

FOI Disclosures June 2025

Index

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

- [Investigator recruitment information and prosecution of police officers](#)
- [Allegations of misconduct within Welsh police forces](#)
- [Deaths during or following police contact in custody](#)
- [Use of Power of Initiative powers](#)
- [Triage criteria for complaints received by 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>5025466</u> <u>Back to top</u>	<u>Investigator recruitment information and prosecution of police officers</u>
<u>Request</u>	(1) <i>How many of your investigators are retired Police Officers who previously passed a recognised Detective Training Course with a Home Office recognised Police Service.</i> (2) <i>Of those remaining, not previously passed a Detective Training Course as detailed above, have obtained a university degree and in what subject(s).</i> (3) <i>Why does your website state it is unlikely for an applicant to need a degree to be selected as investigator, when the majority of Police services take an opposite view and approach.</i> (4) <i>on your website the introduction states... “ The IOPC is an organisation steeped in history, influenced by significant figures such as Stephen Lawrence & Sir William Macpherson” The murder of Stephen I remember extremely well, and the Macpherson report related directly to the murder of Stephen, which indeed was a tragedy and abhorrent. However, why have you solely concentrated on the murder of a black man, when so many people of other ethnic origins have suffered a similar fate, especially women.</i> (5) <i>On your published job description for an investigator you publish a picture of a black woman as the principal in the advertisement. Why? Surely a group picture of individuals from various ethnicities would go</i>

	<i>far further in indicating that the IOPC is open to employing individuals from any culture.</i> <i>(6) Your advert states, "selection is in line with civil service profiles". What are these profiles? Having had almost 10 years knowledge with working directly alongside Civil Service Senior Officers, who thought they were sufficiently experienced to carry out investigations, unfortunately they were not. Perhaps that is why the Ministry of Defence has its own Police Service and that organisation has its' own Criminal Investigation Department.</i> <i>(7) Who, and at what level, decides to prosecute Police Officers investigated by the IOPC, especially after an Officer has been cleared by a Criminal Court and is at odds with the recommendation of that Officers Police Service?</i> <i>(8) Finally, All Police Services have to consult, and obtain approval from the Crown Prosecution Service, before they charge a suspect and bring him/her before a court. When bringing gross misconduct charges against a Police Officer does the IOPC need to obtain similar approval? If it does from exactly whom?</i>
<u>Response</u>	(1) We do not record or report on this type of information regarding specific qualifications consistently on an automated system. (2) This information is not held. (3) We are independent of the Police service and determine the required role profile for each role based on criteria such as the level of knowledge and skills required to conduct the post. This may or may not include the requirement for a formal qualification such as a degree. The person specification details the requirements for each role. Trainee Investigators are not required to hold a formal qualification as we provide a thorough training programme supported by their completion of the PIP1 accreditation. Investigators and Lead Investigators are not required to hold a degree as we have determined that professional qualifications such as PIP are required instead. (4) The IOPC's predecessor, the IPCC, was created as a direct result of recommendations in Sir William Macpherson's report. As the article references to the history of the IOPC it is entirely appropriate that the murder of Stephen Lawrence and the subsequent report are mentioned within the article. (5) This is not the sole image used, we have a bank of images representing a cross section of society that we use across our digital channels. (6) The recruitment assessment framework that is widely used in the Civil Service is Success Profiles. You can see more about each profile and

	element here https://www.civil-service-careers.gov.uk/a-guide-to-civil-service-success-profiles/ (7) Decisions on prosecution are made by the Crown Prosecution Service. We apply a two-part test, set out in paragraph 23, Schedule 3 of the Police Reform Act 2002, when deciding whether to refer a case to the CPS. You can read more about this in our Statutory Guidance: https://www.policeconduct.gov.uk/publications/statutory-guidance-2020. The threshold we work to is different to the higher threshold the CPS works to when it decides whether it is appropriate to prosecute someone. (8) At the end of our investigation, we produce a report, which is sent to the police force, that sets out our analysis of the evidence and whether we consider the officer(s) have a case to answer. We also decide what should happen to those involved in the incident including whether they may face a misconduct meeting or a gross misconduct hearing. The police force can then provide its representations about what should happen. While we will consider those views, we will make the final decision on what happens as a result of our investigation. It is the police force that carries out any disciplinary action. If, at the end of our investigation, we think a police officer or member of police staff may have committed a crime we pass our report to the CPS. The CPS then will decide whether the person should be prosecuted.
<u>Ref</u> <u>5025489</u> Back to top	<u>Allegations of misconduct within Welsh police forces</u>
<u>Request</u>	<i>Please provide the following data regarding allegations of misconduct within the Welsh police forces (Dyfed-Powys Police, South Wales Police, Gwent Police, and North Wales Police) over the last five years (2019–2024) and for the first quarter of 2025 (Jan-March):</i> <i>The total number of misconduct cases or referrals reported to the IOPC for each of the four Welsh police forces, per year.</i> <i>A breakdown of the nature of misconduct allegations, including but not limited to:</i> <i>Misogyny and sexism</i> <i>Corruption</i> <i>Abuse of authority</i> <i>Racial discrimination</i> <i>Violence or abuse against the public or other officers</i> <i>Any other categories of misconduct</i> <i>The outcome of each case, including</i> <i>Whether misconduct or gross misconduct was found</i> <i>Disciplinary action taken (e.g., written warnings, dismissal, suspension)</i> <i>Criminal charges brought</i> <i>The source of the referral (e.g., internal, public complaint, whistleblowing).</i>

