



The new police complaints system: Four years on

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Commissioner

Setting the system in context

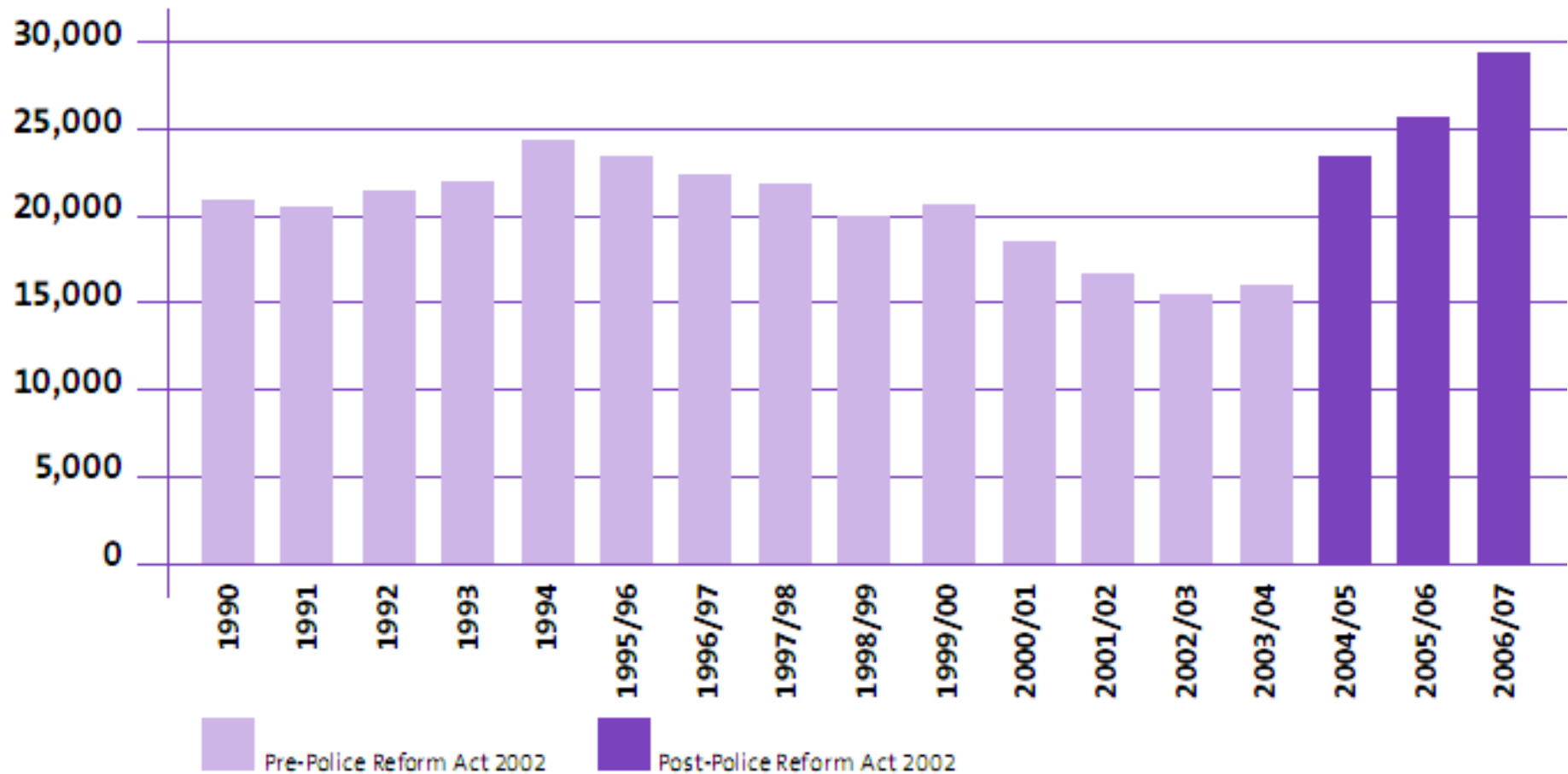
- Strong calls for the reform of the police complaints system following the Lawrence Inquiry into the death of Stephen Lawrence in 1993.
- The inquiry and the subsequent Home Affairs Committee Report described a system that lacked independence and openness and failed to generate public confidence.
- Police Reform Act 2002 transformed the system and created the IPCC.

