

FOI Disclosures April 2024

Index

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

- [Referrals relating to female suicides following domestic abuse](#)
- [HMRC referrals](#)
- [Referrals relating to deaths and injuries by a police dog](#)
- [Parking fines incurred by IOPC staff using fleet vehicles](#)
- [Referrals of serious injuries and deaths and allegations of sex discrimination](#)
- [IOPC Power of Own Initiative](#)
- [Investigation report in respect of Mouayed Bashir](#)
- [Report relating to Robert Napper and the murder of Rachel Nickell](#)

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>5024756</u> <u>Back to top</u>	<u>Referrals relating to female suicides following domestic abuse</u>
<u>Request</u>	<p><i>Under the Freedom of Information request could I please request - for the years 2019, 2020, 2021, 2022, 2023 and 2024 [as of 1st March]:</i></p> <ul style="list-style-type: none">• <i>the number of referrals made by police forces after a woman's suicide following involvement of officers in reports of domestic abuse</i> <p><i>Where possible, are you able to also break down:</i></p> <ul style="list-style-type: none">• <i>the specific force that has made the referral.</i>
<u>Response</u>	<p>We have considered how far we may be able to assist you from the data we collect for our <u>Annual deaths during or following police contact statistics</u>. While we examine the circumstances of all deaths referred to us to produce these statistics, we do not collect data from which we could identify cases under the terms of your request.</p> <p>Based on the work involved in producing our death statistics we know that we would have to carry out extensive manual searches to produce the particular data you require. We estimate, therefore, that the work involved in identifying, locating and extracting the requested information would exceed the FOIA cost limit of</p>

£450 (or 18 hours work), with the result that we would not be obliged to comply with your request.

We separate the deaths referred to the IOPC into five categories for the purposes of our annual deaths during or following police contact report. The only one of these categories that could include deaths under the scope of your request is 'other deaths following police contact: independent investigations only'. This is defined as follows:

“Other deaths following police contact include deaths that follow contact with the police, either directly or indirectly, that did not involve arrest or detention under the Mental Health Act 1983 and were subject to an independent investigation. An independent investigation is determined by the IOPC for the most serious incidents that cause the highest level of public concern, have the greatest potential to impact on communities, or have serious implications for the reputation of the police service. Since 2010/11, this category has only included deaths where there has been, or there is ongoing, an independent investigation. This is to improve consistency in the reporting of these deaths.”

Data about deaths under this category are separated according to the 'reason for contact'. Deaths in the circumstances you describe would be most likely to fall within the reason 'concern for welfare – domestic-related'.

The reason for contact type 'concern for welfare – domestic-related' often includes cases involving a history of domestic violence that the police are already aware of. Threats may be made directly or indirectly against the deceased and/or associated family members and the deceased or a third party has reported this or raised concerns about their safety to the police. In the majority of instances, these deaths will be alleged murders committed by an interested party in the case who is the deceased's partner, ex-partner, sibling, parent, or an extended family member. Any apparent suicides of the perpetrator that follows an alleged or attempted murder are also included in the statistics within this category.

One of the fields we collect data on is the classification of the death and the most relevant classification for your request would be 'self-inflicted'. We also collect demographic data, so would be able to further refine the data down to domestic-related deaths that were thought to be self-inflicted, where the deceased was female.

As we are still in the process of extracting and verifying the data for publication in our 2023/24 report, the most recent data we could release to you would be from 2022/23.

We would emphasise that data based only on our independent investigations is not representative of the number of deaths within the scope of your request which have occurred nationally. This is because the IOPC must consider the public interest and the seriousness of the case when deciding whether it should carry out its own investigation, with the result that the majority of cases are passed back to the referring police force.

<p><u>Ref</u> <u>5024773</u> Back to top</p>	<p><u>HMRC referrals</u></p>
<p><u>Request</u></p>	<p><i>Please provide IOPC procedure for dealing with referrals made by HMRC</i></p> <p><i>How many referrals have been made to IOPC by HMRC in the years 2020-24 and on what basis</i></p> <p><i>Of these how many have been referred back to HMRC for internal investigation</i></p> <p><i>Please provide outcomes of those referred back for internal investigation by HMRC</i></p>
<p><u>Response</u></p>	<p>Attached is the guidance provided to staff regarding handling referrals from the HMRC.</p> <div data-bbox="411 801 1490 1487"> <div> <p>HMRC</p> <p>We only have jurisdiction over complaints which meet the mandatory referral criteria or have been voluntarily referred. The mandatory referral criteria are the same to those for other forces. This means we can only deal with complaints that include one of the following serious allegations about the conduct of HMRC staff:</p> <ul style="list-style-type: none"> • staff behaviour resulting in death or serious injury • serious assault • serious sexual assault • serious corruption • criminal offence or behaviour aggravated by discriminatory behaviour • serious arrestable offences (such as murder, rape, kidnapping and death by dangerous driving. <p>We have no powers to deal with less serious complaints about staff or complaints about overall HMRC policies, for example tax credits or how personal tax affairs have been administered. These complaints should be made directly to HMRC and will be dealt with under its complaints procedures.</p> <p>We have authority for incidents occurring in England and Wales only. If an incident occurs outside of England and Wales, you should contact the HMRC complaints team and they will be able to tell you what you can do next.</p> <p>HMRC differences in process</p> <p>Much of the legislation governing our remit over HMRC is the same as the legislation for police. The areas where there are differences are outlined below.</p> <p>Jurisdiction</p> <p>We have jurisdiction over:</p> <ul style="list-style-type: none"> • Complaints where there is a duty to refer or which have been referred voluntarily • Conduct matters where there is a duty to refer or which have been referred • Death or serious injury matters <p>HMRC only have a duty to refer complaints and conduct matters where there is an indication that either the person may have committed a criminal offence, or that they have behaved in a manner which would justify disciplinary proceedings and the outcome would be likely to be dismissal.</p> </div> <div> <p>A specific exemption applies if the complaint or conduct matter relates to the Chair, Chief Executive or Permanent Secretary for Tax of HMRC. A referral must only be made in these circumstances if the appropriate authority is satisfied that a criminal offence may have been committed by that person.</p> <p>Anything which does not meet the referral criteria falls outside of our remit.</p> <p>Who can make a complaint?</p> <p>A complaint may only be made by one of the following:</p> <ul style="list-style-type: none"> • A member of the public who claims that the conduct took place in relation to them; • A member of the public who claims to have been adversely affected by the conduct, even though it did not take place in relation to them; • A member of the public who claims to have witnessed the conduct; and • A person acting on behalf of someone who falls within any of the three categories above. <p>A person acting on behalf of someone, for the purposes of making a complaint, must have written consent from that person.</p> <p>Complaints by HMRC staff</p> <p>HMRC staff cannot make a complaint about something that happened while they were on duty, either because conduct was directed at them or they witnessed something. However, a member of HMRC staff may make a complaint about something that they witnessed or were adversely affected by when they were off duty.</p> <p>Appeals against non-recording</p> <p>The right of appeal against non-recording is only available where a complaint meets the referral criteria and has not been recorded.</p> <p>Local resolution</p> <p>Local resolution does not exist for HMRC.</p> <p>Referral to us</p> <p>Where any case is referred back to HMRC they may deal with it as they see fit (this means that although there may have been a complaint they would not be obliged to take any further action).</p> </div> </div>

