

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).

Information for police

You can find lots of useful information for police officers and staff on our [website](#). This includes advice 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.

Special procedure investigations with an outcome of reflective practice review process

We are aware that the current backlog of reviews can lead to significant delays in the implementation of proposed reflective practice review process (RPRP). This carries a risk that the benefits of reflective practice diminish and the process becomes less meaningful, as memories can fade over time. This could deprive officers of timely and valuable learning, as well as damaging complainants' confidence in outcomes.

This risk will usually be higher, if the complaint investigation is subject to special procedures, because potential conduct concerns were identified and the need for individual learning and reflection is likely to be more acute.

We ask that forces notify us by emailing NorthCasework@policeconduct.gov.uk at the earliest opportunity when these circumstances apply (i.e. upon receiving notification of the application for review) similar to how forces also advise the IOPC of any proposed misconduct proceedings which may be pending following completion of the review. We will include a reminder about this when we contact PSDs to request background papers.

New IOPC investigation final report template

On 17 July 2024, we will begin the roll-out of our new investigation final report template.

Reports written in the new template will have the same purpose (i.e. they will present and analyse the relevant evidence, to enable outcome decisions to be made). The decision maker opinion documents will not change.

Our new report template is more accessible for people using assistive technology such as screen readers, and less prone to formatting errors. It is also more user-friendly and streamlined. It does not include information about our role and how the police complaint system works, as this

information does not benefit appropriate authorities. (Complainants and interested parties will receive a separate explanatory document, which explains the final report and next steps in the process.)

We are also creating report-writing guidance which is designed to improve the consistency and quality of our final reports.

We will roll-out the new template in phases, so for the next few months you will receive reports written in both the old and the new templates. All investigations staff will switch to using the new template from 21 August 2024 onwards. By the end of the calendar year, all our reports should be in the new template.

If you have any questions or would like to see a copy of the new template, please contact enquiries@policeconduct.gov.uk

Update on race discrimination work

We have completed our review of a sample of cases selected from four police forces, all involving allegations of race discrimination.

We are very grateful to the Metropolitan Police Service, Cumbria Constabulary, Thames Valley Police and West Midlands Police for assisting with our research and taking the time to talk us through their processes and approaches. In total, we reviewed approximately 75 cases including complaints and conduct matters, and a combination of cases handled via and otherwise than by investigation. This gave us a wider insight into different approaches based on how cases had been handled.

We were reassured to see examples of positive ways of working including:

- Engaging with the complainant with empathy and compassion
- Making reasonable adjustments for vulnerable people
- Use of a wide range of tools and enquiries in conduct cases, including comparator evidence and patterns of behaviour
- Considering the cumulative picture of evidence
- Acknowledging the impact of the incident on the complainant
- Creating a targeted and impactful reflective practice action plan

We also noted some practices that affected the quality of the handling and where improvements were needed. These were the key themes for improvement:

- There was an over-reliance on body worn video as the main evidence, often meaning that no account was taken from the person complained about.
- Where subject accounts were taken, there was a lack of probing that was needed to explore certain behaviours and seek explanations for decisions and actions.
- In some cases, there was a notable disparity in the quality of the handling between conduct investigations and complaint investigations.
- In the majority of cases, investigation tools such as patterns of behaviour or comparator evidence, were not considered.
- The complainant's account was not adequately explored and, in some cases, dismissed in the early stages of the handling.

We have held discussions with three of the above forces and they have all been receptive to our feedback and are committed to making improvements. We will share the good practice we identified, to help demonstrate effective means of handling. The areas we highlighted above are common themes and may apply more widely to how forces in general are approaching this type of complaint handling.

We encourage you to refer to the guidance we have provided in Focus 22 and the updated discrimination guidelines, which will be published shortly. A report of our main findings will be made available shortly through the toolkit that is being created.

? Common questions from forces and LPBs

Q: How sensitive are we required to be when updating subject officers on the handling of a complaint matter. Are we required to keep the identity of a complainant anonymous?

A: The general principle for cases is set out in section 17.75 and 17.76 of our [statutory guidance](#) and focuses on an officer getting a clear outcome. The force 'must provide that person with a copy of the report on the investigation, or such parts of it as relate to that person'. The subject officers will most likely already be aware of the complainant from the handling of the complaint and the details of the complaint. There shouldn't be a need to redact complainant details, unless you have any concerns.

A decision to not share/redact complainant details would only be exercised if it met any of the harm test requirements. In which case, consideration should be given to providing anonymity and possibly redacting details (as outlined in sections 17.77 and 17.78 of our guidance).

Q: If a complainant wishes to withdraw a complaint, should it still be treated as a recordable conduct matter?

A: This will depend on whether the case was referred to the IOPC and the mode of investigation decision that was made. The IOPC [statutory guidance](#) is helpful in answering this question, particularly paragraphs 16.4 and 16.5. This guidance indicates that if the complaint was referred to the IOPC (or the IOPC is treating the complaint as having been referred), and the IOPC has made a decision that the complaint should be investigated, the appropriate authority must inform the IOPC that it has recorded the complainant's notification to withdraw the complaint.

The IOPC must then consider whether it is in the public interest for the complaint to be treated as a recordable conduct matter and notify the appropriate authority of its decision.

However, if the complaint was referred (or was referred and the IOPC has referred it back to the appropriate authority), the appropriate authority must make a decision about whether it is in the public interest for the complaint to be treated as a recordable conduct matter.

Corporate news

How do young people feel about policing and the complaints system?

The IOPC Youth Panel is made up of 40 young people aged 16-25 from diverse communities across England and Wales. Our Panel reach out to young people to give them a voice and identify potential solutions to increase trust and confidence in both policing and the complaints system.

The Youth Panel national survey, now in its second year, aimed to find out the answer to how young people feel about policing and the complaints system. This survey examined the views and experiences of young people and received over 2,000 responses.

To learn more about the Youth Panel:

- watch [Jayden's video on X](#) about why he wanted to give young people of voice in the north east
- read the [Youth Panel national survey findings](#)
- watch this video to get to know some of our [Youth Panel members and what drives their passion to work with us](#)

New IOPC at a glance flier

Our new flier explains our role and how we work. It also outlines our commitment to improve and what we are doing in response to the Cabinet Office commissioned independent review and accountability review. You can view our [new flier](#) on our website.

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.

[Gross misconduct proven against Met officers in pursuit that killed child and his aunt](#)

[Northamptonshire chief constable dismissed for gross misconduct](#)

[Gloucestershire Constabulary officer charged with alleged sexual offences](#)

[IOPC investigating women's death in custody of North Wales Police](#)

[Nottinghamshire constable cleared in court of non-fatal strangling of teenager](#)

[Norfolk and Suffolk Police did not contribute to death of woman who died in collision](#)

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