	5. For each case, did the officer or staff member involved stand down, resign, or retire before the outcome was determined?																																																																																																																																												
Response	1. Under the Police Reform Act 2002(PRA), police forces are required to refer certain incidents to the IOPC where they meet specified criteria. A referral can originate from one of the three sources , a public complaint, a recordable conduct matter or Death and Serious Injury matter. On receipt of a referral our role is to decide whether or not the matter should be investigated, and if so the mode of that investigation, which may be local (i.e. carried out by the police alone), or investigated independently by the IOPC. Information regarding referrals for Welsh police forces is provided in the table below and should be considered in conjunction with the following caveats and information: • The following data is for the time period 1 April 2019 to 31 March 2025 (inclusive) and is taken from live date on 22 May 2025, as such it may differ from previously published data and statistics. • The data is based on referrals reported to the IOPC within the Welsh police forces (Dyfed-Powys Police, South Wales Police, Gwent Police, and North Wales Police) with case types of Conduct and Complaint. We have not included cases referred due to Death or Serious Injury(DSI) as such cases do not necessarily involve misconduct. • Complaint case type reflects matters recorded as complaints from the public, and the Conduct case type refers to recordable conduct matters reported by police forces. <table><tr><th>Count of CASE_REFERENCE</th><th>Year</th><th>2019</th><th>2020</th><th>2021</th><th>2022</th><th>2023</th><th>2024</th><th>2025</th><th>Grand Total</th></tr><tr><td>Dyfed-Powys Police</td><td></td><td>11</td><td>21</td><td>15</td><td>23</td><td>36</td><td>27</td><td>6</td><td>139</td></tr><tr><td>Complaint</td><td></td><td>4</td><td>10</td><td>7</td><td>11</td><td>16</td><td>15</td><td></td><td>63</td></tr><tr><td>Conduct</td><td></td><td>7</td><td>11</td><td>8</td><td>12</td><td>20</td><td>12</td><td>6</td><td>76</td></tr><tr><td>Gwent Police</td><td></td><td>10</td><td>7</td><td>25</td><td>31</td><td>38</td><td>39</td><td>9</td><td>145</td></tr><tr><td>Complaint</td><td></td><td>2</td><td>2</td><td>9</td><td>12</td><td>14</td><td>12</td><td>2</td><td>53</td></tr><tr><td>Conduct</td><td></td><td>8</td><td>5</td><td>16</td><td>19</td><td>24</td><td>27</td><td>7</td><td>92</td></tr><tr><td>North Wales Police</td><td></td><td>9</td><td>11</td><td>9</td><td>15</td><td>15</td><td>15</td><td></td><td>74</td></tr><tr><td>Complaint</td><td></td><td>6</td><td>6</td><td>3</td><td>6</td><td>7</td><td>7</td><td></td><td>35</td></tr><tr><td>Conduct</td><td></td><td>3</td><td>5</td><td>6</td><td>9</td><td>8</td><td>8</td><td></td><td>39</td></tr><tr><td>South Wales Police</td><td></td><td>32</td><td>41</td><td>54</td><td>81</td><td>117</td><td>134</td><td>15</td><td>474</td></tr><tr><td>Complaint</td><td></td><td>18</td><td>22</td><td>23</td><td>37</td><td>62</td><td>84</td><td>12</td><td>278</td></tr><tr><td>Conduct</td><td></td><td>14</td><td>19</td><td>31</td><td>44</td><td>55</td><td>50</td><td>3</td><td>196</td></tr><tr><td>Grand Total</td><td></td><td>62</td><td>80</td><td>103</td><td>150</td><td>198</td><td>215</td><td>24</td><td>832</td></tr></table> 2. We do not capture individual allegations in relation to referrals. Referrals may involve multiple allegations and also involve multiple subject officers. Due to the level of manual scrutiny and assessment required to locate and extract data relating to allegations connected to referrals, this would exceed the cost limit prescribed by section 12 of the FOIA and associated regulations by a considerable margin with the result that we would not be obliged to carry out this work. Section 12 of the FOIA allows the IOPC to refuse a request in its entirety when the estimated cost of carrying out certain activities exceeds £450, or 18 hours at £25 per hour. We conservatively estimate that it would take on average at least 30 minutes to retrieve each file, read assess and verify the relevant contents and extract and compile the relevant information. We have concluded, therefore, that section 12 of the FOIA applies to this part of your request because it would take more than 18 hours to carry out this work.	Count of CASE_REFERENCE	Year	2019	2020	2021	2022	2023	2024	2025	Grand Total	Dyfed-Powys Police		11	21	15	23	36	27	6	139	Complaint		4	10	7	11	16	15		63	Conduct		7	11	8	12	20	12	6	76	Gwent Police		10	7	25	31	38	39	9	145	Complaint		2	2	9	12	14	12	2	53	Conduct		8	5	16	19	24	27	7	92	North Wales Police		9	11	9	15	15	15		74	Complaint		6	6	3	6	7	7		35	Conduct		3	5	6	9	8	8		39	South Wales Police		32	41	54	81	117	134	15	474	Complaint		18	22	23	37	62	84	12	278	Conduct		14	19	31	44	55	50	3	196	Grand Total		62	80	103	150	198	215	24	832
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	3. It is significant to note that not all referrals result in IOPC investigations and, in circumstances where the mode of investigation decision is to return the matter to the relevant force for them to handle, we do not record information relating to the outcomes. The IOPC publishes information about the decisions following IOPC independent investigations, and any misconduct or criminal proceedings held in its annual Outcomes Report. The data used to produce the statistics in this report is taken from a live system, containing a complex data set which then undergoes a data quality review prior to being published, this is a significant undertaking for the organisation to ensure we publish information that is as accurate as possible. At this time, to release information that is outside what is already included in the report would require the IOPC to undertake data quality activity that would sit outside of the 18-hour cost limit threshold for responding to FOI requests. We are currently undertaking work on how we record our outcomes which will impact on how easily we can report on them in the future, this may allow us to respond to these requests in the future. Information about police misconduct and criminal cases finalised by the 43 territorial police forces in England and Wales is published by the Home Office here: Police misconduct statistics - GOV.UK. This includes information about criminal proceedings against police officers and staff. You should contact PolicingStatistics@homeoffice.gov.uk for further information about the Gov.UK policing data. 4. The table above provides information regarding whether the referral was based on a complaint (from the public) or conduct (recordable conduct received from police forces) we do not record whether a matter was reported due to whistleblowing. We have not included data for referrals due to death or serious injury (DSI) as such cases would not necessarily involve misconduct. 5. The activities involved in locating and extracting this type of data relating to IOPC investigations would require manual scrutiny which, owing to the volume of cases involved, would exceed the cost limit of 18 hours by a considerable margin. It is also significant that proceedings may take place several months or even years following the end of an investigation and therefore, this sort of data may not be consistently and comprehensively recorded resulting in extensive verification. As noted above, we would not hold this sort of information relating to referrals that had been returned to the police force.
<u>Ref</u> 5025498 Back to top	Deaths during or following police contact in custody
<u>Request</u>	<i>Please could you provide the following data held by the IOPC:</i> <i>The number of individuals who have died within police custody suites (specifically within police cells) in England and Wales for each year from 2004 to present.</i>