As well as the MOIs which are available under the police system (refer back, local, supervised, managed and independent) there are two possible additional MOIs:

- Investigation by the police supervised by us.
- Investigation by the police managed by us.

Any investigation of the HMRC Commissioners or above must be carried out as an independent investigation or by the police under our supervision or management.

Investigations

The HMRC complaints and misconduct regulations only apply to local investigations when they have been subject to an MOI decision by us.

In a police investigation which is supervised or managed by us, it is our duty to obtain the agreement of the local force to carry out the investigation. The supervision or management of the investigation would be carried out in the same way as any other supervised or managed investigation.

There is no severity assessment in an investigation under the HMRC regulations.

The HMRC are required to send a copy of the DSI final report following a local investigation to the IOPC.

Appeals against investigation

A right of appeal exists where a complaint has been referred to us and an MOI of local or supervised determined. If a complaint has been referred back to HMRC or never referred and they choose to investigate, there is no right of appeal.

Written notices

Where there is an indication that the person subject of investigation may have committed a criminal offence or behaved in a manner which would justify disciplinary proceedings a written notice must be served.

This notice must:

- provide sufficient details of the matter subject of investigation for the person to make representations;
- give information about the duty of the person investigating to consider any submissions they make;
- set out the time limit for providing any submissions.

Case to answer

The decision about a case to answer is solely whether or not there is a case for a person to answer in respect of their conduct NOT whether it is in relation to misconduct or gross misconduct.

Prosecutions

Cases such as tax fraud, evasion of duty, arms trafficking and money laundering are dealt with within the Central Fraud Group of CPS. This is referred to in the regulations as the Revenue and Customs Prosecution Office (RCPO) or the Director of Revenue and Customs Prosecutions. Ordinary criminal cases would be dealt with by the CPS as usual.

Dispensation

Dispensations do not exist for HMRC.

Discontinuance

Discontinuances only apply to cases which have been referred to us. Local resolution is not a ground for discontinuance.

Provision of information

Information can only be used or disclosed as permitted by the HMRC complaints and misconduct regulations or elsewhere in legislation (e.g. Data Protection Act/FOI).

There is an additional exception to the duty to keep the complainant or other persons informed:

Preventing the disclosure of any information held by HMRC in connection with its functions which –

- Is obtained from HMRC, and
- Relates to a person whose identity is specified in the disclosure or can be deduced from it

We must consult with the appropriate authority before making a decision as to whether it is satisfied of this condition.

Misconduct proceedings

There is no provision for fast track proceedings.

There is no provision for us to participate in misconduct proceedings.

There is no provision for the complainant or interested party to attend misconduct proceedings.

There is no provision for us to direct that misconduct hearings are held in public.

You also asked for the number of referrals made by the HMRC between 2020 and 2024 and on what basis. This information is presented in the tables below and should be read in conjunction with the following notes and caveats:

OFFICIAL SENSITIVE: Data For Internal Use Only

Permission for use other than requested must be sought from the Performance Team.

This data considers overt referrals only

The following data is based on Referrals made by HMRC received by the IOPC in the period 1 Jan 2020 to 20 March 2024 (inclusive)

This information is taken from live data and as such may differ from previously published data & statistics.

The appropriate authority, as well as other case attributes, is dependent on accurate data recording in the IOPC case management system by operational teams.

The case type (complaint, conduct or DSI) reflects the current case type of the Perito case on which the relevant referral sits. However, as the type sits on the case level and not the referral level, if a case has had more than one referral received in its life, only the most recent type will show against all referrals on the case. This needs to be considered when looking at the analysis by case type.

