

OVERSIGHT

newsletter

Welcome to our 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).

Violence against women and girls thematic update

Police perpetrated domestic abuse

We recently wrote to all forces to let you know about a programme of work we will start on police perpetrated domestic abuse (PPDA). This is in response to an action arising from the Centre for Women's Justice (CWJ) super-complaint into PPDA asking the IOPC to carry out a targeted review of the police handling of PPDA cases. Following our dip sampling of cases involving violence against women and girls and subsequent discussions with police forces, it's clear that PPDA cases are either low in numbers or difficult to identify.

We will therefore take a new approach to reviewing the handling of PPDA cases. Firstly, we will issue a **survey on PPDA**, with a particular focus on the areas of concern arising from action 1 for the IOPC in the CWJ super-complaint. We will follow this with **professional discussions** with six police forces to delve deeper into the identification, recording and handling of PPDA matters. We are aiming to send you the survey in early Spring and we would really appreciate your support.

Violence against women and girls dip sampling

Last summer we reviewed files in police forces where violence against women and girls was a factor. We have analysed the results and written a report of our findings, and considered how they relate to the experiences of the non-policing stakeholders we have been working with. We hope to publish the findings soon as part of our overarching communications and engagement plan for all strands of this thematic work.

Professional Standards Department new starter sessions

These events are hosted by the Oversight team and are an introduction to the IOPC for new starters in PSDs and LPBs. Each session covers the origins of the IOPC, the work we do, tips on complaints handling and the opportunity to ask us questions on any area of our work. The sessions are hosted remotely on Microsoft Teams and last around 60-90 minutes.

We can confirm the dates for 2024-2025 are:

- Tuesday 23 April 2024
- Thursday 18 July 2024
- Wednesday 16 October 2024
- Tuesday 21 January 2025

Please email oversight@policeconduct.gov.uk with the name and email address of your new starter/s, together with their first and second choice date preferences. We will contact them directly with an invitation.

Recent information

Reminder: Update hyperlinks in your correspondence to complainants

In the July 2023 issue of this newsletter, we highlighted that the IOPC has a new website and that because of its new design, many of the hyperlinks have changed.

We have noticed some forces are using the incorrect hyperlinks including the enquiries@policeconduct.gov.uk address for reviews and this can cause unnecessary delays.

This is a polite reminder to ask you to ensure that you have updated the links in your correspondence to complainants, including any you share online. The correct hyperlinks are set out below:

- the web address for a complainant to request a review to us is <https://www.policeconduct.gov.uk/complaints/reviews-and-appeals/submit-a-review-appeal>
- the email address to request a review is northcasework@policeconduct.gov.uk

Reminder: Right first time workshops

In last month's issue of this newsletter, we confirmed that the 'right first time' online workshops will take place in February and March. Invitations were shared with PSDs and LPBs and we ask that each organisation nominates three representatives to attend, ideally complaint handlers, investigating officers or complaint managers. The workshops will focus on:

- complainant contact
- decisions and thresholds
- evidence gathering and evaluation
- writing up decisions and outcomes

This content aims to help new members of staff grow their knowledge, as well as serving as a reminder to experienced staff.

If you would like to attend a workshop and have not yet confirmed a place, we would be grateful if you could please check with your PSD or LPB management team to find out if they have already nominated representatives.

To book on to a workshop, please email oversight@policeconduct.gov.uk with the name, email address and date preference of the person attending the workshop. We may be able to accommodate a small number of additional places if you have more than three staff who would particularly benefit from the topics covered.

❓ Common questions from forces and LPBs

Q: Where the decision by the Crown Prosecution Service (CPS) on a criminal case against an officer is to take no further action, do we similarly take no further action on the conduct element of the investigation?

A: No. It is important to remember that the police conduct regime serves a different purpose than the criminal justice system, namely, to maintain public confidence in the police service, to maintain professional standards and discipline in policing and to protect the public.

The decision taken by the CPS to take no action on a criminal matter therefore does not remove the need for a suitably thorough investigation of the conduct element. This applies where the CPS decide not to charge, but also where they offer no evidence following a decision to charge, or where a trial takes place but the defendant is acquitted. If further evidence comes to light during criminal proceedings, this should be reviewed in terms of the potential impact it may have on the decisions around misconduct proceedings.

Additionally, criminal proceedings have a higher standard of proof and the CPS apply a higher evidential threshold to decide whether a case should be prosecuted.

Due regard must be given to the relevant guidance documents below, which all provide advice on the ongoing handling of these cases.