	<i>Of those deaths, please indicate how many of the cases involved: the use of force by police officers or staff and where force was noted as having contributed to or been a factor in the death.</i> <i>If available, please also include a breakdown of:</i> <i>The recorded cause of death</i> <i>The type of force used.</i>																																												
<u>Response</u>	According to our annual deaths during or following police contact statistics, in the period from 1 April 2004 to 31 March 2024 there were 53 deaths in which the death occurred in a police station. We have yet to complete our research for the year to 31 March 2025. Please see attached data tables containing the information you have requested, with the exception of cause of death. We would draw your attention to the explanatory information. It is important to note that the use of force may not have been a direct cause or contributing factor to the death. The medical cause of death in each instance is for the coroner to determine on the expert evidence of a pathologist. The actions recorded as part of these tables were part of the broader circumstances surrounding the individual's death. Use of force or restraint was not identified as a cause of death in any of the cases. Across all cases, the only types of force recorded were the use of restraint and the use of CS/PAVA spray. The rows of the provided use of force table should not be totalled. We are currently unable to provide statistics for deaths that occurred between 1 April 2024 and 31 March 2025 as these cases are still in the process of being verified. <table border="1"> <thead> <tr> <th>Year</th><th>Number of deaths in or following police custody where the deaths occurred in a police station</th></tr> </thead> <tbody> <tr><td>2004</td><td>6</td></tr> <tr><td>2005</td><td>3</td></tr> <tr><td>2006</td><td>4</td></tr> <tr><td>2007</td><td>3</td></tr> <tr><td>2008</td><td>1</td></tr> <tr><td>2009</td><td>2</td></tr> <tr><td>2010</td><td>3</td></tr> <tr><td>2011</td><td>1</td></tr> <tr><td>2012</td><td>1</td></tr> <tr><td>2013</td><td>3</td></tr> <tr><td>2014</td><td>3</td></tr> <tr><td>2015</td><td>3</td></tr> <tr><td>2016</td><td>3</td></tr> <tr><td>2017</td><td>3</td></tr> <tr><td>2018</td><td>0</td></tr> <tr><td>2019</td><td>1</td></tr> <tr><td>2020</td><td>3</td></tr> <tr><td>2021</td><td>3</td></tr> <tr><td>2022</td><td>3</td></tr> <tr><td>2023</td><td>4</td></tr> <tr><td>Total</td><td>53</td></tr> </tbody> </table>	Year	Number of deaths in or following police custody where the deaths occurred in a police station	2004	6	2005	3	2006	4	2007	3	2008	1	2009	2	2010	3	2011	1	2012	1	2013	3	2014	3	2015	3	2016	3	2017	3	2018	0	2019	1	2020	3	2021	3	2022	3	2023	4	Total	53
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Total	53																																												

