

FOI Disclosures March 2022

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

- [Investigation into Bristol rave dog bite incident](#)
- [Abuse of position for a sexual purpose](#)
- [Losses and special payments](#)
- [Design and Delivery of Leadership Development Centres](#)
- [Recommendations made to Metropolitan Police Service](#)
- [Annual budget and staffing level of the IOPC](#)

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

<u>Ref</u> <u>5023317</u> Back to top	<u>Investigation into Bristol rave dog bite incident</u>
<u>Request</u>	<p>Provide the IOPC report(s) and internal reports regarding the dog bite attack to Jessica Mae Andrew as reported here: https://www.independent.co.uk/news/uk/crime/police-dog-attack-bristol-rave-b1749214.html</p>
<u>Response</u>	<p>It appears that you are seeking information regarding the investigation into this incident. We refer you to the following media article in which Avon and Somerset Constabulary confirmed that this incident and subsequent public complaint were referred to the IOPC but were determined as suitable for a local investigation. As such there is no IOPC investigation report regarding this matter. You may wish to redirect your request for the investigation report to Avon and Somerset Constabulary directly.</p> <p>It is not fully clear what your request for 'internal reports' refers to, however we have considered information that is held by the IOPC regarding the Avon and Somerset Constabulary referrals and the public complaint. We have decided that we are unable to release any information to you by virtue of an exemption provided at section 40(2) of the FOIA, which relates to personal data.</p>
<u>Ref</u> <u>5023296</u> Back to top	<u>Abuse of position for a sexual purpose</u>
<u>Request</u>	<p>You asked a number of questions in relation to the IOPC's news release of 25 October 2021 regarding police who abuse their position for a sexual purpose</p>
<u>Response</u>	<p>1. How many of the 66 officers and members of police staff referred to in the press release who faced disciplinary proceedings between 2018 to 2021 after being investigated for APSP concerned undercover police officers abusing their position for a sexual purpose.</p>

2. *How many of the 63 in which misconduct was proven involved undercover police officers*
3. *How many of those who were undercover police officers are (a) no longer serving and (b) barred from working in policing again*
4. *Of those no longer serving, how many were (a) dismissed (b) permitted to resign (c) permitted to retire*
5. *How many of the 7 individuals prosecuted for criminal offences were undercover police officers and what offence/s were they prosecuted for*
6. *How many of the 6 convicted were undercover police officers, what were they convicted of and what was their sentence?*

We have carried out searches of these IOPC investigations and can confirm that in none of them has the case factor “undercover operations/covert policing”, or the theme “Undercover Policing Inquiry” been selected. We have also read the incident descriptions contained in each of the relevant referrals and none of these contain any suggestion that these subjects were undercover officers at the time of the conduct in question. We cannot entirely discount the possibility that one or more of these subjects was an undercover officer without carrying out further manual searches of the papers in our files; however, based on the roles of these officers as stated in the summary descriptions we have seen it would appear to us to be very unlikely that any of them were working undercover at the relevant times.

We would not be required to carry out further searches given that we could not complete them without exceeding the cost limit under section 12 FOIA, which is set at 18 hours (or £450 at £25 per hour) for the IOPC. This takes into account the seven hours we have already committed to searching under these parts of your request and the work involved in finding information under the remainder.

None of the 66 subjects to whom our news release refers were subjects in any undercover related investigations the IOPC is or was supervising, directing or managing (or has dealt with as reviews).

7. *Please provide a copy of any separate guidance to police forces and/or internal IOPC guidance on the investigation of a complaint of corruption and/or of alleged abuse of position for a sexual purpose (APSP)*

We can provide a redacted version of our operational guidance relating to APSP from our Operations Manual which contains all of the guidance and documents required to carry out our operational work. Information has been redacted under sections 31 and 42 of the FOIA.

[Issue 9 of our Focus series](#) relates to referrals to the IOPC and includes discussion of referrals of incidents of abuse of position for a sexual purpose or for pursuing an improper emotional relationship.

