

FOI Disclosures August 2024

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This month we have responded to questions relating to the following topics:

- [Investigation report following the killing of Kate Mott in January 2010](#)
- [Complaints regarding PACE Code C and sub-category B5: detention in custody](#)

If you require a full copy of any of the embedded attachments, please contact Requestinfo@policeconduct.gov.uk quoting the reference number from the relevant response.

<u>Ref</u> <u>5024976</u> <u>Back to top</u>	<u>Investigation report following the killing of Kate Mott in January 2010</u>
<u>Request</u>	<i>I wish to make FOI request relating to the IPCC report from 2012 into the killing of Kate Mott in Southport Merseyside by her husband Brent Mott in January 2010.</i>
<u>Response</u>	<p>We published a summary of our investigation into these matters and this is available on the National Archives website here: <u>[ARCHIVED CONTENT] IPCC publishes findings from investigation into Merseyside Police's response to woman's concerns (nationalarchives.gov.uk)</u></p> <p>We have decided that you are not entitled to the full report because it is exempt under sections 30 and 40 of the FOIA.</p> <p>In the case of information falling within the terms of section 30, we are refusing your request because the public interest in maintaining the exemption outweighs the public interest in disclosure.</p> <p>A summary of this investigation was published on our website at the time and remains on the National Archives website. This publication is in line with our <u>Policy on the publication of final investigation reports and report summaries Independent Office for Police Conduct (IOPC)</u>. We consider this information to be a proportionate response to the public interest in transparency and accountability, taking into account the competing public interest in preserving the confidentiality of investigations and the persons to whom they relate, as well as the strong likelihood that a redacted version of the full report would not leave the public any better informed about this case.</p> <p>Whilst disclosure of the report would enable the public to see how the investigation had been carried out, we still consider that the legitimate interest is</p>

	<p>met by publishing the summary of the investigation. Publishing the investigation report as well would not make the police any more accountable and would do little to advance any broader interests in transparency. It would however be more intrusive towards individuals who could be identified. We also need to make sure we balance the rights of the individuals with the interests of the public. Disclosure under the FOIA must be the least intrusive means of achieving any legitimate interest. It is significant that there is no presumption under the GDPR that openness and transparency should take priority over personal privacy.</p> <p>We consider that it would not be within the reasonable expectations of any identifiable individuals that the full report would be disclosed under the FOIA, particularly given the passage of time since this matter was concluded. Consequently we have decided that disclosure of this personal data would be inherently unfair.</p>
<p>Ref 5024991</p> <p>Back to top</p>	<p><u>Complaints regarding PACE Code C and sub-category B5: detention in custody</u></p>
<p><u>Request</u></p>	<ol style="list-style-type: none"> 1. <i>How many complaints were made regarding PACE Code C - specifically concerning legal representation in police custody in the calendar years 2022 and 2023?</i> 2. <i>Which police forces were involved?</i> 3. <i>What were the outcomes of these?</i> <p><i>I would be grateful if you could provide the number of allegations recorded by each police force under sub-category B5: 'detention in police custody' in each of the two years to 31 December 2023.</i></p>
<p><u>Response</u></p>	<p>The IOPC publishes annual complaints statistics and police complaints information bulletins which include information about the types of complaints against the police and how they deal with them. Please see the Police complaints statistics page of our website.</p> <p>Annex A of our Guidance to police on capturing complaints data sets out that complaints about providing access to legal advice must be recorded under allegation category B: 'Police powers, policies and procedures', sub-category B5: 'detention in police custody'. As providing access to legal advice is not itself a category under which the police are required to record and provide complaints data, we do not hold information from which we could identify the number of allegations specifically concerning legal representation in police custody.</p> <p>We could, however, provide the number of allegations recorded by force under sub-category B5: 'detention in police custody' in each of the two years to 31 December 2023 and this is represented below:</p>

Number of complaints under PACE Code C, specifically concerning legal representation in police custody, in the calendar years 2022 and 2023 with force and outcomes information

A 'complaint' consists of one or more allegations. An allegation will be assigned one subcategory under a parent category

We do not hold data to the level of specificity requested - this data includes all complaint allegations under the sub-category 'detention in police custody' headline category 'police powers, policies and procedures'.

