

FOI Disclosures November 2024

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

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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.

Ref 5025122 <small>Back to top</small>	<u>ACC, DCC and Chief Constable misconduct</u>
<u>Request</u>	<p>(A) How many officers at the rank of ACC, DCC and Chief Constable are currently subject to misconduct or criminal investigation within the UK.</p> <p>(B) Within the last 2 years how many of that rank have been subject to allegations of a gross misconduct nature. (Proven or otherwise)</p>
<u>Response</u>	<p>(A) The IOPC is the watchdog for police forces in England and Wales only, not the whole of the UK.</p> <p>There are 7 IOPC independent cases relating to these ranks in England and Wales that are showing as being open to investigation.</p> <p>This information is provided with the caveat that the quality of investigations data depends on the manual data input of information by investigations staff. The reliability of this data set has not been subject to quality audit and therefore data provided should therefore be used for illustrative purposes only.</p> <p>(B) An appropriate authority (which is usually the local policing body) must refer to the IOPC any complaints relating to a chief officer where they are unable to satisfy themselves that the conduct complained of, if it were proved, would not justify the bringing of criminal or disciplinary proceedings. This test is based on the substance of the complaint alone, not on the apparent merit of the allegations. The appropriate authority must also refer any conduct matter concerning a chief officer and all death or serious injury matters. You should refer to Annex A of the Statutory Guidance for further information regarding referrals of matters concerning</p>

	<p>chief officers. This can be found on our website here: Statutory guidance - 2020 Independent Office for Police Conduct (IOPC)</p> <p>Our system provides that, between 1 April 2022 and 30 September 2024 we received 23 referrals for officers of these ranks in England and Wales. This information is taken from live data and as such may differ from previously published data & statistics.</p> <p>However to establish whether the referrals related to complaints and allegations rather than conduct or DSI matters and then to establish whether the allegations met the threshold of gross misconduct (as opposed to criminal or misconduct); we would need to manually scrutinise individual case documents and consult with relevant assessment analysts and investigators to locate and extract this level of data. We consider that such activities would be likely to exceed the cost limit as prescribed by section 12 of the FOIA and associated regulations, which equates to 18 hours of staff time, with the result that we are not obliged to carry out this work.</p>
<p>Ref 5025127</p> <p>Back to top</p>	<p><u>IOPC Complaint Outcomes, Staff training and Diversity</u></p>
<p><u>Request</u></p>	<ol style="list-style-type: none"> 1) <i>Do the iopc have a proper IMPARTIAL complaints procedure- or are they totally unaccountable like the police force.</i> ... 2) <i>how many of the complaints lodged with the iopc rule in favour of the complainant?</i> 3) <i>HOW many staff are employed by the iopc and who are they employed they??</i> 4) <i>What training do iopc have and what training do they have in mental health issues.</i>
<p><u>Response</u></p>	<ol style="list-style-type: none"> 1) Service users can complain about the conduct of IOPC staff by referring to the complaints and feedback policy and information available on our website: Feedback about our service Independent Office for Police Conduct (IOPC) and Complaints and feedback policy - July 2022 Independent Office for Police Conduct (IOPC). If still required, we will forward a copy of this policy by post on confirmation of your postal address. However it is important to note that this policy relates to the conduct of staff and should not be used for dissatisfaction of IOPC casework decisions regarding police complaints. If you are dissatisfied with our decisions regarding a review, this can be challenged by judicial review. Information regarding this process is available online here: Judicial review - Courts and Tribunals Judiciary Guidance: Intro-to-JR-Guide-1.pdf (publiclawproject.org.uk) 2) We understand this part of your request to relate to complaints about police conduct. It is significant to note that complaints

are not 'lodged with the IOPC' in the first instance. Complaints are handled by the Appropriate Authority, which is usually the Professional Standards Department of the relevant police force. Complainants may then request a review if they are not satisfied with the handling of their complaint and the IOPC is the relevant review body for some of those reviews.

