



Factsheet – Manchester Airport Incident

Factsheet

The Independent Office for Police Conduct (IOPC) has produced this factsheet to help you understand the work that has been undertaken following the incident at Manchester Airport on Tuesday 23 July, and to help you answer questions you may receive from your communities and networks.

It is important to us that the local community know what work we have been doing and how we can help you further, however, because this is a criminal investigation we are limited in what we can say because of the risk of prejudicing any potential criminal trial or disciplinary proceedings.

We have tried to include as many questions and provide the answers as possible but if you feel we have missed anything out please do contact us on stakeholderengagement@policeconduct.gov.uk and we will do our best to answer or incorporate this in future versions.

The police complaints landscape, like most processes governed by legislation, is complex and has many stages which can be difficult to understand. We are trying to make this information more accessible and sharing it in a way that may help those working within and alongside the complaints system.

Investigation

Why is the IOPC involved?

A video of a Greater Manchester Police (GMP) officer appearing to kick and stamp on a man in Terminal 2 of Manchester Airport circulated on social media on Wednesday 24 July. It attracted widespread concern and was picked up by media outlets across the country.

We contacted GMP to enquire whether they were aware of the video and to ask if they would be referring the matter to us. We subsequently received two conduct referrals from GMP, relating to the use of force during the arrests of four people during the incident, and began an investigation on 25 July.

We are in the process of documenting a number of complaints from people involved. We will be asking GMP to record and refer the complaints, for us to consider including them as part of our independent investigation.

Our investigation is entirely separate from GMP's investigations into the actions of members of the public relating to the incident.

Steps taken in the investigation to date

We have obtained body-worn video footage from officers in attendance and reviewed a substantial amount of CCTV footage from inside and outside the airport terminal. We are also reviewing footage shared by the public via our dedicated reporting line, as well as on social media.

We have met with members of a family who were involved during the incident to explain our role and gather information. On Friday 26 July we met with members of the local community to better understand their concerns and share what information we can about the investigation so far.

We are carrying out a criminal investigation into allegations of assault, and we are also looking at potential gross misconduct in relation to a number of alleged breaches of the police standards of professional behaviour, including the use of force.

This does not necessarily mean criminal charges or disciplinary proceedings will follow. At the end of our investigation we will decide whether to refer the matter to the Crown Prosecution Service for a charging decision and whether to recommend disciplinary proceedings.

We have issued a number of public statements which are available [on our website](#).

We anticipate issuing a further public update on our investigation in coming days.

What will our investigation be looking at?

This was a complex and fast-moving incident, and there are a number of lines of inquiry to follow.

Our independent investigation will consider the actions of police from their arrival at Terminal 2 up to the arrested individuals being taken to custody, including:

- the use of force used against three members of the public, two men and a woman, who were part of an initial incident near the car park pay machines, during which the two men were arrested
- the force used by officers in relation to three other members of the public during an incident shortly afterwards, during which two men were arrested and one of the individuals was PAVA sprayed
- what indications or evidence there is that officers' treatment of those six individuals may have been influenced by protected characteristics; race, religion or belief

- whether the response, actions and decisions made by the officers were in line with local and national police policies and procedures

The process of an IOPC independent investigation

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We take initial action:

- > Our staff go to the scene (where necessary) and provide instructions to the local police force about evidence gathering, securing the scene, and securing evidence from officers and staff involved.
- > Our staff start gathering evidence.
- > We consider any indications of criminal/conduct matters.
- > We identify any immediate learning.

We liaise with:

- > family
- > Crown Prosecution Service (CPS)
- > Coroner
- > media
- > community

We investigate, including:

- > assessing questions from the family or complainant
- > agreeing terms of reference
- > collecting and analysing evidence, including witness statements, CCTV and other technical data, policies, forensic evidence, and independent expert evidence
- > interviewing witnesses/suspects, including police
- > consideration of use of legal powers if necessary. For instance in criminal investigations, our investigators have the powers and privileges of a constable, such as the power to arrest or to seize evidence.
- > continuing liaison with family, CPS, Coroner, media and community

We produce an investigation report



We decide whether to refer to the CPS, which then decides whether to prosecute.	We decide whether disciplinary or performance proceedings should take place.	Police receive our report and can make representations.	We consider those views but make the final decision on what happens as a result of our investigation.
We share findings of our report with family/complainant.	Police undertake disciplinary or performance proceedings.	We identify any learning from the case and share with police force.	Report and evidence fed into any trial or inquest (this can happen before or after the conclusion of the investigation).