The table below identifies the number of referrals from HMRC made between the dates 1 January 2020 and 20 March 2024. We have identified whether these referrals were made on the basis of a public complaint, a death or serious injury or a recordable conduct matter. HMRC only have a duty to refer complaints and conduct matters where there is an indication that either the person may have committed a criminal offence, or that they have behaved in a manner which would justify disciplinary proceedings and the outcome would be likely to be dismissal. Information regarding the referral process can be found a chapter 9 of the [Statutory Guidance](#).

	<div>Number of referrals made to the IOPC by HMRC by type between 1 Jan 2020 to 20 March 2024</div> <table><tr><th>Process</th><th>Complaint</th><th>Death or serious injury</th><th>Recordable conduct matter</th><th>Grand Total</th></tr><tr><td>Referrals - Time to notify force of MOI</td><td>24</td><td>59</td><td>85</td><td>168</td></tr><tr><td>Grand Total</td><td>24</td><td>59</td><td>85</td><td>168</td></tr></table> <p>You asked for the number of referrals within this time period that were referred back to the HMRC for internal investigation. The table below identifies referrals where the mode of investigation decision was 'local investigation'. We have also included the number of referrals where the decision was 'return to force'. A decision is shown as 'return to force' where the IOPC decides that the appropriate authority must handle the matter in whatever reasonable and proportionate manner it determines. Further information about this decision can be found at paragraph 9.48 of the Statutory Guidance.</p> <div><div>Number of cases referred back to HMRC for internal Investigation between 1 Jan 2020 to 20 March 2024</div><table><tr><th>Outcome Type</th><th>Count</th></tr><tr><td>Local Investigation</td><td>105</td></tr><tr><td>Return to Force</td><td>52</td></tr><tr><td>Grand Total</td><td>157</td></tr></table></div> <p>We do not hold information regarding the outcomes of HMRC internal investigations and you should direct this part of your request to the HMRC.</p>	Process	Complaint	Death or serious injury	Recordable conduct matter	Grand Total	Referrals - Time to notify force of MOI	24	59	85	168	Grand Total	24	59	85	168	Outcome Type	Count	Local Investigation	105	Return to Force	52	Grand Total	157
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<div><div><div>Ref</div><div>5024770</div><div>Back to top</div></div></div>	<div>Referrals relating to deaths and injuries by a police dog</div>																							
<div>Request</div>	<div><div><div>1. A copy of the full investigation report in case 2022/177120, pertaining to a 14-year-old boy who was bitten by a West Midlands police dog. For clarity I am referring to the following case published on the IOPC website here: https://www.policeconduct.gov.uk/our-work/learning/armed-response-where-police-dog-caused-injury-west-midlands-police-october-2022</div><div>2. The total number of IOPC referrals and complaints relating to instances in which a person has died or suffered a serious injury by a police dog from 2018 to date (11/03/2024). Please break this down by:<div><div>a. Financial year (i.e. – 1 April 2018 to 31 March 2019)</div><div>b. The police force being complained about/referred to the IOPC</div></div></div></div></div>																							
<div>Response</div>	<div><div><div>1. We have decided that you are not entitled to this information because it is exempt under sections 30 and 40 of the FOIA.</div><div>In the case of information falling within the terms of section 30, we are refusing your request because the public interest in maintaining the exemption outweighs the public interest in disclosure.</div></div><div><div>2. Please see attached a PDF table containing the information we are providing under this part of your request. These referrals relate to</div></div></div>																							

either a complaint, recordable conduct matter or death or serious injury (DSI) matter.

Incidents in which a person has died or suffered a serious injury during police contact fall within the mandatory referral criteria as confirmed in chapter 9 of our [Statutory Guidance](#).

Where an injury caused by a police dog meets the definition of serious injury in legislation and the matter is not the subject of a complaint or conduct matter, it must be referred to IOPC as a DSI matter, as was case 2022/177120. For the reasons given below, we cannot be sure that all such DSI referrals received in this period are included in the data we are providing. For more information on DSI matters, please see chapter 7 of our [Statutory Guidance](#).

Please take the following into account when interpreting this data:

- As a single incident may result in more than one referral there were fewer incidents in this period than there were referral cases. For example, the incident in case 2022/177120 was the subject of a DSI and complaint referral and so would be counted twice in this data.
- This data is the result of a system query of our case management system for referrals received in the period from 1 April 2018 to 11 March 2024. As set out in the introduction to the table we have carried out a number of searches using case factors in combination with a key word search of case summaries. We applied the following case factors:
 - 'police dog/horse'
 - 'death'
 - 'serious injury'
 - 'use of force'

Please see Annex 2 for the definitions of these case factors.

- Our operational staff record case factors on our system to provide us with a starting point for the identification of cases that may share a common theme. While case factors may assist in identifying the circumstances of an incident connected to the case, they are not intended to confirm the nature of any alleged misconduct or describe the matter that gave rise to the case and so cannot generally be relied upon without further scrutiny of the papers to validate that a particular theme is present.
- Our previous searches have confirmed that case factors are often applied incorrectly, may not be revised when new information becomes available, or may be omitted altogether from a case to which they should have been applied.
- As factors may be combined in a range of circumstances, the selection of the 'police dog/horse' factor together with 'serious injury' or 'death' on the same case should not necessarily be understood as

confirming that the death or serious injury was caused by use of force from a dog or horse in these cases.

- We have excluded from this data all cases involving a police horse that do not involve a use of force by a police dog.
- While all 300 cases we sampled involved some form of injury according to the case summary, we have not attempted to distinguish serious from non-serious injury in this data.

The attached table should not therefore be relied upon as an accurate response to the second part of your request but does provide some indication of the number of referrals received by the IOPC in this period in which there was a use of force by a police dog, and the numbers of those cases that also involved an injury, serious injury or death.

