

Independent Review of the IPCC investigation into the death of Sean Rigg – IPCC Response and actions

<b>THE INVESTIGATION</b>				
<b>RECOMMENDATION</b>	<b>RESPONSE</b>	<b>ACTION</b>	<b>SRO</b>	<b>TIMESCALE</b>
<p>The review recommends that the IPCC reconsider the conduct of the police officers involved in the apprehension, restraint and detention of Mr Rigg, in relation to possible breaches of their duty of care, with a view to determining whether to bring misconduct proceedings. (Page 3)</p>	<p>The IPCC has determined that there needs to be a review of the decisions not to refer the conduct of any officer to the Director of Public Prosecutions nor to recommend any disciplinary proceedings be brought against any police officer or staff member involved in the arrest, restraint and detention of Sean Rigg. A new commissioner, Mary Cunneen has been appointed to oversee this review.</p>	<p>Action 1: The IPCC will re-examine the decisions made in the initial investigation in light of the inquest and the review.</p>	<p>MS/MC</p>	<p>Initial review of evidence by 30 September 2013</p>
<p>The review recommends that, in light of this important evidence emerging at the inquest, the IPCC reconsider the issue of restraint, including duration of restraint in the prone position. (Page 4)</p>				
<p><i>The IPCC report stated that Mr Rigg’s behaviour “would be described as strange by anybody’s standards”. Nonetheless, the IPCC report concluded that “The officers insist that they did not realise that Mr Rigg was suffering from a mental illness, and there is no evidence to suggest that their assertion is untrue.”</i></p> <p><i>The review considers that there was ample evidence at the time to suggest that this assertion was improbable. The evidence emerging at the Coroner’s Inquest reinforces that view. The review recommends further investigation of this matter. (Page 6)</i></p>				
<p>In light of this new evidence (scrutiny of CCTV), the review recommends further investigation into the care provided to Mr Rigg on his arrival at Brixton Police Station. The IPCC may wish to reconsider whether or not there was due care for Mr Rigg’s safety and well-being on arrival in terms of (i) a prompt risk assessment, (ii) a prompt assessment of his medical needs (including his physical and mental health needs), and (iii) prompt provision of medical attention. (Page 19)</p>				
<p>The officers also reported that he continued not to speak; one officer reported that he gave occasional grunts and groans. The police officers also stated that they still did not recognise Mr</p>				

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Rigg as having mental health problems. The review recommends that the IPCC reconsider this finding. (Page 11)				
In the light of the evidence emerging at the inquest, the review also recommends that the IPCC look again at whether the officers (i) moved Mr Rigg promptly from restraint in the prone position and assessed him adequately as soon as he was brought under control, (ii) ignored clear signs that he was mentally unwell, (iii) took steps to ensure his safety and well-being during the time when he was locked inside the van's cage and confined in the footwell, while cuffed in the rear stack restraint position, and (iv) provided him with prompt access to medical attention. (Page 19 & 77)				

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<b>POST-INCIDENT PROCESSES</b>				
<b>RECOMMENDATION</b>	<b>RESPONSE</b>	<b>ACTION</b>	<b>SRO</b>	<b>TIMESCALE</b>
<p>The review considers that in the interests of an effective investigation, the arresting police officers should have been separated until the IPCC was able to take detailed statements from each and that they should have been instructed not to speak or otherwise communicate with each other about the events. The review recommends that this be standard practice in cases of deaths in police custody. Such a safeguard would not preclude any necessary support being provided to each officer individually by appropriate other people. (Page 21 &amp; 31)</p> <p><i>N.B. This issue is also raised in the deaths review.</i></p>	<p>The IPCC agrees that best evidence is obtained by officers providing their initial individual accounts before communicating with each other about events. We will make this expectation clear to forces as a general position and reinforce it at the point where forces refer a death in custody.</p> <p>In some situations officers may exercise their right not to provide a statement straight away, often based upon legal advice. However, the IPCC believes it is reasonable for the public and the family of a person who has died in custody to expect that police officers will provide an account.</p> <p>Where an account is not provided initially, or where officers were not separated before providing an account, this will be recorded in the investigation report.</p>	<p>Action 2: The IPCC will produce a clear statement setting out our expectations in relation to post incident management. This will also be informed by feedback from the IPCC’s review of cases involving a death. This will include the need for officers to be separated before initial accounts are taken when a death in custody has occurred. This will be discussed with ACPO, disseminated to the police service and made public via our website.</p>	<p>MS</p>	<p>To be published by December 2013</p>
<p>The review recommends that detailed</p>	<p>The IPCC agrees that there</p>	<p>See action 2 regarding post-</p>		

