

Police Complaints:

statistics for England and Wales
2010/11

Acknowledgements

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Foreword

The police are able to exercise a range of powers in order to protect fundamental freedoms in our society. With power, however, comes responsibility and when power is alleged to have been abused there must be the opportunity for redress. Various arrangements have been put in place in order to ensure that the police are held to account and key amongst these is the ability for an individual to be able to complain about the actions of police officers and staff.

The IPCC was created by the Police Reform Act 2002 with the primary purpose of increasing public confidence in the police complaints system. Police forces deal with the vast majority of complaints against officers and staff, however, the IPCC oversees the whole of the complaints system and sets the standards by which the police must deal with complaints.

This report provides an overview of complaints made about the police during the 2010/11 financial year. The number of complaint cases has fallen during this year, and I note that this is the first time that this has happened since the police complaints system was reformed in 2004. However, I remain concerned about a number of areas which indicate that complaints are not being handled in an appropriate way.

People who are not happy with how their complaint has been handled by the police can appeal to the IPCC. We received over 6,000 appeals during 2010/11 and overall we upheld around a third. Yet when we looked at appeals against police forces refusing to record complaints we upheld over *half of these*. Given that the figures relate to a period some seven years after the complaints system was reformed I find it totally unacceptable that forces are still refusing to record legitimate complaints.

Secondly, this report outlines how long it takes to deal with complaints. Across England and Wales it takes on average six months to deal with a complaint case. For less serious cases, which can be dealt with by a local resolution process, the average time is around three months; while a local investigation takes on average seven months. The figures presented in this report show a great deal of variation across forces with some handling complaints much faster than the average and others taking much longer. We will continue to engage those forces in the latter category and emphasise to them the need to improve their performance.

Thirdly, the IPCC has sought to improve the complaints system by moving away from the narrow assessment of complaints in terms of whether or not evidence of misconduct was found. Instead, police forces are expected to judge whether a complaint has been upheld or not based on a sensible quality of service measure. It is often the case that a complainant has received poor service even though the actions of officers involved do not amount to misconduct. Given this definition one would expect the number of allegations being upheld to be higher than past figures for allegations substantiated due to evidence of misconduct. I am concerned that this was not the case in 2010/11. There may be a number of explanations for this, including forces still coming to terms with the change. It is, however, important for public confidence that forces get this right and that this change starts to be reflected in practice. In turn the IPCC will continue to uphold appeals where it is clear that they should have been upheld when originally handled by police forces.

Finally, I am acutely conscious of the budgetary pressures police forces currently face and how they are seeking to preserve resources at the frontline

wherever possible. However, time and effort invested in good-quality complaints handling is not a luxury, but an investment. It contributes to public confidence, feeds through into better performance and reduces future complaints. Poor handling of complaints costs money. Staff have to re-visit them and also recover the confidence of a complainant when an appeal is upheld. One of the key messages to be drawn from this report is that 'getting it right first time' saves money and provides a better service to the public.

A handwritten signature in black ink, appearing to read 'Len Jackson', with a long horizontal flourish at the end.

Len Jackson
Interim Chair, IPCC

Executive summary

This report presents figures on complaints about the police in England and Wales for the financial year 2010/11. These complaints are made by members of the public about the conduct of people serving with the police and are dealt with under the Police Reform Act 2002 (PRA 2002).

Under the PRA 2002 police forces are required to record all complaints made by the public about the conduct of those serving with the police. However, complaints made about matters such as general policing policies, known as ‘direction and control’ matters are handled under separate provisions¹.

This report presents a set of indicators on the handling of complaints, in the same way as our 2009/10 report on police complaints. The indicators have been created for two reasons. Firstly, there has never been a set of agreed indicators that the police and the public can use to judge objectively how well complaints are being handled. This report presents nine key indicators that have been developed to drive improvements in the complaints system.

Secondly, in our previous reports, increases and reductions in complaints figures could be interpreted as either good or bad. For example, an increase in complaints can be seen negatively as it means that more people are complaining about the police. Conversely, the increase could be due to changes that have made it easier for people to complain, or because more members of the public are confident that if they complain their case will be dealt with appropriately. The new indicators have been selected because they are unambiguous and therefore support the objective of driving improvement in the complaints system. They can be found in Table 2, while associated contextual information can be found in Table 3.

1 For more on this see Home Office Circular 19/2005 (Home Office, 2005).

Changes to the handling of complaints

The IPCC revised its Statutory Guidance on 1 April 2010. One of the key changes in the guidance involved a move away from allegations being judged solely in terms of whether evidence of misconduct was found (this is referred to as ‘substantiated’). Instead, complaints subject to an investigation are to be judged in terms of whether they are ‘upheld’. A complaint will be upheld where the findings of an investigation show that the service provided was below the standard a reasonable person could expect. Two examples of how this should be applied are outlined below.

An upheld complaint and a case to answer: A complaint is made that an officer used excessive force to make an arrest. An investigation concludes that excessive force was used, and that the officer has a case to answer. The complaint is upheld. After a misconduct meeting, the officer is given a written warning.

An upheld complaint but no case to answer: A complaint is made after a vehicle was stopped under section 163 of the Road Traffic Act 1988. The complainant alleges that this happened only because he was Asian and driving a performance car. The officers who conducted the stop, when questioned, say that they stopped the car because the driver looked too young to be driving. They correctly state that they are not required to have reasonable suspicion before making a stop under section 163, and so did not feel obliged to explain the reason for the stop to the driver. The investigation concludes that there was no evidence to suggest that the stop was made because of the driver’s race, or for any reason other than that given by the officers. None of the officers involved are

found to have a case to answer. The complaint, however, is upheld because, while this power does not require reasonable suspicion before it is used, it would have been reasonable and a matter of good service for the officers to explain what they were doing and why.

An overview of this report

The purpose of this report is to help inform public debate by presenting an overview of the numbers and types of complaints, and information about how these were resolved. It also outlines the demographics of people who made complaints and of those who were the subject of complaints across police forces.

An overview of the IPCC's work with regard to police complaints can be found in its Annual Report for 2010/11. The report provides an overview of the IPCC's own performance in respect of investigations, appeals and the complaints it handles (IPCC, 2011).

A glossary of terms, such as *local resolution*, *dispensation* and *sub judice* can be found at the end of this report. A summary of the key figures for 2010/11 can be found below.