Tab 2022 findings and 2023 findings

A force will handle an allegation either informally (known as 'outside of Schedule 3') or formally (under Schedule 3)
A formally handled allegation will either be:

- Investigated (subject to special procedures)
- Investigated (not subject to special procedures)
- Handled in a reasonable and proportionate way (not investigated)

At the conclusion of a formal means of handling, the force will make a decision on whether the service provided to the complainant was acceptable or not and, if the allegation was subject to special procedures, whether there is a possible case to answer for misconduct
An informally handled allegation can only result in being Resolved or Not Resolved

*Schedule 3 refers to Schedule 3 of the Police Reform Act (2002) as updated by the Policing and Crime Act (2017)

Tab 2022 actions and 2023 actions

The complainant will be informed of the findings and on formally handled allegations will be offered a right of review
At the conclusion of this review period and after any actions have taken place, those actions will be recorded and the results of these is shown here

For more information, please see the guidance available here:

<https://www.policerconduct.gov.uk/publications/guidance-capturing-data-about-police-complaints>

Data concerns allegations logged between 1 January 2022 and 31 December 2023. Where data refers to finalised matters, these are what was finalised up to 31 March 2024

2022 allegations - detention in police custody (allegation decisions)

Police force	Logged	Finalised					OS3 findings			S3 findings					S3 total	Notes			
		Of which resolved	Outside of Schedule 3	Under Schedule 3 - not investigated	Under Schedule 3 investigated (not subject to special procedures)	Under Schedule 3 investigated (subject to special procedures)	Not Resolved	Resolved	OS3 total	Case to answer	No Case to Answer	No further action	Regulation 41 applies	Service provided - acceptable			Service provided - not acceptable	Service provided - unable to determine	Withdrawal
Avon And Somerset	128	122	10	87	25	0	1	9	10	0	0	3	0	90	8	5	6	112	
Bedfordshire	36	25	6	18	11	0	3	3	6	0	0	1	0	21	3	2	2	29	
British Transport	13	13	0	10	0	0	0	3	3	0	0	2	0	7	1	0	0	10	Case to answer/no case to answer are findings only available on allegations investigated subject to special procedures
Cambridgeshire	41	45	17	3	20	0	1	18	17	0	0	0	0	19	2	0	2	23	
Cheshire	153	151	53	131	7	0	2	11	13	0	0	0	0	108	18	2	0	138	