As we receive between four and five thousand referrals per year, the manual searches involved in providing an accurate response to this part of your request would clearly exceed the FOIA cost limit of £450 or 18 hours of work.

IOPC case factor definitions

Police dog/horse

Any complaint or allegation where a person alleges they were bitten by a police dog during an incident, injured by a police horse or if either animal is used during the contact with the member of the public.

Death

Date started: current from 1 April 2008, previously separate categories from 1 April 2004

Sub-factors: No

This factor should be applied for all incidents or complaints that relate to the death of a person or people. This may include road traffic incidents, shooting incidents, deaths in or following custody, suicides following release custody, and deaths during or following other types of police contact.

Serious injury

Date started: 1 April 2008

Sub-factors: No

This factor should be applied to any complaint or allegation involving or alleging a serious injury. It is not confined to those matters under the mandatory referral criteria of death and serious injury. Serious injury is defined as '*a fracture, a deep cut, a deep laceration or an injury causing damage to an internal organ or the impairment of any bodily function.*'

For any complaint where the injury was alleged to have been caused as a result of physical restraint by a police officer or from the use of police equipment, for example, a baton, the corresponding '*Use of force*' factor should also be applied.

Use of force

Date started: 1 April 2008 (sub-factor change in 2017)

Sub-factors: Yes

This factor related to any complaint or allegation where a police officer has used force through either the use of police equipment or physical force. Where more than one type of force has been used during the encounter all relevant factors should be selected.

Criteria

To identify cases to be included in this data we have used a combination of case factors and case summaries.

Case factors: Selected by operational staff to help identify the nature of the circumstances of a case. These can be applied or amended at any point during a case

Case summary: Details on a case provided by the complainant or the force, typically at the point a case is first recorded

Cases in this data meet at least one of the following criteria:

Case has a case factor of 'Use of force: Police dog/horse' and a case factor of 'Serious injury' or 'Death': The case summary of these has been reviewed to remove matters relating to a police horse. Other cases have been spot checked to ensure these criteria meets the requirements of your request

Case has a case factor of 'Use of force: Police dog/horse' but not 'Serious injury' or 'Death': All of these cases have been checked to ensure they meet your requirements

Case does not have a case factor 'Use of force: Police dog/horse' but does have a Use of force case factor AND the case summary contains reference to 'dog' and/or 'bite' or 'bitten': All of these cases have been checked to ensure they meet your requirements

Notes

Referrals can be made by police forces or other appropriate authorities due to a complaint, recordable conduct matter or death/serious injury. Any complaint arising from a death or serious injury matter should be referred to the IOPC.

While the above steps have been taken to ensure the data is as complete as possible, some omissions may remain due to misapplication of factors and/or incomplete case summaries.

	<p>Data</p> <table><tr><th>Appropriate Authority</th><th>2018-2019</th><th>2019-2020</th><th>2020-2021</th><th>2021-2022</th><th>2022-2023</th><th>2023-2024</th><th>Grand Total</th></tr><tr><td>Avon & Somerset Constabulary</td><td>5</td><td>1</td><td>2</td><td>2</td><td>1</td><td>3</td><td>14</td></tr><tr><td>British Transport Police</td><td></td><td></td><td></td><td>3</td><td>1</td><td></td><td>4</td></tr><tr><td>Cambridgeshire Constabulary</td><td></td><td></td><td></td><td>1</td><td></td><td>2</td><td>3</td></tr><tr><td>Cheshire Constabulary</td><td></td><td>1</td><td></td><td>1</td><td>4</td><td></td><td>6</td></tr><tr><td>City of London Police</td><td>1</td><td></td><td></td><td>1</td><td></td><td></td><td>2</td></tr><tr><td>Cleveland Police</td><td>1</td><td>1</td><td>2</td><td>7</td><td>2</td><td>5</td><td>18</td></tr><tr><td>Cumbria Constabulary</td><td></td><td></td><td></td><td>1</td><td></td><td>1</td><td>2</td></tr><tr><td>Derbyshire 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Constabulary	1	10	4	5	4	5	29	Leicestershire Police				2	1		3	Lincolnshire Police	2	5	1	5	2	1	16	Merseyside Police	4	2	1	2	2		11	Metropolitan Police	13	14	14	18	7	26	92	North Wales Police					1		1	North Yorkshire Police			2			1	3	Northamptonshire Police	1	1	3	2		1	8	Northumbria Police	7		4	4	7		22	Nottinghamshire Police	1	7	6	7	7	10	38	South Wales Police			1	1			2	South Yorkshire Police	6	9	7	21	11	9	63	Staffordshire Police	1	3	2	5	4	1	16	Suffolk Constabulary				1			1	Surrey Police						2	2	Thames Valley Police	8	11	10	6	1	4	40	Warwickshire Police		1	2	1		1	5	West Mercia Police	2	2	3			4	11	West Midlands Police	19	10	7	14	18	5	73	West Yorkshire Police	2	1	4	8		5	20	Grand Total	95	100	96	130	92	112	625
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	responsibility of the driver and must be paid by the driver to whom the vehicle has been assigned at the time of the offence. Although the organisation may sometimes be informed of a penalty by letter, this does not happen consistently and any such notifications are passed to the relevant driver with the assurance that they will take responsibility of the penalty. There is no central record of parking fines incurred.
<u>Ref</u> <u>5024778</u> Back to top	<u>Referrals of serious injuries and deaths and allegations of sex discrimination</u>
<u>Request</u>	<ol style="list-style-type: none"> <i>Please provide me with figures for each police force area for the past three calendar years, showing both the number of injuries referred and the number of deaths (separately), broken down by sex. Please also include data on the outcome of the referrals in these cases (retaining the sex, police force and calendar year breakdowns).</i> <i>Please also provide me with data on all allegations made against police on the basis of sex discrimination broken down by sex of the complainant, and by police force and for the same calendar years.</i>
<u>Response</u>	<ol style="list-style-type: none"> In regard to injuries referred to the IOPC combined with the sex of the injured person, while we hold the information in the file relating to each referral, we have estimated that the work involved in complying with this request would exceed the cost limit under section 12 of the FOIA, with the result that we are not required to disclose the information to you. In 2022/23 we received 6,325 referrals and in 2021/22 this number was 5,423. Based on 2021/22, we could manually assess 5,423 referrals within the cost limit only if it took us less than 12 seconds to source the relevant documents and find the information from within them. As this is not possible, we have decided that producing accurate data in compliance with this part of your request would exceed the cost limit by a significant margin. More than 90% of the referrals we receive are passed back to the force following a 'local investigation' or 'return to force' mode of investigation decision. When the decision is 'return to force' the appropriate authority has discretion under the legislation on how the matter should be handled, meaning that it may not be subject to investigation. In general, we do not collect data from which we can track the subject matter of a referral to its ultimate outcome other than when we investigate the matter ourselves and, therefore, we do not hold data confirming the outcomes of most of the referrals we receive. The only complete data we could provide regarding the outcomes of referrals passed back to police is about our mode of investigation decisions. We have contacted our research team to discuss how far it may be possible to answer this part of your request from the data we collect and publish in our Annual deaths during and following police contact

