

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).

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## Corporate news

### **IOPC Impact report – Making a difference**

Our [third annual Impact Report shows how our work is making a difference](#) by improving the timeliness of our investigations and influencing improvements in policing practice by sharing learning. It sets out our impact in four priority areas of improving the police complaints system, identifying and sharing learning, improving public confidence in the complaints system and being an effective organisation. It provides examples and case studies of how we held the police to account in the most serious matters, helped to improve the way they handle complaints and positively changed policing practice at a local and national level.

Since we became the IOPC in 2018, we made over 400 learning recommendations aimed at improving policing in areas such as tactical pursuits, stalking and harassment and search warrants. We completed almost 1,900 investigations, carried out over 3,000 reviews of local investigations into death or serious injury matters and completed over 6,000 valid appeals from people who were dissatisfied with the outcome or handling of their complaint by the police force.

In 2020/21, we maintained significant improvement in the timeliness of investigations, with 91% of core investigations completed within 12 months – up from 83% in the previous year.

The COVID-19 pandemic presented new challenges for police forces as well as changes to our lives and work. There were growing concerns from communities about stop and search, Taser use, discrimination and disproportionate use of force.

In response to these, a thematic review of stop and search investigations involving the Metropolitan Police Service (MPS) was conducted and a number of recommendations to improve these MPS interactions with the public were made. In addition, we conducted a review of more than 100 independent IOPC Taser investigations, with learning recommendations published during summer 2021.

Over the last three years, young people's awareness of the IOPC has increased as has stakeholder confidence in our work. The confidence of people from a Black, Asian or minority ethnic background that police deal with their complaints fairly has also increased.

Michael Lockwood, Director General of the IOPC, said: "This has been a challenging but highly successful year for the organisation, in which we continued to use learning recommendations to improve the service the public experience from our police forces and help officers better do their job.

"I am proud that over the past three years we drove significant improvements to the complaints system. The police have powers that can impact on people's liberty and lives and it is vital the public have confidence that those powers are used properly, appropriately, and responsibly.

"The latest results from our stakeholder surveys were positive and our improved efforts to engage with stakeholders were highly praised. We benefited greatly from spending important time with communities across the country and listening to their issues and concerns. This means we can focus on what is important to them. This year, we met with over 300 community groups and organisations and gained positive feedback and valuable insights from these conversations.

"We are confident that our organisation is well-prepared for the challenges ahead and look forward to the opportunities presented by the ever-changing landscape and our expanded role within it."



Between April 2020 and March 2021:

- We began 465 independent investigations and completed 460.
- We completed 91% of our core investigations within 12 months (excluding major investigations - these are large scale or more complex cases such as our Hillsborough investigation). This compares with 83% in 2019/20, 82% in 2018/19 and 69% in 2017/18.
- We dealt with over 1,600 appeals or requests for a review of how a police force handled a complaint, of which we upheld 526.
- We made 216 learning recommendations. Ten percent of our learning recommendations related to the police response to domestic violence and 16% concerned police custody.
- We held around 300+ community meetings across the country.
- Our Customer Contact Centre dealt with around 500 calls each week
- We received over 4,670 referrals from forces – a 7% increase on 2019/20. Despite this, we were able to decide on the mode of investigation within our three working day target in 82% of cases.

## Latest news

Keep up to date on our investigations and other work to increase public confidence in the police complaints system. You can find our [latest IOPC news](#) on our website. You can also read about the [learning recommendations we make following our investigations](#)

[Hampshire detective sentenced to eight months jail for forging witness statement](#) in murder trial

[Former West Midlands Police officer jailed six months for assault](#) of two men during separate stop and search

[Former Metropolitan Police Service officer would have been dismissed without notice](#) for continued use of Taser

[Investigation into West Yorkshire Police actions prior to quadruple fatal collision](#) found officers acted appropriately

[Learning recommendations to Cambridgeshire Police following death of missing girl](#)

[Recommendations for Met to reinforce changes to working practices in Directorate of Professional Standards](#)

## Relevant review body test - reminder

The appropriate authority (AA) is responsible for deciding whether the LPB or the IOPC is the relevant body to consider any application for review. The relevant review body (RRB) test is set out in chapter 18 of the [IOPC statutory Guidance](#). When applying the test, the AA must only consider the substance of the complaint and they **should not assess the merit of the allegations or any likely outcomes** of the complaint when making their decision. Further guidance on applying this test and case study examples can be found in [Focus issue 13](#). If you would like to discuss the application of the RRB test, please contact your Oversight Liaison or email [oversight@policeconduct.gov.uk](mailto:oversight@policeconduct.gov.uk)