Our [Statutory Guidance](#) contains guidance to Professional Standards Departments on the handling of complaints, conduct matters and DSI matters. This does not include any guidance relating to the investigation of APSP in particular.

8. *If it is not addressed in the aforementioned guidance, please confirm:*
 - a. *In what circumstances the IOPC conduct an independent or managed investigation of an allegation of APSP.*

The criteria we apply in making mode of investigation decisions when assessing referrals from police is available on [this page of our web site](#). This also confirms that we consider whether a referral falls into one of our core thematic areas, which include APSP. We would refer you to our [Core Indicator Guidance](#) in particular.

- b. Whether in cases of alleged APSP officers are automatically investigated for offences under section 26 (corrupt or improper exercise of police powers) of the Criminal Justice and Courts Act 2015 as well as misconduct in public office?*
- c. Are allegations that colleagues knew or ought to have known about the APSP treated as corruption?*

The offences under consideration and the persons who are treated as investigation subjects will vary according to the circumstances of the individual case.

- d. That if an allegation of APSP is upheld the sanction is dismissal? If not, why not?*

The IOPC has no role in deciding the outcome of misconduct proceedings. The misconduct panel decides on the disciplinary action to be imposed when the misconduct is proven. If the hearing is for gross misconduct, these are usually chaired by an independent legally qualified chair appointed by the Police and Crime Commissioner. For further information on misconduct hearings please see [Home Office Statutory Guidance 0502.pdf \(publishing.service.gov.uk\)](#)

- 9. What action is taken against those forces who fail to treat cases of APSP as a form of corruption?*

Police forces are required by law to refer complaint and recordable conduct matters to the IOPC that fall within the mandatory referral criteria. This allows the IOPC to have independent oversight of the most serious cases. An abuse of position for a sexual purpose (APSP) or an abuse of position for an improper emotional relationship (APIER) falls within the definition of serious corruption and must be referred to the IOPC.

As part of the IOPC's oversight role, we will monitor data relating to the rate of referrals to the IOPC and will identify patterns and trends in relation to different themes. We statistically analyse the data and compare forces against those of a most similar demographic group to highlight any anomalies in the rate of referral per force. We have periodically completed this data analysis focusing specifically on the referral of APSP matters.

Working in conjunction with our partner agency HM Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS), forces were asked to complete a retrospective review of APSP allegations and consider referral to the IOPC (then IPCC). Forces were also required to establish effective procedures for identifying allegations of APSP and making appropriate referrals to the IOPC. We wrote to any forces where the data analysis highlighted possible concerns, seeking reassurances as to the work being undertaken within their forces to recognise APSP/APIER as a form of serious corruption and also to ensure the correct referral processes were in place.

Alongside our monitoring of the referral figures, we have in the past delivered a series of referral workshops nationally to police force professional standards departments which included a focus on the definitions of APSP/APIER and how to apply the referral criteria. The number of referrals of these cases has grown, which may be an indicator that forces know to refer these matters.

10. Do the individual police forces and/or the IOPC retain and review statistics relating to the number of corruption investigations arising out of allegations of APSP?

The IOPC holds data on the number of referrals made to us and records case factors on referral cases including APSP. Factors are entered by operational staff and while they can assist in finding some cases in which a particular theme is present, more detailed research is required in order to identify all such cases and to verify that the factor has been applied correctly. For this reason we do not rely on factors to answer requests relating to particular case types, allegations or themes but may provide this type of data where the relevant research has already been carried out or the request relates to a small case sample.

We also hold information on the mode of investigation (MOI) decision made following a referral. Police forces may hold their own data on the number of allegations recorded where APSP is a factor and the subsequent handling of those allegations.

We collect information from all police forces in England and Wales about the types of complaints they are receiving, how they deal with them and how long they take to deal with them. Each year, we publish statistics about the complaints that forces have logged. We also produce [quarterly bulletins](#) for all police forces.

