

Welcome to our monthly newsletter which provides updates about the work of the Independent Office for Police Conduct (IOPC). The newsletter is for complaint handlers in forces and Local Policing Bodies (LPBs).

Corporate news

Annual deaths statistics report

We have published our annual 'Deaths during or following police contact' report for 2020/21. The statistics provide an official record setting out the number of deaths, the circumstances in which they happen, and any underlying factors. Figures across the different categories can fluctuate each year, and any conclusions about trends need to be treated with caution.

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Commenting on this year's figures, IOPC Director General Michael Lockwood said:

"Substance abuse, intoxication, and mental health vulnerabilities are key issues this year. Yet again we are seeing a sadly familiar picture of people with clear vulnerabilities coming into contact with the police because their needs aren't adequately met by other services.

"All but five of the 19 people who died in or following police custody in 2020/21 were known to have links to alcohol and/or drugs, and 12 had mental health concerns. The majority of the 92 other deaths we investigated were people who came into contact with the police because of concerns for their welfare and more than half were reported to be intoxicated or affected by substance abuse. Over two-thirds of those who died were reported to have mental health concerns.

"Each of these deaths is a tragedy and, while not all will have been avoidable, an over-reliance on the police service to step in to critical situations involving medical emergencies or mental health crises is unfair to those who have died, their families, and the often ill-equipped officers involved. These issues cannot be solved by the police service alone and need a concerted, system-wide response to help prevent future deaths from occurring.

"It is notable that restraint by police was a feature in 18 of these deaths. While the use of restraint did not necessarily contribute to the deaths, it underlines the importance of police officers using de-escalation and communication techniques when they encounter vulnerabilities such as mental health and substance abuse.

"We therefore welcome the new guidelines on conflict management from the College of Policing, along with enhanced training for officers in avoiding the use of force wherever possible.

"We continue to share learning from our work with the Ministerial Board on Deaths in Custody and welcome its renewed focus on cross-Government and multi-agency work on substance misuse and mental health. The Government's update on the Angiolini review, published last week, also reflected further work to ensure people in mental health crisis receive the right support.

"Police have hundreds of thousands of interactions with the public each year. Where deaths do occur following contact with police, it is important we have in place robust systems of investigation and accountability, identifying where changes can be made to reduce future risks.

"I hope this report along with the findings and recommendations from our independent investigations, and the experiences of bereaved families, will now be used to make improvements which prevent future deaths.

"With our increased focus on prevention, we have issued 63 learning recommendations from independent investigations following deaths in the past two years. These extend across a range of areas including police custody and the welfare of detainees, use of body-worn video, and roads policing."

The [report, additional data tables and our presentation on the most recent statistics on deaths during or following police contact](#) are available on the IOPC website.

IOPC updates forces on progress of the police complaints reforms

Director General Michael Lockwood recently wrote to all Chief Constables on 29 June 2021 about the progress that has been made under the police complaint system reforms. A copy of the letter is attached.

The letter confirms there are strong indications that the way complaints are being handled by forces and LPBs is already improving the experience of all those impacted. The update highlighted a project led by the IOPC oversight team to help better understand how reflective practice is being used in complaints handling and to identify and share best practices. This will build on the work carried out last year by the Home Office and the subsequent updates to guidance and systems.

Latest news

Keep up to date on our investigations and other work to increase public confidence in the police complaints system. You can find our [latest IOPC news](#) on our website.

[Police missed opportunities for intervention before murder of elderly man in Derbyshire](#)

[Investigation into actions of officer following Manchester Arena bombing](#)

[Investigation into Gwent Police officer's use of force during an arrest](#)

[Two Sussex officers dismissed for gross misconduct in relation to domestic assault allegation](#)

[Final written warning for Northamptonshire officer over inappropriate TikTok videos](#)

[Update on investigations linked to the death of Sarah Everard](#)

[IOPC Regional Director interviewed in panel discussion on stamping out racism in policing](#)

What does 'commissioning further work' mean and when will I see it?