[statistics](#). While we could provide a breakdown of death referrals by forces and gender (which is slightly different to sex), this would only be for referrals of deaths that fall within one of the five categories of death that we include in our report. This data would not include deaths referred to the IOPC that are not already in our research dataset and would relate only to referrals received from 1 January 2021 to 31 March 2023, because we have yet to complete our research for 2023/24.

- Please see attached an Excel file containing the data we hold under this part of your request. The contents of this file have been extracted from the data we collect from police forces for our Annual complaints statistics and Force bulletins and relates to allegations recorded by police under the category 'Discrimination: sex'. For the definition applied by police when recording allegations under this category, please see Appendix A of our [Guidance on capturing data about police complaints | Independent Office for Police Conduct \(IOPC\)](#)

Table 1: Number of complainants on allegations with the allegation category of 'Discrimination: Sex'																
Police force	2021				2022				2023				Combined years			
	Female	Male	Others*	Total	Female	Male	Others*	Total	Female	Male	Others*	Total	Female	Male	Others*	Total
Avon And Somerset	17	6	0	23	5	16	2	23	21	21	5	47	43	43	7	93
Bedfordshire	1	2	1	4	1	6	1	8	1	13	1	15	3	21	3	27
Cambridgeshire	0	2	0	2	0	13	0	13	4	6	0	10	4	21	0	25
Cheshire	1	8	2	11	3	8	0	11	4	13	1	18	8	29	3	40
Cleveland	0	2	0	2	0	2	0	2	1	0	1	2	1	4	1	6
Cumbria	1	1	2	4	1	1	0	2	0	2	0	2	2	4	2	8
Derbyshire	1	10	2	13	3	6	0	9	3	7	0	10	7	23	2	32
Devon And Cornwall	3	2	0	5	3	6	2	11	4	8	0	12	10	16	2	28
Dorset	0	1	0	1	0	2	0	2	3	13	0	16	3	16	0	19
Durham	4	1	0	5	1	4	0	5	3	14	0	17	8	19	0	27
Dyfed-Powys	0	2	0	2	0	9	1	10	0	1	0	1	0	12	1	13
Essex	9	27	0	36	11	24	3	38	13	24	0	37	33	75	3	111
Gloucestershire	4	1	0	5	1	2	0	3	1	2	0	3	6	5	0	11
Greater Manchester	4	14	0	18	2	17	1	20	14	23	2	39	20	54	3	77
Gwent	0	1	0	1	0	0	0	0	1	1	0	2	1	2	0	3
Hampshire	1	14	0	15	1	6	1	8	3	6	0	9	5	26	1	32
Hertfordshire	3	9	0	12	3	6	0	9	3	12	0	15	9	27	0	36
Humber	0	5	5	10	0	6	2	8	0	2	0	2	0	13	7	20
Kent	12	16	1	29	8	33	1	42	10	29	6	45	30	78	8	116
Lancashire	1	5	0	6	4	4	0	8	1	6	0	7	6	15	0	21
Leicestershire	1	4	1	6	2	10	3	15	1	13	5	19	4	27	9	40
Lincolnshire	1	3	0	4	0	1	0	1	1	1	1	3	2	5	1	8
Merseyside	4	2	0	6	4	4	0	8	1	2	0	3	9	8	0	17
Metropolitan	15	18	0	33	17	17	3	37	24	30	9	63	56	65	12	133
Norfolk	0	2	0	2	3	12	0	15	3	2	0	5	6	16	0	22
North Wales	0	3	0	3	1	10	0	11	1	5	0	6	2	18	0	20
North Yorkshire	0	1	0	1	1	1	0	2	3	6	0	9	4	8	0	12
Northamptonshire	1	8	0	9	1	4	0	5	0	7	0	7	2	19	0	21
Northumbria	2	12	0	14	4	22	2	28	0	9	3	14	8	43	5	56
Nottinghamshire	0	3	0	3	1	1	0	2	2	2	0	4	3	6	0	9
South Wales	4	8	0	12	4	20	0	24	5	33	0	38	13	61	0	74
South Yorkshire	1	6	0	7	0	8	0	8	0	2	2	4	1	16	2	19
Staffordshire	0	3	1	4	0	1	0	1	0	0	1	1	0	4	2	6
Suffolk	2	4	0	6	1	7	0	8	5	9	0	14	8	20	0	28
Surrey	3	6	0	9	3	13	0	16	4	13	1	18	10	32	1	43
Sussex	0	5	0	5	0	9	1	10	5	16	0	21	5	30	1	36
Thames Valley	4	16	0	20	4	25	1	30	4	19	0	23	12	60	1	73
Warwickshire	1	2	0	3	0	0	0	0	0	1	1	2	1	3	1	5
West Mercia	0	5	0	5	0	0	0	0	1	6	2	9	1	11	2	14
West Midlands	2	11	0	13	2	6	1	9	8	14	1	23	12	31	2	45
West Yorkshire	4	23	0	27	7	26	0	33	4	20	1	25	15	69	1	85
Wiltshire	1	4	0	5	1	3	0	4	3	10	0	13	5	17	0	22
Grand Total	108	278	15	401	103	371	25	499	167	423	43	633	378	1072	83	1533