Further information about the complaint and review process can be found in chapters 5,6 and 18 of the Statutory Guidance: [Statutory guidance - 2020 | Independent Office for Police Conduct \(IOPC\)](#)

We have interpreted your request to relate to reviews of police complaints where the IOPC is the relevant review body. This information is published annually in our report of police complaints statistics for England and Wales. The latest available report can be found on our website here: [Police complaints statistics for England and Wales report - 2022/23 | Independent Office for Police Conduct \(IOPC\)](#). Page 16 of this report provides the following information regarding reviews: *" A complainant can request a review if they are not satisfied with how their complaint was handled. The nature of the complaint determines whether the review should be handled by the Local Policing Body (LPB) or the IOPC. There has been a rise in reviews received for the IOPC, and a drop for LPBs leading to a small decrease overall. This is likely to be because of workshops and individual assistance we have given in relation to the test so there is increased understanding in this area. It may also be due to a small drop in the number of cases finalised formally; either due to forces using informal complaint handling more often or due to backlogs within complaint handling departments. The proportion of investigation reviews upheld have remained very similar to last year, 27% in both years for LPBs and a rise of one percentage point from 31% to 32% for the IOPC. There is a more significant rise for reviews where the complaint has been handled outside of investigation, from 15% to 19% for LPBs and 37% to 44% for the IOPC."*

You may also want to consider the police complaints data tables, and in particular table 27 which outlines the outcomes of IOPC reviews. The data tables can be found on our website here; [Police complaints statistics data tables - 2022/23 | Independent Office for Police Conduct \(IOPC\)](#)

The previous year's report can be found on our website here: [Police complaints statistics for England and Wales report - 2021/22 | Independent Office for Police Conduct \(IOPC\)](#).

The latest police complaint statistics report for 2023/24 is due to be published shortly.

3) This information is available within our staff diversity data report which is published on our website annually: [Staff](#)

[Diversity data 2022/23 | Independent Office for Police Conduct \(IOPC\)](#) The latest report for 2023/24 is due to be published shortly.

Figures for 2022/23 showed that there were a total of 1069 staff. The tabs along the bottom provide numbers of staff by ethnicity, gender, age and career background.

- 4) There are two elements to casework manager training: induction training (for new starters) and continuous professional development (CPD) for all staff. Attached is a document which contains the headline areas for both. The CPD framework sets out the key competencies casework managers are expected to meet. Casework managers rate themselves against the competencies, discuss the results with their managers in one-to-ones and are provided with access to additional development where it is needed. There are other competencies which relate to “soft” skills, such as being organised, responsive, ethical, persuasive etc.

Our Continuous Professional Development (CPD) programme for Casework Managers includes a component on mental health which identifies the following skills and knowledge as requirements of the role: “Can describe how mental health issues can impact on police powers and complaints. Has a good working knowledge of sections 135 and 136 of the Mental Health Act 1983. Liaises with SMN in appropriate circumstances. Considers current College of Policing (CoP) Authorised Professional Practice (APP), along with appropriate local and national guidance.” This and other components are used as a framework for discussion and assessment in meetings between the Casework Manager and their Senior Casework Manager (SCM).

Casework managers participating in a CPD framework must:

- Be able to describe how mental health issues can impact on police powers and complaints
- Have a good working knowledge of S135 and 136 of the Mental Health Act 1983
- Liaise with the (internal) subject matter network in appropriate circumstances
- Consider current College of Policing APPs, local and national guidance.

Casework managers are referred to a selection of resources to review in order to ensure they are up to date with their knowledge in this area. The CPD framework has been live for over a year and requires that casework managers assess their competence levels against the various requirements and then the most common development areas are addressed by more formalised inputs.