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<p>protocols be developed with all police services spelling out the duty of the DPS, in the absence of the IPCC, to safeguard the public interest concerning deaths in custody. It is important that the IPCC take control as soon as possible. (Page 14, 21 &amp; 90)</p> <p><i>N.B. This issue is also raised in the deaths review.</i></p>	<p>needs to be more clarity about what is expected of police forces in the period between a death in custody occurring and the IPCC arriving. There are expectations which will be applicable generally in relation to all deaths in custody but there will also be a need for IPCC investigators to provide specific direction and guidance to officers on the ground on a case by case basis once the IPCC is notified so that it takes control of the scene.</p>	<p>incident guidance</p> <p>Action 3: The IPCC will provide direction and guidance by telephone in the period between the referral and the arrival of an IPCC representative. A written summary of the phone call will be kept and added to the case file.</p>	<p>MS</p>	<p>This is now standard practice.</p>
<p>The review understands that today an IPCC investigation into a death in custody would always be an independent investigation. The review recommends that this change since 2008 be formally and unequivocally established in IPCC guidance. (Page 21 &amp; 32)</p> <p><i>N.B. This issue is also raised in the deaths review.</i></p>	<p>The IPCC agrees that any death in custody should initially be dealt with as an independent investigation. There will be situations, for example if the death clearly had no connection with the actions or failures to act of the police, where it may at be appropriate to redetermine the mode of investigation. This is already happening in practice.</p> <p>It is also crucial that police forces inform the IPCC rapidly when there has been a death in</p>	<p>Action 4: IPCC Senior Investigators have been reminded that any death in custody should initially be dealt with as an independent investigation. This will also be incorporated into written guidance.</p> <p>Action 5: The IPCC will write to chief officers and local policing bodies to outline that making a referral “without delay” means that the referral should be made immediately unless there is good reason preventing this.</p>	<p>MS  AK</p>	<p>This is now standard practice.</p> <p>July 2013</p>

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	custody so that the independence of the investigation is not compromised by delay.	We will monitor this and include it in terms of reference for investigations where there has been a delay.		
It should be standard practice in any IPCC investigation into a death in custody for detailed notes to be taken legibly (using technological means on the spot or handwriting and subsequently word-processed) during the first 24 hours. Thereafter meticulous notes should continue to be taken covering all significant elements of the investigation. All notes should be in a format that allows other IPCC staff to reference them easily. (Page 22)	The IPCC agrees that detailed notes should be standard practice. Handwritten notes are scanned and stored electronically within the IPCC's case management system. Important notes are typed up and are also saved within the case management system.	Action 6: Training for new and existing investigators includes note-taking and recording of policy decisions and this will be monitored and quality assured by managers and the Standards and Quality Directorate.	MS	Ongoing
	The IPCC has considered whether there is a technological solution to this issue however this is very complex given information security requirements.	Action 7: The IPCC will continue to keep the possibility of a technological solution to note taking under review as technology develops.	MS	Ongoing monitoring
	There are quality assurance processes in place carried out by both the Investigations and Standards and Quality Directorates. They look at the notes taken in addition to other elements of the investigation.	Action 8: The IPCC will use quality assurance processes to monitor note taking	MS/PD	This is now standard practice