Year	Number of death cases where physical restraint was used	Number of death cases where both physical and equipment restraint was used	Number of death cases where CS/PAVA spray was used
2004	0	0	0
2005	1	0	0
2006	0	1	0
2007	0	0	0
2008	0	0	0
2009	1	0	0
2010	1*	0	1*
2011	0	0	0
2012	0	0	0
2013	0	0	0
2014	1*	0	1*
2015	0	0	0
2016	0	0	0
2017	0	0	0
2018	0	0	0
2019	1	0	0
2020	0	1	0
2021	1	0	0
2022	0	0	0
2023	2	0	0
Total	8	2	2

*Those cases involved both physical restraint and use of CS/PAVA spray

We can provide the cause of death only when we hold the postmortem report and we hold only 26 postmortem reports for these 53 cases. Many cases are likely to involve multiple causes of death and we will have to read each report to find and extract this data.

Our data confirms, however, that neither use of force nor restraint was identified as a cause of death in these 53 cases.

Please see attached a table containing the cause of death data extracted from the 26 post-mortem reports relating to the 53 deaths that occurred in a police station.

The table contains cause of death categories for deaths in or following police custody that occurred at the police station and where post-mortem information was available. For each cause of death we consider, cause of death category is assigned to ensure reporting and recording consistency. Some cases involve more than one cause of death, each cause of death was captured in a separate column. Each row in the table corresponds to an individual case of death in or following police custody where the death was declared at the police station. I also included columns on use of restraint, including type of restraint used and information on use of force. Information on neglect was not available.

Calendar year	Cause of death category	Cause of death category 2	Cause of death category 3	Was restraint used?	Type of use of force used
2009	Drug / A/c Overdose	Not applicable	Not applicable	Yes - Both equipment and physical	None
2009	Drug / A/c Overdose	Not applicable	Not applicable	Yes - Physical	None
2012	Disease of the circulatory system	Not applicable	Not applicable	No	None
2013	Disease of the respiratory system	Not applicable	Not applicable	No	None
2013	Disease of the nervous system	Not applicable	Not applicable	No	None
2014	Disease of the circulatory system	Not applicable	Not applicable	No	None
2014	Disease of the circulatory system	Drug / A/c long term misuse	Not applicable	No	None
2014	Disease of the circulatory system	Not applicable	Not applicable	Yes - Physical	CS/PAVA spray
2015	Drug / A/c long term misuse	Not applicable	Not applicable	No	Not known
2015	Disease of the nervous system	Internal / External injuries	Not applicable	No	None
2016	Drug / A/c long term misuse	Disease of the respiratory system	Disease of the circulatory system	No	None
2016	Disease of the circulatory system	Not applicable	Not applicable	No	None
2017	Drug / A/c Overdose	Not applicable	Not applicable	No	None
2017	Drug / A/c Overdose	Disease of the circulatory system	Not applicable	No	None
2017	Drug / A/c Overdose	Not applicable	Not applicable	No	None
2019	Drug / A/c long term misuse	Not applicable	Not applicable	Yes - Physical	None
2020	Disease of the circulatory system	Not applicable	Not applicable	No	None
2020	Disease of the circulatory system	Drug / A/c Overdose	Disease of the respiratory system	Yes - Both equipment and physical	None
2021	Hanging/Asphyxiation/Drowning	Not applicable	Not applicable	Yes - Physical	None
2021	Natural causes - other	Not applicable	Not applicable	No	None
2021	Drug / A/c long term misuse	Disease of the digestive system	Not applicable	No	None
2022	Disease of the circulatory system	Not applicable	Not applicable	No	None
2022	Drug / A/c Overdose	Disease of the circulatory system	Not applicable	No	None
2023	Asxited	Asxited	Not applicable	Yes - Physical	None
2023	Hanging/Asphyxiation/Drowning	Not applicable	Not applicable	No	None
2023	Disease of the respiratory system	Not applicable	Not applicable	No	None

