

complaints form inside



step by step

How to make a complaint  
against the police



# What is the Independent Police Complaints Commission?

The Independent Police Complaints Commission (IPCC) is completely independent of the police. It is responsible for making sure that complaints against police officers and police staff in England and Wales are dealt with properly. If you think you have been treated badly by the police, or if a police officer or member of police staff was rude to you or used excessive force, you have the right to make a complaint.

In addition, the IPCC also deals with complaints about Her Majesty's Revenue and Customs (HMRC), the Serious Organised Crime Agency (SOCA) and the UK Border Agency (UKBA).

**The IPCC is not responsible for complaints about police force policies or the allocation of resources. These complaints are dealt with under a separate system, which is not part of the IPCC's remit. You can find further information about this in the *What can I complain about?* section below.**

## Who can make a complaint?

You can make a complaint if you:

- Have been the victim of behaviour you felt was inappropriate by a police officer or member of police staff
- Were present when an incident took place, or were close enough to see or hear the incident, or have been adversely affected\* by the incident
- Are distressed as a result of a friend or a relative being treated badly by the police

You could be acting on behalf of someone who is in any of these categories – for example, you could be a member of an organisation that has been given written permission by an individual to make a complaint on their behalf.

*\* Being adversely affected may involve someone experiencing distress, inconvenience, loss or damage, or being put in danger or at risk. This might apply for example, to people present at an incident or to the parent of a child or friend of the person directly affected. It does not include being distressed as a result of watching an incident on television or reading about it in the media.*

## What can I complain about?

People who work for the police service should behave in certain ways. Expectations about the behaviour of police officers are set out in the Police Standards of Professional Behaviour. These expectations include requirements to:

- Act with honesty and integrity
- Treat members of the public and their colleagues with respect
- Not abuse their powers and authority
- Act in a manner that does not discredit or undermine public confidence in the police service.

If you feel that someone working for the police has not met these standards, you can complain to the police force directly or via the IPCC.

Complaints about the overall policies and procedures of a police force do not fall within the remit of the IPCC and should be made to the Chief Constable of the police force concerned or to the local Police Authority.



# How to make a complaint

- Via the IPCC by phone, email, post, fax, minicom, or by filling in the IPCC complaint form at the back of this leaflet or on the IPCC website.
- To any police force by phone, email, post, fax or in person.
- By contacting any local Citizens Advice Bureau, Youth Offending Team, Racial Equality Council, Probation Service or Neighbourhood Warden. They can give information about what to do next.
- A solicitor or MP can make a complaint on your behalf.



# What to expect when making a complaint

## Recording your complaint

The IPCC does not have the power to record complaints – this is done by the relevant police force or police authority. The IPCC therefore sends any information it receives to the relevant force or authority so that a recording decision can be made.

In the majority of cases your complaint will be assessed by the Professional Standards Department (PSD)\* of the police force concerned. The PSD will decide whether to record your complaint under the Police Reform Act 2002.

If the PSD decides not to record your complaint, you may be able to appeal against this decision to the IPCC.

*\* Each police force has a PSD, which is responsible for complaints and conduct matters involving police officers and police staff within their force.*

## Consent

We need your permission before we can forward your complaint to the police. You will be asked to give us your consent to do this. Without your consent we are unable to pass on the details of your complaint, which means it will not be dealt with.

## After your complaint has been recorded

If your complaint is recorded by the PSD, the next step is for them to decide how best to resolve it. Most complaints are dealt with locally by the police force concerned.

## Local Resolution

Local Resolution is a simple and flexible way to resolve a complaint. Your complaint can only be dealt with by Local Resolution with your agreement.

**Please see our booklet “*Dealing with your Complaint by Local Resolution*” for more information.**

## Police investigation

If your complaint is not suitable for Local Resolution, it will be investigated. The investigator will tell you how your complaint will be investigated, what co-operation they require from you, how a decision will be reached and what action will be taken at the end of the investigation.

The type of investigation will depend on the nature and seriousness of your complaint and the likely outcome. An investigation might range from telephone enquiries conducted in a few hours to a more extensive process perhaps taking a number of months.

## IPCC investigations

If your complaint is more serious, it may be referred to the IPCC. The police, must refer the following sorts of complaints or incidents to the IPCC:

- Incidents where someone has died or been seriously injured following some form of direct or indirect contact with the police
- Serious assault by a member of the police service
- Serious sexual assault by a member of the police service
- Serious corruption
- Criminal offences, or any other behaviour that is aggravated by discriminatory behaviour
- Any 'relevant offence', which means an offence for which the sentence is fixed by law, or an offence for which a person aged 18 or over (not previously convicted) may be sentenced to imprisonment for a term of seven years (or might be so sentenced but for the restrictions imposed by section 33 of the Magistrates' Courts Act 1980).

