

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).

Race discrimination thematic update

Our [June issue of this newsletter](#) featured an overview of the thematic work we are undertaking on race discrimination and asked for details of your initiatives and good practice - thank you to those of you who responded. We spoke with a group of forces and Office of Police and Crime Commissioners (OPCCs) to explore their initiatives for improving the handling of discrimination complaints, and to discuss the areas that present challenges.

We completed the majority of our discussions with these forces and OPCCs and would like to extend our thanks to all involved. The meetings were well-attended by PSD complaints handlers and decision-makers, local complaints handlers, staff involved in wider disproportionality work, complaints resolution team staff, academics, 'diversity and inclusion' team members, trainers/ those responsible for education programmes, staff involved in community engagement, and representatives of panels and independent advisory groups.

This broad representation of staff has afforded us great insight into new and innovative work, as well as sound, well-established practices that continue to be carried out. We also had candid discussions about the challenges and problems in dealing with race discrimination complaints, particularly when they are based on allegations of bias or perception.

Next we will now move into a period of consolidation involving further analysis to draw out key themes. If we haven't met with you but you would like to discuss any work you are doing in this area, please do contact us.

We recently published a report from our discrimination subject matter network (SMN). It is a progress update on the work of our SMN and sets out the types of cases and issues we have seen, together with what we have learnt so far. The full update report is available on our [website](#).

Retention and disposal of records – can you help?

We are currently looking at ways to ensure that third parties who we send records to (data processors), destroy those records when required, in line with the IOPC's retention and disposal schedule. We are looking at options for making sure the need to dispose of records is clearly-outlined with third parties from the outset, for example in contracts or data sharing agreements. Our corporate records management team would be interested in knowing how police forces approach this.

We would also be interested to hear about any process you may have in place for bulk destruction using a risk-based approach. Perhaps where there has been a backlog of information that's due for disposal and needs immediate action to reduce the risk of non-compliance. Where the level of auditing and authorisation may differ from the standard destruction processes, how have you addressed this in a timely manner?

We would be extremely grateful to hear from you on how you approach retention and disposal of records. If you have any information that might help us, please can you email [Oversight](#) by close of business on **Thursday 17 February 2022**.

Notifying interested parties of MOI decisions update

Following feedback, the Assessment Unit reviewed its position on notifying interested parties (IPs) of mode of investigation (MOI) decisions. As set out in the *Police Reform Act 2002*, IPs should only be considered as such where they have given consent. As a result, we will no longer write to IPs as a matter of course and will only do so where written consent is given with the referral. This process change will not impact upon our communication with complainants and subjects, and we will continue to write to them as normal.

Forward look – 12-month letters guidance

We are currently drafting a guidance document on 12-month letters under Regulation 13 of The Police (complaints and misconduct) Regulations 2020 and Regulation 19 of The Police (conduct) Regulations 2020. The guidance will explain the relevant dates as set out in the legislation. We will also help police forces understand when a 12-month letter is required by providing examples that we received queries about. We hope to publish the guidance in the next couple of months.



Recent information

Complaint handler workshop invitation

Recently we emailed all forces and some of the OPCCs that adopted model 2 or 3 complaint handling, to invite them to a series of complaint handler workshops we are holding in February and March 2022.

These workshops are an opportunity to discuss and explore specific areas of the complaints system, which can have a big impact on complainants' experiences and understanding of the decisions reached. It is also a time to reflect and share what is going well.

If you've not yet had a chance to respond and would like to attend, please ensure you email your reply to [Oversight](#), by close of business on **Friday 4 February 2022**.



Common questions from forces and LPBs

Q: Is it necessary to refer a criminal matter for a retired officer to the IOPC, if they were serving at the time of the alleged offence?

A: Yes, if the person was serving as an officer at the time of the alleged criminal offence and what is alleged meets the mandatory referral criteria, the appropriate authority must refer the matter to the IOPC.

Q: Is there an expectation, where a complainant's first language is not English, for translation services to be provided?

A: Although there is no legal requirement to translate documents or provide an interpreter for other languages, except where that language is Welsh, there is an obligation under the Equality Act 2010 to make sure the actions of any public body are not directly or indirectly discriminatory.

If the complainant has limited or no command of English and they ask to communicate in the language of their choice, it is reasonable to expect both forces and LPBs to consider the use of translation services for the handling of their complaint and any subsequent review. Providing these services may assist in removing direct or indirect discrimination, advance equality of opportunity and foster good relations.

It is possible that if translation services should have been provided and were not, then the handling of the complaint could potentially be deemed not reasonable and proportionate. This is because the complainant may not have been afforded the opportunity to express themselves fully as part of the initial contact with the force. There is also a risk of the complainant's concerns and feelings being lost. More information on accessibility to the complaints system is referred to in [Focus issue 17](#) and the [December issue of the newsletter](#).

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Corporate news

Greater Manchester Police officer found guilty of misconduct in public office over relationship with vulnerable victim of crime

A [Greater Manchester Police officer who formed an inappropriate relationship with a vulnerable woman has been found guilty of misconduct in public office](#) and attempting to pervert the course of justice. Following our investigation into his involvement with the woman, the officer was convicted at Liverpool Crown Court.

We received a mandatory conduct referral from the force in October 2019 and began an independent investigation, which concluded in October 2020. Investigators interviewed the officer and obtained statements from witnesses, including colleagues and the woman, as well as analysing mobile phone evidence.

The officer first met the woman in 2012 after she made a report to police about a crime against her. He admitted forming a professional and friendly relationship with her, but denied it was ever inappropriate. We found evidence that the relationship was ongoing in 2019, when he was required to attend her address in a professional capacity. We also obtained evidence that he asked colleagues to avoid looking for evidence or overlook any evidence they may find during a search of the property.

On completion of our investigation, we found the officer had a case to answer for gross misconduct for breaching the standards of professional behaviour. We referred it to the Crown Prosecution Service and it authorised charges against the officer.

Following a trial lasting nine days, he was found guilty of misconduct in public office and attempting to pervert the course of justice and will be sentenced on 4 April.

IOPC Regional Director Amanda Rowe said: “This officer took advantage of a woman who he knew to be vulnerable and his actions have absolutely no place in policing.

“His subsequent efforts to cover up his behaviour show that he knew what he had done was unacceptable. This abuse of trust seriously risked undermining public confidence in the police and we welcome the jury’s decision.”

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](#).

[Former Northumbria Police officer jailed over inappropriate messages and photos he sent to women](#)

[Court trial for West Midlands officers charged with alleged assault when apprehending a man](#)

[Our investigation into deaths of two men after police pursuit in West Yorkshire found officers acted in accordance with police policies](#)

[West Midlands Police officer found not guilty of assault when attending domestic incident](#)

[Northumbria police implementing organisational learning following our investigation into a missing person who was found dead](#)

[Learning identified on body-worn cameras following our investigation into Lancashire police interaction with a man circulated on social media](#)