*Others
Transgender
Other
Prefer not to say
Field left blank

	2021				2022				2023				Combined years				
	Female	Male	Others*	Total	Female	Male	Others*	Total	Female	Male	Others*	Total	Female	Male	Others*	Total	
Police force	74%	26%	0%	100%	22%	70%	9%	100%	45%	45%	11%	100%	46%	46%	8%	100%	*Others
Avon And Somerset	25%	50%	25%	100%	13%	75%	13%	100%	7%	87%	7%	100%	11%	78%	11%	100%	Transgender
Bedfordshire	0%	100%	0%	100%	0%	100%	0%	100%	40%	60%	0%	100%	16%	84%	0%	100%	Other
Cambridgeshire	9%	73%	18%	100%	27%	73%	0%	100%	22%	72%	6%	100%	20%	73%	8%	100%	Prefer not to say
Cheshire	0%	100%	0%	100%	0%	100%	0%	100%	50%	0%	50%	100%	17%	67%	17%	100%	Field left blank
Cleveland	25%	25%	50%	100%	50%	50%	0%	100%	0%	100%	0%	100%	25%	50%	25%	100%	
Cumbria	8%	77%	15%	100%	33%	67%	0%	100%	30%	70%	0%	100%	22%	72%	6%	100%	
Derbyshire	60%	40%	0%	100%	27%	55%	18%	100%	33%	67%	0%	100%	36%	57%	7%	100%	
Devon And Cornwall	0%	100%	0%	100%	0%	100%	0%	100%	19%	81%	0%	100%	16%	84%	0%	100%	
Dorset	80%	20%	0%	100%	20%	80%	0%	100%	18%	82%	0%	100%	30%	70%	0%	100%	
Durham	0%	100%	0%	100%	0%	90%	10%	100%	0%	100%	0%	100%	0%	92%	8%	100%	
Dyfed-Powys	25%	75%	0%	100%	29%	63%	8%	100%	35%	65%	0%	100%	30%	68%	3%	100%	
Essex	80%	20%	0%	100%	33%	67%	0%	100%	33%	67%	0%	100%	55%	45%	0%	100%	
Gloucestershire	22%	78%	0%	100%	10%	85%	5%	100%	36%	59%	5%	100%	26%	70%	4%	100%	
Greater Manchester	0%	100%	0%	100%	n/a	n/a	n/a	n/a	50%	50%	0%	100%	33%	67%	0%	100%	
Gwent	7%	93%	0%	100%	13%	75%	13%	100%	33%	67%	0%	100%	16%	81%	3%	100%	
Hampshire	25%	75%	0%	100%	33%	67%	0%	100%	20%	80%	0%	100%	25%	75%	0%	100%	
Hertfordshire	0%	50%	50%	100%	0%	75%	25%	100%	0%	100%	0%	100%	0%	65%	35%	100%	
Humberside	41%	55%	3%	100%	19%	79%	2%	100%	22%	64%	13%	100%	26%	67%	7%	100%	
Kent	17%	83%	0%	100%	50%	50%	0%	100%	14%	86%	0%	100%	29%	71%	0%	100%	
Lancashire	17%	67%	17%	100%	13%	67%	20%	100%	5%	68%	26%	100%	10%	68%	23%	100%	
Leicestershire	25%	75%	0%	100%	0%	100%	0%	100%	33%	33%	33%	100%	25%	63%	13%	100%	
Lincolnshire	67%	33%	0%	100%	50%	50%	0%	100%	33%	67%	0%	100%	53%	47%	0%	100%	
Merseyside	45%	55%	0%	100%	46%	46%	8%	100%	38%	48%	14%	100%	42%	49%	9%	100%	
Metropolitan	0%	100%	0%	100%	20%	80%	0%	100%	60%	40%	0%	100%	27%	73%	0%	100%	
Norfolk	0%	100%	0%	100%	9%	91%	0%	100%	17%	83%	0%	100%	10%	90%	0%	100%	
North Wales	0%	100%	0%	100%	50%	50%	0%	100%	33%	67%	0%	100%	33%	67%	0%	100%	
North Yorkshire	11%	89%	0%	100%	20%	80%	0%	100%	0%	100%	0%	100%	10%	90%	0%	100%	
Northamptonshire	14%	86%	0%	100%	14%	79%	7%	100%	14%	64%	21%	100%	14%	77%	9%	100%	
Northumbria	0%	100%	0%	100%	50%	50%	0%	100%	50%	50%	0%	100%	33%	67%	0%	100%	
Nottinghamshire	33%	67%	0%	100%	17%	83%	0%	100%	13%	87%	0%	100%	18%	82%	0%	100%	
South Wales	14%	86%	0%	100%	0%	100%	0%	100%	0%	50%	50%	100%	5%	84%	11%	100%	
South Yorkshire	0%	75%	25%	100%	0%	100%	0%	100%	0%	0%	100%	100%	0%	67%	33%	100%	
Staffordshire	33%	67%	0%	100%	13%	88%	0%	100%	36%	64%	0%	100%	29%	71%	0%	100%	
Suffolk	33%	67%	0%	100%	19%	81%	0%	100%	22%	72%	6%	100%	23%	74%	2%	100%	
Surrey	0%	100%	0%	100%	0%	90%	10%	100%	24%	76%	0%	100%	14%	83%	3%	100%	
Sussex	20%	80%	0%	100%	13%	83%	3%	100%	17%	83%	0%	100%	16%	82%	1%	100%	
Thames Valley	33%	67%	0%	100%	n/a	n/a	n/a	n/a	0%	50%	50%	100%	20%	60%	20%	100%	
Warwickshire	0%	100%	0%	100%	n/a	n/a	n/a	n/a	11%	67%	22%	100%	7%	79%	14%	100%	
West Mercia	15%	85%	0%	100%	22%	67%	11%	100%	35%	61%	4%	100%	27%	69%	4%	100%	
West Midlands	15%	85%	0%	100%	21%	79%	0%	100%	16%	80%	4%	100%	18%	81%	1%	100%	
West Yorkshire	20%	80%	0%	100%	25%	75%	0%	100%	23%	77%	0%	100%	23%	77%	0%	100%	
Wiltshire	27%	69%	4%	100%	21%	74%	5%	100%	26%	67%	7%	100%	25%	70%	5%	100%	
Grand Total																	