Complaint cases recorded

- A total of 33,099 complaint cases were recorded during 2010/11 (see Table 4). This is a 4% reduction compared to 2009/10 – the first reduction since reforms to the police complaints system were introduced in 2004/05 (See Table 1). A reduction in the number of complaint cases recorded was evident for half of the 44 forces.
- Police forces are expected to record complaints within ten working days. The vast majority of complaints are recorded within this time limit (87%) and there appears to have been some improvement in recent years (see Table 5). The timeliness of recording varied across forces from 99% to 58%.

Allegations recorded

- There may be one or more allegations attached to a complaint case. For example, a person may allege that they were pushed by a police officer and that the officer was rude to them. This would be recorded as two separate allegations forming one complaint case².
- During 2010/11, a total of 59,442 allegations were recorded. This is a 2% increase compared to the previous year (see Table 6).
- Five types of allegations account for 69% of all those recorded during 2010/11 (see Table 7). These were:
 - *other neglect or failure in duty* (27%)
 - *incivility, impoliteness and intolerance* (18%)
 - *other assault* (12%)
 - *oppressive conduct or harassment* (7%)
 - *unlawful/ unnecessary detention* (5%)
- During 2010/11 the allegation rate per 1,000 officers/staff was 225 (see Table 3) and is similar to 2009/10, reflecting the small increase in allegations recorded. Allegation rates across forces ranged from 119 to 402 per 1,000 police officers/staff members.

Allegations finalised

- An allegation can be dealt with in a number of ways. It may be investigated, withdrawn, dispensed, discontinued or dealt with through local resolution. There are also a number of different forms of investigation. For an explanation of the different ways in which an allegation may be handled please see Annex A.
- During 2010/11 a total of 58,667 allegations were finalised. Over recent years police forces have been investigating more allegations locally, rather than using local resolution. Just under half (49%) of all allegations were finalised through an investigation, while less than a third

² For more information about the recording of complaints see the IPCC's Statutory Guidance to the police service and police authorities on the handling of complaints (IPCC, 2010).

(32%) of allegations were dealt with through local resolution (see Table 8).

- In 2010/11 it took on average 59 working days to deal with an allegation through local resolution (see Table 9). This is less than the average time taken in 2009/10 (62 working days) and varies across forces, ranging from 30 to 102 working days.
- In 2010/11 it took on average 132 working days to deal with an allegation through a local investigation (see Table 9). Despite more allegations being subject to a local investigation, this time has improved over the past two years. This figure varied across forces, ranging from 64 to 239 working days.
- In 2010/11 it took on average 324 working days to deal with an allegation through a supervised investigation (see Table 9). This varied across forces, ranging from 127 to 535 working days³.

The proportion of allegations not proceeded with

- A total of 11,136 allegations were dispensed, discontinued or withdrawn. The proportion of allegations dealt with in these ways has fallen over a number of years. In 2004/05 30% of allegations were not proceeded with – in 2010/11 this figure was 19%. This figure varied across forces and ranged from 3% to 47% (see Table 8).

Investigation outcomes

- Of the allegations dealt with by an investigation during 2010/11:
 - 12,539 related to complaints that were made before the implementation of the IPCC's revised Statutory Guidance and have a substantiation rate of 12%. This varies across forces, ranging from 4% to 25% (see Table 11a).

- 16,261 related to complaints that were made on or after the 1 April 2010 and have an upholding rate of 11%. This varies across forces ranging from 5% to 24% (see Table 11b).

Complaints cases finalised

- A total of 34,503 complaint cases were finalised⁴ during 2010/11. This is 9% more than during the previous year.
- It took longer to finalise complaint cases during 2010/11 compared to the previous year. It took on average 107 working days to complete a complaint case (see Table 2) – seven days longer than during 2009/10. This figure is based on cases that may or may not have been subject to sub judice⁵.
- A complaint can be subject to a period in sub judice. When we remove any time spent in sub judice, the average time to complete all complaint cases was 98 working days (see Table 2). The time taken has gradually increased over the last three years from 85 working days in 2008/09. In 2010/11 there was significant variation across forces, ranging from 53 to 145 working days.

Appeals to the IPCC

- A complainant has the right to appeal to the IPCC if they are not happy with the way a force has handled their complaint. An appeal can be made about a decision to not record a complaint case, the process used to conduct a local resolution or the outcome of a local or supervised investigation.
- During 2010/11, a total of 6,173 appeals were made to the IPCC about the handling of a complaint by a police force⁶, which represents a 15% increase compared to the previous year (see Table 12).

⁴ A complaint case is finalised once all police action has been concluded.

⁵ Please refer to the glossary in Annex A for a description of 'subjudice'.

⁶ Please note: the appeals figures presented here are for police forces. For appeals figures that cover all the statutory bodies that the IPCC has jurisdiction over, including police authorities, please refer to the IPCC Annual Report for 2010/11.

³ The lower range for this figure represents forces with at least one allegation finalised by a supervised investigation.

- The number of appeals received about police investigations increased to 4,453 during 2010/11, while the number of appeals about complaints dealt with via local resolution reduced to 532. The number of appeals against the decision of forces to not record a complaint was similar to last year, with 1,188 appeals received by the IPCC (see Table 12).
- During 2010/11 the upholding rate for all appeals was 30% and therefore similar to the previous year⁷ (see Table 12).
- Upholding rates vary for different appeals types. During 2010/11, a third (33%) of local resolution appeals and just under a quarter of investigation appeals (23%) were upheld. The IPCC directed police forces to record a complaint for more than half (58%) of non-recording appeals received (See Table 12).

Profile of complainants

- The number of people who complained about the conduct of someone serving with the police during 2010/11 was 33,788 – a reduction of 3% compared to the previous year.
- The majority of complainants were men (see Table 13).
- The majority of complainants were White (see Table 14) and were between 18 and 49 years of age (see Table 15).

Profile of those subject to complaints

- A total of 37,779 people serving with the police were subject to a complaint during 2010/11 – a 3% reduction compared to the previous year.
- The majority of complaints were about police officers rather than police staff (see Table 16).

- The majority of those facing complaints were men and were White (see Tables 17 and 18).

Discussion

A key finding in this report is that the number of police complaints recorded in 2010/11 has declined compared to past years. This is the first time there has been a reduction since the police complaints system was reformed in 2004. It also follows a period of sustained growth in complaints, with numbers recorded by police forces increasing by over 100% over the last seven years.