Ref 5025500 Back to top	<u>Use of Power of Initiative powers</u>						
<u>Request</u>	<i>Please provide a copy of all of the information which is held by the IOPC about how the IOPC should have handled a request from a complainant in March 2025 to use its power of initiative (see page 63 of Statutory guidance on the police complaints system).</i> <i>This could include, but is not limited to, standard operating procedures used by the Customer Contact Centre, Assessment Unit and deputy directors of investigations.</i> <i>If there was any variation in the North West region in how such a request should have been handled then please provide this information.</i>						
<u>Response</u>	here is no guidance or procedure specific to any IOPC office or region. The information that is held in relation to this request is as follows: <table> <tr> <td></td><td> - If yes, CCC to contact LPB and ask to be notified of the outcome of the review once completed so consideration of POI can be made by AU if the outcome is re-investigation. - If no, Complainant to be notified that IOPC will take NFA / no POI to be used </td></tr> <tr> <td>4. Complaint with IOPC for review decision (no decision yet made)</td><td> - Request to be added to CMS case and flagged to CWM if allocated; NFA required from CCC </td></tr> <tr> <td>5. Complaint is new and the AA has not yet seen it</td><td> - CCC review whether mandatory referral criteria indicated. If yes (unless exceptional circumstances apply) – the complaint should be forwarded to the AA and the complainant notified. A request should be made to the AA that the IOPC requires confirmation of the referral decision. POI not required unless the AA declines to refer - If no, CCC to refer matter to AU to seek advice as to whether the matter would meet independent investigation criteria. - If yes, AU to either liaise with AA about possible voluntary referral or escalate to DDI for POI consideration - If no, – the complaint should be forwarded to the AA and the complainant notified. </td></tr> </table> Notes: - Complainant consent – IOPC statutory guidance states the following regarding consent to forward a complaint to the correct AA: <i>‘There is no requirement in the Police Reform Act 2002 for consent from the complainant to forwarding a complaint. However, the complainant must always be informed if their complaint has been sent to another body. They should also be informed of the content of what has been sent and the name of the body it has been sent to. In some cases, for example, where a complaint contains particularly sensitive data and the complainant has intentionally sent it to a particular body, or the complainant has expressed concern about sensitive information in their complaint being shared, consideration could be given to notifying the complainant in advance that this will happen.’</i> - It is consistent with these principles to use the mandatory referral criteria to sift matters for consideration of use of POI, as this criteria determines the matters that should come to the IOPC under the statutory scheme for consideration on appropriate handling		- If yes, CCC to contact LPB and ask to be notified of the outcome of the review once completed so consideration of POI can be made by AU if the outcome is re-investigation. - If no, Complainant to be notified that IOPC will take NFA / no POI to be used	4. Complaint with IOPC for review decision (no decision yet made)	Request to be added to CMS case and flagged to CWM if allocated; NFA required from CCC	5. Complaint is new and the AA has not yet seen it	- CCC review whether mandatory referral criteria indicated. If yes (unless exceptional circumstances apply) – the complaint should be forwarded to the AA and the complainant notified. A request should be made to the AA that the IOPC requires confirmation of the referral decision. POI not required unless the AA declines to refer - If no, CCC to refer matter to AU to seek advice as to whether the matter would meet independent investigation criteria. - If yes, AU to either liaise with AA about possible voluntary referral or escalate to DDI for POI consideration - If no, – the complaint should be forwarded to the AA and the complainant notified.
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Investigations Operations Manual content

Decision making around call in power and power of initiative

These powers are in addition to the existing referral processes laid out in the PRA.

Police Reform Act 2002 (Paragraph 4 and 13, Schedule 3)

This provides us with the power of call in to treat complaint and conduct matters as if they have been referred.