Table 3: Number of allegations recorded by police forces with the allegation category of 'Discrimination: Sex'				
Police force	2021	2022	2023	Combined years
Avon And Somerset	19	23	43	85
Bedfordshire	4	8	15	27
Cambridgeshire	2	13	9	24
Cheshire	11	11	18	40
Cleveland	2	2	2	6
Cumbria	4	2	2	8
Derbyshire	12	9	10	31
Devon And Cornwall	5	10	10	25
Dorset	1	2	16	19
Durham	5	5	17	27
Dyfed-Powys	2	9	1	12
Essex	35	38	35	108
Gloucestershire	5	3	3	11
Greater Manchester	18	20	39	77
Gwent	1	0	2	3
Hampshire	15	8	9	32
Hertfordshire	11	9	15	35
Humberside	8	8	2	18
Kent	28	42	47	117
Lancashire	6	9	7	22
Leicestershire	6	15	19	40
Lincolnshire	4	1	3	8
Merseyside	6	8	3	17
Metropolitan	33	37	63	133
Norfolk	2	15	4	21
North Wales	3	11	6	20
North Yorkshire	1	2	9	12
Northamptonshire	9	4	7	20
Northumbria	13	26	14	53
Nottinghamshire	3	2	4	9
South Wales	12	25	38	75
South Yorkshire	7	8	4	19
Staffordshire	4	1	1	6
Suffolk	6	8	14	28
Surrey	8	16	18	42
Sussex	5	10	19	34
Thames Valley	19	29	23	71
Warwickshire	3	0	2	5
West Mercia	5	0	9	14
West Midlands	12	9	23	44
West Yorkshire	27	31	25	83
Wiltshire	5	4	13	22
Grand Total	387	493	623	1503

Ref 5024793 Back to top	<u>IOPC Power of Own Initiative</u>
<u>Request</u>	<i>The Independent Review of the Independent Office for Police Conduct (IOPC) published on 21 March 2024 states:</i>

	<p><i>'108. Lastly, the IOPC has a 'power of initiative' which allows it to treat a complaint, conduct or DSI matter as having been referred to it without it having been.'</i></p> <p><i>A search of your website using the term 'power of initiative' yielded 14 results (not all relevant):</i></p> <p><i>I have learned that it is a 'rarely-used' power</i></p> <ol style="list-style-type: none"> <i>1. For each of the last 5 years please provide the number of times you have used it.</i> <i>2. For each of the last 5 years please provide the number of cases where you considered using it but did not.</i> <i>3. Please provide your guidance on the use of initiative powers.</i>
<u>Response</u>	<p>As of 1 February 2020, the IOPC are able to treat a complaint, conduct matter or death or serious injury (DSI) matter which has come to its attention otherwise than by being referred by an appropriate authority, as having been referred whether or not the matter had been recorded. Our response to your questions is set out below.</p> <ol style="list-style-type: none"> 1. We can confirm that within this timeframe we have used this power 16 times. We used the power three times in 2020, once in 2021, twice in 2022 and nine times in 2023 and once so far in 2024. 2. We have no automated way of searching our case management system to ascertain whether the POI was considered but was not used. The only way we would be able to locate any relevant cases where these circumstances applied would be to manually scrutinise case files and documents. Due to the volume of cases, these manual activities would no doubt exceed the cost limit as prescribed by the FOIA and associated regulations by a considerable margin with the result that we are not obliged to carry out this work. In any case, because there is no particular fixed field within the case management system for this sort of information to be recorded, there would be no guarantee that these activities would yield accurate results, as it would depend on operational staff noting the file that POI had been considered but not used. 3. Please find attached our guidance on the use of Power of Initiative.