Only 22 out of the 44 forces reported a reduction in complaint cases in 2010/11. What might account for this reduction across these forces? Some evidence suggests that there has been a reduction in levels of public contact with the police, especially in London (Inglis, 2011), and that this could lead to a reduction in complaints. However, this reduction in contact is not reflected in the Metropolitan Police's complaint figures, which are up by 4%. The same survey also found an increase across England and Wales in people's willingness to complain. Furthermore, other surveys do not suggest any reduction in satisfaction ratings (which remain high) or increase in expressions of annoyance (which remain stable over several years) with the police.

We asked police forces that have reported a reduction in complaint cases about why they were receiving fewer complaints. The most plausible explanation given was that they were handling some cases differently than in the past. More specifically, when faced with expressions of concern or criticisms from the public that may arguably not be covered by the PRA 2002, these forces had responded with information, explanations or apologies. Such an approach broadly reflects aspects of new Statutory Guidance on the handling of complaints released by the IPCC at the start of 2010/11 (IPCC, 2010, para 12). It may be that some of the reduction in complaints can be attributed to police forces following the principles outlined in the Guidance. However, it is too early to identify the reasons and indeed too early to know whether the reductions are a "blip" or the start of a new downward trend.

⁷ The upholding rate is a percentage of the number of valid appeals completed during the year. The number of appeals completed will vary from the number received.

Discussions on complaints about the police tend to centre on increases and reductions in cases recorded and what these say about policing. However, as stated at the start of this report, increases or decreases in the number of complaints can be read as being either good or bad. This report presents a series of less ambiguous indicators on the handling of complaints by police forces. They include measures on how long it has taken to deal with complaints and indicators of complainant satisfaction. On timeliness, this report provides the police with troubling evidence.

The timeliness measures show that, on average, a complainant will have to wait seven months for a conclusion to a complaint handled via a formal police investigation. For less serious complaints, dealt with via local resolution, the corresponding figure is three months. These timescales are unacceptably lengthy. While there are wide variations in timescales across police forces, those forces with figures similar to the national ones, or even higher, need to look urgently and actively at how they can improve the speed of their service.

Included in the indicators are measures based on appeals from the public to the IPCC. Given that complainants appeal to the IPCC when they are unhappy with how their complaint has been handled by the local force, these figures suggest notable levels of dissatisfaction, particularly about local police investigations. Nationally, the IPCC receives an appeal for every 30 allegations dealt with via local resolution. In contrast, an appeal is received for every five allegations dealt with by a formal police investigation.

Evidence from the British Crime Survey also supports this picture, as it too reports high levels of dissatisfaction among people whose complaint was handled by their local police force (Grace and Bucke, 2009). The IPCC issued a bulletin to police forces in May 2011 identifying key lessons for the better handling of complaints that have arisen from our appeals work. Forces that apply the lessons may see a reduction in dissatisfied complainants and therefore a reduction in appeals against their handling of complaints.

As stated above, forces were once required to make a decision at the end of an investigation about whether any evidence of misconduct had been found. Traditionally, around 10-12% of allegations had aspects of misconduct substantiated. Forces are now required also to judge whether an allegation was *upheld* or not. *Upheld* encompasses not only whether any misconduct occurred, but also whether the service provided by the police *'did not reach the standard a reasonable person would expect'* (IPCC, 2010, para 433). Given the definition, one might expect the figures for upheld allegations to be higher than substantiated allegations. However, this is not the case – they are broadly the same, with 11% of allegations upheld across England and Wales. There may be a number of explanations for this finding. For example, in some cases there may be insufficient evidence to make a judgement about whether a service failure has occurred and therefore whether a complaint should be upheld. However, it may also be that forces have not yet started to apply the revised definition of upheld/not upheld to allegations. It is important that all forces change the way they handle complaints to reflect the revised Statutory Guidance.

The figures set out in this report raise a number of issues about how police forces are managing complaints. The IPCC will continue to engage forces about issues such as timescales, learning from appeals and the upholding of allegations. This approach forms part of a wider IPCC initiative that encourages forces to 'get it right the first time' in order to meet the legitimate expectations of complainants and make efficient use of resources.

Figures on how the IPCC has sought to improve the way it handles the appeals it receives and its own investigations can be found in the IPCC Annual Report for 2010/11.

Tables and figures

Table 1 Complaint cases recorded in reporting year 2001/02 – 2010/11

	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11
Total recorded in year	16,654	15,248	15,885	22,898	26,268	28,998	28,963	31,259	33,854	32,681
% annual change	-12	-8	4	44	15	10	0	8	8	-3
<i>Of which</i>										
Completed	10,332	9,461	10,149	15,076	17,508	18,540	18,206	19,484	20,608	21,096
% of total recorded in year	62	62	64	66	67	64	63	62	61	65
Pending at year end	6,322	5,787	5,736	7,822	8,760	10,458	10,757	11,775	13,246	11,585
% of total recorded in year	38	38	36	34	33	36	37	38	39	35

Notes

1. Complaint cases pending at the end of each year will be finalised in later years
2. Table does not include figures for British Transport Police

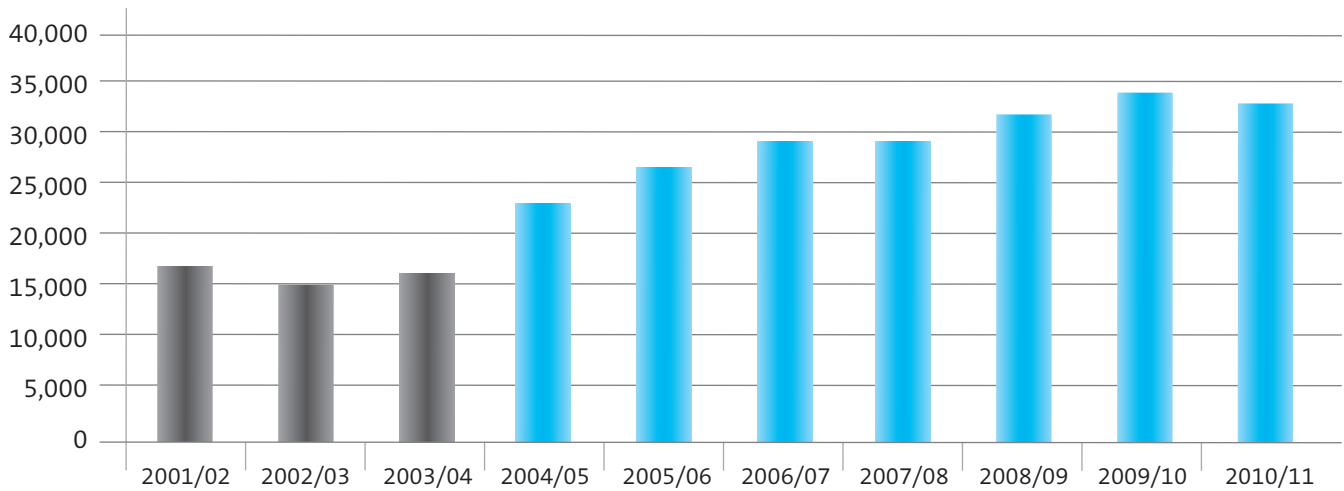
Table 2 Key indicators in the handling of complaints

