

Welcome to our monthly newsletter which provides updates about the work of the Independent Office for Police Conduct (IOPC). The newsletter is for complaint handlers in forces and Local Policing Bodies (LPBs).

Corporate news

More than 1,500 police officers and staff examined by the IOPC for conduct

More than 1,500 police officers and staff have faced examination by the Independent Office for Police Conduct for their conduct in two years.

New IOPC reports show for the first time the wide-ranging impact of our work. Outcomes Reports for 2018/19 and 2019/20 cover the IOPC's first two full years in operation. Over those two years:

- 1,435 investigations were carried out by the IOPC, of which 693 (48%) examined the conduct of at least one individual and 236 (16%) included at least one person under criminal caution
- 1,504 people were investigated by the IOPC in relation to their conduct and 58% (867) were either found to have a case to answer or faced other action, such as unsatisfactory performance proceedings
- 327 people were criminally investigated by the IOPC and files relating to 176 (54%) individuals were passed to the Crown Prosecution Service (CPS) to consider charges
- 51 people were subsequently charged by the CPS with a criminal offence as a result of an IOPC investigation, with a further seven charging decisions from the CPS awaited
- misconduct was proven in 181 of the 311 cases that went to misconduct proceedings in this period

We also made over 400 learning recommendations to police forces and policing bodies to improve policing practices through changes to policies, training, supervision and culture. This ensures the system changes, and that mistakes are not repeated.

Read the [full Outcomes Reports on our website](#).

Hillsborough ruling at the Denton, Foster and Metcalf trial

As a result of our independent investigation into the aftermath of the Hillsborough disaster, three defendants – retired senior South Yorkshire Police (SYP) officers Donald Denton and Alan Foster, and Peter Metcalf, the solicitor acting for SYP – were charged with perverting the course of justice in relation to amendments made to SYP officers' accounts in 1989.

The judge for the trial, which started on 19 April, has ruled that the case against all three defendants should be dismissed. This ruling is based on a legal argument, not the evidence we were part of providing. The CPS has decided not to appeal the ruling.

IOPC Deputy Director General Claire Bassett said: "We acknowledge the court's decision, which we know has come as a bitter disappointment to the families of those who lost their lives at the Hillsborough disaster, and its survivors. Naturally, our thoughts are with all those affected by the tragedy, who have had to relive some very painful memories during this trial.

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“We conducted the largest independent investigation into police misconduct and alleged criminality ever carried out in England and Wales. We will now focus on finalising our report which will cover the findings of more than 160 individual investigations into the actions of the police following the disaster – a significant body of work given events took place such a long time ago.

“We are committed to answering many of the questions that still remain about police actions before, during and after the disaster, and we will continue to keep bereaved families, survivors and other affected groups informed about our findings. Our focus will remain on ensuring that the lessons which have emerged from our work on Hillsborough are shared with police forces and this is prevented from ever happening again.

IOPC gives evidence to Home Affairs Committee inquiry into police conduct and complaints

Director General Michael Lockwood, Deputy Director, General Operations Claire Bassett, and Director, Strategy and Impact Kathie Cashell all gave evidence to the Home Affairs Committee as part of their inquiry into police conduct and complaints.

A transcript of the session on 19 May 2021 and copies of our written submissions to the inquiry can be found on the [parliamentary committee website](#).

Remembering George Floyd and our work on discrimination

On Tuesday 25 May, we remembered the one-year anniversary of the death of George Floyd, who was killed as a result of restraint by a police officer. For many, the event brought their lived experiences of racism into the spotlight and was a powerful catalyst for change. London Regional Director and Strategic Lead for Discrimination, Sal Naseem, [published a blog on our website](#) talking about work we've been doing to look at race-based discrimination in policing.

Latest news

[Learning recommendations to Northamptonshire Police on recording the reasons for placing a juvenile in a police cell](#)

[Investigation into death of teenager recommended learning for Kent officer and staff](#)

[Former Lancashire detective jailed following inappropriate contact with women](#)

[Suffolk officers to face gross incompetency hearing following Paul Reynolds' inquest](#)

[Met officer dismissed without notice after using excessive force on teenage girl](#)

Application for review



An application for review does not need to explicitly say that it is a review. Sometimes, it might be unclear from the correspondence received, whether a complainant (or person acting on their behalf) is requesting a review of their complaint; making a new complaint; or sending additional correspondence. If the purpose of the correspondence is unclear, please contact the complainant to clarify what they want to do.