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<b>INTERVIEWS</b>				
<b>RECOMMENDATION</b>	<b>RESPONSE</b>	<b>ACTION</b>	<b>SRO</b>	<b>TIMESCALE</b>
<p>The review recommends that the IPCC, police and the Police Federation agree detailed protocols about the role of the Police Federation representative and what is acceptable conduct at IPCC interviews. (Page 6, 23 &amp; 97)</p>	<p>The role of a Police Federation representative is set out in legislation. The IPCC does not feel that there is a need for protocols in addition to the legislation as the conduct of interviews is part of the IPCC's role as a statutory body. However we do agree that there is a need to deal with any unacceptable conduct and to use training to enhance the confidence of IPCC investigators in doing this.</p>	<p>Action 9: IPCC training covers the role of Police Federation representatives and this has recently been reinforced with all investigators. Line managers will review interview transcripts to ensure that any inappropriate behaviour has been dealt with.</p>	MS	Ongoing
<p>The review recommends that it be standard practice in cases of deaths in police custody for interviews with key police officers to be carried out as soon as reasonably practicable. (Page 15 &amp; 35)</p> <p><i>N.B. This issue is also raised in the deaths review.</i></p>	<p>The IPCC agrees that it should be standard practice in cases of deaths in custody for interviews with police officers to be carried out as soon as reasonably practicable. These will be carried out under a criminal or conduct caution where appropriate but where no caution is required they will be witness interviews.</p> <p>In many cases an officer will willingly attend for a prompt interview. When the officer</p>	<p>Action 10: The IPCC will use its new power to compel witnesses to attend for interview and to schedule interviews as soon as practicable after an incident. This is set out in the IPCC operations manual for investigators. The IPCC will also make public where it has been required to use this power and when officers have attended but refused to cooperate by answering questions.</p>	MS	This is now standard practice.

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	<p>does not agree to an interview the new power for the IPCC to compel witnesses to attend for interview will be used to enable the IPCC to schedule interviews as soon as practicable after an incident. This new power was brought in by a change to legislation made by the Police (Complaints and Conduct) Act 2012.</p> <p>In addition, when an officer attends for interview, the IPCC believes it is reasonable to expect officers to co-operate with the interview by answering questions.</p>			
<p>The review recommends that it be standard practice to transcribe interviews promptly in investigations into deaths in custody. (Page 17, 23 &amp; 94)</p> <p><i>N.B. This issue is also raised in the deaths review.</i></p>	<p>The IPCC agrees that it should be standard practice to transcribe interviews of all significant police officers in independent investigations into deaths in custody. This will allow for improved analysis of evidence and testing inconsistencies as well as assist with an inquest or possible criminal proceedings. This has been communicated</p>	<p>Action 11: Ensuring that transcripts have been prepared will be part of line management responsibilities and the Commissioner’s oversight of the investigation.</p> <p>Action 12: We are currently carrying out recruitment to increase our capacity to transcribe interviews.</p>	<p>MS</p> <p>MS</p>	<p>Ongoing</p> <p>Additional audio-typist to be recruited by September 2013</p>

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	to all investigators.			
The review recommends that continuity be considered a priority in future investigations (Page 17 & 23)	The IPCC agrees that continuity is important to ensure that investigations are carried out as effectively as possible. The need to consider continuity in the planning of interviews is now covered in training for investigators. Continuity can be challenging due to the limited resources available within the IPCC. We are currently carrying out extensive recruitment and training of new investigators which will assist in addressing issues with continuity.	Action 13: Once the investigations directorate is fully staffed, allocation procedures will seek to ensure continuity wherever possible.	MS	New staff to be recruited and induction training completed by December 2013
Given the considerable cost of transcription, arrangements might be considered for sharing the expense across the IPCC and Coroner's Inquest. (Page 94)	The IPCC notes this suggestion which may be a practical option in some cases.			
The review considers that the IPCC has a right to expect all police officers to cooperate in investigations into deaths in custody; the presumption must be (i) that they will make notes as soon as possible of any important matters, and (ii) that they will provide initial statements to the IPCC. All individuals, including police officers,	The IPCC agrees that the initial presumption in any case should be that officers will co-operate. This also includes making themselves available for interview and answering questions when requested to do so.	Action 14: Where officers do not co-operate the IPCC will deal with the case accordingly, and this will include mentioning the lack of co-operation in the investigation report.	MS	This is now standard practice