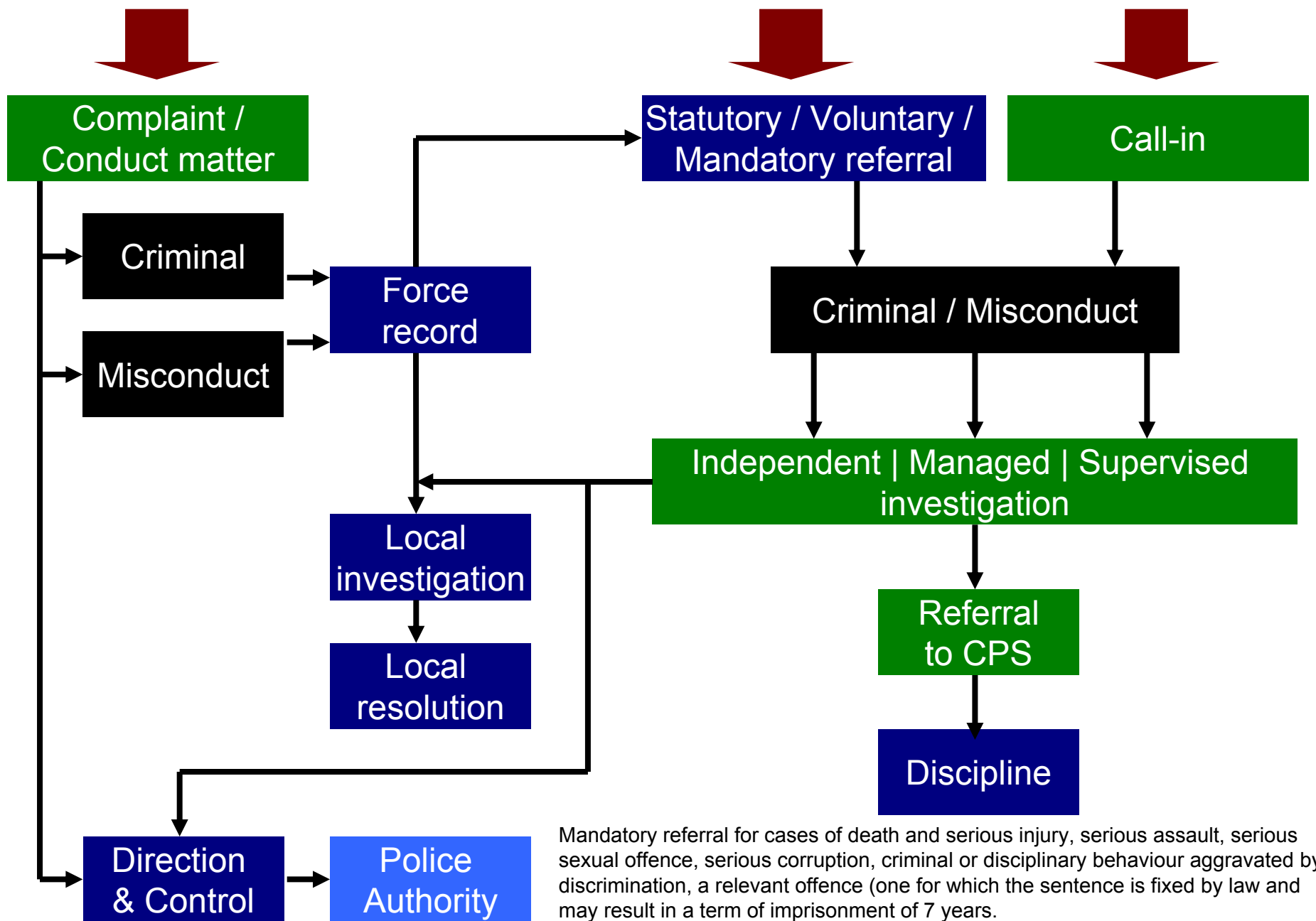
Changes introduced by the PRA

- Powers for the IPCC to independently investigate cases
- A guardianship role for the IPCC including power to inspect, powers to set standards and guidance and promote learning
- Appeal rights for the complainant
- An extension of the definition of those who can make a complaint
- A duty to keep interested parties informed
- Replacement of informal resolution by local resolution

Trends in Complaints

Complaint Cases Recorded 1990 - 2006/07





Mandatory referral for cases of death and serious injury, serious assault, serious sexual offence, serious corruption, criminal or disciplinary behaviour aggravated by discrimination, a relevant offence (one for which the sentence is fixed by law and may result in a term of imprisonment of 7 years).

* Right of appeal to IPCC in Supervised and Local Investigations, Local Resolution and regarding non-recording



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Most allegations recorded about . . .

