<i>300.0%</i>
Off Duty	0	0	0	0	0	<i>N/A</i>
Quality of Service	19	5	1	0	3	<i>N/A</i>

Table 23 - Scottish Police Authority Allegation Determinations

Determination		2019-20	2020-21	2021-22	2022-23	2023-24	% Change from 2022-23
Cases requiring Formal Determination	Upheld	3	0	0	0	0	<i>N/A</i>
	Not Upheld	17	9	13	0	0	<i>N/A</i>
Other Closure Types	Early Stage Resolution	4	6	4	1	4	<i>300.0%</i>
	Withdrawn	0	1	0	0	0	<i>N/A</i>
	Abandoned	3	1	0	0	0	<i>N/A</i>
	Closed - Unacceptable Actions*	8	0	0	0	0	<i>N/A</i>
Ongoing		0	0	0	0	2	<i>N/A</i>
Total		35	17	17	1	6	<i>500.0%</i>

*Complaints unable to be progressed due to application of the SPA Unacceptable, Persistent or Unreasonable Actions by Complainers Policy

Table 24 - Scottish Police Authority Complaint Closure Timescales

	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24
Cases Closed	27	19	15	12	1	4
Average Working Days to Close	46	23	41	30	14	17

Table 25 - Scottish Police Authority Complaint Cases Closed Beyond 40 Working Days

	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24
41-60 days	5	2	1	1	0	0
61-90 days	1	2	0	1	0	0
91-120 days	2	0	0	0	0	0
121-150 days	0	0	0	0	0	0
151-180 days	2	0	0	1	0	0
Over 180 days	0	0	2	0	0	0
Total	10	4	3	3	0	0

Table 26 - Police Scotland Suspended and Restricted Officers

	5-year average	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	% Change from 2022-23	% Change from 5-year average
Suspended	33	11	20	29	38	68	67	-1.5%	101.8%
Restricted	100	102	86	100	110	102	83	-18.6%	-17.0%

* Cases may be counted more than once where straddling reporting periods

Table 27 - Police Scotland Officer Conduct Assessment Outcomes

Preliminary Assessment Outcome		5-year average	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	% Change from 2022-23	% Change from 5-year average
No Misconduct	Performance Regulations	16	19	12	25	8	15	12	-20.0%	-24.1%
	Neither Misconduct nor Gross Misconduct - Improvement Action	28	33	16	28	39	23	42	82.6%	51.1%
	Neither Misconduct nor Gross Misconduct - No Action	36	59	20	25	23	52	50	-3.8%	39.7%
	No Further Action	<1	0	0	1	2	0	0	N/A	-100.0%
	Other Regulations/Disposals	4	8	13	0	0	0	0	N/A	-100.0%
Misconduct - No Investigation	Improvement Action	115	91	89	135	129	132	163	23.5%	41.5%
	No Action	101	106	105	85	112	96	132	37.5%	31.0%
Misconduct - Investigation		24	21	15	37	21	28	13	-53.6%	-46.7%
Gross Misconduct - Investigation		45	56	43	38	38	52	59	13.5%	30.0%
Total		370	393	313	374	372	398	471	18.3%	27.3%

Due to the potential for matters to be reassessed, there are are some minor variations against data previously reported

Table 28 - Police Scotland Officer Misconduct Meeting Disposals

Disposal	5-year average	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	% Change from 2022-23	% Change from 5-year average
No Action	3	2	0	8	7	0	1	<i>N/A</i>	<i>-70.6%</i>
Verbal Warning	4	1	3	7	4	3	6	<i>100.0%</i>	<i>66.7%</i>
Written Warning	6	8	5	8	4	6	5	<i>-16.7%</i>	<i>-19.4%</i>
Final Written Warning	3	1	0	1	10	3	3	<i>0.0%</i>	<i>0.0%</i>
Total	16	12	8	24	25	12	15	<i>25.0%</i>	<i>-7.4%</i>

Please note that each meeting may involve multiple subject officers and multiple allegations, with a disposal attached to each allegation

Table 29 - Police Scotland Officer Misconduct Hearing Disposals

Disposal	5-year average	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	% Change from 2022-23	% Change from 5-year average
No Action	1	0	3	1	1	1	0	-100.0%	-100.0%
Verbal Warning	<1	3	0	0	0	0	4	N/A	566.7%
Written Warning	2	3	1	1	4	2	4	100.0%	81.8%
Final Written Warning	3	2	3	0	2	6	14	133.3%	438.5%
Demotion in Rank	<1	1	1	0	0	1	1	0.0%	66.7%
Dismissal	3	4	3	2	2	5	6	20.0%	87.5%
Retire/Resign	6	4	0	8	5	12	14	16.7%	141.4%
Reduction in Pay	0	1	0	0	0	0	0	N/A	-100.0%
Officer Required to Resign	0	2	0	0	0	0	0	N/A	-100.0%
Caution (2013 reg)	0	1	0	0	0	0	0	N/A	-100.0%
Not Proven (2013 reg)	<1	1	0	0	2	0	0	N/A	-100.0%
Total	18	22	11	12	16	27	43	59.3%	144.3%

Please note that each hearing may involve multiple subject officers and multiple allegations, with a disposal attached to each allegation

Table 30 - Police Scotland Statutory Referrals to PIRC

Type of Referral		2023-24
Death	Death Following Police Contact	16
Firearms	Firearms Discharged	3
	Firearms Presented	87
	Incapacitant Spray	138
	Taser	92
Serious Injury	Serious Injury Following Police Contact	28
	Serious Injury in Police Custody	65
Total		429

Table 31 - PIRC Investigations (following Police Scotland Statutory Referrals)

Type of Investigation		2023-24	Divisions Involved
Death	Death Following Police Contact	1	Lanarkshire
Firearms	Firearms Discharged	2	Lanarkshire
	Firearms Presented	2	Edinburgh, Highlands & Islands
	Incapacitant Spray	6	North East (4), Dumfries & Galloway (1), Edinburgh (1)
	Taser	3	Fife (2), Forth Valley (1)
Serious Injury	Serious Injury Following Police Contact	9	Glasgow (2), Lanarkshire (2), Forth Valley (2), Ayrshire (1), Fife (1)
	Serious Injury in Police Custody	3	North East, Renfrewshire & Inverclyde, Argyll & West Dunbartonshire
Total		26	