Table 7 on page 23 of our [20/21 police complaint statistics](#) gives a breakdown of allegations logged by police forces separated by allegation category and sub-categories. The breakdown of allegation category “abuse of position/corruption” may assist you. This includes the sub-categories “abuse of position for sexual purpose” and “abuse of position for the purpose of pursuing an inappropriate emotional relationship”. For the definitions of these categories and further information about how they are applied please see our [Guidance to police on capturing data about police complaints](#).

Please note that our 20/21 complaints statistics are experimental, as we explain in the introduction to our report.

The Home office collects and publishes data on internal conduct matters rather than complaints.

11. What number of allegations of APSP in a particular force would trigger concern? What action would be taken and who would be notified of the concern?

There is no exact threshold. A concern might be triggered by a number of factors which will depend on the size of the force, the number of allegations when compared against the number of officers and their most similar forces. For example, the number of allegations in a large metropolitan police force

	<p>will be different to the number of allegations in a small rural force. Alternatively there could be only one case, but the circumstances are particularly concerning. The actions taken would depend on the nature and the number of allegations made. Where a police force has appropriately referred any allegations to the IOPC, the IOPC may already be independently investigating those allegations.</p> <p>As mentioned above, the IOPC produces quarterly police complaints bulletins which provide statistical data on police force performance in relation to the complaints system. These bulletins include information on the number and types of allegations recorded. The IOPC analyse the police complaints statistics to identify any themes and trends, compare forces against their most similar forces and to identify any areas for concern. The performance bulletins are discussed in our regular meetings with professional standards departments and Policing and Crime Commissioners.</p> <p><i>12. In cases involving findings of corruption and/or abusing their position of trust for a sexual purpose, what criminal offences were pursued?</i></p> <p>As stated in the news release: “7 individuals were also prosecuted for criminal offences, leading to six convictions and three people receiving a custodial sentence”.</p> <p>The offences we referred to CPS were in respect of Data Protection, computer misuse, misconduct in public office, sexual assault and corruption.</p>
<p><u>Ref</u> <u>5023283</u> Back to top</p>	<p><u>Losses and special payments</u></p>
<p><u>Request</u></p>	<p><i>This is an information request relating to losses and special payments.</i></p> <p><i>Please include the information for each of the following periods; 2018-19, 2019-20 and 2020-21:</i></p> <ul style="list-style-type: none"> <i>· The total number of cases of losses in each year.</i> <i>· The total cost of losses in each year.</i> <i>· An itemisation of each loss including what it was for and how much it cost.</i> <i>· The total number of special payments in each year.</i> <i>· The total value of special payments in each year.</i> <i>· An itemisation of each special payment including what it was for and how much it cost.</i>
<p><u>Response</u></p>	<p>We have considered your request and this letter sets out our response. The data below is based on facts reported to our Audit and Risk Assurance Committee.</p>