Measure	2008/09	2009/10	2010/11
Percentage of complaint cases recorded within 10 working days	82%	84%	87%
Average number of days to locally resolve allegations	53	62	59
Average number of days to investigate allegations - local police investigation	179	145	132
Average number of days to investigate allegations - supervised police investigation	294	412	324
Average number of days to finalise complaint cases (not including sub judice)	85	90	98
Average number of days to finalise complaint cases (including sub judice)	100	100	107
Appeals to IPCC as a percentage of allegations completed by local or supervised investigations	15%	15%	16%
Appeals to the IPCC as a percentage of allegations completed by local resolution	2%	3%	3%
Percentage of all appeal types upheld	29%	29%	30%

Table 3 Contextual information on allegations recorded and outcome

Measure	2008/09	2009/10	2010/11
Number of allegations per 1,000 police personnel	206	221	225
Percentage of 'Other neglect or failure in duty' allegations	24%	26%	27%
Percentage of 'Incivility, impoliteness & intolerance' allegations	21%	20%	18%
Percentage of 'Other assault' allegations	13%	13%	12%
Percentage of 'Oppressive conduct or harassment' allegations	7%	7%	7%
Percentage of 'Unlawful/unnecessary detention' allegations	5%	5%	5%
Percentage of allegations discontinued	2%	1%	1%
Percentage of allegations dispensed	10%	8%	8%
Percentage of allegations withdrawn	12%	11%	10%

Figure 1 Complaint cases recorded 2001/02 - 2010/11



Note This does not include figures for British Transport Police

Table 4 Complaint cases by police force 2010/11

Police force	2009/10	2010/11	Percentage change from 2009/10
Avon and Somerset	876	924	5
Bedfordshire	352	355	1
Cambridgeshire	393	455	16
Cheshire	434	476	10
City of London	132	120	-9
Cleveland	450	436	-3
Cumbria	249	293	18
Derbyshire	461	506	10
Devon and Cornwall	1,124	1,028	-9
Dorset	399	410	3
Durham	207	199	-4
Dyfed-Powys	282	287	2
Essex	997	880	-12
Gloucestershire	342	314	-8
Greater Manchester	1,898	1,155	-39
Gwent	390	387	-1
Hampshire	1,137	648	-43
Hertfordshire	462	414	-10
Humberside	477	526	10
Kent	760	778	2
Lancashire	947	807	-15
Leicestershire	539	471	-13
Lincolnshire	409	430	5
Merseyside	869	761	-12
Metropolitan	7,175	7,493	4
Norfolk	518	550	6
North Wales	430	382	-11
North Yorkshire	496	525	6
Northamptonshire	599	535	-11
Northumbria	578	608	5
Nottinghamshire	669	476	-29
South Wales	715	675	-6
South Yorkshire	613	528	-14
Staffordshire	422	437	4
Suffolk	418	336	-20
Surrey	710	672	-5
Sussex	746	745	0
Thames Valley	1,167	1,147	-2
Warwickshire	256	306	20
West Mercia	851	987	16
West Midlands	1,704	1,871	10
West Yorkshire	903	940	4
Wiltshire	298	408	37
Total	33,854	32,681	-3
British Transport Police	456	418	-8
Total including British Transport Police	34,310	33,099	-4

Table 5 Timeliness of complaint cases recorded

Police force	2008/09		2009/10		2010/11	
	Complaint Cases recorded	% within 10 wds	Complaint Cases recorded	% within 10 wds	Complaint Cases recorded	% within 10 wds
Avon and Somerset	904	84%	876	86%	924	86%
Bedfordshire	330	94%	352	95%	355	90%
Cambridgeshire	382	88%	393	92%	455	91%
Cheshire	436	67%	434	90%	476	92%
City of London	91	90%	132	98%	120	93%
Cleveland	410	90%	450	88%	436	90%
Cumbria	240	85%	249	86%	293	79%
Derbyshire	362	38%	461	43%	506	65%
Devon and Cornwall	1,062	86%	1,124	81%	1,028	82%
Dorset	370	88%	399	98%	410	99%
Durham	159	52%	207	49%	199	70%
Dyfed-Powys	286	50%	282	46%	287	58%
Essex	908	87%	997	90%	880	88%
Gloucestershire	327	91%	342	96%	314	98%
Greater Manchester	2,102	67%	1,898	83%	1,155	89%
Gwent	264	85%	390	87%	387	94%
Hampshire	1,046	72%	1,137	59%	648	81%
Hertfordshire	395	89%	462	84%	414	84%
Humberside	437	95%	477	95%	526	95%
Kent	862	61%	760	64%	778	88%
Lancashire	836	76%	947	71%	807	71%
Leicestershire	488	85%	539	85%	471	92%
Lincolnshire	383	84%	409	88%	430	85%
Merseyside	904	91%	869	80%	761	84%
Metropolitan	6,144	86%	7,175	86%	7,493	87%
Norfolk	436	91%	518	91%	550	92%
North Wales	390	84%	430	87%	382	94%
North Yorkshire	392	78%	496	83%	525	89%
Northamptonshire	422	67%	599	86%	535	94%
Northumbria	576	77%	578	84%	608	86%
Nottinghamshire	614	85%	669	80%	476	80%
South Wales	774	98%	715	96%	675	93%
South Yorkshire	442	85%	613	86%	528	88%
Staffordshire	521	91%	422	89%	437	94%
Suffolk	317	80%	418	72%	336	81%
Surrey	685	58%	710	80%	672	92%
Sussex	737	60%	746	71%	745	70%
Thames Valley	947	86%	1,167	81%	1,147	88%
Warwickshire	226	95%	256	98%	306	97%
West Mercia	839	94%	851	94%	987	93%
West Midlands	1,655	92%	1,704	96%	1,871	94%
West Yorkshire	874	99%	903	98%	940	95%
Wiltshire	284	57%	298	61%	408	89%
Total	31,259	82%	33,854	83%	32,681	87%
British Transport Police	488	90%	456	91%	418	95%
Total including British Transport Police	31,747	82%	34,310	84%	33,099	87%