Police Reform Act 2002 (Paragraph 4A, 13A and 14CA, Schedule 3)

This provides us with the power of initiative to treat a complaint, conduct matter or OSI as having been referred.

The 'call in' power and 'power of initiative' increase our powers, enabling us to investigate matters that may not have been referred. For further details on these processes and relevant templates please click here.

Police Reform Act 2002 (as amended)

Under the Police Reform Act 2002 the IOPC has:

- The power to 'call in' - require a complaint or conduct matter to be referred (Paragraphs 4 and 13, Schedule 3, Police Reform Act 2002)
- The power of initiative - treat a complaint, conduct matter or OSI matter that has come to its attention as having been referred. (Paragraphs 4A, 13A and 14CA, Schedule 3, Police Reform Act 2002)

Call in powers for complaint and conduct matters

The IOPC can require an appropriate authority to refer a complaint or conduct matter. This is regardless of whether the matter is already being investigated or has previously been considered by the IOPC. This power is not for OSI matters.

To use the 'call in' power, the matter must have been recorded by the appropriate authority who must make a referral without delay, and no later than the day after we give the referral notice. (Regulations 4 and 7, Police (Complaints and Misconduct) Regulations 2020)

Monday	Tuesday	Wednesday	Thursday	Friday
	Call in IOPC notice to appropriate authority	Appropriate authority must make the referral by the end of the day		

The power of initiative as of 1 February 2020

- where appropriate/meaningful (with audit trail of attempts i.e. emails, letters, phone call details) attempts have been made to contact the appropriate authority and further delay may cause prejudice or damage public confidence
- matters where we believe a critical incident may be declared by the IOPC and where there is potential for a delay to exacerbate concerns
- matters that have come to light during a directed or independent investigation that we want to investigate alongside the current case. Alternatively we may consider there is an urgent need to exercise our powers of a constable 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.

Investigations Operations Manual content

Power of initiative and call in powers

Police Reform Act 2002 (as amended)

Under the Police Reform Act 2002 the IOPC has:

- The power to 'call in' - require a complaint or conduct matter to be referred (Paragraphs 4 and 13, Schedule 3, Police Reform Act 2002)
- The power of initiative - treat a complaint, conduct matter or OSI 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.

Call in powers for complaint and conduct matters

The IOPC can require an appropriate authority to refer a complaint or conduct matter. This is regardless of whether the matter is already being investigated or has previously been considered by the IOPC. This power is not for OSI matters.

To use the 'call in' power, the matter must have been recorded by the appropriate authority who must make a referral without delay, and no later than the day after we give the referral notice. (Regulations 4 and 7, Police (Complaints and Misconduct) Regulations 2020)

Monday	Tuesday	Wednesday	Thursday	Friday
	Call in IOPC notice to appropriate authority	Appropriate authority must make the referral by the end of the day		

The power of initiative as of 1 February 2020

The IOPC can treat a complaint, conduct or OSI matters which come to our attention other than by appropriate authority referral (e.g., as part of an ongoing investigation), as having been referred.

The IOPC can do this whether or not the matter has been recorded.

Where an appropriate authority receives notification that we are treating a matter as referred, it must record the matter if it has not already done so.

The appropriate authority does not have to subsequently make a referral.

The IOPC can treat a complaint, conduct or OSI matters which come to our attention other than by appropriate authority referral (e.g., as part of an ongoing investigation), as having been referred.

The IOPC can do this whether or not the matter has been recorded.

Where an appropriate authority receives notification that we are treating a matter as referred, it must record the matter if it has not already done so.

The appropriate authority does not have to subsequently make a referral.

The power of initiative for linked investigations

During a conduct or complaint investigation (including a complaint made during a OSI investigation) a matter may come to light that the decision maker wishes to make independent and link to the lead case and add to the same final report. Previously these matters were sent to the appropriate authority for assessment and referral. To avoid delay, the decision maker should decide whether to exercise POI, make the MOI decision and delegate at the same time.

Principles for use: 'Call in' power and 'Power of Initiative'