- Other neglect or failure in duty (24%, 10802)
- Incivility, impoliteness and intolerance (21%, 9489)
- Other assault (15%, 6812)

28,963
complaints recorded
▼ from 28,998 in 06/07

11,449
direct complaints received
▲ from 10,297 in 06/07

6,794
complaints forwarded to forces

2,208
referrals received
▲ from 2049 in 06/07

82
Independent investigations (completed)
▲ from 50 in 06/07

147
Managed investigations (completed)
▼ from 152 in 06/07

4,141
appeals received
▲ from 3,347 in 06/07

Taking stock 4 years on

- In 2006/07 the British Crime Survey asked questions of a sample of 10,000 people living in England & Wales - 64% of people who made a complaint against the police were very dissatisfied.
- Four years on the Commission wanted to take stock and check how well the system is delivering against the original aspirations and see whether they are still appropriate in the current environment.
- In 2007 the IPCC conducted a follow-up to its 2004 survey to see how public confidence in the complaints system had changed.



Awareness of the IPCC in 2007 . . .

- 28% of 15-24 year olds (▲ from 21% in 2004) & 49% of 25-34 year olds (▼ from 55% in 2004) had heard of the IPCC. Awareness for respondents aged 35-44, 45-54 and 55-64 remained constant at around 70%, 79% and 82% respectively.
- 24% of Asian respondents (▼ from 27% in 2004) and 42% of Black respondents (▲ from 36% in 2004) had heard of the IPCC. Awareness for White respondents remained constant at 68%.
- 59% of Asian respondents (▲ from 57% in 2004), 56% of Black respondents (▲ from 50% in 2004) had confidence that the IPCC would handle complaints about the IPCC impartially.



What people thought we did

- **85%** thought the IPCC was responsible for investigating deaths of people shot by the police
- **92%** thought the IPCC decided whether the police have handled complaints properly
- **86%** thought the IPCC took complaints from members of the public about the police.
- **75%** thought the IPCC decided if officers should be prosecuted for criminal actions
- **75%** thought the IPCC advised police on how to deal with police complaints
- **30%** thought the IPCC told the police how to deal with crime



How would you want the police to respond to the following types of complaints ?

Response	Failure to investigate burglary	Officer rude when asked for help	Officer used racist or offensive language	Officer physically assaulted complainant or used too much force at a demo
Receive an explanation	36	1	27	18
Receive an apology	48	5	28	37
Officer should be punished	44	3	36	24
Receive compensation	36	1	29	16
Don't know	40	3	30	16



What the IPCC should be doing . . .

- 87% said dealing with cases of serious corruption among police officers
- 77% said dealing with cases after some dies after contact with the police
- 47% said handling all complaints about the police
- 49% said dealing with only the most serious complaints about the police

Development in the wider context

- **Flanagan Review of Policing** – proposing new model of policing to reduce harm to communities and cut bureaucracy.
- **Developments in the European Court of Human Rights** – discharge of obligations under Articles 2 (right to life) and 3 (right not to be subjected to torture of inhumane or degrading treatment), likely to result in need to conduct more independent investigations.
- **Reform of the police discipline system**

Themes from the Stock Take

- The system is too focused on apportioning blame and not enough on resolving the complaint quickly
- Complainants are treated like witnesses and not as focus for resolution
- The system is still too complex, slow and opaque
- The system is too focused on top end conduct matters, and less focused on the lesser matters where there are more complaints which can still impact significantly on public confidence

Significant shifts identified

- Fix the problem not just the culpability
- Move from a slow to a fast system
- Make the system for proportionate
- Reduce the cost of the system
- Instil a learning culture

The Stock Take Proposals

- The Advisory Board have developed 10 main proposals for improving the system
- The proposals need to be taken together, not in isolation
- All of agencies within the complaints system have a role in taking forward the improvements

The Stock Take Proposals

Defining a complaint:

1. Remove the current distinction between conduct and service failure matters

The Stock Take Proposals

Resolving a complaint:

2. All complaints to be dealt with at the lowest appropriate level
3. Local assessment and handling
4. Separate consideration of if a complaint is 'upheld' from any finding of misconduct or poor performance

The Stock Take Proposals

Reviewing the handling of a complaint:

5. Review within the force if complainant not satisfied
6. Review the appeal structure – introduce one overarching right of appeal to the IPCC, a public interest test and clearer standards on how appeals to the IPCC will be handled

The Stock Take Proposals

IPCC oversight:

7. Greater oversight role for the IPCC to check force handling of lower level complaints
8. Introduce measure to make the complaints data more meaningful
9. Remove unnecessary bureaucracy

The Stock Take Proposals

Independent investigations:

10. IPCC to normally issue an early interim statement on independent investigations