The Customer Contact Centre has now also launched a similar CPD framework for its staff. They are required to demonstrate that they are able to identify and react to a wide range of service users, e.g. neurodiverse or those suffering mental health issues. They should be able to apply reasonable adjustments and manage the conversation effectively in a sensitive manner. They are signposted to a large variety of relevant online learning resources

Staff members and their managers discuss individual performance and development needs monthly including things like mental health first aid, helping customers who need additional support etc. If a development need is identified in any area, then it is up to managers and the team member to agree a plan to address the need. This could be approaching our Learning and Development Team for funding for formal training or could equally be using self-directed resources such as Civil Service Learning, IOPC digital learning or research online (blogs, articles, free webinars and training). We are sometimes asked to fund external training courses. We assess the business need and allocated funding or give alternative advice accordingly. This is not intended as an exhaustive list as casework managers are encouraged to discuss with their SCM additional approaches which will best serve their needs given their current experience.

We also have a dedicated staff network who have led our activities on Mental Health Awareness Week. To support this work we have a cultural knowledge accountability approach to the work we undertake and in development of our workplace. This means that whilst we don't have a formal training programme, the organisation provides access to materials and events. We place a duty on our staff to seek out the knowledge they require to ensure inclusivity in the workplace and to ensure excellence in their work. Therefore, minimising and ultimately seeking to remove disadvantages suffered by people with mental health issues. In addition to the staff network, our Wellbeing Officer also issues communications and resources throughout the year.

The Equality Act is covered under a separate e-learning course: "Introduction to the Equality Act and investigating allegations of discrimination". This course contains information about mental illness being a disability (if the conditions are met) and about our duties in relation to people with this disability. In particular it includes the following relevant topics:

- Prohibited conduct e.g. direct and indirect discrimination, harassment, victimisation and discrimination arising from disability and failure to make reasonable adjustments
- Reasonable adjustments
- Inherent or unconscious bias
- A section on investigating discrimination

All new starters must undertake an e-learning course “Equality and IOPC expectations” which explains the Equality Act and which focuses on disability (including mental health) and reasonable adjustments.

There is also optional e-learning specifically about mental health available. Our training for all line managers includes training on staff wellbeing and our Wellbeing Officer has delivered training to casework managers and other staff on Wellbeing.

Ref
5025150
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Apparent suicides following arrest for sex crimes

Request

I would like to obtain statistics regarding actual or ‘apparent’ suicides of men following arrest for sex related crimes, specifically rape and information which includes these individuals being on bail and awaiting trial (if charged).

I would also like to know how to get statistics related to ‘false’ accusations of rape and how many ‘investigations’ have occurred due to false rape allegations.

The statistics and information you have currently are not specific and do not include the time frame for which I require for my research.

If you do not hold statistics specifically for this then may I as why and who I can ask to either get the information from and who can ‘order’ this information to start being collected?

Response

You asked for: “...statistics regarding actual or ‘apparent’ suicides of men following arrest for sex related crimes, specifically rape and information which includes these individuals being on bail and awaiting trial (if charged)”. We explained that we would be able to provide the number of apparent suicides following police custody where individuals had been arrested for sexual offences, and within those, where rape had been listed as one of the offences, as well as a gender breakdown of those cases.

You did not specify a time frame for this data – below we have provided figures for the last five years.

	2019/20	2020/21	2021/22	2022/23	2023/24	Total
Apparent suicides following police custody	54	55	57	54	68	288
Reason for detention: sexual offences*	16	26	30	26	31	129
Rape named as a reason for detention**	2	3	5^	3	5	18

*This includes apparent suicides following police custody where sexual offences were the reason/one of the reasons for detention.
 **This includes apparent suicides following police custody where rape was listed as the reason/one of the reasons for detention.
 ^One of those cases relates to detention due to attempted rape.

- Since 2019/20 there were 288 apparent suicides following police custody. 266 of those who died were male and 22 were female.
- Since 2019/20 there were 129 apparent suicides following police custody where sexual offences were the reason/one of the reasons for detention. All of those who died were male.
- Since 2019/20 there were 18 apparent suicides following police custody where rape was listed as the reason/one of the reasons for detention. All of those who died were male.