Relevant guidance:

[Guidance on outcomes in police misconduct proceedings 2022 \(college.police.uk\)](https://college.police.uk/guidance-on-outcomes-in-police-misconduct-proceedings-2022)

[Home Office Statutory Guidance 0502.pdf \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/guidance/0502)

[Statutory guidance on the police complaints system \(policeconduct.gov.uk\)](https://policeconduct.gov.uk/guidance-on-the-police-complaints-system)

Q: If at the end of a complaint investigation the appropriate authority determines there is a case to answer, is it right that they cannot progress arrangements for a misconduct meeting until the complainant's right to review has expired and/or until the review is complete? Does this still apply if at the conclusion of a review, further work is necessary and the complainant receives another right of review?

A: Yes. As explained at paragraph 18.16 of the [IOPC Statutory Guidance](#), once the appropriate authority is notified that an application for a review has been made, it should not take any steps that would prejudice the review or any action that may be taken as a result. If the complainant exercises their right of review, there are various review decisions that could impact on the outcome, and this is why it is important not to begin misconduct proceedings during the review period. These include, but are not limited to, the review:

- directing that there is a case to answer for gross misconduct and a misconduct hearing is appropriate - there is no further review right.
- commissioning further work to help decide whether the decision should change from misconduct to gross misconduct – this should only be used for looking at a very small amount of extra information and there is no further review right.
- finding that more significant work is needed (such as taking more witness accounts and reviewing media footage) and directing a reinvestigation with those suggested avenues of additional handling. A reinvestigation then has another review right attached to it.

We recognise the impact it can have on the timing of proceedings. Please make sure that our [casework admin team](#) are informed of any cases where misconduct proceedings are recommended, so they can be added to our urgent allocation list for review.

Q: Can a police officer make a complaint to their own police force if the matter subject of the complaint relates to something that has happened to a family member?

A: An officer working for the same police force that is subject of the complaint, is not eligible to make a complaint. The only time they can make a complaint is when the matter, that is the subject of the complaint, relates to a different force and they are off duty.

However, this should not prevent the family member making a complaint themselves or asking someone else, other than an officer of the same force, to make it. This could be another family member, an advocate such as Citizen's Advice or a solicitor.

Alternatively, the information the officer provides can be treated as intelligence and learning/conduct can be looked at. However, the officer would not have the same rights as a complainant and there would be no right of review. This is outlined in the *Police Reform Act 2002, section 29, paragraphs 3 and 4*.

Corporate news

These recommendations are in areas that are challenging for policing and may be relevant to other forces.

[Recommendation to create aide memoir to help officers create risk management plans for vulnerable people](#)

We recommended that West Mercia Police should introduce Risk Management Plan training or produce an aide memoire to assist in the creation of risk management plans, including definitions or examples for the different levels of risk, low, medium and high.

Providing training or an 'aide-memoire' (possibly linked on-screen during the creation process) to help officers create Risk Management Plans, which includes the definitions of risk levels. This will help to achieve a universal appreciation of risk levels and ensure that officers and staff understand the risks associated with matters and the most appropriate risk level is applied in each case.

[Recommendations on mental health policy and training for officers and call handlers](#)

We recommended that Greater Manchester Police make essential changes to ensure the Greater Manchester Mental Health Tactical Advice Service (MHTAS) is used by response officers and call handlers during mental health incidents. We recommended that:

- The force should amend their policy on mental ill health, mental incapacity and learning disabilities to signpost officers to the MHTAS.
- The force should provide training to staff, especially in the Force Contact Centre, on the service and support the MHTAS can provide to mental health incidents.

[Recommendations on missing persons cases on challenging assumptions, updating supervisor training and allocating a single point of contact](#)

We made recommendations to the North Wales Police as follows:

- The force should incorporate the dangers of confirmation bias, encourage critical questioning, challenging assumptions, and the importance of exercising professional curiosity in matters of concern for welfare and missing person investigations. It should ensure that the issue is covered in training and consider an appropriate methodology of how officer bias and assumptions can be challenged.
- The forces should take steps to understand supervisors' experiences of carrying out risk grading for missing persons cases, to decide whether further training may be required to ensure that the investigative actions carried out are consistent with the grading provided.
- The force should allocate a dedicated single point of contact (SPOC) to families/next of kin during missing person investigations, where possible. The SPOC should ensure the family know who their SPOC is, provide regular, meaningful updates and explain the actions taken by police.

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.

[IOPC finds gross misconduct for Northumbria Police officer and makes referral to CPS following fatal road traffic incident](#)

[Former Essex PCSO and cadet leader pleads guilty after searching cadets' records and sending messages to teenager](#)

[Greater Manchester Police officer in court accused of sexual assault of a girl and misconduct in public office](#)

[IOPC investigation findings into complaints about South Wales Police officers' conduct after a boy drowned](#)

[Witness appeal following electric bike collision where a teenage boy was injured following contact with Merseyside Police](#)

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