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have the right not to incriminate themselves; however, the decision to remain silent may be noted and taken into account in any subsequent proceedings. If, on advice, a police officer does not provide an initial statement for the IPCC, this fact should be included in IPCC investigation reports. (Page 21)				
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<b>ROLE OF COMMISSIONER</b>				
<b>RECOMMENDATION</b>	<b>RESPONSE</b>	<b>ACTION</b>	<b>SRO</b>	<b>TIMESCALE</b>
<p>The review believes that a more 'hands on' approach from Commissioners than was the norm in 2008 is required; the Commissioner should ensure that investigations are properly managed by senior staff and that there is a strategic approach to addressing the key issues.</p>	<p>As mentioned in the review, guidance on the role of the Commissioner in independent investigations was agreed by the Commission in February 2013. This guidance specifies that "The role of the commissioner is to provide independent oversight of the investigation in order to secure and maintain public confidence in the police complaints system. [...] the commissioner retains overall accountability for the investigation and needs to provide clear direction and scrutiny at a strategic level [...] In addition, the commissioner is responsible for making key decisions as set out in the IPCC Delegation Scheme."</p> <p>This guidance sets out the commissioner's role at every step in the investigation and describes a much more 'hands on' approach than in 2008.</p> <p>The guidance is included in the</p>	<p>Action 15: Commissioners will follow the new guidance and provide strategic oversight. They will alert line managers where there are any issues with the approach or conduct of the investigation. It is the responsibility of line managers to manage investigators to ensure that investigations are properly conducted.</p>	<p>DG/MS</p>	<p>This is now standard practice</p>



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		conclusions are justified on the balance of probabilities based on a fully documented and cogent analysis of the evidence.		
<p>It should be standard practice for the Commissioner to invite the family to meet with him or her soon after the death in custody. The invitation, if conveyed orally, should also be repeated in writing. (Page 12)</p> <p><i>N.B. This issue is also raised in the deaths review.</i></p>	<p>It is standard practice to offer a meeting, this is also covered in guidance on the role of the Commissioner. This offer is made in writing at the beginning of the investigation.</p> <p>Not all families want to meet with the Commissioner. Where they choose not to meet, this should not be seen as a failing of the investigation.</p>	<p>Action 18: Where the offer to meet with the family is not taken up initially, the offer will be made more than once at intervals during the investigation.</p>	DG/MS	<p>This is now standard practice</p>
<p>It is to be hoped that all Critical Incidents are overseen by Commissioners who are in the region and able to exert the level of scrutiny necessary to provide the further guarantee of independence intended in the legislation. (Page 83)</p>	<p>At the time of the Rigg investigation, the IPCC was organised by region. Since then we have moved to a national structure with the processes to support this. Commissioners are allocated to independent investigations by the Deputy Chair to ensure the best of use of resources. There are systems in place to ensure that the Commissioner, even when not based in the same office as the</p>			

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	<p>investigators, is involved in the investigation and provided with an appropriate level of support – including critical incident management processes. For example, at the beginning of every independent investigation an initial meeting is held between the Commissioner, investigator and other relevant staff during which they will agree what support is required and any ways of working specific to the case. There are then ongoing meetings throughout the life of the investigation as part of the critical incident process. All of these mechanisms allow Commissioners to be involved in the investigation and provide an appropriate level of scrutiny.</p>			
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<b>WORKING WITH FAMILIES</b>				
<b>RECOMMENDATION</b>	<b>RESPONSE</b>	<b>ACTION</b>	<b>SRO</b>	<b>TIMESCALE</b>
The family of any person who dies in custody should be considered as akin to victims, unless the family is directly involved in the events leading to the death. (Page 13)	The IPCC agrees with this position and will use it to guide work with families.	Action 19: The IPCC will manage and monitor performance objectives to ensure that families are at the heart of our investigations.	MS	Objectives are monitored at regular performance reviews. The full annual review will take place in March 2014
The family of a person who has died in custody is entitled to access to all relevant information, including medical information. The review recommends this as the default position; exceptions should be only for compelling reasons. (Page 11)  <i>N.B. This issue is also raised in the deaths review.</i>	The IPCC agrees that the default position should be that the family is entitled access to all relevant information. Where there is a valid reason for not providing information the reasons for this should be explained clearly to the family.	Action 20: Issues around disclosure to families have been raised as part of the IPCC's review of cases involving a death. We will consider how we deal with disclosure as part of that review.	AK	The IPCC's review of cases involving a death will report in December 2013
The perspective of the family must be recognised as important. (Page 13 & 82)	The IPCC agrees with this position and will use it to guide work with families. Performance objectives have been developed for all investigations staff to ensure that families and complainants are at the heart of the IPCC's investigations.	Action 21: The IPCC is further reviewing the way it works with families in the context of our review of cases involving a death. This will include establishing and sharing best practice in family engagement.	AK	The IPCC's review of cases involving a death will report in December 2013
Staff in the IPCC, as in the MPS,	IPCC family liaison managers	Action 22: All investigations	MS	Training and