In the circumstances listed above, the IPCC may decide to conduct a supervised, managed or independent investigation. Alternatively, the IPCC may return the matter to the force for them to deal with.

## IPCC supervised investigation

This is an investigation conducted by, and under the direction and control of the police, but supervised by the IPCC. You can appeal to the IPCC about the outcome of a supervised investigation.

## IPCC managed investigation

A managed investigation is conducted by the police, HMRC, SOCA or UKBA, but under the direction and control of the IPCC. Usually, managed investigations take place when an allegation is of such significance and probable public concern that its investigation needs independent oversight.

## IPCC independent investigation

An independent investigation is conducted by the IPCC's own investigators. Independent investigations are carried out into incidents that cause the greatest level of public concern, have the greatest potential to impact on communities or have serious implications for the reputation of the police service. A significant proportion of the incidents the IPCC investigates are where someone has died during or following police contact or while in custody.

There is no right of appeal to the IPCC following a managed or independent investigation.

The IPCC investigates only the most serious complaints. The majority of complaints are investigated satisfactorily by the police force concerned.



## How will you be kept informed?

Whether your complaint is handled by the police or by the IPCC, you usually have the right to be told about how it will be dealt with, what action may be taken as a result and how decisions will be made. The police or the IPCC will also agree with you how often and by which method you would like to be kept informed.



## What happens once your complaint has been investigated?

When the police or the IPCC have investigated your complaint, you will be advised about what they have decided to do. Possible outcomes could include:

- The police may decide to improve or change their procedures.
- The police may give advice to the officer or person you have complained about so that their performance improves.
- In more serious cases, the police or the IPCC may take your complaint further by passing it to the Crown Prosecution Service (CPS). The CPS will decide if there is enough information for someone to be dealt with by a criminal court.
- In some serious cases the police force may take formal misconduct action against the person you complained about.
- In some cases, there may not be enough information to take action over your complaint. If this happens to you, it may just mean there is not enough evidence available.
- In some cases the police may agree with you that something went wrong, but decide no further action is appropriate.



# What to do if you are not happy with the way your complaint was handled

If you are unhappy with the way your complaint has been dealt with you may be able to appeal to the IPCC. We will consider your appeal and, if appropriate, we can direct the police to change their decision or to take further action with your complaint.



There are three different types of appeal:

- Against a complaint not being recorded
- Against the Local Resolution process
- Against the police investigation into your complaint

You cannot appeal to the IPCC if the investigation into your complaint has been managed or carried out independently by the IPCC.

**For more information about appealing to the IPCC, visit our website – [www.ipcc.gov.uk](http://www.ipcc.gov.uk) – or call us on 08453 002 002.**

# Complaint against the police

We need your permission before we can forward the details of your complaint to the police force concerned for them to consider.

**Please ensure that you sign the declaration on page 2 of this form.**

IPCC office use only

## Completing the form

Please use BLOCK CAPITALS when completing this form. If there is anything that makes it difficult for you to use our service, for example, if English is not your first language or you have a disability, please contact us on 08453 002 002. If you would like someone to act on your behalf (perhaps a friend or relative) please provide their details and your written permission and submit this with your form.

### Your details (complainant)

Please give us your contact details.

Title: eg. Mr

First name:

Surname:

Date of birth:

Address:

Postcode:

Work telephone number:

Home telephone number:

Mobile telephone number:

Email:

### Police details

**WHO?** Which police force is your complaint about?

Please give us any details you might have about the police officers you would like to **make a complaint against**:

Name, Rank, ID and any other identifier:

Name, Rank, ID and any other identifier:

If you know the police station that the officer/s work from, please give details:





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# Questions and answers

## **Can I arrange an interview with the IPCC to make my complaint?**

The IPCC does not operate a face-to-face service. The IPCC takes complaints online, by letter, email or phone.

## **I have a disability. What services can the IPCC provide to enable me to make a complaint?**

The IPCC endeavours to provide a service tailored to meet the needs of the complainant. If you have a specific requirement, please contact us to discuss how we can help you.

## **Can I make a complaint in a language other than English?**

Yes. We also provide our main leaflets in different languages and formats. Visit our website or contact us for further information.

## **Is there a time limit on making a complaint?**

There is no time limit on making a complaint, but it is advisable to make a complaint as quickly as possible after the incident/s have occurred. If more than 12 months have passed between the incident (or latest incident) occurring and the date when the complaint is made then the Professional Standards Department of the police force concerned may apply to the IPCC to dispense with your complaint without looking into it. An exception might be made by the IPCC if you can show good reason for the delay in making your complaint, but only if they can be satisfied that this will not cause injustice.

