

FOI Disclosures September 2024

Index

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

- [Investigation on police handling of Joanna Michaels case](#)
- [Referrals regarding discharge of firearms](#)
- [Who oversees the functioning of the IOPC?](#)

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>5025052</u> Back to top	<u>Investigation on police handling of Joanna Michaels case</u>
<u>Request</u>	<p>Please provide information relating to the investigation on the police Mishandling of the Joanna Michael case and specifically for information on the disciplinary hearing of the call handler.</p>
<u>Response</u>	<p>Our final report is available on the National Archives website here: [ARCHIVED CONTENT] (nationalarchives.gov.uk) and further information regarding our investigation can be found here: [ARCHIVED CONTENT] Joanna Michael - Gwent Police Independent Police Complaints Commission (nationalarchives.gov.uk) and here: [ARCHIVED CONTENT] IPCC investigation into Joanna Michael's 999 calls finds systemic and individual failings (nationalarchives.gov.uk)</p> <p>We have decided that you are not entitled to 'all materials held' which would encompass all underlying evidence, documents and correspondence, because this material would be exempt under sections 30 and 40 of the FOIA. 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>In relation to information specifically about the disciplinary hearing, it is the relevant police force that conducts misconduct hearings not the IOPC. We recommend therefore that you redirect this part of your request to Gwent Police.</p>

<p><u>Ref</u> 5025058</p> <p>Back to top</p>	<p><u>Referrals regarding discharge of firearms</u></p>
<p><u>Request</u></p>	<p><i>Since the IOPC was established in 2018, how many referrals have been made to yourselves from Home Office Police Forces regarding the discharge of service-issued police firearms?</i></p> <p><i>How many of these cases were dropped with no further action?</i></p> <p><i>How many of these cases were passed back to the police force(s) for internal action?</i></p> <p><i>How many of these cases were passed on to the CPS for a charging decision?</i></p>
<p><u>Response</u></p>	<p>Based on a search of our case management system using the relevant IOPC case factor, we have identified 45 referrals that related to the discharge of a police issued firearm and were received since the IOPC began operating on 8 January 2018.</p> <p>Please note that case factors are manually selected by operational staff to help identify the nature of the circumstances of a case. Therefore, they should not be relied on to provide definitive data since application of case factors is reliant on individual discretion</p> <p>Police forces are required to refer certain incidents to the IOPC where they meet specified criteria. These referrals originate from one of three possible sources: a complaint, a death or serious injury (DSI) or recordable conduct matter (RCM). when the IOPC receives a referral, it is required to decide whether the matter should be investigated and if so whether the investigation should be carried out by the IOPC or by the police. This is known as a mode of investigation (MOI) decision.</p> <p>In regard to these 45 referrals, 37 were subjected to an IOPC independent investigation, four were passed back to the referring police force to carry out its own investigation and the remaining four were deemed to be invalid. As some of the referrals we receive are linked to existing matters, a MOI decision to carry out an investigation may not result in a new investigation being started. The 37 referrals within scope of your request that were determined as independent investigations resulted in or were linked to 29 IOPC investigations, 27 of which are complete.</p> <p>We would emphasise that 24 of the 29 IOPC investigations into a firearms discharge involved a Death or Serious Injury (DSI) referral. A DSI referral to the IOPC does not necessarily mean that anything has gone wrong or that anyone is unhappy with how the situation was handled. In the absence of a complaint or conduct matter, however, there is a mandatory requirement for forces to refer an incident where someone has died or been seriously injured while interacting with the police (this includes both police action and inaction). It follows that a DSI matter cannot result in an investigation into the conduct of any police officer or member of police staff, or the consideration of any criminal</p>

offences, unless the same investigation is also linked to the referral of a complaint or conduct matter.

This means that only an investigation relating to a complaint or conduct matter referral can lead to a referral to the CPS on completion of the investigation. Of the 29 IOPC investigations within scope of your request, five involved a complaint or conduct matter. All of these five investigations are complete and one resulted in a referral to the CPS.

The IOPC does not hold information as to the outcomes of the referrals that were passed back to the force for local investigation.

The above data is summarised in the tables below

Referrals received 8/1/18 to 6/9/24	
MOI Decision	Count
Independent	37
Invalid	4
Local	4
Grand Total	45

IOPC Investigations started 8/1/18 to 6/9/24			
Referral type	Complete	In progress	Total
Complaint or conduct matter	5	0	5*
DSI matter	22	2	24
			29

*[one](#) of these cases resulted in a referral to CPS.

Ref
5025083
[Back to top](#)

Who oversees the functioning of the IOPC?

Request

Who oversees the functioning of the IOPC?

Response

The IOPC's Director General is not directly accountable to any other body or person for our operational decisions. However, there are several different aspects to IOPC accountability.

In terms of how we carry out our functions in relation to police complaints and misconduct, the IOPC is operationally independent of the government, the police and interest groups. We are accountable to the law and all our decisions can be

judicially reviewed; we can also be investigated by an external police force, for example, where it is suspected that a criminal offence may have been committed.

In regard to our Governance, the Director General, in her role as accounting officer, is personally accountable to parliament for the expenditure of public money. As the Home Office is our sponsor department, the Director General is also answerable to the Home Secretary for the IOPC's expenditure and performance.

Information about our governance framework is available on [this page of our website](#). The Director General leads the executive team and chairs the Board of the IOPC, which has a majority of six non-executive members. The lead non-executive member can raise concerns with the Home Secretary. Further details of the executive and non executive members can be found on our website here: [Our people | Independent Office for Police Conduct \(IOPC\)](#)

As with any public body, members of the public can raise concerns with their Member of Parliament who can then ask the relevant Minister to respond.