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<p>would benefit both from careful selection of individuals to fulfil the FLM and FLO roles and from special training, including in awareness of reactions to trauma, bereavement, and the stages of grief. (Page 82)</p> <p><i>N.B. This issue is also raised in the deaths review.</i></p>	<p>receive specialist training and continuous professional development days to enable them to carry out the role and keep their skills up to date.</p> <p>Bereavement awareness has been built in to training, specifically how to interact appropriately with families and all trainee and new investigators will receive this training.</p>	<p>staff will receive continuous professional development training in relation to bereavement awareness and stages of grief. They will also be made aware of the review findings.</p>		<p>awareness sessions to be delivered by December 2013</p>
<p>The presumption should be that the press release about a death in custody should, in the absence of firm information, err on the side of caution: whenever possible, it should be agreed with the family or their representative. (Page 89)</p> <p><i>N.B. This issue is also raised in the deaths review.</i></p>	<p>The IPCC agrees that the press release about a death in custody should, in the absence of firm information, err on the side of caution and should be agreed where possible with the family. It should also be recognised that the role of a press release is not only to inform the public about something which has occurred; it may also be used to counter speculation or correct misinformation which is in the public domain.</p> <p>Where there is a ‘breaking news’ scenario, or social media is</p>	<p>Action 23: The IPCC will agree press releases about a death in custody wherever possible with the family of the deceased or their representative.</p>	<p>CP</p>	<p>This is now standard practice</p>

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	moving particularly quickly, the IPCC can, on occasion, struggle to get in touch with the family for whom press handling is understandably not a top priority.			
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<b>USE OF EXPERTS</b>				
<b>RECOMMENDATION</b>	<b>RESPONSE</b>	<b>ACTION</b>	<b>SRO</b>	<b>TIMESCALE</b>
<p>The review [...] must emphasise how important it is for the IPCC to be independent and <i>to be seen</i> to be independent: the perception of independence being an important factor in public confidence in the work of the IPCC. For the future this should be borne in mind when choosing <i>external</i> experts. (Page 24)</p> <p><i>N.B. This issue is also raised in the deaths review.</i></p>	<p>The IPCC is currently looking at the use of experts in investigations. We will be considering the justification and terms of reference for the use of experts and other external input into investigations. This will include considering the requirements of the CPS and the use of experts both as expert witnesses and as advisers throughout an investigation.</p>	<p>Action 24: The IPCC is currently looking at its use of experts in investigations and will consider this recommendation as part of this work.</p>	<p>MS</p>	<p>The review of the use of experts will be complete by December 2013</p>
<p>The review recommends that the IPCC ensure that competent expertise is available to IPCC investigations from a wider range of independent experts, including restraint experts. (Page 23 &amp; 74)</p> <p><i>N.B. This issue is also raised in the deaths review.</i></p>	<p>As above</p>	<p>See action 24.</p>		

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<b>MULTI-DISCIPLINARY APPROACH</b>				
<b>RECOMMENDATION</b>	<b>RESPONSE</b>	<b>ACTION</b>	<b>SRO</b>	<b>TIMESCALE</b>
<p>The review recommends discussion and exchanges across the IPCC to build a common sense of direction. (Page 99)</p>	<p>The IPCC agrees that discussion and exchanges across the organisation will help build a common sense of direction and improve the effectiveness and quality of the IPCC's investigations. This way of working is already proving successful in some of our more high profile cases. The initial meeting at the beginning of an independent investigation provides a forum for those involved in the investigation to discuss how they work together.</p>			
<p>The review recommends that, in relation to future deaths in police custody, the IPCC look not only at police involvement in the circumstances surrounding the death but also more widely at other issues, including the possible contribution of other agencies to the circumstances surrounding the death before contact with the police. (Page 13, 18 &amp; 92)</p> <p><i>N.B. This issue is also raised in the deaths review.</i></p>	<p>The IPCC seeks to work with other agencies where there has been involvement with multiple agencies prior to a death in custody. This is considered when developing the terms of reference of an investigation and on an ongoing basis as new information comes to light. We endeavour to make contact with other agencies at an early stage when there appear to be issues for example with the interaction between different agencies.</p>	<p>Action 25: The IPCC will highlight issues to other agencies or oversight bodies, and to the Coroner, where appropriate and will signpost their investigation reports where available and relevant.</p>	<p>MS</p>	<p>This is now standard practice</p>