City of London	6	6	2	1	3	0	0	2	2	0	0	1	0	2	0	0	1	4	
Cleveland	67	61	32	29	0	0	0	32	32	0	0	0	0	24	2	2	0	29	
Cumbria	53	50	15	26	9	0	0	15	15	0	0	0	0	27	2	6	0	35	
Derbyshire	101	89	4	91	4	0	0	4	4	0	0	0	9	74	6	6	0	85	
Devon And Cornwall	53	48	5	38	5	0	0	5	5	0	0	1	0	38	3	0	1	43	No further action here means that an allegation could not be progressed (for example, because a complainant did not engage in the process)
Dorset	27	26	4	18	4	0	0	4	4	0	0	1	0	17	1	3	0	22	
Durham	65	62	33	23	4	2	0	33	33	1	1	0	0	24	2	1	0	29	
Dyfed-Powys	20	20	0	15	5	0	0	0	0	0	0	1	0	17	2	0	0	20	
Essex	198	192	0	81	98	3	0	0	0	0	0	12	0	138	16	7	7	162	
Gloucestershire	63	57	5	41	4	7	1	4	5	0	0	1	0	43	4	3	1	52	
Greater Manchester	142	136	17	103	13	3	1	16	17	0	1	5	0	90	12	8	3	119	
Gwent	58	54	11	8	35	0	0	11	11	0	0	0	0	28	3	11	1	43	
Hampshire	95	93	37	53	3	0	0	5	32	37	0	0	1	48	5	2	0	56	
Hertfordshire	46	44	12	22	10	0	0	12	12	0	0	1	0	22	5	1	2	32	
Humberside	45	44	6	37	0	1	2	4	6	0	0	0	0	29	5	7	1	38	
Kent	148	138	0	69	69	0	0	0	0	0	0	6	0	113	8	7	4	138	
Lancashire	133	107	10	78	17	2	0	10	10	0	0	6	0	56	12	9	11	87	
Leicestershire	81	81	1	68	12	0	0	1	1	0	0	0	6	49	19	4	1	80	
Lincolnshire	47	45	3	31	11	0	0	3	3	0	0	3	0	34	4	0	1	42	
Merseyside	55	55	9	42	1	3	0	9	9	0	0	3	2	37	1	3	0	46	
Metropolitan	444	432	90	187	199	16	17	33	50	0	4	11	0	259	19	11	9	302	
Norfolk	64	62	5	41	12	2	0	5	5	0	0	2	0	41	7	4	0	50	
North Wales	44	43	2	32	9	0	0	2	2	0	0	2	0	39	0	4	3	41	
North Yorkshire	75	73	0	64	8	0	0	8	8	0	0	4	0	61	7	4	0	73	
Northamptonshire	41	41	4	21	14	2	0	4	4	0	0	0	0	32	3	0	2	37	
Northumbria	123	119	16	32	86	1	0	16	16	0	0	0	0	86	8	2	0	103	
Nottinghamshire	29	25	5	11	6	3	1	4	5	0	0	0	0	16	2	1	1	20	
South Wales	119	113	2	96	15	0	0	2	2	0	0	0	0	92	6	3	2	111	
South Yorkshire	107	103	3	86	2	0	2	1	3	0	0	3	0	86	5	2	4	100	
Staffordshire	81	80	22	56	2	0	12	10	22	0	0	1	0	55	2	0	9	58	
Suffolk	48	42	0	35	7	0	0	0	0	0	0	0	0	25	7	4	5	42	
Surrey	53	52	6	44	2	0	3	3	6	0	0	2	0	32	6	6	0	46	
Sussex	121	118	29	88	0	1	11	18	29	0	0	1	0	74	4	11	0	99	
Thames Valley	84	87	0	51	84	2	0	0	0	0	0	12	8	60	3	1	3	87	
Warwickshire	8	6	3	1	2	0	0	3	3	0	0	0	0	3	0	0	0	3	
West Mercia	26	24	11	13	9	0	0	11	11	0	0	0	0	12	1	0	0	13	
West Midlands	106	100	11	70	19	0	0	11	11	0	0	0	6	74	3	6	0	89	
West Yorkshire	90	84	24	58	7	0	0	24	24	0	0	0	3	49	2	2	4	60	
Wiltshire	62	48	3	27	15	1	1	2	3	0	0	1	0	37	5	0	1	43	
Grand Total	3,608	3,418	451	2,079	838	50	63	388	451	1	9	121	14	2,327	240	153	101	2,967	

2022 allegations - detention in police custody (allegation actions)