Table 6 Number of allegations recorded

Police force	Number of allegations 2009/10	Number of allegations 2010/11	Number of allegations variance	% of variance between 2009/10 and 2010/11
Avon and Somerset	1,385	1,536	151	11%
Bedfordshire	561	586	25	4%
Cambridgeshire	634	992	358	56%
Cheshire	632	740	108	17%
City of London	175	158	-17	-10%
Cleveland	717	742	25	3%
Cumbria	332	399	67	20%
Derbyshire	845	869	24	3%
Devon and Cornwall	1,658	1,577	-81	-5%
Dorset	610	656	46	8%
Durham	396	324	-72	-18%
Dyfed-Powys	689	710	21	3%
Essex	1,491	1,489	-2	0%
Gloucestershire	578	480	-98	-17%
Greater Manchester	3,039	1,878	-1,161	-38%
Gwent	629	758	129	21%
Hampshire	2,249	1,697	-552	-25%
Hertfordshire	902	792	-110	-12%
Humberside	878	1,003	125	14%
Kent	1,250	1,163	-87	-7%
Lancashire	2,030	1,421	-609	-30%
Leicestershire	821	786	-35	-4%
Lincolnshire	685	714	29	4%
Merseyside	1,879	1,710	-169	-9%
Metropolitan	12,422	13,894	1,472	12%
Norfolk	622	636	14	2%
North Wales	698	670	-28	-4%
North Yorkshire	852	1,047	195	23%
Northamptonshire	703	619	-84	-12%
Northumbria	1,107	1,340	233	21%
Nottinghamshire	964	805	-159	-16%
South Wales	1,054	1,169	115	11%
South Yorkshire	1,154	1,002	-152	-13%
Staffordshire	641	660	19	3%
Suffolk	867	562	-305	-35%
Surrey	1,049	1,122	73	7%
Sussex	1,055	1,137	82	8%
Thames Valley	2,183	2,181	-2	0%
Warwickshire	608	640	32	5%
West Mercia	1,497	1,858	361	24%
West Midlands	3,022	3,666	644	21%
West Yorkshire	1,640	1,824	184	11%
Wiltshire	425	687	262	62%
Total	57,628	58,699	1,071	2%
British Transport Police	771	743	-28	-4%
Total including British Transport Police	58,399	59,442	1,043	2%

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Table 7 Types of allegations recorded 2010/11

Allegation groupings	Allegation category	N	%
Oppressive behaviour	Serious non-sexual assault	312	1
	Sexual assault	134	0
	Other assault	6,843	12
	Oppressive conduct or harassment	4,004	7
	Unlawful/unnecessary arrest or detention	3,080	5
Malpractice	Irregularity in relation to evidence/perjury	1,299	2
	Corrupt practice	480	1
	Mishandling of property	1,958	3
Breach of PACE	Breach of Code A PACE on stop and search	674	1
	Breach of Code B PACE on searching of premises and seizure of property	1,469	2
	Breach of Code C PACE on detention, treatment and questioning	2,754	5
	Breach of Code D PACE on identification procedures	28	0
	Breach of Code E PACE on tape recording	20	0
	Multiple or unspecified breaches of PACE which cannot be allocated to a specific code	71	0
Lack of fairness and impartiality	Lack of fairness and impartiality	2,594	4
Discriminatory behaviour	Discriminatory behaviour	1,476	2
Other neglect of duty	Other neglect or failure in duty	16,273	27
Incivility	Incivility, impoliteness and intolerance	10,938	18
Traffic	Traffic irregularity	688	1
Other	Other irregularity in procedure	1,706	3
	Improper disclosure of information	1,279	2
	Other sexual conduct	40	0
	Other	1,322	2
Total allegations		59,442	100

Table 8 Means by which allegations were finalised 2010/11

Police force	Allegations investigated		Withdrawn		Dispensation		Discontinuance		Local resolution		Total N
	N	%	N	%	N	%	N	%	N	%	
Avon and Somerset	720	48	91	6	66	4	1	0	629	42	1,507
Bedfordshire	236	38	99	16	57	9	2	0	225	36	619
Cambridgeshire	515	54	57	6	81	9	1	0	295	31	949
Cheshire	363	47	120	16	28	4	1	0	257	33	769
City of London	76	57	9	7	9	7	7	5	33	25	134
Cleveland	282	43	79	12	77	12	1	0	223	34	662
Cumbria	175	44	28	7	39	10	2	1	152	38	396
Derbyshire	326	39	110	13	4	0	32	4	372	44	844
Devon and Cornwall	622	41	159	10	139	9	22	1	578	38	1,520
Dorset	283	44	72	11	72	11	7	1	212	33	646
Durham	144	41	16	5	29	8	1	0	164	46	354
Dyfed-Powys	337	48	73	10	28	4	4	1	257	37	699
Essex	633	50	132	10	83	7	0	0	421	33	1,269
Gloucestershire	285	53	31	6	79	15	2	0	138	26	535
Greater Manchester	624	28	214	10	134	6	157	7	1,100	49	2,229
Gwent	351	47	100	13	56	8	2	0	236	32	745
Hampshire	1,247	62	105	5	60	3	17	1	569	28	1,998
Hertfordshire	359	45	140	18	71	9	0	0	222	28	792
Humberside	405	42	77	8	85	9	5	1	395	41	967
Kent	477	38	107	9	71	6	75	6	513	41	1,243
Lancashire	730	46	118	7	53	3	1	0	683	43	1,585
Leicestershire	384	41	57	6	40	4	5	1	449	48	935
Lincolnshire	192	29	74	11	64	10	1	0	322	49	653
Merseyside	907	56	152	9	142	9	11	1	409	25	1,621
Metropolitan	8,338	60	1,427	10	1,385	10	132	1	2,638	19	13,920
Norfolk	243	48	40	8	33	7	5	1	185	37	506
North Wales	268	41	53	8	57	9	0	0	283	43	661
North Yorkshire	144	14	44	4	101	10	6	1	741	72	1,036
Northamptonshire	264	40	66	10	19	3	8	1	300	46	657
Northumbria	363	39	131	14	107	11	2	0	328	35	931
Nottinghamshire	423	52	93	11	62	8	2	0	233	29	813
South Wales	216	20	263	24	166	15	27	3	402	37	1,074
South Yorkshire	373	38	48	5	154	16	4	0	412	42	991
Staffordshire	282	44	57	9	7	1	1	0	294	46	641
Suffolk	253	36	114	16	62	9	9	1	256	37	694
Surrey	688	56	42	3	103	8	22	2	376	31	1,231
Sussex	470	47	99	10	69	7	1	0	366	36	1,005
Thames Valley	1,179	54	100	5	131	6	24	1	747	34	2,181
Warwickshire	315	55	85	15	26	5	0	0	142	25	568
West Mercia	1,087	57	243	13	100	5	12	1	468	25	1,910
West Midlands	1,667	54	371	12	157	5	39	1	879	28	3,113
West Yorkshire	853	51	187	11	229	14	3	0	387	23	1,659
Wiltshire	287	43	46	7	54	8	10	2	263	40	660
Total	28,386	49	5,729	10	4,589	8	664	1	18,554	32	57,922
British Transport Police	414	56	100	13	48	6	6	1	177	24	745
Total including British Transport Police	28,800	49	5,829	10	4,637	8	670	1	18,731	32	58,667

