

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).

Complaint handler workshops: a summary

In February and March 2023, the IOPC's Oversight team hosted six regional face-to-face workshops for Professional Standards Departments (PSDs) and LPBs in England and Wales. The workshops focused on the Reflective Practice Review Process and discussed the principles of reflective practice techniques, record keeping, the culture of reflective practice and review rights.

We also gave attendees an insight into our 'Right First Time' initiative where we are working collaboratively with PSDs to share best practice, identify learning and improve complaints handling and reviews.

The workshops were attended by a total of 41 forces and 35 LPBs and we would like to extend our thanks to those of you who attended. We found the workshops to be extremely productive and provided an excellent opportunity for us to engage directly with knowledgeable and committed complaint handlers and practitioners. The views and responses from attendees generated some lively discussions and sharing of ideas on reflective practice and complaint handling.

During the workshops, many attendees asked if we could share [the presentation](#) we used on the day, as well as relevant policies the IOPC has on managing contact from complainants/service users. We have sent them to attendees.

In addition, we have created and circulated to attendees, a ['frequently asked questions' document](#) which addresses common questions that were raised across the six workshops. The FAQs largely focus on addressing areas of ambiguity on reflective practice and we hope they will provide attendees with a consistent response to questions and concerns, to assist in their complaint handling going forwards.

We hope those of you who attended a workshop found it helpful. We will use all of the feedback we received from the survey to inform our plans for future workshops. We hope you will consider attending any complaint handler workshops we hold in the future.

A reminder: potentially distressing images

When submitting referral or review papers to the IOPC that contain potentially distressing or graphic material, we ask that you please flag this content at the start of the document and/or email containing the image. This will allow our staff to be aware of potentially distressing content before opening the images.

Violence against Women and Girls update

VaWG and police-perpetrated domestic abuse referrals

In a letter dated 23 May 2023, we wrote to Heads of PSDs and LPBs to clarify the IOPC's position on violence against women and girls (VaWG) and police-perpetrated domestic abuse (PPDA) referrals.

The letter includes our considerations of factors that influence mode of investigation decisions, including factors that will increase the likelihood of IOPC involvement. We also provide examples of good practice in similar investigations and signpost to guidance on the mandatory referral criteria.

To maintain consistency of understanding and our expectations for referrals in this area, **we encourage forces to familiarise themselves with the IOPC position and the considerations set out in the letter when VaWG and PPDA cases are identified.**

If in doubt about the referral criteria or VaWG/PPDA referrals, please do contact the IOPC Assessment Unit or your oversight liaison.

Treating police victims of police-perpetrated domestic abuse as interested parties ('blue on blue' complaints)

The investigation into the Centre for Women's Justice (CWJ) [super complaint](#) on police-perpetrated domestic abuse found (amongst other findings) that:

“Police victims of PPDA have often not been treated properly as victims. They are neither always afforded standards of victim care expected for all domestic abuse victims, nor are their vulnerabilities connected with having a police perpetrator being consistently recognised and addressed.”

The super-complaint report made a recommendation for the Home Office to consider whether it would be appropriate to make any changes to legislation to ensure that police victims of PPDA do not have weaker rights than non-police victims of PPDA.

As you will know, a police officer or member of police staff cannot make a police 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 is in question. This does not mean that they cannot raise concerns or that those concerns should not be investigated as a conduct matter. It also does not mean that they should not be kept informed of the progress of that investigation.

Under the *Police Reform Act 2002*, a person may be treated as an 'interested person' during a conduct investigation if the police force considers that they have an interest in the handling of the conduct matter. Clearly, in an investigation into alleged police perpetrated domestic abuse, the victim has such an interest.

We are concerned that the voices of police victims of police-perpetrated domestic abuse are not being heard because forces are not recording their allegations under the Police Reform Act and treating them as an interested party.

Please ensure you have processes in place to record conduct matters where the victim of police-perpetrated domestic abuse is a police officer and ensure that police victims are properly supported and treated as interested persons.

VaWG Referrals analysis report

On the 25 May 2023, the IOPC published its [analysis of referrals](#) concerning violence against women and girls - received by the IOPC between April 2021 and March 2022. The report represents the baseline or starting point that we will use to compare and monitor VaWG-related referral rates. Police forces can use this data to review their own referral rates and consider how they are assessing complaint and conduct matters about violence against women and girls.