We publish the investigation report or an anonymised investigation summary (usually after inquest, prosecution and/or disciplinary action completed).

Questions and answers

Why was this incident not immediately referred to the IOPC?

Police forces must assess any adverse incident or conduct matter against the IOPC referral criteria to determine whether they are required to refer the matter to the IOPC. In use of force allegations, the police must refer any allegation of assault in which the level of injury reaches the level of actual bodily harm – that is, for example: a deep laceration or cut, broken bones or teeth, severe bruising or a loss of consciousness.

In this instance, Greater Manchester Police (GMP) did not consider the level of injury met the threshold for referral to the IOPC but decided to make a voluntary referral when it became clear there was a high level of public concern regarding the incident.

Why didn't the IOPC publish the full video of the incident?

Although the IOPC will gather all video footage relating to the incident to support its investigation, it does not own the video footage. The IOPC will not routinely publish footage of an incident during an ongoing criminal, conduct or death and serious injury investigation to protect the integrity of the investigation. Usually, footage will only be considered for release by the IOPC either during or following any criminal or misconduct proceedings which may follow.

How did further footage end up in the media when this incident was subject to a criminal investigation?

The IOPC has not authorised the sharing of any footage gathered during the course of our investigation with the media. We were not aware that footage of the incident had been obtained by media outlets until we saw that it had been published. We don't know how the media outlet obtained the footage of this incident and why they chose to publish it, but the media do not have to disclose their sources. We know the first media outlet to publish that footage was the local news outlet the Manchester Evening News.

Should there be an indication that someone serving with the police provided footage to the media when not authorised to do so, we would expect this to be referred to us.

There is no indication that anyone from the IOPC provided this footage to the media. If there were an indication an IOPC member of staff provided footage to the media when not authorised to do so, this would be dealt with as a disciplinary matter.

Why haven't you arrested the officer who appears to kick and stamp on the man's head?

In an independent investigation, IOPC investigators have the same power of arrest as police officers but like police officers, that power can only be used in certain circumstances. For example, when it is necessary to search and seize evidence, to keep the peace or when attendance at a voluntary interview could risk loss of evidence or compromise the investigation.

If we don't have those circumstances, then we arrange to interview the officers under criminal caution – in the same way a member of the public suspected of crime would be interviewed. In criminal investigations we always keep the necessity for arrest under review as our investigation continues and use our powers in a proportionate way should the need arise.

An arrest is not necessary for a criminal investigation to take place.

How is an IOPC criminal investigation different to a police investigation (i.e., when a member of the public is suspected of violence)

The police are given powers that members of the public do not have – for example, to use force in order to arrest someone or to prevent immediate harm, like a threat to life. But they must justify any use of force as reasonable, proportionate, and necessary in the circumstances, and in line with the police standards of professional behaviour.

A criminal investigation is not automatic at the point where a police officer uses force on someone. The decision to criminally investigate is based on an assessment of the evidence and a decision whether there is an indication a criminal offence may have been committed.

Where there is an indication that a criminal offence has been committed, or that the police standards of professional behaviour may have been breached, by law those investigating (whether the police force's professional standards department or the IOPC) must notify the officers that they are investigating disciplinary matters and we will also notify officers of any potential criminal offences under investigation.

The IOPC will decide whether to refer the matter to the CPS for a charging decision. Only the CPS can decide whether to charge the officer(s). By contrast, the police will charge a member of the public with a criminal offence as soon as a prosecutor is satisfied there is sufficient evidence for a court to determine they are guilty of a criminal offence and it is in the public interest to prosecute them for it.