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<b>INVESTIGATION REPORTS</b>				
<b>RECOMMENDATION</b>	<b>RESPONSE</b>	<b>ACTION</b>	<b>SRO</b>	<b>TIMESCALE</b>
<p>The review suggests that it is part of the IPCC's role to review police regulations, procedures and guidance, and to identify any shortcomings. The key questions are what should reasonably be expected of the police in the circumstances and whether compliance with police guidance adequately reflects the duty of care to people in police custody. The review recommends that the IPCC develop, and articulate for IPCC staff, clear expectations and independent criteria. (Page 16, 20 &amp; 98)</p> <p><i>N.B. This issue is also raised in the deaths review.</i></p>	<p>Investigators look at police regulations, national and local force policies, procedures and guidance in the context of individual investigations. The purpose is to determine whether the policies in place are sufficient and whether they were adhered to in the matter at hand. This is to help establish why a death has occurred and whether the same thing can be prevented from happening again.</p>	<p>Action 26: The IPCC will focus on the duty of care to people in police custody in investigations of deaths in custody. We will reflect in our conclusions on whether existing practice, standards and guidance are sufficient.</p> <p>Action 27: We will, where necessary, make recommendations to forces or to the College of Policing for changes to practice, standards or guidance</p>	<p>MS</p> <p>MS</p>	<p>Guidance to be developed by December 2013</p> <p>This is now standard practice</p>
<p>A report from the IPCC must be expected to raise questions to be addressed by others, such as the Coroner, and to draw robust conclusions not only as to whether misconduct or criminal behaviour occurred, but also as to whether there was poor practice or major</p>	<p>The IPCC agrees that a report on an investigation should include these elements.</p>	<p>Action 28: The IPCC currently has a working group which is looking at investigation reports and this recommendation will feed in to the considerations of that working group.</p>	<p>MS</p>	<p>The working group will report its findings by December 2013</p>

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<p>omissions in the duty of care, constituting at least poor practice and possibly amounting to a breach of the duty of care. (Page 33)</p> <p><i>N.B. This issue is also raised in the deaths review.</i></p>				
<p>Inquest made the cogent point that “The IPCC should not be afraid to identify the primary contentious features in a case e.g. mental health, restraint and race. This is not to prejudge the investigation or with the purpose of ruling those issues in or out but to make clear the IPCC is aware of and has identified the primary concerns and issues that need to be examined, To put on public record that the IPCC recognises the important questions and issues to explore and is there to conduct a robust investigation will go some way to satisfying the public interest and concern about these deaths.” The review team has discussed these matters with the charity Inquest and agrees that the above approach should be followed in future cases. (Page 67)</p>	<p>The IPCC agrees that the primary contentious features of a case should be identified and be part of the consideration of the case.</p> <p>Some of the contentious elements are related to protected characteristics and considerations about discrimination.</p>	<p>Action 29: The IPCC will ensure that the terms of reference include the primary contentious features and the Commissioner’s role is to ensure that the terms of reference are met.</p> <p>Action 30: The IPCC has developed a training package in relation to dealing with discrimination for both investigators and casework managers. This reinforces guidance issued by the IPCC about dealing with allegations of discriminatory behaviour which is due to be updated in the coming year.</p>	<p>MS/DG</p> <p>MS/DK</p>	<p>This is now standard practice</p> <p>Training has been delivered to casework managers and will be delivered to all investigators by end October 2013</p>