Police force	Allegation actions									
	Apology	Debrief	Explanation	Learning from reflection	No further action	Organisational learning	Referral to RPRP	Not recorded	Others	Grand Total
Avon And Somerset	0	0	33	4	78	2	0	2	0	119
Bedfordshire	0	0	13	1	13	2	1	2	0	32
British Transport	0	0	4	1	8	0	0	0	0	13
Cambridgeshire	2	0	15	2	17	2	0	0	0	38
Cheshire	6	0	70	4	50	10	0	4	1	145
City of London	0	0	2	0	3	0	0	0	0	5
Cleveland	3	0	53	1	4	2	0	2	0	65
Cumbria	0	0	18	0	23	1	1	0	1	44
Derbyshire	0	0	70	4	22	3	0	2	0	101
Devon And Cornwall	2	0	23	0	6	0	0	0	0	31
Dorset	1	0	14	0	10	0	0	0	0	25
Durham	2	0	56	0	1	0	0	1	0	60
Dyfed-Powys	0	0	16	1	3	0	0	0	0	20
Essex	1	0	0	2	155	3	0	0	0	175
Gloucestershire	1	1	50	0	3	0	0	0	0	55
Greater Manchester	9	10	84	4	11	7	0	1	7	133
Gwent	3	3	2	5	41	0	0	0	0	54
Hampshire	5	1	69	1	10	0	1	5	2	94
Hertfordshire	1	0	26	6	11	0	0	0	0	44
Humberside	2	1	32	1	4	2	0	0	0	42
Kent	0	0	22	11	100	4	0	1	0	138
Lancashire	0	0	71	7	25	0	1	2	1	107
Leicestershire	0	0	42	13	21	2	2	0	1	81
Lincolnshire	1	0	12	4	27	0	0	1	1	46
Merseyside	0	0	34	1	15	0	0	0	2	52
Metropolitan	1	0	165	11	198	3	4	4	3	389
Norfolk	3	0	34	6	8	6	1	1	1	60
North Wales	0	0	16	0	20	1	0	0	0	37
North Yorkshire	5	0	35	1	12	0	0	0	0	53
Northamptonshire	2	0	35	1	2	0	1	0	0	41
Northumbria	1	1	74	9	11	1	0	18	0	115
Nottinghamshire	0	0	0	0	21	0	0	3	1	25
South Wales	4	13	77	5	13	0	0	2	1	115
South Yorkshire	2	0	84	0	17	1	1	1	0	106
Staffordshire	0	1	57	0	12	0	0	0	1	71
Suffolk	5	0	24	2	6	3	0	0	0	40
Surrey	0	0	29	1	19	0	0	1	2	52
Sussex	0	1	75	1	15	0	0	27	1	120
Thames Valley	5	0	20	1	47	1	2	8	0	84
Warwickshire	0	1	3	1	1	0	0	0	0	6
West Mercia	0	0	18	1	1	1	1	1	0	23
West Midlands	1	1	11	1	70	0	0	0	1	85
West Yorkshire	4	1	45	0	30	0	0	0	0	80
Wiltshire	1	0	37	0	5	1	0	1	0	45

49	Grand Total	73	35	1670	114	1169	58	16	90	41	3266
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2023 allegations - detention in police custody (allegation decisions)