## **How long will my complaint take to deal with?**

There is no limit on the length of an investigation; however the IPCC expects that any investigation should be proportionate to the nature of the complaint.

Once a complaint is assigned to an investigator they should be able to indicate how long a complaint investigation is likely to take. Unless alternative arrangements have been made you should be provided with an update on the progress of your complaint at least once every 28 days.

## **Can the IPCC help me make a financial claim against the police?**

No, the IPCC's remit does not cover claims for compensation from the police. If you want to pursue any financial claims against the police, you should write to the Chief Constable of the police force concerned or to the Force Solicitor.

Contact your local Citizens Advice Bureau for further information or seek legal advice.

## **Can I make a complaint to the IPCC about a fixed penalty notice/caution/ASBO?**

You can complain to the IPCC if you are unhappy with the conduct of an officer or member of police staff or if you feel you were treated badly or unfairly by the police. However, this would not mean the fixed penalty was cancelled.

This same applies if you have been issued with a caution or an ASBO. The IPCC cannot remove a police caution or contest the caution on your behalf. If you would like to challenge a police caution or fixed penalty, or contest an ASBO you should contact your local Citizens Advice Bureau or seek legal advice.

## **Can the IPCC remove information held by the CRB?**

No. The Criminal Records Bureau is an executive agency of the Home Office and does not fall under the jurisdiction of the IPCC. Any disputes regarding the information on your Criminal Record Disclosure should be raised with the Criminal Records Bureau directly.

If a Criminal Record Disclosure has been applied for but you are experiencing delays, this should again be addressed directly to the Criminal Records Bureau. The delays may be due to the checking procedures conducted by the local police force, but this would also fall outside the jurisdiction of the IPCC, as it is an issue of operational management and not a conduct matter.

If your complaint to the Criminal Records Bureau reveals that the delay is the responsibility of the local police then you may complain to the Chief Constable of the force concerned or to the local Police Authority.

## **The police have not properly investigated a crime I reported, what can the IPCC do?**

If you are dissatisfied with a criminal investigation that the police are currently carrying out or have finished carrying out, then the IPCC can consider a complaint about the conduct of any police officer or member of police staff involved. However, this would not necessarily lead to a review of the criminal investigation itself.

The IPCC does not have any control over the police handling of a criminal matter; we cannot review the results or instruct the police to reinvestigate a criminal allegation.

These are matters relating to the operational management of a police force and should be raised with the Chief Constable of the police force concerned or the local Police Authority.

## **What can I do if I have reported a crime to the police but they refuse to record or investigate it?**

If you believe the recording or investigation of a crime has been prevented due to the conduct of any police officer or members of police staff, then the IPCC can consider a complaint about those involved. However, this would not necessarily lead to the recording or investigation of the reported crime.

In the majority of cases, the decision of whether a reported crime warrants an investigation is an operational decision made in accordance with guidelines set by the Home Office. If you believe that a police force is failing to adhere to these guidelines, you should raise it with the Chief Constable of the police force concerned or with the local Police Authority.

## Other helpful organisations

### **Citizens Advice Bureau**

020 7833 2181

To find details of your nearest office visit  
[www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)

### **Association of Police Authorities**

020 7664 3096

for details of your nearest office visit  
[www.apa.police.uk](http://www.apa.police.uk)

### **The Legal Services Commission – Legal Services Direct**

0845 345 4345

[www.clsdirect.org.uk](http://www.clsdirect.org.uk)

### **Criminal Records Bureau**

0870 90 90 811

[www.crb.gov.uk](http://www.crb.gov.uk)

### **Information Commissioner's Office**

08456 30 60 60

[www.ico.gov.uk](http://www.ico.gov.uk)

Please use the details below to obtain  
this leaflet in another language or format.

Independent Police Complaints Commission  
90 High Holborn  
London  
WC1V 6BH

Phone: 08453 002 002

Fax: 020 7404 0430

Minicom: 020 7404 0431

Email: [enquiries@ipcc.gsi.gov.uk](mailto:enquiries@ipcc.gsi.gov.uk)

Website: [www.ipcc.gov.uk](http://www.ipcc.gov.uk)

### **Home Office**

020 7035 4848

[www.homeoffice.gov.uk](http://www.homeoffice.gov.uk)

### **Police National Legal Database**

web-based information

[www.askthe.police.uk](http://www.askthe.police.uk)

### **Crown Prosecution Service**

020 7796 8000

[www.cps.gov.uk](http://www.cps.gov.uk)

### **Criminal Cases Review Commission**

0121 633 1800

[www.ccrcc.gov.uk](http://www.ccrcc.gov.uk)

This leaflet provides general information  
about the organisation and functions of the  
Independent Police Complaints Commission.