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<i>N.B. This issue is also raised in the deaths review.</i>				
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<b>MENTAL HEALTH ISSUES</b>				
<b>RECOMMENDATION</b>	<b>RESPONSE</b>	<b>ACTION</b>	<b>SRO</b>	<b>TIMESCALE</b>
An IPCC investigation into the death of a person known to have suffered from a mental health illness should, at a minimum, pose critical questions and raise the key issues relating to the circumstances of the community mental health care of the person prior to his or her death. (Page 36)	The IPCC agrees that these can be key considerations. While the IPCC may not be able to provide answers to the questions or address the issues, it can have a valuable role to play in highlighting them to the agencies which can do this.	Action 31: The IPCC will highlight any relevant issues to other appropriate bodies and to the Coroner.	MS	Ongoing
The review suggests that, in future, IPCC investigations should examine Multi-Agency Public Protection Arrangements (MAPPA) in all cases of deaths in custody of persons with a mental health condition and offending histories involving risk of harm to others. (Page 20 & 45)	The IPCC agrees that both MAPPA and care before crisis involvement can form an important part of the context relating to a death in custody and has considered these areas in investigations.	Action 32: The IPCC will ensure that MAPPA forms part of the terms of reference, where relevant, and is considered by the Commissioner in any investigation of a death in custody of a person with a mental health condition.	MS	This is now standard practice
The review recommends that future IPCC investigation reports regarding deaths in custody involving mental health issues give more attention to missed opportunities to provide care before crisis involvement with the police. (Page 20 & 47)	The IPCC's ability to examine some areas may be restricted by the legislative framework in which we operate.			
Looking forwards, the review recommends that, in IPCC investigations of deaths in custody involving mental health service users, there is a clear expectation that partner services, health services, probation services, social work	The IPCC seeks to work with other agencies on a co-operative basis wherever possible. Parliament is currently considering the Anti-Social Behaviour Crime and Policing Bill which would give	See action 25		

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<p>services, voluntary sector organisations and others will share information at an early point. (Page 20 &amp; 48)</p>	<p>the IPCC extended powers to obtain third party data by the service of an information notice.</p>			
<p>The review recommends that the IPCC consider assessing its need for expert mental health input both by analysing the frequency of cases in which a mental health perspective would have assisted and by assessing past cases as to the level of seriousness of mental health concerns and risks. (Page 11 &amp; 43)</p>	<p>Consideration of the need for expert mental health input will form part of the IPCC's wider review of the use of experts. It is accepted that mental health concerns and risks have been relevant in past cases. This will feed in to work looking at the use of experts in IPCC investigations described above.</p>	<p>See action 24</p>		

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<b>RESTRAINT</b>				
<b>RECOMMENDATION</b>	<b>RESPONSE</b>	<b>ACTION</b>	<b>SRO</b>	<b>TIMESCALE</b>
<p>The review recommends that, in all IPCC investigation of deaths in custody involving restraint, the precise justification for the restraint, and its nature and duration, are addressed robustly. This would include dynamically assessing the initial and continuing need for restraint. (Page 81)</p>	<p>The IPCC agrees that justification, nature and duration of restraint should be addressed robustly. This also fits with the need for robust and challenging interviews as part of the investigation.</p>	<p>Action 33: Where a death in custody involves restraint, the justification, nature and duration will form part of the terms of reference for the investigation against which the investigation is reviewed by the case supervisor and case Commissioner.</p>	MS	This is now standard practice
		<p>Action 34: Restraint is a key priority for the IPCC and we are currently looking into when resources can be released to carry out some more in-depth work to explore restraint related issues.</p>	KC	Commission will decide which research areas are to be pursued by end July 2013. There will then be further planning for individual pieces of work.

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<b>LEARNING AND TRAINING</b>				
<b>RECOMMENDATION</b>	<b>RESPONSE</b>	<b>ACTION</b>	<b>SRO</b>	<b>TIMESCALE</b>
<p>The review recommends that IPCC investigations become part of an iterative process, so that there can be sustained organisational learning. (Page 17, 21 &amp; 98)</p> <p><i>N.B. This issue is also raised in the deaths review.</i></p>	<p>The IPCC has put in place a system of reviews during ongoing investigations and debriefs at the end of investigations to ensure that learning is identified, captured and acted upon.</p>	<p>Action 35: Any important learning is sent out to all investigations staff via monthly updates or email.</p> <p>Action 36: The system for disseminating learning is currently under review to identify any improvements that can be made.</p>	<p>MS</p> <p>MS</p>	<p>This is now standard practice</p> <p>Review to be complete by December 2013</p>
<p>The review recommends multi-disciplinary training and team-building involving legal advisers and experts in specialised fields (e.g. mental health, restraint and information technology). On-going training is also necessary on technical matters (e.g. interviewing for IPCC investigations). (Page 17, 23 &amp; 99)</p>	<p>The IPCC agrees that multi-disciplinary training enhances IPCC investigations. Training has been carried out in areas such as domestic violence, mental health and discrimination.</p>	<p>Action 37: The IPCC will continue to look for opportunities for multi-disciplinary training</p>	<p>MS</p>	<p>Ongoing</p>
<p>The review recommends further development of training of investigators, including as regards preparation and planning for interviews, as well as interviewing methods. (Page 23)</p>	<p>Training in relation to interviews has been reviewed and strengthened since this investigation was carried out. The IPCC recognises the need to continue to develop this training to improve investigators' skills and confidence and to incorporate the findings of this review into the</p>	<p>Action 38: The IPCC will reinforce key points of the training with existing members of staff.</p> <p>Action 39: The IPCC will listen to interviews and use transcripts amongst other management tools</p>	<p>MS</p> <p>MS</p>	<p>To be completed by end December 2013</p> <p>This is now standard practice</p>