Where the IOPC does not have enough information to determine a review following an investigation, we are able to request that the AA undertakes further work to gather additional evidence. This is known as 'commissioning further work'. There is a statutory duty for AAs to assist with any reasonable request.

Commissioning further work gives the IOPC the ability to consider any gaps in the investigation that prevent us from determining whether the outcome is reasonable and proportionate. The commissioning further work power assists us to deal with reviews effectively and pragmatically. It reduces the instances where a complaint could go back and forth between the AA and the IOPC several times, via re-investigation, before it is concluded. Requesting additional work can speed up the determination of a review outcome, which is important for public confidence in the complaints system as a whole.

Commissioning further work involves seeking information, ordinarily by pursuing a line of enquiry, which was not previously obtained during the local investigation (e.g. requesting the AA to interview and/or obtain a statement from any relevant witness).

There are certain circumstances where it will not be appropriate to commission further work during the course of a review (e.g. where the required information needs to be sought from a subject officer or someone who should be a subject officer).

Case study: Commissioning further work to seek advice from a Force Crime Registrar

A member of the public expressed her dissatisfaction that an incident she reported was categorised as a civil matter and not recorded as a crime for criminal damage. The complaint was subject to a local investigation by the AA and following this, the member of the public submitted a review to the IOPC (the relevant review body). As part of the assessment, and in order to consider whether or not

the complaint had been handled in a reasonable and proportionate manner, the casework manager commissioned further work by asking the AA to seek an opinion from the Force Crime Registrar (FCR).

The FCR reviewed the material for the incident and advised that they agreed that no crime should be recorded. The review was therefore not upheld as the outcome was reasonable and proportionate. Learning was shared with the force that good practice would have included the investigating officer seeking the FCR's opinion during the initial investigation.

Withdrawal of IOPC Guidance for police witnesses

The IOPC Guidance for police witnesses in investigations is currently being reviewed as part of the Future Design witness and subject account project. This is due to some inconsistencies in the guidance relating to our approach for taking witness accounts. Pending review, our Operations department has taken the decision to remove it from the external website and the internal guidance for IOPC operations staff. There will be no interim guidance available but in the meantime we will be adopting the approach that the lead investigator will decide on the most appropriate form of account on a case by case basis.

Should you have any concerns about how a police witness account has been requested for any individual cases, please contact the lead investigator / case supervisor. If you have feedback more generally about the process of the IOPC obtaining police witness accounts, please email the Future Design team at futuredesignenquiries@policeconduct.gov.uk

Duty to record a crime during an IOPC independent investigation

During an IOPC independent investigation, once a decision has been made to refer the case to the Crown Prosecution Service for a charging decision, the AA is required to record the appropriate crime in accordance with the National Crime Recording Standards. The lead investigator or decision maker should inform the AA when the file goes to the CPS and remind them to record the crime.

Updated 7.1 referral form for Police and Crime Commissioners

In June 2021 we shared an updated referral form to be used by Police and Crime Panels when submitting a referral to the IOPC about their Police and Crime Commissioner (or their Mayor's Officer for Policing and Crime). This echoes similar changes that were made in March 2021 to the referral form used by Police and Crime Commissioners when they submit a referral about their Chief Officer (or the Deputy Commissioner of the Metropolitan Police Service).

The referral form used by Professional Standards Departments has not been changed recently.



Common questions from forces and LPBs

Q: Should we notify you of investigations where the case is more than 12-months old from when the complaint was made, but it is suspended?

A: Yes. Where an investigation is suspended and more than 12-months have elapsed since the complaint was made or the matter was known to the police, then both the IOPC and local policing body must be notified. A matter is considered suspended where the AA can demonstrate that going ahead with the investigation would cause prejudice to the criminal proceedings.

Q: We have received a complaint about an officer. However, the conduct complained about relates to when the officer was formerly employed by another force. Who is the correct AA to now handle this complaint?

A: The AA for a complaint (or a recordable conduct matter) is the force who currently employ the officer. Any decision-making on the complaint sits with the current force, however it is likely that a joined-up approach will be needed between the current and former force in order to effectively progress the matter.

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If you have any questions, please get in touch with your Oversight Liaison or a member of the Oversight team.