Table 9 Time taken to finalise allegations 2010/11

Police force	Average number of days to locally resolve allegations	Average number of days to finalise allegations by investigation - Local	Average number of days to finalise allegations by investigation - Supervised
Avon and Somerset	39	137	272
Bedfordshire	61	143	265
Cambridgeshire	44	121	0
Cheshire	78	146	326
City of London	30	82	0
Cleveland	42	158	0
Cumbria	33	108	0
Derbyshire	49	118	144
Devon and Cornwall	63	158	367
Dorset	45	140	174
Durham	60	196	0
Dyfed Powys	84	239	471
Essex	90	159	0
Gloucestershire	34	64	0
Greater Manchester	69	117	0
Gwent	45	165	535
Hampshire	70	163	0
Hertfordshire	63	130	0
Humberside	44	93	0
Kent	67	189	0
Lancashire	46	106	0
Leicestershire	84	196	446
Lincolnshire	76	148	0
Merseyside	46	108	401
Metropolitan	54	74	215
Norfolk	48	127	127
North Wales	56	151	0
North Yorkshire	45	94	0
Northamptonshire	53	130	277
Northumbria	52	216	0
Nottinghamshire	102	176	226
South Wales	58	161	474
South Yorkshire	50	195	0
Staffordshire	62	132	264
Suffolk	68	143	0
Surrey	56	120	0
Sussex	58	130	0
Thames Valley	90	229	196
Warwickshire	70	135	217
West Mercia	55	159	388
West Midlands	68	169	229
West Yorkshire	42	171	0
Wiltshire	58	155	0
Total	60	132	325
British Transport Police	44	136	318
Total including British Transport Police	59	132	324

Table 10 Timeliness of complaint cases finalised 2010/11

Police force	Number of complaint cases finalised	Average number of days to finalise complaint cases (NOT inc sub judice)	Average number of days to finalise complaint cases (inc sub judice)
Avon and Somerset	974	73	75
Bedfordshire	394	87	103
Cambridgeshire	458	84	96
Cheshire	507	88	91
City of London	103	53	61
Cleveland	401	68	82
Cumbria	293	63	71
Derbyshire	511	90	91
Devon and Cornwall	1,049	117	121
Dorset	432	70	92
Durham	213	63	67
Dyfed Powys	315	133	147
Essex	854	122	128
Gloucestershire	326	60	67
Greater Manchester	1,418	96	96
Gwent	448	103	113
Hampshire	865	92	98
Hertfordshire	457	87	105
Humberside	529	75	81
Kent	769	92	103
Lancashire	904	82	88
Leicestershire	587	121	126
Lincolnshire	402	98	104
Merseyside	716	64	77
Metropolitan	7,789	116	125
Norfolk	472	82	94
North Wales	394	75	81
North Yorkshire	526	62	66
Northamptonshire	565	68	82
Northumbria	557	96	113
Nottinghamshire	612	145	158
South Wales	669	84	88
South Yorkshire	600	89	103
Staffordshire	404	79	86
Suffolk	413	95	101
Surrey	743	54	67
Sussex	784	97	105
Thames Valley	1,171	127	135
Warwickshire	297	88	103
West Mercia	962	80	92
West Midlands	1,922	122	130
West Yorkshire	865	92	106
Wiltshire	373	72	81
Total	34,043	98	107
British Transport Police	460	92	101
Total including British Transport Police	34,503	98	107

Table 11a Outcome of allegations finalised by investigation (pre-April 2010)

Police force	Unsubstantiated		Substantiated		Total investigated
	N	%	N	%	N
Avon and Somerset	295	85	54	15	349
Bedfordshire	85	91	8	9	93
Cambridgeshire	127	88	17	12	144
Cheshire	181	95	10	5	191
City of London	19	100	0	0	19
Cleveland	129	75	42	25	171
Cumbria	55	86	9	14	64
Derbyshire	136	80	35	20	171
Devon and Cornwall	271	82	58	18	329
Dorset	135	89	17	11	152
Durham	74	89	9	11	83
Dyfed Powys	195	83	39	17	234
Essex	326	83	65	17	391
Gloucestershire	65	86	11	14	76
Greater Manchester	0	-	0	-	0
Gwent	175	86	29	14	204
Hampshire	586	85	107	15	693
Hertfordshire	110	82	24	18	134
Humberside	136	85	24	15	160
Kent	214	81	49	19	263
Lancashire	0	-	0	-	0
Leicestershire	218	87	33	13	251
Lincolnshire	76	83	16	17	92
Merseyside	333	90	35	10	368
Metropolitan	2,530	96	97	4	2,627
Norfolk	79	91	8	9	87
North Wales	125	90	14	10	139
North Yorkshire	48	89	6	11	54
Northamptonshire	94	87	14	13	108
Northumbria	233	87	35	13	268
Nottinghamshire	238	88	31	12	269
South Wales	101	86	16	14	117
South Yorkshire	202	80	50	20	252
Staffordshire	99	80	25	20	124
Suffolk	136	84	26	16	162
Surrey	250	86	41	14	291
Sussex	179	91	18	9	197
Thames Valley	697	85	122	15	819
Warwickshire	130	85	23	15	153
West Mercia	457	89	59	11	516
West Midlands	871	89	107	11	978
West Yorkshire	387	85	67	15	454
Wiltshire	100	85	18	15	118
Total	10,897	88	1,468	12	12,365
British Transport	147	84	27	16	174
Total including British Transport Police	11,044	88	1,495	12	12,539

