

# OVERSIGHT

## newsletter

Welcome to our bi-monthly newsletter which provides updates about the work of the Independent Office for Police Conduct (IOPC). The newsletter is for complaint handlers in forces and local policing bodies (LPBs).

### Information for police

You can find lots of useful information for complaint handlers on our [website](#). This includes information and guidance for professional standards departments, complaint handlers and local policing body reviewers.

Topics include complaint handling guidance and a toolkit, IOPC discrimination guidelines, guidance on managing unreasonable and unacceptable complainant behaviour, an operational advice note on 12-month timeliness reports and more.

### New Focus issue - suspending investigations or other handling

Our [Focus](#) magazines aim to provide practical guidance on complaints, conduct matters and death or serious injury cases. We identified a need to provide guidance on the process and considerations for deciding whether to suspend an investigation or handling otherwise than by investigation, and when the handling should resume. This comes from the regular queries we receive about the process from police forces and the requests made to the IOPC to review decisions to suspend.

In November, we will consult with policing stakeholders on the draft Focus guidance. This is to ensure that the guidance provides appropriate authorities and complaint handlers with the support they need around decisions to suspend a case.

The consultation will be emailed to Heads of PSD, PSDs and OPCCs, where we will invite them to provide feedback. So please look out for the email and feel free to share with other complaint handlers for their response too.

### Indecent images of children and the mandatory referral criteria

The IOPC Assessment Unit has noticed a number of mandatory conduct referrals were made that relate to offences regarding indecent images of children (IIOC). IIOC is not classed as a serious sexual offence. In order for such an offence to meet the mandatory referral criteria, it would need to relate to the production of category A images. This would fall under a 'relevant offence' due to it carrying a maximum sentence of nine years. The possession and/or distribution of IIOC, as well as the production of anything other than category A images, would not meet mandatory referral criteria as they would not fall under the criteria for a 'relevant offence' due to their lower sentencing guidelines.

If you have an offence of the production of IIOC, but at the referral stage you are unsure what category the images fall under, you should refer it as a mandatory referral until further information is established. However, if at the referral stage, you know the images fall under category B or C, then it would be right to factor this into the decision around making a referral. Anything that would not meet the criteria could, of course, be dealt with by way of voluntary referral, should the gravity of the subject matter or exceptional circumstances justify it.

## Spotlight on violence against women and girls: Positive practice

In February 2024, the IOPC published a [report](#), 'Violence against women and girls: End-to-end case handling review' in which the IOPC made nine recommendations aimed at improving the handling of complaints involving violence against women and girls.

After speaking to forces about how they implemented the recommendations, we gathered some examples of positive practice that we plan to share in these newsletters. We hope this might facilitate and encourage forces to consider innovative approaches to cases involving violence against women and girls and to share positive practice and learning between forces.

The first example we would like to share is from Northumbria PSD around how they are signposting individuals to local support services.

Northumbria Police use the '[Hub of Hope](#)', a free, national resource that can be accessed via a web browser or a mobile app. The Hub of Hope is a really easy-to-use resource that signposts individuals to mental health support services in their local area, dependant on their individual needs. You can select what type of support you require (for example, abuse, stress, disability, gambling, bereavement and so on), filtered by your local area and it will give you a list of services.

The Hub of Hope app can be used to signpost or direct people to tailored support. It can also be used to signpost members of the public to the resource so that they can search themselves.

Complaint handlers might find this useful, to signpost complainant's or victim-survivors who may benefit from additional support. Use of the Hub of Hope online directory is being promoted by the force and is still being embedded.

If you would like more information on this positive practice, please email [oversight@policeconduct.gov.uk](mailto:oversight@policeconduct.gov.uk).

## ? Common questions from forces and LPBs

**Q:** A complaint was received from a former officer, some of it relates to matters that occurred while he was still serving and others to a time after he ceased to serve. Is he considered a member of the public or not?

**A:** The legislation is clear about whether the officer can complain. Section 5.6 of Statutory guidance states, a person cannot make a complaint if:

- at the time of the alleged conduct they were under the direction and control of the same chief officer as the person whose conduct it was, or
- they are a person serving with the police, a National Crime Agency officer, or a person on relevant service (within the meaning of section 97(1)(a) or (d) of the *Police Act 1996*) and were on duty at the time that:
  - the alleged conduct took place in relation to them
  - they were allegedly adversely affected by it, or
  - they allegedly witnessed it

However, once an officer has retired, or no longer serves with the police they become a member of the public. This means they can make a complaint about police actions (that do not relate to their time serving as a police officer) after their service ended.

## Corporate news

### IOPC recommendations on implementation of Right Care, Right Person

[West Yorkshire Police have accepted all five IOPC recommendations](#) on Right Care, Right Person. We recommended that WYP should:

- ensure all staff within the force control room receive in-person training on RCRP
- review and update the Welfare Check Deployment Policy to ensure it is consistent with RCRP terminology.
- clarify to all control room staff how the Welfare Check Deployment Policy supports the RCRP toolkit and training material.
- should update its RCRP toolkit and training
- review their incident transfer process with external forces to ensure all relevant risk information reviewed before a deployment decision is made.

This recommendation follows findings from two separate deaths that highlight concerns about the understanding and application of RCRP.

### IOPC recommendation on custody and individuals who may have consumed alcohol

[Norfolk Constabulary accepted the IOPC recommendation](#) that it should amend its custody policy, and associated guidance or training, to include a section on individuals who come into custody, who may have consumed alcohol and may need to be referred to a Healthcare Professional. The policy should align with the College of Policing's Authorised Professional Practice on detention and custody.

This follows our review of a investigation report about a person who arrived in custody intoxicated, who subsequently suffered a seizure while in a cell. The hospital assessment was that the seizure was due to alcohol withdrawal.

## Latest news

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

[Greater Manchester Police officer involved in response to Manchester Arena bombing to face misconduct meeting](#)

[Former West Yorkshire Police staff member to appear in court for perverting the course of justice](#)

[IOPC to re-investigate Lincolnshire Police over handling of domestic abuse death](#)

[IOPC investigation into man's death in hospital following arrest by Kent Police officers](#)

[IOPC seeks witnesses after boy on e-bike was injured in incident with Thames Valley Police officers](#)

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