	<p>Please note that rape is included as a subcategory of sexual offences, therefore, the 18 a the 129 cases related to sexual offences.</p> <p>The apparent suicides following police custody category includes apparent suicides that h category also includes apparent suicides that occur beyond two days of release from cust</p>
<p><u>Ref</u> <u>5025155</u> Back to top</p>	<p><u>Rashan Charles case</u></p>
<p><u>Request</u></p>	<p><i>Under the Freedom of Information Act 2000, I would like to request the following information:</i></p> <ol style="list-style-type: none"> 1. <i>IOPC investigation report of the death of Rashan Charles published August 2018 (pdf file)</i> 2. <i>the audio and/or transcript (word or pdf) of IOPC interviews with police officer BX47 for the investigation of the death of Rashan Charles</i>
<p><u>Response</u></p>	<ol style="list-style-type: none"> 1. The investigation report can be found on the National Archives website here: Rashan Charles final report FOR PUBLICATION.pdf 2. We have decided that you are not entitled to this information by virtue of exemptions 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 <p>Disclosure of the interview transcript would set a precedent for similar disclosure in the future. To set such a precedent could lead witnesses to believe that information they provide to the police would be disclosed via FOIA in the future, and subsequently lead to the identification of those who provided it. The harm that such a precedent could set would impede the flow of information to the IOPC and adversely affect the ability to investigate matters effectively as well as negatively impact the public's confidence in law enforcement. An investigation report has been published and is available on the National Archives website in line with our Policy on the publication of final investigation reports and report summaries Independent Office for Police Conduct (IOPC).</p> <p>Whilst we understand the perception that disclosure of the interview transcript would enable the public to see how the investigation had been carried out, we still consider that the legitimate interest in this case is met by the published version of the investigation report, which contains a summary of the pertinent evidence collected during interview of the officer. This publication outlines the terms of reference, analysis of evidence and the outcome of our investigation, we find that disclosure of a further heavily redacted information would not provide the public with any meaningful further information and is neither reasonable, proportionate nor necessary.</p> <p>.Although there was an anonymity order in place, and the officer is referred to with a pseudonym, nevertheless we believe that colleagues and former colleagues of the officers, as well as IOPC staff would be able to identify him and we are satisfied that the information requested includes data meeting this definition and therefore falls into the class of information covered by section 40.</p>

<p>Ref 5025158 Back to top</p>	<p><u>Chris Kaba Firearms and Forensics</u></p>
<p><u>Request</u></p>	<p><i>I am writing to submit a formal request for information under the Freedom of Information Act 2000. My request pertains to the investigation surrounding the death of Chris Kaba, who was shot and killed by a Metropolitan Police officer in Streatham Hill on 5 September 2022.</i></p> <p><i>Specifically, I would like to request the following information:</i></p> <ol style="list-style-type: none"> 1. <i>Firearm Recovery: Was any firearm recovered along the route that Kris Kaba used to evade police prior to being stopped and fatally shot?</i> 2. <i>Forensic Examinations: If a firearm was indeed recovered, what forensic examinations were conducted to determine who had handled the weapon? Please include details of any fingerprint, DNA, or other relevant forensic tests conducted, and any findings related to these examinations.</i> <p><i>I would appreciate it if you could provide any relevant documents, reports, or records associated with these requests.</i></p>
<p><u>Response</u></p>	<p>We have decided that you are not entitled to this information because it is 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>Whilst the criminal trial has now concluded, the case is still currently live, as the IOPC must now consider whether any officers should face disciplinary proceedings for potential breaches of the police standard of professional behaviour. As the officer has been acquitted, in line with standard practice, we will now review whether disciplinary proceedings remain appropriate, taking into account the evidence at the trial and any further representations made by the Met.</p> <p>We consider that it would not be in the public interest to disclose any further information regarding this case before this decision is taken. As well as a decision regarding disciplinary proceedings being outstanding at this time, we have also had to consider the potential consequences of disclosure on any future proceedings. Premature disclosure of any underlying evidence that may be presented at any future misconduct hearings could pose a real risk of prejudice to the fairness of any potential proceedings.</p> <p>It is also necessary to consider the impact on professional misconduct hearings more generally should the IOPC be prepared to disclose to 'the world at large' detailed evidence of an incident which could potentially be subject to a hearing. This action could undermine the integrity of the IOPC in respect of such matters.</p> <p>Once all matters connected with this case are concluded a decision will be made regarding publication in line with our Policy on the publication of final investigation</p>