Note: investigation outcomes of substantiation are not available for Lancashire and Greater Manchester Police

Table 11b Outcome of allegations finalised by investigation (post-April 2010)

Police force	Not upheld		Upheld		Total investigated
	N	%	N	%	N
Avon and Somerset	320	86	51	14	371
Bedfordshire	117	82	26	18	143
Cambridgeshire	311	84	60	16	371
Cheshire	131	76	41	24	172
City of London	53	93	4	7	57
Cleveland	94	85	17	15	111
Cumbria	104	94	7	6	111
Derbyshire	127	82	28	18	155
Devon and Cornwall	265	90	28	10	293
Dorset	107	82	24	18	131
Durham	51	84	10	16	61
Dyfed Powys	85	83	18	17	103
Essex	211	87	31	13	242
Gloucestershire	182	87	27	13	209
Greater Manchester	576	92	48	8	624
Gwent	121	82	26	18	147
Hampshire	448	81	106	19	554
Hertfordshire	199	88	26	12	225
Humberside	199	81	46	19	245
Kent	177	83	37	17	214
Lancashire	633	87	97	13	730
Leicestershire	116	87	17	13	133
Lincolnshire	80	80	20	20	100
Merseyside	493	91	46	9	539
Metropolitan	5,306	93	405	7	5,711
Norfolk	140	90	16	10	156
North Wales	122	95	7	5	129
North Yorkshire	78	87	12	13	90
Northamptonshire	141	90	15	10	156
Northumbria	83	87	12	13	95
Nottinghamshire	139	90	15	10	154
South Wales	92	93	7	7	99
South Yorkshire	100	83	21	17	121
Staffordshire	131	83	27	17	158
Suffolk	79	87	12	13	91
Surrey	329	83	68	17	397
Sussex	243	89	30	11	273
Thames Valley	296	82	64	18	360
Warwickshire	139	86	23	14	162
West Mercia	526	92	45	8	571
West Midlands	614	89	75	11	689
West Yorkshire	355	89	44	11	399
Wiltshire	146	86	23	14	169
Total	14,259	89	1,762	11	16,021
British Transport	196	82	44	18	240
Total including British Transport Police	14,455	89	1,806	11	16,261

Table 12 Appeals to the IPCC

Appeal type	2008/09	2009/10	2010/11
Investigation appeals			
Received	2,684	3,631	4,453
Completed	2,402	2,928	4,259
Upheld	528	603	971
% Upheld	22%	21%	23%
Local resolution appeals			
Received	473	566	532
Completed	442	449	474
Upheld	149	150	156
% Upheld	34%	33%	33%
Non-recording appeals			
Received	811	1,160	1,188
Completed	706	932	1,105
Upheld	349	499	639
% Upheld	49%	54%	58%
Total appeals			
Received	3,968	5,357	6,173
Completed	3,550	4,309	5,838
Upheld	1,026	1,252	1,766
% Upheld	29%	29%	30%

Table 13 Gender of complainants 2010/11

Gender	N	%
Male	21,614	64
Female	11,902	35
Transsexual	5	0
Transgender	8	0
Unknown	259	1
Total	33,788	100

Table 14 Ethnicity of complainants 2010/11

Ethnicity	N	%
White	19,392	57
Asian	1,643	5
Black	1,779	5
Other	835	2
Unknown	10,139	30
Total	33,788	100

Table 15 Age of complainants 2010/11

Age group	N	%
17 and below	415	1
18-29	5,656	17
30-39	5,933	18
40-49	7,195	21
50-59	3,951	12
60+	2,439	7
Unknown	8,199	24
Total	33,788	100

Note:

Complainants are only counted once in these tables regardless of how many complaints they have made throughout the year.

Table 16 Status of those subject to a complaint 2010/11

Status	N	%
Police officer ranks	33,965	90
Police staff including traffic wardens	2,167	6
Community support officers	1,016	3
Contracted staff	116	0
Special constables	555	1
Total	37,819	100

Note:

The total number of subjects in Table 15 will not match the figures in the following tables on subjects. This is because individuals may hold different ranks when subject to more than one complaint throughout the year. In such cases they will be counted twice in this table but not in the following tables.

Table 17 Gender of those subject to a complaint 2010/11

Gender	N	%
Female	8,823	23
Male	27,941	74
Unknown	1,015	3
Total	37,779	100

Table 18 Ethnicity of those subject to a complaint 2010/11

Ethnicity	N	%
White	33,735	89
Asian	858	2
Black	517	1
Other	557	1
Unknown	2,112	6
Total	37,779	100

Note:

Subjects are only counted once in Tables 16 and 17 regardless of how many complaints have been made against them throughout the year.

References

Allen, J., Edmonds, S., Patterson, A. and Smith, D. (2006) *Policing and the Criminal Justice System – Public Confidence and Perceptions; findings from the 2004/05 British Crime Survey*. Home Office Online Report 07/06. London: Home Office.

Grace, K. and Bucke, T. (2009) *Public Annoyance and Complaints about the Police: Findings from the 2006/07 British Crime Survey* London: Independent Police Complaints Commission.

Home Office (2005): *Home Office Circular 19/2005: Guidance on the Handling of Complaints Relating to the Direction and Control of a Police Force by a Chief Officer*. London: Home Office.

Inglis, G (2010): *Confidence in the police complaints system: a survey of the general population during 2009*. London: Independent Police Complaints Commission.

Independent Police Complaints Commission (2011): *Annual Report and Statement of Accounts 2010/11*. London: Independent Police Complaints Commission.

