

Oversight Bulletin

Issue 1 - April / May / June

Welcome to the first edition of our Oversight Bulletin. We will publish a new bulletin each quarter, looking back at issues raised during the previous three months.



What trends have we spotted this quarter?

Who have we seen this quarter?

PSD meetings:

Avon and Somerset
Beds / Herts / Cambs
British Transport Police
Cheshire
City of London
Cleveland
Derbyshire
Devon and Cornwall / Dorset
Durham
Gloucestershire
Greater Manchester
HMRC
Hampshire
Home Office
Humberside
Kent
Lancashire
Leicestershire
Lincolnshire
Merseyside
Metropolitan Police Service
NCA
Norfolk / Suffolk
North Yorkshire
Northamptonshire
Northumbria
Nottinghamshire
South Yorkshire
Staffordshire
Surrey
Warwickshire / West Mercia
West Midlands
West Yorkshire
Wiltshire

National meetings:

South East Regional Practitioners Group
South West Regional Professional Standards Group
South East Regional Heads
West Midlands Regional Heads

Appeals

A large proportion of investigation appeals are upheld for one of the following three reasons:

1. The investigation report does not cover all aspects of the complaint.

Quick solution! The Statutory Guidance advises that it is best practice to meet with the complainant to ensure that the investigating officer fully understands all aspects of the complaint. This helps to ensure the confidence of the complainant. In addition, ensuring that the investigating officer is covering all of the complaint should help to reduce your upheld appeal rate.

2. Auditable accounts were not taken from officers when appropriate.

Quick solution! Paragraph 9.13 of the Statutory Guidance states that where the investigator seeks an account from a person who is the subject of investigation, there must be an auditable record of it.

3. The IPCC guidelines for investigating allegations of discriminatory behaviour have not been followed.

Don't forget! In September 2015, we published new guidelines for forces on investigating allegations of discriminatory behaviour. Please contact the Force Liaison and Oversight team if you have any queries about the application of this guidance.

Making a difference

Following the publication of our guidelines on investigating allegations of discriminatory behaviour, which we supported by running seminars for police forces throughout the country, there have been at least two instances where an appropriate authority changed its mind as a result of our input and decided that there were signs of discrimination in the case they were handling.

Queries this quarter

We responded to 170 telephone and emails queries in April, May and June.

Common queries have included:

The correct appropriate authority (AA) for complaints

Did you know? When a complaint is made against an officer who has moved AAs since the incident complained about occurred, the AA for the complaint is the officer's current AA.

Referral criteria

The latest issue of [FOCUS](#), issue nine, which was published in June, covers referral criteria.

This follows the [report we published in January](#) of this year.

Please call your OFL or the Assessment Unit if you need advice about whether something should be referred.

Severity assessments/RAB

We have received a number of queries about the various assessments that need to be done at the beginning of an investigation. This is also often raised by casework managers assessing appeals after a force investigation into a complaint.

The diagram on the right should assist in understanding the various tests that need to be applied to complaints. Don't forget [issue four of FOCUS](#) also gives advice on this topic.

	IPCC	Gross Misconduct	Case to answer	Hearing		
			No case to answer	MA UPP Learning NFA		
		<i>Severity Assessment</i>				
	IPCC	Misconduct	Case to answer	Meeting MA UPP Learning NFA	↑ Degree of cogency / seriousness	
			No case to answer	MA UPP Learning NFA		
		<i>Preliminary evidence review</i>				
		<i>Seriousness</i>				
	Either (depending on wording of allegation)	Non special requirements investigation	Upheld	MA UPP Learning NFA	↑ Degree of cogency / seriousness	
			Not upheld			
		<i>Substance of allegation</i>				
		<i>LR test</i>				
	Force	LR	Upheld	MA UPP Learning NFA	↑ Degree of cogency / seriousness	
			Not upheld			
		<i>Wording</i>				
		<i>RAB test</i>				
	Force	LR	Upheld	MA UPP Learning NFA		
			Not upheld			

**Contact us
Force Liaison and
Oversight Team**

FOCUS

**Statutory
Guidance**

You told us...

- Many forces have asked us to communicate with them regularly. This is one of the reasons we have produced this bulletin. We have also established a system for collating all our messages to forces into a regular monthly email. Please do let us know about topics you'd like us to cover in this bulletin.
- All the feedback you provide about our operational work is collated, and, where appropriate, fed back to management and the quality team.
- We have reduced the backlog of waiting appeals to 8 working days, to notify you of an appeal received by the IPCC, in some cases we are able to notify you sooner.

Forward look

- We will be publishing an issue of FOCUS on the quality of complaint investigations conducted by forces.
- We will be evaluating the launch of The IPCC's guidelines on investigating allegations of discriminatory behaviour. We would be interested to hear any further comments about how you think the launch went.