Police force	Logged	Of which finalised	Finalised					OS3 findings					S3 findings					S3 total	Notes
			Outside of Schedule 3	Under Schedule 3 - not investigated	Under Schedule 3 investigated (not subject to special procedures)	Under Schedule 3 investigated (subject to special procedures)	Not Resolved	Resolved	OS3 total	Case to Answer	No Case to Answer	No further action	Regulation 41 applies	Service provided - acceptable	Service provided - not acceptable	Service provided - unable to determine	Withdrawal		
Avon And Somerset	152	108	7	75	21	5	1	6	7	0	1	2	0	83	7	5	3	101	Case to answer/no case to answer are findings only available on allegations investigated subject to special procedures. No further action here means that an allegation could not be progressed for example, because a complainant did not engage in the process.
Bedfordshire	3	29	5	18	6	0	1	4	5	0	0	2	0	16	2	4	0	24	
British Transport	2	2	0	2	0	0	0	0	0	0	0	0	0	2	0	0	0	2	
Cambridgeshire	60	56	23	19	13	1	3	20	23	0	1	1	0	27	2	2	0	33	
Cheshire	100	140	16	116	8	0	1	15	16	0	0	0	0	98	20	5	0	124	
City of London	16	14	8	5	1	0	0	8	8	0	0	1	0	4	0	1	0	6	
Cleveland	86	75	34	40	1	0	0	34	34	0	0	0	0	37	2	1	0	41	
Cumbria	44	35	7	22	6	0	0	7	7	0	0	0	0	23	2	1	4	28	
Derbyshire	122	100	6	86	8	0	0	8	8	0	0	7	0	75	4	6	2	94	
Devon And Cornwall	79	43	6	36	1	0	0	6	6	0	0	4	3	28	2	0	0	37	
Dorset	37	24	1	22	1	0	0	1	1	0	0	2	0	13	7	1	0	23	
Durham	134	67	17	49	1	0	0	17	17	0	0	2	0	34	1	2	11	50	
Dyfed-Powys	44	39	2	37	0	0	0	2	2	0	0	2	0	30	2	1	2	37	
Essex	184	147	1	117	29	0	1	0	1	0	0	20	0	101	8	10	7	146	
Gloucestershire	66	34	4	30	0	0	0	1	3	4	0	0	0	25	4	1	0	30	
Greater Manchester	298	216	47	156	12	1	7	40	47	0	1	6	0	128	19	19	4	169	
Gwent	33	30	10	4	15	1	0	10	10	0	0	8	0	2	0	2	2	20	
Hampshire	80	75	49	35	0	0	5	44	49	0	0	2	0	20	0	4	0	26	
Hertfordshire	63	75	29	31	14	1	2	27	29	1	0	5	0	33	2	4	1	40	
Humberside	56	55	26	26	1	2	1	25	26	0	0	1	0	25	2	1	0	29	
Kent	142	123	0	67	56	0	0	0	0	0	0	8	0	83	16	7	9	123	
Lancashire	164	71	16	27	28	0	1	15	16	0	0	3	0	40	2	10	0	55	
Leicestershire	119	82	0	82	9	1	0	0	0	0	0	8	0	71	9	4	0	92	
Lincolnshire	82	45	1	38	5	0	0	1	1	0	0	3	0	36	1	0	4	44	
Merseyside	65	61	19	38	4	0	5	14	19	0	0	6	0	24	5	6	1	42	
Metropolitan	444	369	41	290	126	23	5	16	21	1	6	11	0	209	14	26	2	348	
Norfolk	78	61	5	49	5	2	1	4	5	0	0	2	1	39	6	4	5	56	
North Wales	26	36	1	33	0	2	0	1	1	1	0	1	0	29	3	1	0	35	
North Yorkshire	63	47	0	23	24	0	0	0	0	0	0	1	0	34	2	6	4	47	
Northamptonshire	57	55	7	36	8	4	0	7	7	2	0	0	0	37	4	0	2	48	
Northumbria	191	133	30	9	84	0	0	30	30	0	0	0	0	68	11	6	16	103	
Nottinghamshire	24	22	7	9	5	1	1	6	7	0	0	1	0	19	4	0	0	15	
South Wales	112	76	2	68	8	0	0	2	2	0	0	3	0	57	9	5	2	76	
South Yorkshire	56	54	3	80	0	1	1	2	3	0	1	4	0	64	4	3	0	81	
Staffordshire	114	103	28	73	4	0	0	23	26	0	0	8	0	60	6	3	0	71	
Suffolk	64	45	2	31	12	0	0	2	2	0	0	1	0	32	1	2	6	43	
Surrey	62	49	7	41	0	1	1	6	7	0	0	1	0	38	2	2	1	42	
Sussex	126	120	16	101	0	0	5	14	19	0	0	3	0	87	6	5	0	101	
Thames Valley	71	66	1	1	60	0	0	3	3	0	0	0	0	48	2	1	2	53	
Warwickshire	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
West Mercia	26	19	8	9	2	0	0	8	9	0	0	0	0	11	0	0	0	11	
West Midlands	220	188	19	166	5	0	0	19	19	0	0	5	0	114	21	29	0	169	
West Yorkshire	91	76	16	55	5	0	0	16	16	0	0	4	0	59	2	3	1	66	
Wiltshire	67	49	16	24	8	0	0	16	16	0	0	1	0	28	2	1	0	31	
Grand Total	4,278	3345	526	2180	593	46	48	478	526	5	11	140	9	2155	213	199	87	2819	