## Recent information

### Police complaints information bulletins Q4 2020/21

On 17 September 2021, we shared the police complaints bulletins for Q4 2020/21 (1 April 2020 to 31 March 2021) with forces and LPBs. Thank you again for your patience and understanding while we worked to resolve the technical issues identified during the development of the bulletins. The bulletins will be published on the IOPC website in early November 2021, alongside the Annual Police Complaints Statistics. If you have any queries about the data you received, please contact the Performance Team at [performance.framework@policeconduct.gov.uk](mailto:performance.framework@policeconduct.gov.uk)

## Background paper requests

At the start of the first lockdown in March 2020, we changed our approach to requesting background paper information and media for appeals/reviews. In the past, this was done on an individual case basis but we moved to a once weekly email, collating the cases. This was part of an effort to reduce the amount of email traffic flowing into PSD inboxes during a time when there was increased pressure and demand on your resources. With COVID-19 restrictions now starting to ease across the UK, we reviewed this approach. Having taken feedback from forces and looking at our own capacity, we decided to return to our original process of requesting background papers throughout the week rather than once weekly.



## Keeping contact details up to date

Please let the Oversight team know of any changes to the contact details that we hold for you, for both complainants and any IOPC-only contact details. We also ask you to let us know if you are removing the 'pnn' from your email addresses. Please email [oversight@policeconduct.gov.uk](mailto:oversight@policeconduct.gov.uk) with any changes so that we can update our systems.

## Notification of investigations exceeding 12 months

Please continue to send your 12-month investigation letters to [oversight@policeconduct.gov.uk](mailto:oversight@policeconduct.gov.uk). We ask that you avoid sending them to us in advance of the 12 month point to help us maintain accurate data for analysis and reporting.

You do not need to send letters where an investigation was completed within 12 months but time subsequently spent submitting or assessing an application for review means a case is live at the 12-month date. Regulation 13 of The Police (complaints and misconduct) Regulations 2020 places a duty on the AA to report to the IOPC and the local policing body when a local investigation is open for longer than 12 months. Under these provisions an investigation is considered complete when the report is submitted to the AA, so the 12-month letter clock stops at this point.

## Focus updates

### Amendment to issue 9 – referrals

In September 2021 we updated Focus [issue 9](#) on referral of serious corruption allegations. This is in response to the judge's comments in the case of R (Rose) v Greater Manchester Police (2021). The question for the Court was whether the appropriate authority (AA) is allowed or expected to carry out any assessment of the allegation before making a referral. The court determined that the AA should look at the conduct which is alleged in the complaint and consider whether that conduct, if substantiated, would constitute serious corruption. The AA should not, at that stage, consider the merits of the complaint but instead focus on the nature of what is being alleged. It will not be sufficient for a complainant simply to say that "serious corruption" is alleged but once a complainant goes beyond that and alleges particular conduct, then the assessment is whether such conduct, if substantiated, would fall within the scope of the definition. As a result, we made minor amendments to the text on page 15 and case study fifteen on page 16.

### Focus issues relating to previous legislation

We are aware that some issues of Focus on our website contain old content that is no longer relevant under the new legislation. We will review the content of the older issues and remove issues that are no longer relevant. In the meantime, please ensure you refer to the correct guidance. Issues 1 to 8 inclusive and issues 10 and 11 relate to the old legislation, so these are matters that came to the attention of the AA before 1 February 2020.

## Update on Oversight Survey results

In the May 2021 newsletter, we shared the headline results from the Oversight Survey. Since then, we made the changes you told us you wanted to see:

- You will see an updated minutes template for PSD meetings where we will provide more succinct notes and action points.
- Your feedback on our interventions work is being fed into our future projects.
- We will include items from the predecessor Oversight bulletin in future issues of this newsletter, where relevant, such as force initiatives and shareable practice.

## Future workshops

We are developing a programme of regional in-person workshops for complaints handlers to be held in February and March 2022. Our current workshops with reviews handlers, the ongoing projects looking at use of reflective practice and reviews, and the availability of reliable complaints data provide us with opportunities to identify and share learning relevant to complaints handlers.

Once we have confirmed dates and venues, we will provide more details and send invitations. We are hopeful that, as with previous workshops, forces or LPBs are able to support us through the use of their facilities. We will be in touch with you to discuss options soon.



## Common questions from forces and LPBs

**Q: To ease delays at the AA stage, can the final decision be delegated in complaints handled otherwise than by investigation?**

A: Yes, the role of AA can be delegated to anyone serving with the police and therefore, local complaint handlers can make the final decision for complaints handled otherwise than by investigation. The exception to this is when your PCC has chosen model 3, which means that they would make the final decision. It is only investigations (both special procedures and non-special procedures) where the investigator offers an opinion in their report and then the final determination is done by the AA who must be at least the rank of Inspector or equivalent.