

FOI Disclosures September 2021

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This month we have responded to questions relating to the following topics:

- [Hertfordshire Constabulary investigation report – PC Musto](#)
- [Investigations of police conduct following murder by a partner](#)
- [Accrington incident independent investigation](#)
- [Complaints about West Yorkshire Police](#)

If you require a full copy of any of the embedded attachments, please contact Requestinfo@policeconduct.gov.uk quoting the reference number from the relevant response.

<u>Ref</u> <u>1009461</u> <u>Back to top</u>	<u>Hertfordshire Constabulary investigation report – PC Musto</u>
<u>Request</u>	<i>The final investigative report and findings provided to Hertfordshire Police in June 2019 at the conclusion of the IOPC's investigation into PC Nicholas Musto, formerly of Hertfordshire Constabulary.</i>
<u>Response</u>	<p>We have decided that you are not entitled to the investigation report because it is exempt under sections 30 and 40 of the FOIA.</p> <p>In the case of information falling within the terms of section 30, we are refusing your request because the public interest in maintaining the exemption outweighs the public interest in disclosure.</p> <p>A <u>summary of this investigation</u> has been published on our web site in line with our <u>publication policy</u>. We consider this information to be a proportionate response to the public interest in transparency and accountability, taking into account the competing public interest in preserving the confidentiality of investigations and the persons to whom they relate, as well as the strong likelihood that a redacted version of the full report would not leave the public any better informed about this case.</p> <p>It is also relevant to the balance of the public interest that there has been no suggestion that the IOPC investigation is flawed. In our view, the public interest in disclosure of the full report is significantly reduced by the lack of any such concerns together with the information we have published on our website.</p>
<u>Ref</u> <u>1009457</u> <u>Back to top</u>	<u>Investigations of police conduct following murder by a partner</u>
<u>Request</u>	<i>How many complaints have been investigated by the IOPC into police conduct following a murder where the victim is a woman and the</i>

	<i>suspected perpetrator is her partner or former partner? Please provide the number of investigations since 2010</i>
<u>Response</u>	<p>The IOPC reports annually, on a financial year basis, deaths during or following police contact. One category of death that is reported on is 'other deaths following police contact'. These deaths are all, by definition, subject to an independent investigation.¹ Within this category, the deaths are further grouped based on the reason for contact with the police prior to their death and the most relevant group for your request is 'domestic related'.² One of the fields we collect data on is the classification of the death and the most relevant classification for your request is 'alleged murder'³. We also collect demographic data so we were able to further refine the data down to domestic related deaths that were alleged murders, where the deceased was female.</p> <p>The timeframe looked at for your request is deaths following police contact that occurred between 2010/11 and 2020/21. We have not considered more recent deaths, because the reporting of deaths within this category will be included in our 2021/22 report 'Deaths during or following police contact: Statistics for England and Wales 2021/22'. These cases are still in the process of being verified and checked.</p> <p>During this period, there were 114 deaths following police contact that were classed as domestic-related and involved the alleged murder of a woman. The IOPC carried out 105 independent investigations in relation to these 114 deaths. Although all the deaths were subject to independent investigation, they may not have involved an investigation of a complaint or a conduct matter.</p> <p>As per our definition, domestic-related incidents may include those between family members, such as incidents involving parents and their children. We have assessed whether we are able to provide a dataset that exactly meets the requirement of <i>'[investigations] by the IOPC into police conduct following a murder where the victim is a woman and the suspected perpetrator is her partner or former partner'</i>. However, there would be a considerable level of manual scrutiny of case files required to confirm in how many of these deaths the suspected perpetrator was the victim's partner or former partner. We have determined the activities involved would exceed the cost limit, as prescribed by section 12 of the FOIA and associated regulations.</p> <p>The classification of death is based on the information available at the time of reporting, and we can only report on whether a murder was alleged at this time. Whether a death was the result of a murder can only be determined by the courts.</p>
<u>Ref</u> <u>1009501</u> Back to top	<u>Accrington incident independent investigation</u>
<u>Request</u>	<i>You requested the investigation report relating to an independent investigation following an incident in Accrington.</i>
<u>Response</u>	<p>This investigation is now complete and we are currently in the process of preparing a summary of the investigation and our findings for publication in line with our Publication Policy.</p> <p>We have decided that you are not entitled to the full investigation report because it is exempt under sections 30 and 40 of the FOIA.</p>

	<p>In the case of information falling within the terms of section 30, we are refusing your request because the public interest in maintaining the exemption outweighs the public interest in disclosure.</p> <p>A publication decision has been made to produce a summarised version of the investigation report which will result in significant details of this case being placed into the public domain on our website in line with our publication policy. It is highly likely, therefore, that the public interest in being properly informed about this case will be met by this disclosure.</p> <p>We consider this will be a proportionate response to the public interest in transparency and accountability, taking into account the competing public interest in preserving the confidentiality of investigations and the persons to whom they relate. The level of redaction required to prepare the investigation report for disclosure under the FOIA would result in information so heavily edited as to make it difficult to read and follow and would not leave the public any better informed about this case than the summary which is currently being worked on to prepare it for publication.</p>
<p><u>Ref</u> <u>1009505</u> Back to top</p>	<p><u>Complaints about West Yorkshire Police</u></p>
<p><u>Request</u></p>	<p><i>Can you please confirm how many cases against West Yorkshire police have been made in the last 3 years and how many have you upheld in the claimants favour</i></p> <p><i>What types of complaints were they?</i></p>
<p><u>Response</u></p>	<p>The data we hold in relation to your request is published on our website. The IOPC collects complaints data from police forces and publishes an annual report, the latest of which, for 2019/20, can be found here: https://www.policeconduct.gov.uk/sites/default/files/Documents/statistics/complaints_statistics_2019_20.pdf. We also produce quarterly bulletins specific to each force on our website here: https://www.policeconduct.gov.uk/research-and-learning/statistics/police-complaints-statistic. The data is the latest available. Our complaints statistics reports include information about the number and type of complaints made. They also set out how these complaints were subsequently dealt with, and include demographic data about who complained and who the complaint was about.</p> <p>The Policing and Crime Act 2017 and supporting regulations introduced a number of changes to the police complaints and disciplinary systems. These changes came into effect on the 1 February 2020. The statistics and quarterly performance data published here only contain information for complaints that have not been affected by the Policing and Crime Act 2017, which are all complaints received police forces in England and Wales prior to 1 February 2020. The bulletin relating specifically to West Yorkshire Police is accessible on this page of our website: https://policeconduct.gov.uk/tags/west-yorkshire-police</p> <p>The quarterly bulletins report on the following:</p>

• The number of complaint cases and allegations recorded • The nature of the allegations recorded • Percentage of complaint cases recorded within ten working days • Number of allegations recorded per 1,000 people employed by the force • Methods used to deal with complaints/allegations • Average time the force takes to finalise complaint cases • Average number of days to finalise allegations by local resolution • Average number of days to finalise allegations by local investigation • Appeals made to the force (received, completed and upheld) • Average number of days the force takes to complete appeals • Appeals to the IOPC about this force (received, completed and upheld) • Average number of days we take to complete appeals about this force

The website pages referred to above also contain links to our current and previous annual statistical reports and force performance data. .