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	<p>training package. We accept that a particular need was identified to make interviews more probing. This is now reflected in interview training.</p> <p>In addition to this, the transcripts of interviews discussed above will be a helpful tool for managers in the review of interviews and identifying any skills gaps or development needs.</p>	<p>to identify any skills gaps or development needs in relation to interviewing.</p>		
<p>The review also recommends further training of senior staff in the management of investigations, analytical supervision, and strategic support for the report-drafting process. (Page 23)</p>	<p>The IPCC believes that the role of senior staff in managing performance, strategic support and overseeing investigations is key.</p>	<p>Action 40: The IPCC will examine training for senior staff and ensure that the feedback from this review feeds into that training.</p>	<p>CW</p>	<p>September 2013</p>

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<b>OTHER</b>				
<b>RECOMMENDATION</b>	<b>RESPONSE</b>	<b>ACTION</b>	<b>SRO</b>	<b>TIMESCALE</b>
The review suggests that the IPCC give thought to developing a system for storing information in an analytical way, so that it can be searched and used for analytical purposes (e.g. to compare and contrast cases, to establish patterns, and to identify recurring issues). (Page 17, 23 & 98)	The IPCC has established an oversight and confidence committee to ensure that the IPCC's oversight of the police complaints system is effective. This includes how we report and analyse information.	Action 41: The IPCC will examine the way it uses information for analytical purposes and develop systems to support our oversight and confidence work.	KC	Draft oversight and confidence strategy to be published March 2014
In order to avoid unjustified provision of confidential information from the MPS to the IPCC, any such material sent to the IPCC should be sent back with a request for an explanation of the action and a clear indication that the IPCC considers it inappropriate to receive such information. (Page 13 & 81)	The IPCC agrees that it is not appropriate to share confidential information unless there is express justification to do so. The IPCC will not automatically without good reason obtain PNC checks in relation to family members. Where information is provided without justification this will be returned to the force as recommended.	Action 42: The IPCC will not automatically obtain PNC checks in relation to family members. A PNC check may exceptionally be undertaken only if there is good reason, for example as part of a risk assessment process when a member of IPCC staff is visiting a family member in their home and there is reason to believe that there may be issues of staff safety. If such information is provided to the IPCC by the police without good reason, it will be returned to the force as recommended.	MS	This is now standard practice
It is impossible not to recognise the severe resource limitations under	The IPCC has indicated on a number of occasions that it			

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<p>which the IPCC is constrained to operate. The review recommends that these limitations be reviewed and remedied. (Page 17 &amp; 100)</p>	<p>does not yet have the resources or powers to do all that the public expects and needs. Until this changes, the IPCC will continue to struggle to meet the legitimate expectations of complainants and of families who have lost someone in tragic circumstances. The Home Secretary's statement to Parliament on 12 February 2013 proposing the transfer of resources between force Professional Standards Departments and the IPCC, alongside existing requests from the Commission for additional funding and powers may go some way towards addressing these challenges.</p>			
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DG – Deborah Glass, Deputy Chair

MC - Mary Cunneen, Commissioner

AK – Amanda Kelly, Acting Chief Executive

MS – Moir Stewart – Director of Investigations

DK – David Knight, Director of Casework & Customer Service

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PD – Paul Davies, Acting Director of Standards & Quality

CW – Colin Woodward, Acting Director of HR and Facilities

KC – Kathie Cashell, Head of Analytical Services