For further guidance on handling applications for reviews, please see [Chapter 18 of our Statutory Guidance](#).

Oversight interventions

Reviews practitioner workshops

We recently shared the Frequently Asked Questions (FAQs) from the LPB Reviews Practitioner workshops, with forces. Topics include:

- relevant review body
- initial handling
- review process, and
- general review handling

The questions focused on reviews and do not cover all aspects of complaint handling. However, they do provide some insight into the potential issues that can arise in the early stages of complaint handling and we believe there is benefit in sharing them more widely. We hope you will find them useful. If you have not received the FAQs or have any questions, please contact your Oversight Liaison or the [Oversight team](#).

Initial handling

As you will be aware, the Oversight team carried out case reviews to understand how decisions are being made at the early stages of complaints handling. We examined cases from eight police force professional standards departments and one model three Office of the Police and Crime Commissioner (OPCC). The main aim of the intervention was to identify effective and shareable practices.

The case review exercise looked at the following areas:

- Expressions of dissatisfaction that were excluded from the complaints system as the force decided that the person was not eligible to complain.
- Expressions of dissatisfaction that are brought into the complaints system but where no further action (NFA) is taken.
- Expressions of dissatisfaction handled outside of Schedule 3 of the *Police Reform Act 2002*.

We also held professional discussions with the complaint handlers in the participating forces/OPCC to explore their experiences of the new system and approaches to customer service. We recently shared two reports summarising our findings with you. We are considering ways to share the effective practice we identified, which may result in an issue of Focus. Through our interventions work, local insights and data analysis, we have observations on how the reforms are working in practice. We are considering how we best share our observations with you on the reforms and their ethos.

Oversight survey



Thank you to those who completed our recent Oversight survey. We are analysing the results to inform our planning for future activities and engagement with you. In the meantime, we wanted to share some of the key headlines:

- we received 87 responses
- many of you said you would like more opportunities to network and to share information and learning
- more than half of respondents would like more presentations and Q&A sessions from the oversight team or other IOPC teams
- our *Focus* guidance is very popular amongst respondents, with the majority of people who read and share it finding it valuable to their work.

We appreciated the positive and constructive responses about our work, engagement and communications. Keep an eye out for further updates.



Common questions from forces and LPBs

Q: Do we need to send a 12-month letter for a case where the officer was subject to a criminal investigation which was completed within 12 months; however we are awaiting the outcome from the Crown Prosecution Service (CPS) which will likely exceed 12 months?

A: No. If the investigation has finished and a determination has been made by the Appropriate Authority (AA) within 12 months, a 12-month letter does not need to be sent. Any subsequent delays with other agencies or proceedings after the investigation has finished, do not fall under the 12-month legislative timeframe. The relevant time period is from the date the complaint was made, or the conduct or DSI matter came to the AA's attention, and the date the matter was submitted to the AA. It is for LPBs to decide, and discuss with the force, whether they wish to be informed of other timeliness matters (and how) as part of their wider governance role.

This does not relate to matters where the complaint/conduct investigation was suspended and not completed/submitted to the AA within 12 months, due to ongoing criminal proceedings. In these cases, a 12-month letter is required.

Q: We are dealing with a complaint against the Chief Constable which was recorded, referred to the IOPC and returned to us to handle. We want to investigate the complaint, however the force is dealing with a related complaint which is currently suspended because of an ongoing criminal investigation. Do we need to wait for the criminal investigation to conclude before we can investigate the complaint against the Chief Constable?

A: Possibly. While the force has made the decision to suspend an investigation, this does not automatically mean that a related complaint against the Chief Constable needs to be treated in the same way. This decision is based on several factors;

- the nature of the complaint against the Chief Constable and whether it is intrinsically linked to the suspended complaint, or if the scope of the complaint against the Chief Constable has a different focus, and
- whether investigating the complaint against the Chief Constable would prejudice the criminal investigation or proceedings

When deciding whether to suspend your investigation, you will need to identify the specific prejudice. You should consider the extent to which the matter raises issues that are the same as, or closely connected with, the issues in the ongoing criminal investigation or proceedings, and what prejudice (if any) would be caused to the ongoing criminal investigation or proceedings by the investigation. You will need to consider if the complaint investigation can be progressed without any prejudice, and if it can, then it should be progressed.

The local policing body should consider liaising with the force and/or the CPS to help with its determination.