Your oversight liaison will discuss the report in the context of your force in your upcoming meetings. You should satisfy yourself that your force has a good understanding of the mandatory referral criteria as it applies to VaWG cases, and that it is making appropriate referrals made to the IOPC.

? Common questions from forces and LPBs

Q: How should a complaint be treated if the complainant is anonymous?

A: If a force receives an anonymous complaint, you should first consider whether the complainant is eligible to make a complaint. Guidance on this can be found in our [Statutory Guidance](#) at section 5 and 5.6.

Without knowing the complainant's identity, you would be unable to identify whether they are a member of the public before you then go on to ascertain whether they were subject to the alleged conduct, a witness to it or adversely affected by it.

If you cannot find out whether the person is eligible to make a complaint under the requirements laid out in legislation and Statutory Guidance, you cannot progress the complaint. Eligibility is a fundamental aspect of the system designed to protect it from abuse. However, we would still expect careful consideration to be given to the issues raised – especially if there are allegations of misconduct.

However, if you are able to establish that they are eligible and progress the complaint, then any handling should be dealt with reasonably and proportionately in the same way as any other complaint.

Corporate news

IOPC learning on 'Wayne Couzens case failures' after panel finds gross misconduct against ex-Met constable

The Independent Office for Police Conduct (IOPC) is calling for the introduction of a national system designed to ensure that when criminal allegations are made against serving officers, police

forces are told. This follows the conclusion of all disciplinary proceedings in cases linked to former PC Wayne Couzens on 23 May 2023.

We believe it is vital that police are made aware early on when their officers are suspected of offences and will be talking to the National Police Chiefs Council about the issue. Local recommendations have already been made by the IOPC to the Metropolitan Police Service to consider developing a system that automatically flags when an officer is under criminal investigation, and to improve the initial investigation of sexual offences.

IOPC Director of Operations Amanda Rowe said: “Wayne Couzens’ horrific crimes appalled the nation, sent shockwaves through the policing world and deeply impacted on trust and confidence in the police service, particularly from women.

“Our investigations into the Met and Kent Police’s handling of the indecent exposure allegations highlighted there is no system in place to alert forces when a police officer becomes a crime suspect.

“We believe this needs to change. It may not have prevented Couzens from committing his crimes, but if it is combined with the change in culture that policing recognises is necessary, it could help prevent it from happening again in the future.

“We have also been working closely with the Angiolini Inquiry, sharing evidence to inform its work looking at cultural issues within policing and addressing the broader concerns around women’s safety in public.”

Read the [full article, investigation report and summaries on our website](#).

Learning for Greater Manchester Police after missed opportunity in search for missing man

Our investigation into Greater Manchester Police’s search for a missing man in Wythenshawe identified learning to improve GMP’s response to missing person investigations in the future.

On 19 August 2021, a young man was reported missing. Following a high-profile search, he was sadly found dead by suicide by officers in Wythenshawe Park on 25 August.

We found officers obtained the young man’s mobile phone data on 19 August which, once fully analysed, identified the approximate last known location of his phone. This was ultimately the same place where the man was eventually found by officers. However, a delay in accessing specialist support meant this information was not available to investigating officers until 25 August.

IOPC Regional Director Catherine Bates said: “Our investigation found officers were in possession of data on day one of the investigation that, had they analysed sooner, may have led to Mr Winterton being found more quickly. Although the inquest found this was unlikely to have changed the tragic outcome, it may have lessened the considerable distress felt by his family during this difficult time had the search been concluded sooner.”

We recommended that officers and staff be reminded of the investigative opportunities provided by phone data, as well as the resources available for analysing the data. We also recommended that GMP updates its policy for handling high-risk missing person investigations after we found there were delays in consulting and appointing a police search advisor in this case.”

Read the [full news release 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.

[Statement following sentencing of Greater Manchester Police officer found guilty of causing serious injury by dangerous driving](#)

[West Midlands Police constable charged with assaulting 12-year-old boy while off-duty](#)

[Former Avon and Somerset Police officer would have been dismissed for returning drugs to users following stop and searches](#)

[Former West Mercia Police officer would have been dismissed for inappropriate relationship](#)

[Met officer cleared in court of causing grievous bodily harm following Taser incident that left man paralysed](#)

Email: oversight@policeconduct.gov.uk

Tel: 01924 811699

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