	<p>reports and report summaries Independent Office for Police Conduct (IOPC), which we are confident will satisfy the public interest in this case.</p> <p>Further information regarding this case can be found on our website here: IOPC investigation into fatal shooting of Chris Kaba in Lambeth factsheet - October 2024 Independent Office for Police Conduct (IOPC)</p>
<p>Ref 5025159 Back to top</p>	<p><u>Fatal Shooting of Chris Kaba Costs and Management</u></p>
<p><u>Request</u></p>	<p><i>I would like to make the following FOIA in relation to the Chris Kaba shooting.</i></p> <ol style="list-style-type: none"> <i>1. How much did it cost the organisation to manage/investigate this case? To confirm this is anything from the start of your involvement to the end.</i> <i>2. If possible can a breakdown be provided of the costs?</i> <i>3. How many people were involved in managing the case?</i> <i>4. Were there any intranet articles relating to Chris Kaba and/or Martyn Blake who may also be referred to as NX121? If so I would like to request a copy of the article(s).</i>
<p><u>Response</u></p>	<ol style="list-style-type: none"> 1. We do not record precise breakdowns of costs for individual investigations, meaning the cost of items such as operational staff time, organisational overheads, media handling or work undertaken after completion of the report (including work on any trial, inquest or misconduct proceedings) are not held. In addition, we do not attribute purchases and expenses to individual investigations. Therefore, we do not hold information that would enable us to provide the full costs associated with carrying out one of our investigations. 2. The investigation team consisted of one IOPC Decision Maker and one Lead investigator supervised by one Operations Team Leader. They were supported by people from several IOPC teams, including Legal, Communications, Family Liaison, Survivor Engagement, Stakeholder Engagement, and other IOPC Investigators carrying out specific enquiries as and when required. All these persons, including those who were managing or leading on the investigation, were working on other cases and projects at the same time. 3. We attach the information about this case published to our staff on our intranet up to 25 October 2024. The names of some staff members have been redacted where the legitimate interest in naming these less senior people is overridden by their rights and freedoms. As there is no lawful basis for disclosure of this information the exemption under section 40(2), which relates to personal information, is engaged.

Please note that Rachel Watson took up her post as the IOPC's Director General in 22 April 2024 and Tom Whiting was the Acting Director General for the earlier part of this period.

FOI request 5025159

Information held under part 4 of the request: "Were there any intranet articles relating to Chris Kaba and/or Martyn Blake who may also be referred to as NX121? If so I would like to request a copy of the article(s)."

The acquittal of Police Sergeant Martyn Blake of the murder of Chris Kaba

Published 23/10/2024

Message from Rachel Watson, Director General

On 21 October, a jury, having considered all the evidence in PS Martyn Blake's trial for the murder of Chris Kaba, has acquitted the officer.

Firstly, we want to acknowledge Chris Kaba's family and friends today as they continue to grieve his death more than two years on. Our thoughts and sympathies remain with them and everyone else who has been affected.

The past few weeks must have been incredibly difficult and distressing for Chris's family who have sat through the trial, listened to all the evidence and witnessed his final moments played out in court.

We also recognise the impact that this trial has had on the officer involved, as well as his firearms colleagues and the wider policing community.

A thank you

Many teams have been involved in this difficult and sensitive case and I know a lot of hard work and skill has gone into carrying out the investigation and supporting the trial, for which I am very grateful. I would like to thank [REDACTED] and [REDACTED] who have been in court almost every day, [REDACTED], [REDACTED], [REDACTED], [REDACTED] in DIU and [REDACTED] and the wider Communications, Legal, and Stakeholder Engagement teams.