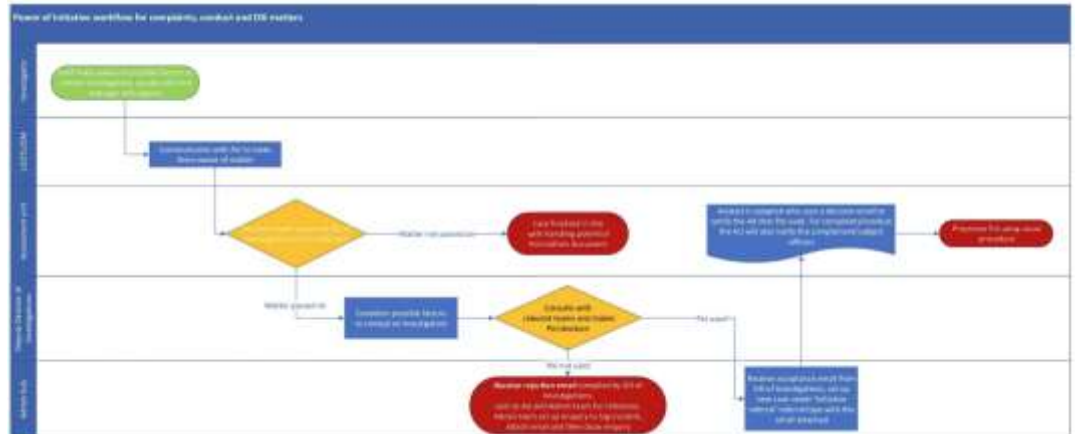
Note: these principles do not apply to the linked investigation guidance.

We consider using the 'Power of Initiative' or 'Call in' power when we become aware of a matter that we may want to independently investigate but we have not received a referral.

- We must contact the appropriate authority to understand why the matter has not been referred. It may be that they intend to make a referral or that further information alters our view.
- If the appropriate authority confirm they do not intend to refer the matter and we remain of the view we may want to independently investigate, our powers should be used as follows:
 - 'Call in' if the matter has been recorded (and is not a OSI)
 - 'Power of Initiative' if the matter has not been recorded, is a OSI or it appears that there will be an unreasonable delay awaiting a referral if 'call in' powers were used.

In some circumstances, it may be 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:

- cases where we have a genuine reason to believe that informing the appropriate authority might prejudice the investigation.



Assessment Unit Operations Manual content

Call-in and Power of Initiative Referrals

Under the Police Reform Act 2002 the IOPC has:

- The power to 'call in' - require a complaint or conduct matter to be referred (Paragraphs 4 and 13, Schedule 3, Police Reform Act 2002)
- The power of initiative - treat a complaint, conduct matter or DSI matter that has come to its attention as having been referred. (Paragraphs 4A, 13A and 14CA, Schedule 3, Police Reform Act 2002)

Please note - Urgent POI decisions can now be made at GM level, please refer to the DMF.

This guidance relates to the process for call-in and power of initiative referrals. Operational policy and guidance on decision making in investigations for both the call in power and power of initiative [can be found here](#).

This guidance applies where a complaint is made, or a conduct/ DSI matter comes to our attention, on or after 1 February 2020.

The 'call in' power and 'power of initiative' enable us to make MOI decisions on matters that may not have been referred.

Related Documents

The process for referrals using the Powers of Initiative

The below outlines how power of initiative (POI) referrals are processed. This should be considered in conjunction with the guidance on the principles of powers of initiative. For a diagrammatic view, please view the POI process map found in the related documents section at the top of this page.

Urgent POI referrals

If a member of staff becomes aware of possible factors that suggest a need to treat the matter as having already been recorded, referred with an independent MOI decision and delegated under paragraph 19-53 of the PRA, e.g. in order to use RACE powers on a new criminal matter identified during a current independent investigation, POI decision can be made urgently.

The process for such referrals can be seen in the POI process map found in the related documents section at the top of this page and is as follows:

- If the OM agrees and decides to use the POI, a record of this decision including the date and time can be made in a blue book, email or with a policy entry on CMS in a format that can later be saved as a document.
- The OM can also make an MOI decision at this stage, may decide to combine this new referral with the existing investigation and designate persons to take charge / assist with an independent investigation.

- Having taken the decision, the OM officially records their decision in a decision document (template can be found in the related documents section at the top of this page).
- The OM must formally designate an LI under the terms laid out in Schedule 3 paragraph 18 of the PRA.
- Lead investigator (LI) liaises with the AU and Admin Hub in relation to the referral and MOI decision and notifies the AA/complainant that the POI has been used.

Please, note, that Deputy Director General of Investigations, Oversight & Casework and Director of investigations can also make urgent POI decisions.

Non-urgent and not linked POI referrals

Bringing the matter to the attention of the Decision Maker

- The POI may be used in relation any complaint, recordable conduct or DSI matter.
- Staff may become aware of possible factors that might compel an investigation to occur; if a member of staff considers a matter to be of public interest or worthy of consideration, they should discuss the matter with their line manager.
- If the Line Manager agrees the organisation might want to investigate the issue, they should alert the AU.
- The AU may wish to conduct further research to analyse the details of the matter; the possibility of any recording or referral and who the relevant Deputy Director of Investigations (DD of Investigations) may be.
- Should the AU decide to NOT pass the matter to the DD of Investigations:
 - It should be finalised in line with the process for handling potential POI matters (found in the related documents section at the top of this page).
 - A decision email should be sent to the admin team for reference, the admin team will set up an enquiry to log the incident and attach the decision email – the enquiry will then be closed.
- Should the AU decide to pass the matter to the DD of Investigations it must be passed on with as much information as possible in order for a decision to be made.