Is discrimination being considered as part of the investigation?

Yes, discrimination is included within the investigation terms of reference. It does not mean that it was a factor, but it will be considered as part of the wider investigative strategy.

How do you investigate race or religious discrimination?

The terms of reference for an investigation into a complaint that raises issues of discrimination should explicitly refer to and address any discrimination allegations raised.

Where no specific allegation of discrimination has been made but it is apparent that discrimination may be a relevant consideration this should be addressed in the terms of reference.

When investigating an allegation of discrimination, the IOPC's guidelines on the handling of discrimination complaints will be followed. The guidelines set the standards that complainants and families should expect when allegations of discrimination are made against the police. They are also the standards that we hold police forces to when making decisions on reviews and are those that we apply when we carry out our own investigations into allegations of discrimination. These guidelines are published on our website.

When our predecessor organisation, the IPCC, developed the guidelines, it heard from a range of organisations with an interest in all forms of discrimination: community groups, complainants and their representatives, and police forces and police representative organisations. It was also assisted by a reference group, which included representatives from the Equality and Human Rights Commission, the Discrimination Law Association, the College of Policing and the National Police Chiefs' Council. The views, experiences and expertise of all those who contributed shaped and enriched the guidelines.

The guidelines are currently being updated and the revised guidance will be published soon.

Our investigation team for this case will have the support of our discrimination and use of force subject matter networks to assist them in the examination of these aspects of the terms of reference and nuanced issues.

The IOPC has a wider programme of work on race discrimination that explores, challenges and seeks to address issues related to race discrimination that impact public confidence in policing and the police complaints system.

What is the timeline for this investigation?

We will do everything in our power to conclude this investigation as quickly as possible.

This is a complex investigation, with a large number of witnesses we will need to speak to, and a significant amount of evidence, including body-worn video and CCTV footage, to be gathered and reviewed. However, it is in everyone's interest for this to be resolved quickly and a significant amount of work has already been carried out.

We anticipate the investigation will be completed within 6 months.

An investigation is considered complete when the IOPC decision maker (a member of staff of suitable seniority) has reviewed the final report and made their provisional determinations regarding the conduct of officers subject to investigation and determined whether it is necessary to make a referral to the Crown Prosecution Service.

Further processes may follow completion of the final report depending on the decisions made by the decision maker.

What happens when there are parallel police investigations?

If there are parallel police investigations into offences by members of the public, we will liaise with the police force and the Crown Prosecution Service to determine the best course of action.

The starting point to these discussions is to find the best way to progress all investigations without compromising each other's enquiries, to ensure all relevant information is available to all parties and that risks can be managed.

This can sometimes mean changing the way evidence is gathered or sharing relevant evidence.

Sometimes, where the CPS consider activity may compromise a course of justice, an investigation may be required to delay some activity until the risk of prejudice has passed. In some instances, where investigations are intrinsically linked, the CPS may decide the risk of prejudice to proceedings requires the investigation is paused until proceedings have taken place. This can mean either a police investigation being put on hold, or the IOPC investigation being paused.

In this case, those discussions with the CPS are currently taking place as we work to determine the best way to approach this investigation. In the meantime, we continue to gather and review what evidence we can without negatively impacting any other investigation.

When can we read the IOPC investigation report?

In line with our publication policy, we are unable to consider publication of our report or a summary of the investigation until the conclusion of all external proceedings. This includes any criminal and/or disciplinary proceedings.

IOPC related questions

What is the role of the IOPC?

The Independent Office for Police Conduct (IOPC) oversees the police complaints system in England and Wales. We are independent and make our decisions entirely independently of the police and government.

We investigate the most serious matters, including deaths following police contact, and set the standards by which the police should handle complaints.

Police forces deal with the majority of complaints against police officers and police staff however, they must refer the most serious cases to us – whether or not someone has made a complaint.

We use learning from our work to influence changes in policing.

We also carry out our own independent investigations into the most serious complaints and incidents involving the HM Revenue and Customs (HMRC), the National Crime Agency (NCA) and Home Office immigration and enforcement staff.