	<div> <div>Call in power and power of initiative</div> <div> <p>Power to require a matter to be referred ('Call In') Power to treat a matter as having been referred ('Power of Initiative') Principles for the use of the 'Call In' power and 'Power of Initiative'</p> <p>The IOPC has a statutory duty to secure and maintain public confidence in the police complaints system in England and Wales and to ensure that it is efficient and effective. We investigate the most serious matters. Under the Police Reform Act 2002 (as amended) the IOPC has the power to require a complaint or conduct matter to be referred (Paragraphs 4 and 13, Schedule 3, Police Reform Act 2002), or to treat a complaint, conduct matter or death or serious injury (DSI) matter that has come to its attention as having been referred (Paragraphs 4A, 13A and 14CA, Schedule 3, Police Reform Act 2002). These supplement the existing referral processes under the Police Reform Act 2002, and are present as safeguards.</p> <p>Power to require a matter to be referred ('Call In')</p> <p>The IOPC may require an appropriate authority to refer a complaint or conduct matter. The IOPC cannot use this power for DSI matters.</p> <p>In order to use the 'call in' power the matter must have been recorded. The appropriate authority must make a referral without delay and in any case by the end of the day after the day the IOPC notifies the appropriate authority that the matter must be referred (Regulations 4 and 7, Police (Complaints and Misconduct) Regulations 2020).</p> <p>The IOPC may use the power to 'call in' a matter, regardless of whether the matter is already being investigated or has previously been considered by the IOPC.</p> <p>Power to treat a matter as having been referred ('Power of Initiative')</p> <p>As of 1 February 2020, the IOPC may treat a complaint, conduct matter or DSI matter which has come to its attention otherwise than by being referred by the appropriate authority, as having been referred. (The appropriate authority does not subsequently make a referral.)</p> <p>The IOPC can do this whether or not the matter has been recorded.</p> <p>Where an appropriate authority receives notification that a matter has been treated as referred, it must record the matter if it has not already done so.</p> </div> <div> <p>Principles for the use of the 'Call In' power and 'Power of Initiative'</p> <p>We consider using the 'Power of Initiative' or 'Call In' power in situations where we have been made aware of a matter that it appears we may want to independently investigate, and we have not received a referral.</p> <ul style="list-style-type: none"> We should only use one of these powers if, from the information we have, it looks to be a matter that we may want to take as an independent investigation. These powers will usually only be used after speaking to the appropriate authority involved, to ask why they have not referred the matter. It may be that they were about to do so, or that further information is available which would alter our view. If the appropriate authority states they are not referring a matter, and we remain of the view that it appears to be a matter we may want to independently investigate, then our powers should be used. We will use 'Call In' if the matter has been recorded (and is not a DSI) or 'Power of Initiative' if the matter has not been recorded, is a DSI or it appears that there will be an unreasonable delay awaiting a referral if we were to use 'Call In' powers. There may be circumstances where it is appropriate to use one of the powers before speaking to the appropriate authority, including (The legislation provides no exceptions for informing the appropriate authority that the 'power of initiative' has been used, however, it does not specify at what point the appropriate authority should be informed): <ul style="list-style-type: none"> cases where we have a genuine reason to believe that informing the appropriate authority might prejudice the investigation where appropriate attempts have been made to contact the appropriate authority and any further delay may cause prejudice or damage public confidence. matters which have come to our attention where we are concerned that a critical incident may be declared by the IOPC and where there is a potential that a delay may exacerbate concerns – although it is likely that we are able to speak to the appropriate authority even in these circumstances. matters that have come to light during a directed or independent investigation that there is an urgent need to exercise the powers of a constable in order to preserve the integrity of (or avoid prejudice to) a criminal investigation. In these circumstances the IOPC is likely to already be in possession of the information available at that time, and know what the resultant mode of investigation decision will be. </div> </div>
<u>Ref</u> <u>5024807</u> Back to top	<u>Investigation report in respect of Mouayed Bashir</u>
<u>Request</u>	<i>All information held by the IOPC, including but not limited to complete investigation reports, in respect of Mr Mouayed Bashir.</i>
<u>Response</u>	<p>We have decided that you are not entitled to this information by virtue of exemptions under sections 30 and 40 of the FOIA.</p> <p>In the case of information falling within the terms of section 30, we are refusing your request because the public interest in maintaining the exemption outweighs the public interest in disclosure.</p> <p>A summary of this investigation has been published on our web site in line with our publication policy: Policy on the publication of final investigation reports and report summaries Independent Office for Police Conduct (IOPC). We consider this information to be a proportionate response to the public interest in transparency and accountability, taking into account the competing public interest in preserving the confidentiality of investigations and the persons to whom they relate.</p> <p>We take the view that publication of a summary is the most effective way of accounting for our findings in this case and satisfying the public interest. FOIA requests for complete reports and underlying evidence are rarely accessible to the public because they would result in documents so heavily redacted it would be of no value to the requester and less informative than the published summary information.</p>
<u>Ref</u>	

5024848 Back to top	<u>Report relating to Robert Napper and the murder of Rachel Nickell</u>
<u>Request</u>	<p><i>I was wondering if it was possible to get a copy of the IPCC report into Robert Napper and the murder of Rachel Nickell which was released on 3rd June 2010? I have looked online but cannot find a copy.</i></p>
<u>Response</u>	<p>You can find the commissioner's report relating to the murder of Rachel Nickell on the National Archives website here: [ARCHIVED CONTENT] nationalarchives.gov.uk</p>