2023 allegations - detention in police custody (allegation actions)

Police force	Allegation actions										Grand Total
	Apology	Debrief	Explanation	Learning from reflection	No further action	Organisational learning	Referral to RPRP	Not recorded	Others		
Avon And Somerset	1	0	22	3	54	0	0	0	0	80	
Bedfordshire	1	0	12	2	4	1	0	1	0	21	
British Transport	0	0	0	0	2	0	0	0	0	2	
Cambridgeshire	2	0	30	2	6	4	1	2	0	47	
Cheshire	5	0	48	4	61	11	0	1	4	134	
City of London	1	0	2	0	6	0	0	0	0	9	
Cleveland	0	0	71	0	2	0	0	0	0	75	
Cumbria	0	0	9	1	17	0	0	0	1	28	
Derbyshire	0	3	73	0	10	2	0	0	0	88	
Devon And Cornwall	2	0	16	2	6	0	0	0	0	26	
Dorset	1	0	13	0	3	3	0	0	1	21	
Durham	0	0	45	0	17	0	0	0	0	62	
Dyfed-Powys	1	0	31	0	6	0	0	0	0	38	
Essex	0	0	0	3	129	2	0	4	2	140	
Gloucestershire	2	0	17	1	1	0	0	0	0	21	
Greater Manchester	21	16	116	3	17	0	0	0	13	186	
Gwent	5	0	4	0	18	0	0	0	0	27	
Hampshire	1	0	55	0	9	0	0	0	4	69	
Hertfordshire	0	0	45	2	16	1	0	2	1	67	
Humberside	3	0	40	0	9	0	0	0	2	54	
Kent	0	0	28	21	48	2	0	1	1	101	
Lancashire	0	0	38	1	23	1	1	0	0	64	
Leicestershire	2	0	60	5	8	5	0	0	0	80	
Lincolnshire	0	0	31	2	6	0	0	0	0	39	
Merseyside	1	0	42	2	13	0	0	1	3	62	
Metropolitan	4	1	131	2	134	5	3	7	1	288	
Norfolk	3	1	32	5	7	3	0	1	1	53	
North Wales	1	0	19	3	3	1	0	0	0	27	
North Yorkshire	2	0	30	0	3	0	0	0	0	35	
Northamptonshire	1	0	38	2	5	0	1	0	1	48	
Northumbria	0	0	59	11	30	1	0	18	4	123	
Nottinghamshire	0	0	6	2	9	0	0	1	0	18	
South Wales	5	2	42	8	11	1	0	1	2	72	
South Yorkshire	1	0	53	1	26	0	1	0	0	82	
Staffordshire	1	0	76	1	10	1	0	0	1	91	
Suffolk	1	0	27	1	7	2	0	1	0	39	
Surrey	2	0	36	0	4	0	0	0	0	42	
Sussex	1	0	68	9	6	0	0	30	1	115	
Thames Valley	1	0	37	2	12	1	1	0	0	54	
Warwickshire	0	0	0	0	0	0	0	0	0	0	
West Mercia	0	0	15	1	1	0	0	2	0	19	
West Midlands	0	0	28	15	119	1	1	0	5	169	
West Yorkshire	2	1	38	3	12	1	0	0	1	58	
Wiltshire	5	0	31	0	7	0	0	2	1	46	
Grand Total	79	25	1614	120	897	49	9	75	52	2920	