Find out more about us by visiting <https://www.policeconduct.gov.uk/>

How many ex-police do you have working for IOPC?

Currently 11% of our investigators were former police officers. This is much lower than other police oversight bodies in the UK and Ireland. Our equivalents in Scotland (Police Investigation and Review Commissioner) and Northern Ireland (Police Ombudsman of Northern Ireland), employ between 40-70% of ex-police in investigative roles.

We value the skills and experience that former police staff bring to our organisation. Their practical policing experience can be extremely useful in providing context and robustly scrutinising and challenging police behaviour. That has been positively commented on by some bereaved families.

We have safeguards in place to ensure conflicts are managed. Staff must say where there is a perceived or actual potential conflict of interest at the start and throughout any investigation.

A number of investigation staff at varying levels will be involved in an investigation – where necessary, investigators can also act in family liaison roles.

Investigators within the IOPC complete a BTEC Level 5 qualification in IOPC investigations. Lead investigators complete an additional module focused on leading IOPC investigations. In addition to this, investigators have mandatory training on areas including investigating police firearms incidents, road traffic incidents and deaths in custody, as well as inputs on discrimination and unconscious bias. The training and qualification equip investigators to deal with criminal and misconduct investigations. From October 2024, the BTEC Level 5 qualification will begin to be replaced by the Professionalising Investigations Programme (PIP).

Our Director General can never have worked for the police.

What complaints are referred to the IOPC?

Most people's complaints are handled locally - with the police following the rules that the IOPC sets.

However, the police must refer the most serious incidents to the IOPC - even if no one has made a complaint.

Forces have a legal responsibility to refer certain cases to us – such as a death or serious injury following police contact, serious corruption, or serious assault

Forces can also voluntarily refer cases to us where they would like our input or have concerns about staff conduct.

We also have the legal power to make forces refer issues to us if they haven't done so. When we know that something has happened that is causing a lot of community concern and there's a need to act quickly, we can also use our power of own initiative where we don't need to wait for a force to make a referral to us.

The IOPC has an Assessment Unit team who review the information we have received and decide whether an investigation is necessary and what form it should take.

There are three types of investigation:

- Independent – we investigate the matter using our own investigators
- Directed – we direct and control the investigation using police resources
- Local – the police force PSD investigates, with no involvement from us

Information about making a complaint about the police

If you have a problem or you're unhappy about something which is happening to you which involves the police, this can usually be sorted out by speaking to the police force. But if they can't put things right for you, then you can make a complaint.

You can complain if:

- You are unhappy about the way you are treated by the police
- You feel that nobody is listening to you

How can you complain about the police?

- You can make a complaint to the police force involved
- You can send your complaint to the IOPC and we will send this to the police force for you

What can you expect if you complain?

- The person dealing with the complaint will contact you to get the details
- They should ask you what you want to happen
- You can expect to be listened to and treated fairly
- You will be kept updated about the progress of your complaint
- You must receive an update every 28 days
- When your complaint is finalised, you will be contacted about the outcome and any action that will be taken as a result
- If you're not happy about the outcome, you may be able to appeal

What are the possible outcomes?

- The police may give you an explanation for what happened
- The police may provide you with an apology
- The officers involved could be given training and development
- The police force may change their policy or procedures
- The officers involved could face disciplinary action

If you are unsure about anything, you can contact the IOPC by email to enquiries@policeconduct.gov.uk You can make a complaint to us via our website www.policeconduct.gov.uk/complaints/guide-to-complaints-process

For more information

If you have any questions or would like more information, please contact our Stakeholder Engagement team by email to:

stakeholderengagement@policeconduct.gov.uk.

Published August 2024

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Independent Office for Police Conduct (IOPC)
10 South Colonnade Canary Wharf London E14 4PU
Tel: **0300 020 0096**
Email: enquiries@policeconduct.gov.uk
Website: www.policeconduct.gov.uk
Text relay: **18001 020 8104 1220**

We welcome telephone calls in Welsh
Rydym yn croesawu galwadau ffôn yn y Gymraeg