	<p>Losses</p> <table border="1"> <thead> <tr> <th>Losses</th> <th>Number</th> <th>Value £</th> </tr> </thead> <tbody> <tr> <td>2018/19</td> <td>6</td> <td>12,227</td> </tr> <tr> <td>2019/20</td> <td>8</td> <td>13,274</td> </tr> <tr> <td>2020/21</td> <td>7</td> <td>14,914</td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th>Losses 2020/21</th> <th>Value</th> </tr> </thead> <tbody> <tr> <td>Legal fees associated with defending a JR against the IOPC</td> <td>2,500.00</td> </tr> <tr> <td>4 lost laptops</td> <td>2,270.00</td> </tr> <tr> <td>Expert report required by prosecution ruled inadmissible</td> <td>3,200.00</td> </tr> <tr> <td>Mobile phone</td> <td>100.00</td> </tr> <tr> <td>Stakeholder Engagement Events cancelled due to pandemic</td> <td>6,844.00</td> </tr> <tr> <td>Total</td> <td>14,914.0</td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th>Losses 2019/20</th> <th>Value</th> </tr> </thead> <tbody> <tr> <td>5 events cancelled due to pandemic</td> <td>10624</td> </tr> <tr> <td>IT kit lost</td> <td>200</td> </tr> <tr> <td>Mobile phone lost</td> <td>200</td> </tr> <tr> <td>Training cancelled due to pandemic</td> <td>2,250</td> </tr> <tr> <td>Total</td> <td>13,274</td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th>Losses 2018/19</th> <th>Value</th> </tr> </thead> <tbody> <tr> <td>Lost mobile phone</td> <td>200</td> </tr> <tr> <td>3 laptops lost/damaged</td> <td>3063</td> </tr> <tr> <td>Software project terminated</td> <td>7,344</td> </tr> <tr> <td>2 mobile phones damaged</td> <td>558</td> </tr> <tr> <td>Event cancelled</td> <td>1,062</td> </tr> <tr> <td>Total</td> <td>12,227</td> </tr> </tbody> </table> <p>Special payments</p> <table border="1"> <thead> <tr> <th>Special Payments</th> <th>Number</th> <th>Value £</th> <th>Reasons</th> </tr> </thead> <tbody> <tr> <td>2018/19</td> <td>2</td> <td>16,000</td> <td>Legal settlement arising from Judicial review cases</td> </tr> <tr> <td>2019/20</td> <td>3</td> <td>20,833</td> <td>Legal settlement arising from Judicial review cases</td> </tr> <tr> <td>2020/21</td> <td>2</td> <td>6,544</td> <td>Legal settlement arising from Judicial review cases</td> </tr> </tbody> </table>	Losses	Number	Value £	2018/19	6	12,227	2019/20	8	13,274	2020/21	7	14,914	Losses 2020/21	Value	Legal fees associated with defending a JR against the IOPC	2,500.00	4 lost laptops	2,270.00	Expert report required by prosecution ruled inadmissible	3,200.00	Mobile phone	100.00	Stakeholder Engagement Events cancelled due to pandemic	6,844.00	Total	14,914.0	Losses 2019/20	Value	5 events cancelled due to pandemic	10624	IT kit lost	200	Mobile phone lost	200	Training cancelled due to pandemic	2,250	Total	13,274	Losses 2018/19	Value	Lost mobile phone	200	3 laptops lost/damaged	3063	Software project terminated	7,344	2 mobile phones damaged	558	Event cancelled	1,062	Total	12,227	Special Payments	Number	Value £	Reasons	2018/19	2	16,000	Legal settlement arising from Judicial review cases	2019/20	3	20,833	Legal settlement arising from Judicial review cases	2020/21	2	6,544	Legal settlement arising from Judicial review cases
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<p>Ref 5023358 Back to top</p>	<p><u>Design and Delivery of Leadership Development Centres</u></p>																																																																				
<p><u>Request</u></p>	<p><i>You made a request for information about Design and Delivery of Leadership Development Centres for the IOPC.</i></p>																																																																				
<p><u>Response</u></p>	<p><i>Suppliers who applied for inclusion on each framework/contract and were successful & not successful at the PQQ & ITT stages</i></p> <p>We ran our own further competition as there was no suitable framework available for this project requirement. We invited four potential suppliers as follows:</p> <ul style="list-style-type: none"> • Clare Joghee Ltd • Facet 5 Ltd • Korn Ferry • Blue Sky (Capita) <p>We received bids from Clare Joghee Ltd and Facet5 Ltd. Facet5 Ltd scored the highest, so we awarded the contract to them.</p> <p>1. <i>Actual spend on this contract/framework (and any sub lots), from the start of the contract to the current date</i></p> <p>The contract value is £99,360 (inclusive of VAT). To date we have spent £70,440 (inclusive of VAT).</p> <p>2. <i>Start date & duration of contract/framework</i></p> <p>The contract is for one year - Start date 18/10/2021 end date 17/10/2022.</p> <p>3. <i>Has an extension been agreed, if so, for how long?</i></p> <p>No extension has been agreed.</p>																																																																				