Making the decision

The DD of Investigations will consider the information provided in the same way as outlined in the Call-in section of this page (please see above).

A template of the decision document is attached in the related documents section at the top of this page.

	Outcomes of the decision and MOI making process The DD of Investigations will then make one of the following decisions with the corresponding actions: • No Further Action – This may occur where the DD of Investigations considers there is insufficient/mixed to having the matter referred to the organisation, or in circumstances where the AA have been contacted and plan to record/refer the matter to the organisation or otherwise: ◦ The decision email template will be completed and be sent to the Assessment Unit and Admin Hub for reference. ◦ The Admin team will set up an enquiry on the case management system to log the incident and show that No Further Action will take place. ◦ The decision email should be attached, and the enquiry closed. • Initiative Referral – This may occur where the DD of Investigations believe a matter merits a referral that hasn't taken place, so that an MOI decision can be made. When we treat a matter as having been referred an email from the DD of Investigations must be sent to the admin hub and the AU detailing: • A summary of the case/incident. • Confirmation of the decision to exercise the power of initiative. • The rationale behind the decision. • Details of the matters to be recorded by the AA, e.g. for conduct matters: the officer(s), alleged conduct against each individual officer and the relevant section of the Standard of Professional Behaviour (SPB) that may have been breached. • Actions to be taken by the admin hub or AU (awaiting of referral and setting up of case on CMS – further on this below). • Any other supporting information to assist with the MOI decision. Once these steps have been taken the admin hub must set up a new case as an 'initiative referral' on our CMS. The previously written decision email will be attached to the case and an assessment analyst will be assigned. The relevant analyst must notify the AA that PwI has been used. For complaint and conduct matters the analyst will also need to notify the complainant and/or subject officers unless it may prejudice an investigation or potential future investigation. In practice, where the power is used early, there will be limited information on which to assess the potential prejudice of notifying the subject and a cautious approach may be appropriate. Where an AA receives notification that a matter has been treated as referred, it must record the matter if it has not already done so. The AA should provide, as soon as possible after the notification, all relevant information that has not already been supplied. The LI should update any outstanding data required later on. The analyst should attempt to make the MOI decision promptly to ensure the initiative is taken on the matter. Once this is done, the AU should inform the AA and any interested parties of the decision and the rationale. After this decision has been made, the standard process for assessing referrals should be followed. By this time, it is expected that the AA will have complied with its duty to record the matter.
<u>Ref</u> <u>5025529</u> Back to top	<u>Triage criteria for complaints received by the IOPC</u>
<u>Request</u>	<i>Please can you provide a copy of your triage criteria for complaints received by the IOPC.</i> <i>Please list all possible outcomes for complaints and the triage criteria for each outcome.</i>
<u>Response</u>	We have understood your request as relating to police complaints made by members of the public to the IOPC, instead of being made directly to the police force concerned. There are no triaging criteria for passing complaints on to police forces because the IOPC is under a legal duty to pass the complaints it receives directly from members of the public to the relevant force. This duty is contained in Schedule 3, paragraph 2(1), Police Reform Act 2002 (PRA), which states: “Where a complaint is made to the Director General, the Director General shall give notification of the complaint to the appropriate authority.” If the matter being raised in correspondence to the IOPC is not a ‘complaint’ under the legislation, as for example would be the case when the person raising a concern has not been ‘adversely affected’ by the conduct (as required by section 12(1A) and (1B) PRA), then the duty to notify the force does not apply. In reference to the second part of your request, under paragraph 2(1A) Schedule 3 PRA, the IOPC is not under duty to give this notification when “the Director General considers that there are exceptional circumstances that justify its not being given”.

	We can confirm that we did not apply this exception to the duty to pass on a complaint in the period from 1 January 2025 to 31 May 2025. It is very unusual for the IOPC to apply this exception, and our Enquiries team managers cannot recall any examples of its use in the past two years. Therefore, the only outcomes for a new complaint received by the IOPC from a member of the public are that it be notified to the police or we apply the exception under paragraph 2(1A). Complaints made using our online complaints form are automatically submitted by the system to the police force selected by the complainant from the list included in the form. As this process does not involve any human assessment, the form is submitted regardless of whether it discloses a complaint within the meaning of the legislation. We do not retain records of these forms. Complainants are encouraged to make their complaints directly to the police force concerned if they do not want to use our online form.
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