Independent Police Complaints Commission (2010): *Statutory Guidance to the Police Service and Police Authorities on the Handling of Complaints*. London: Independent Police Complaints Commission.

Nicholas, S., Flatley, J., Hoare, J., Patterson, A., Southcott, C., Moley, S. and Jansson, K. (2008) *Circumstances of crime, neighbourhood watch membership and perceptions of policing: findings from the 2006/07 British Crime Survey*. Home Office Statistical Bulletin 14/09. London: Home Office.

Statistical note

- In the percentage column presented in the following tables, '-' denotes zero and 0 denotes less than 0.5%.
- Some percentages may add up to more or less than 100% due to rounding.
- Figures for British Transport Police have been included in the tables and figures unless otherwise stated.
- Average times are presented as working days and do not include weekends or bank holidays.
- Data with invalid start/end dates have been removed from average time calculations. Therefore the numbers of complaint cases and allegations used in average time calculations may be lower than the total number of complainant cases and allegations.

Annex A: glossary of terms

The following terms are listed in the order they appear in the text of this report, which follows the process by which a complaint may be handled.

Complaint case: A single complaint case may contain one or more linked allegations, made by one or more complainants, against one or more persons serving with the police.

Allegation: This describes the type of behaviour being complained about. A single complaint case can have one or many allegations attached. For example, a person may allege that they were pushed by an officer and that the officer was rude to them. This would be recorded as two separate allegations forming one complaint case. An allegation is recorded against an allegation category.

Complainants: Under the PRA, a complaint about the conduct of someone serving with the police can be made by the following types of people:

- Any member of the public who alleges that police misconduct was directed at them
- Any member of the public who alleges that they have been 'adversely affected' by police misconduct, even if it was not directed at them
- Any member of the public who claims that they witnessed misconduct by the police
- A person acting on behalf of someone who falls within any three of the categories above. This category of person is classed as an 'agent' or 'representative', not as a complainant in their own right, and must have the written permission of the complainant.

Being 'adversely affected' is broadly interpreted in the legislation and includes distress, inconvenience, loss or damage, or being put in danger or at risk. This might apply, for example, to other people present at the incident, or to the

parent of a child or young person, or a friend of the person directly affected. It does not include someone distressed by watching an incident on television.

A witness is defined in the PRA 2002 as someone who 'acquired his knowledge of that conduct in a manner which would make him a competent witness capable of giving admissible evidence of that conduct in criminal proceeding'. This includes, for example, someone in control of CCTV cameras or in possession of material evidence.

One complaint case can have multiple complainants attached and one individual can make more than one complaint within the reporting year.

Subjects: The PRA broadened the range of people who could be subject to a complaint. Complaints can be made against the following police personnel:

- Police officers of any rank
- Police staff, including community support officers and traffic wardens
- Special constables
- Contracted-out staff designated under section 39 of the PRA – for example, escort or custody officers employed by another company.

Local resolution: For less serious complaints, such as rudeness or incivility, a complainant may agree to local resolution. Usually, this involves a local police supervisor handling the complaint and agreeing with the complainant a way of dealing with it. This might be: an explanation or information to clear up a misunderstanding; an apology on behalf of the force; and/or an outline of what actions will be taken to prevent similar complaints in the future.

Investigation: In other circumstances (or if the complainant declines local resolution) it may be decided that a complaint requires a thorough examination of the incident. This involves the appointment of an investigating officer who will look into a complaint and produce a report that details whether each allegation is substantiated or unsubstantiated. As of 1 April 2010, police forces are expected to also record whether a complaint is upheld or not upheld. A complaint will be upheld if the service or conduct complained about does not reach the standard a reasonable person could expect. This means that the outcome is not solely linked to proving misconduct.

Local investigations: Are carried out entirely by the police. Complainants have a right of appeal to the IPCC following a local investigation.

Supervised investigations: Are carried out by the police under their own direction and control. The IPCC sets out what the investigation should look at (which is referred to as the investigation's 'terms of reference') and will receive the investigation report when it is complete. Complainants have a right of appeal to the IPCC following a supervised investigation.

Managed investigations: Are carried out by police forces under the direction and control of the IPCC.

Independent investigations: Are carried out by IPCC investigators and are overseen by IPCC Commissioners. IPCC investigators have all the powers of the police themselves.

Dispensation: In some cases there may be reasons not to take a complaint forward. Examples may include complaints where there is insufficient information, or complaints which are vexatious, oppressive or an abuse of the complaint procedures. In such cases a police force can apply to the IPCC for a dispensation. If this is granted, it means that no action needs to be taken with regard to the complaint. In other cases, where the matter of complaint was sub judice, the force does not need the IPCC's consent to dispense with the complaint once the criminal proceedings have concluded, providing reasonable efforts have been made to pursue the complaint.

Discontinuance: In some instances police forces may find it impractical to conclude an investigation. This could occur if a complainant refuses to co-operate, if the complaint is repetitious or refers to an abuse of procedure, or if the complainant agrees to local resolution. In such cases the police force can apply to the IPCC to discontinue the investigation.

Withdrawn: No further action may be taken with regard to a complaint if the complainant decides to retract the allegation(s).

Sub judice: Subsequent to recording, the start of any work on a complaint may be postponed because the matter is considered to be sub judice. This is when a person linked to a complaint case is associated with separate criminal proceedings.

Investigation appeal: This applies to all complaints investigated by the force itself or where the investigation has been supervised by the IPCC. There is no avenue of appeal from independent or managed investigations (see IPCC, 2010b, paras. 510 to 524).

Local resolution appeal: Complainants are entitled to appeal against the local resolution process if they did not agree to a local resolution; the police did not explain sufficiently that they must agree to the process; or they think the police did not follow the process they agreed for the local resolution of the complaint. Complainants cannot appeal against the outcome of a local resolution (see IPCC, 2010b, paras. 292 to 295).

Non-recording appeal: Under the PRA 2002 the police have a duty to record all complaints about the conduct of a serving member of the police. Complainants have the right to appeal to the IPCC if the force did not record their complaint or did not notify the correct force of the complaint if it was originally made to the wrong force. The IPCC reviews the appeal to determine whether the force's refusal to record the complaint was justified. If the appeal is upheld, the IPCC can direct the force to record the complaint (see IPCC, 2010b, paras.133 to 136).

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