

30 June 2010

Your Ref:

Our Ref: 0389/2010

Joanna Iatridou

Email: request-37183-a714fe60@whatdotheyknow.com

Force Disclosure Unit
Police Headquarters
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Dear Ms Iatridou

FREEDOM OF INFORMATION REQUEST REFERENCE NUMBER 0389/2010

I refer to your request for information dated 12 June 2010, which was received by Strathclyde Police on 14 June 2010. Your request has now been considered and on 30 June 2010, a decision was made to grant your request in full. As such, the information you have requested is detailed below.

For ease of reference, I have provided a response to each of the questions posed by you, as detailed below.

1. What is the procedure to file complaint for physical torture during detention in Mental Ward under the Mental Health Act?

Any allegation that an adult is at risk of harm, including anonymous reports, are taken seriously. Each case is considered with an open mind without assuming that harm has, or has not, occurred. The circumstances surrounding each individual case will determine the actions to be taken.

For your information, the Force's Adult at Risk Policy can be accessed via the attached link:

http://www.strathclyde.police.uk/getFile.asp?FC_ID=4082&docID=463

2. Who (job title, job description, department) conducts the initial investigation.

Initial incidents are investigated by uniformed officers, however, depending on the nature of the allegation the enquiry may be passed to CID officers for further investigation.

3. Are there any policies or regulations regarding filing a complaint for physical torture and is there any independent arbitration or advocacy that inspects police investigation of a torture report?

There are no policies or regulations that refer specifically to filing a complaint for physical torture. If you wish to make a complaint about the way a police investigation has been conducted, you can do so in a number of ways and I have attached a link to the Force website which outlines the available procedures.

<http://www.strathclyde.police.uk/index.asp?locID=127&docID=-1>

Further to this, if you have a complaint about an individual police officer or civilian staff member the Police Complaints Commissioner for Scotland (PCCS) can review the way that the police organisation involved has handled your complaint.

They can also consider complaints about the way a police organisation responded to a complaint about how it has delivered a policing service.

You can ask the PCCS to review your complaint if you were:

- affected by something that led to a formal complaint about a police organisation or
- you witnessed something that led to a formal complaint about a police organisation

You can access the PCCS website via the attached link

<http://www.pcc-scotland.org/>

I hope this information is helpful, however, if you are not satisfied with the way in which your request has been dealt with, you are entitled in the first instance to request a review of the decision made by the Force. Should you wish to request such a review, please write to Mrs Sheena Brennan, Disclosure Manager at the above address within 40 working days of receiving this letter.

Once informed of the Review Panel's decision, if you are still not satisfied, then you are entitled to apply to the Scottish Information Commissioner within six months for a decision. Contact details are; Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS, telephone 01334 464610.

I would like to take this opportunity to thank you for your interest in Strathclyde Police. Should you require any further assistance concerning this matter please contact me directly on 0141 435 1217 quoting the reference number given.

Yours sincerely

Susan McGinlay
Sergeant