	<p>4. <i>Will the framework(s)/contract(s) be up for renewal, if so when?</i></p> <p>For the time being the contract is not up for renewal.</p> <p>5. <i>Could you provide the tender documents for this contract?</i></p> <p>The tender documents we sent to the potential suppliers have been provided.</p> <p>6. <i>Who is the senior officer (outside of procurement) responsible for this contract?</i></p> <p>IOPC Head of Organisational Design, Development and Talent – Holly Tunley.</p> <p>7. <i>Which DPS or Framework was used to procure this piece of work?</i></p> <p>We followed our own tendering process by inviting four potential suppliers for further competition as there was no suitable framework available for this project requirement.</p>
<p><u>Ref</u> <u>5023329</u> Back to top</p>	<p><u>Recommendations made to Metropolitan Police Service</u></p>
<p><u>Request</u></p>	<p><i>Please provide the following information from you and your predecessor the IPCC, since May 2010:</i></p> <ul style="list-style-type: none"> • <i>How many learning recommendations have been made to the Metropolitan Police Service.</i> • <i>How many learning recommendations have been made that cover all police forces.</i>
<p><u>Response</u></p>	<p>We understand the second part of your request to be for the total number of recommendations that have been issued to each individual police force rather than the number of recommendations issued that apply to all forces.</p> <p>The scope of your request covers a broad time period which would encompass several hundred cases. Unfortunately, the information you have requested cannot be identified and retrieved solely by automated means, as the system we use for recording recommendations has changed. This means the only way to obtain accurate data in response to your request would be to manually trawl through each case and cross-reference to data included in our databases.</p> <p>We have considered whether it may be possible to provide data for a shorter time period. However, we would still have to conduct manual validation activities in order to ensure the integrity of the data, which would exceed 18 hours of work.</p> <p>Complying with your request would therefore exceed the cost limit prescribed by section 12 of the FOIA and associated regulations with the result that we are not obliged to respond.</p> <p>Published information about learning recommendations we have made since 2018 are available on this page of our website. The information can be filtered by police force, which you may find helpful.</p>

Ref 5023352 Back to top	<u>Annual budget and staffing level of the IOPC</u>
<u>Request</u>	<p>Could you please provide me with information regarding the annual budget and staffing level of the IOPC and its predecessor organisation the IPCC? Specifically:</p> <ol style="list-style-type: none"> 1. Annual budget for the IOPC from 2018-2022 2. Annual staff numbers for the IOPC from 2018-2022 3. Annual budget for the IPCC from 2004-2018 4. Annual staff numbers for the IPCC from 2004-2018
<u>Response</u>	<p>Budgetary information is available in our Business Plans and Corporate Plans. Staff numbers are confirmed in our annual reports. These also include information about our revenue and expenditure.</p> <p>Please note that the IPCC became the IOPC in January 2018.</p> <p>From this page of the IOPC web site you can access the IOPC and IPCC Business Plans for 2017-22, the Corporate and Strategic Plans for 2015-22 and the annual reports for the years 2016-21. Please note that the reports published before 2019 are accessible under the heading 'Previous Reports' at the bottom of the page.</p> <p>The IPCC's Corporate Plan for 2015-18, Business Plan for 2016-17 and annual report for 2015-16 are available on this page of The National Archive web site: [ARCHIVED CONTENT] Annual report and plans Independent Police Complaints Commission (nationalarchives.gov.uk)</p> <p>The IPCC's Corporate Plans for 2004-13, Business Plans for 2013-16 and annual reports for 2004-15 are available on this page of The National Archive web site: [ARCHIVED CONTENT] Archive of corporate reports and plans Independent Police Complaints Commission (nationalarchives.gov.uk).</p> <p>The IOPC currently has 1025 employees.</p>