We understand the impact cases such as these can have on us all and want to make sure that colleagues are given the opportunity to understand the complex work we did in our investigation and our handling of the significant

communication and engagement challenges. We will shortly offer a Teams session which will be open to colleagues across the organisation to hear about the case. Of course, if there are issues which affect you directly and you would like to address those personally, we also have our welfare provisions too.

Media interest

This is a high profile and sensitive case and there will be media interest in it, and there could be criticism of the IOPC as well as the wider police accountability system. It will be important to clarify any misunderstandings about the IOPC's role here, while welcoming a debate about whether the system for holding police to account is as effective as it could be.

To help the media and other stakeholders understand our role in this, we have issued a statement to explain it. We are also issuing a fact sheet and FAQs document to community stakeholders and local MPs. We will share these with you too so you can use those messages in your engagement with stakeholders.

We anticipate that there will be questions about the impact of this trial on policing, and expect the Met and other policing stakeholders to answer those.

Equally as an independent organisation we cannot speak for the Kaba family and they should have space to do that themselves.

Kind regards

Rachel
Rachel Watson
Director General

Rachel's (DG's) Roundup: 13 September (relevant extract only)

Published 13/09/2024

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Earlier this week, I had meetings with Policing Minister Dame Diana Johnson in which I updated her on our performance and timeliness as well as our ongoing high-profile cases.

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Amanda Rowe outlined the plans around the trial of the Metropolitan Police firearms officer charged with murdering Chris Kaba in Lambeth, south London in September 2022, which is due to take place next month. The Minister commented on the extensiveness of the IOPC's preparations was, which is a testament to the teams for their hard work on this case.

Director General's message March 2024 (relevant extract only)

Published 15 March 2024

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The government is likely to announce the results of its accountability review and publish the Cabinet Office independent review into the IOPC shortly.

You may remember that the accountability review was announced following the decision by the CPS to charge with murder the officer who shot dead Chris Kaba, an unarmed black man in London in 2023. It looks at what the systems and processes are that hold the police to account and whether it serves the police and the public.

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Director General's message 24 November 2023 (relevant extract only)

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We have now submitted our response to the Accountability Review, which the then Home Secretary announced following the CPS decision to charge the officer who fatally shot Chris Kaba with murder.

The review is looking at the investigatory arrangements which follow police use of force and police driving related incidents and follows calls from the Metropolitan Police Commissioner.

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Director General's Message - 29 September 2023 (relevant extract only)

At the start of the week [I wrote to you](#) about the Home Secretary's decision to launch a review on armed policing. This follows the Crown Prosecution Service's (CPS) decision to charge the officer who shot Chris Kaba dead in London last year with murder. The framework for how we carry out investigations is not set by us. We are an independent body and our job is to follow the legislation, set by parliament, without fear or favour. I am very proud of the way we do this at the IOPC and I know we will continue to do so. Any changes to the law are, of course, for our elected representatives to make.

Director General's message - 22 September 2023 (relevant extract only)

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This week two high profile investigations reached important decisions which were covered extensively by the media. Firstly, the Crown Prosecution Service (CPS) has now reached a decision to charge the police officer who shot Chris Kaba with murder. This is an unusual case; it is only the second time an officer has been charged with murder in our history. My thanks to our team for their handling of such a sensitive and challenge case; [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], Steve

While, I know our work is not yet over, we have made a significant step forward in concluding the investigation and making the referral to CPS and provisional misconduct decisions.

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Director General's message – 31 March 2023 (relevant extract only)

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As you will have read, we have taken the decision to refer Operation Irpin – the investigation into the fatal shooting of Chris Kaba by a Metropolitan Police Officer to the Crown Prosecution Service. This has garnered a lot of media interest which we had expected. I understand that this case is particularly triggering and would urge colleagues to use our support services or speak to their line manager for any additional support.

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