

Stakeholder Update

December 2021

The Hillsborough Investigation Final Report

In our previous update we mentioned the Hillsborough Investigation Final Report. The report continues to be drafted and will only be finalised once the Salmon/representations process has been completed.

“Salmon letters” are sent to people or organisations who may be subject to criticism when a public report is released. We will send Salmon letters to people or organisations who have not previously had an opportunity to respond to any criticism contained in our draft report. This is so that they can respond (if they so wish) to any criticism made and also prepare themselves for any resultant exposure when it becomes public knowledge.

Once individuals and organisations have had an opportunity to consider any criticism, they may then respond to the Decision Maker Sarah Green, who in turn will consider what action to take or whether their responses should be published in addition to the report.

When the report has been finalised, it will be published on a standalone Hillsborough investigation website. Not only will the reader be able to access and read the report in its entirety, but it is also our intention to publish as much of the supporting and reference material as possible, for example a witness statement or a decision made by the police. The report will also be made available in print and other formats upon request.

The website will be launched ahead of printed copies of the Final Report investigations report being available. This is because the actual process of printing, publishing and distributing all the material will take several months to complete, whereas the launch of the website can be achieved sooner. It is important we don't delay launch of the website, while waiting for the publishing process to be completed. A printed copy of an Executive Summary, which will pull out the key points from the report, will be available to coincide with the launch of the website. As soon as possible after the launch of the website and the Executive Summary, copies of the final report will be made available to those who request them.

At this stage it is not possible to predict with any degree of certainty when the report will be published, because at this point we cannot predict exactly how long the Salmon process will take to complete. However, every effort will be made to ensure that the Salmon process is applied fairly, while maintaining control of time constraints as we move through each stage. We will provide you with a progress update in the summer of 2022.

In addition, the website will include the history of the Hillsborough investigation (since it began) along with lessons which have been learned from the investigation.

Complaint and conduct reports

The website will contain case summaries of more than 150 IOPC and Operation Resolve complaint and conduct reports.

Anyone who has made a complaint will receive a copy of their individual complaint report ahead of publication on the website.

The numbers of complaint/conduct reports have decreased since our last update. This is due primarily to administrative changes which have allowed us to link some investigations, as well as discontinue a number that do not meet certain criteria set out in the Police Reform Act 2002.

The Hillsborough Decision Maker

In our last update we advised you of the appointment of the Hillsborough Decision Maker, Sarah Green. Below, Sarah has provided details on her background, her role within the Hillsborough investigation and the legal processes that she must follow.

My background

I am a lawyer and have spent most of my life working in the public sector. I joined the board of the IPCC (as then was) as a commissioner in 2011 and became a deputy chair alongside Rachel Cerfontyne in 2014 – I was the lead commissioner for the Metropolitan Police Service and she was the lead commissioner for the Hillsborough investigation. In 2018, when we became the IOPC I successfully applied for a regional director role.

Over my 10 years at the IPCC/IOPC I have acted as decision maker on hundreds of cases, as well as leading work to improve how we investigate cases involving deaths. I am currently seconded from that role to work as the Hillsborough Decision Maker, with delegated authority from the Director General of the IOPC, Michael Lockwood.

What decisions am I making?

I am responsible for ensuring the terms of reference for the investigations are accurate and up to date, and I approve any amendments to these.

I review the content of the final report, and the individual complaint and conduct reports that sit alongside it, to ensure that the terms of reference are met.

Part of my role is to decide whether or not Hillsborough complaints are upheld. In addition, in certain cases, I express an opinion on whether or not an officer who has had a complaint made against them would have a case to answer for gross misconduct or misconduct, had they still been serving with the police today. I also express an opinion as to whether or not potential performance issues would have been raised had relevant officers still been serving.

I am also required to review whether any further referrals should be made to the Crown Prosecution Service after the final reports have been completed, taking into account whether the evidential position has changed since any previous decisions were made, and applying the relevant legal tests.

I approve learning recommendations arising from the investigation and make decisions on naming individuals or redacting their names from anything we publish.

As previously mentioned, we will follow the Salmon process. It is my responsibility to approve the approach in notifying individuals and organisations that they are criticised in the report and to also consider any responses made and what actions to take.

What is my approach to this?

My approach to taking any decision or expressing an opinion is to consider the allegations made against the available evidence, applying relevant legal tests and having regard to relevant professional standards, guidance, policies and procedures.

To find out more about our work or to request this report in an alternative format, you can contact us in a number of ways:

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Tel: 0161 246 8503
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We welcome telephone calls in Welsh
Rydym yn croesawu galwadau ffôn yn y Gymraeg

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