



Welcome to the first edition of our Oversight Bulletin. We will publish a new bulletin each quarter, looking back at issues raised during the previous three months.



What trends have we spotted this quarter?

Appeals

A large proportion of investigation appeals are upheld for one of the following three reasons:

1. The investigation report does not cover all aspects of the complaint.

Quick solution! The Statutory Guidance advises that it is best practice to meet with the complainant to ensure that the investigating officer fully understands all aspects of the complaint. This helps to ensure the confidence of the complainant. In addition, ensuring that the investigating officer is covering all of the complaint should help to reduce your upheld appeal rate.

2. Auditable accounts were not taken from officers when appropriate.

Quick solution! Paragraph 9.13 of the Statutory Guidance states that where the investigator seeks an account from a person who is the subject of investigation, there must be an auditable record of it.

3. The IPCC guidelines for investigating allegations of discriminatory behaviour have not been followed.

Don't forget! In September 2015, we published new guidelines for forces on investigating allegations of discriminatory behaviour. Please <u>contact the Force Liaison and Oversight team</u> if you have any queries about the application of this guidance.

Making a difference

Following the publication of our guidelines on investigating allegations of discriminatory behaviour, which we supported by running seminars for police forces throughout the country, there have been at least two instances where an appropriate authority changed its mind as a result of our input and decided that there were signs of discrimination in the case they were handling.

Who have we seen this quarter?

PSD meetings:

Avon and Somerset Beds / Herts / Cambs British Transport Police

Cheshire

City of London

Cleveland

Derbyshire

Devon and Cornwall / Dorset

Durham

Gloucestershire

Greater Manchester

HMRC

Hampshire

Home Office

Humberside

Kent

Lancashire

Leicestershire

Lincolnshire

Merseyside

Metropolitan Police Service

NCA

Norfolk / Suffolk

North Yorkshire

Northamptonshire

Northumbria

Nottinghamshire

South Yorkshire

Staffordshire

Surrey

Warwickshire / West Mercia

West Midlands

West Yorkshire

Wiltshire

National meetings:

South East Regional Practitioners Group

South West Regional Professional Standards Group

South East Regional Heads West Midlands Regional Heads

Queries this quarter

We responded to 170 telephone and emails queries in April, May and June. Common queries have included:

The correct appropriate authority (AA) for complaints

Did you know? When a complaint is made against an officer who has moved AAs since the incident complained about occurred, the AA for the complaint is the officer's current AA.

Referral criteria

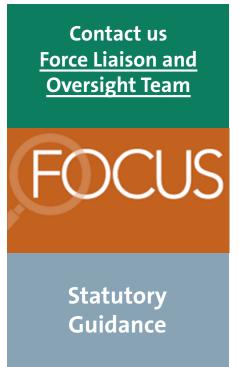
The latest issue of <u>FOCUS</u>, <u>issue nine</u>, which was published in June, covers referral criteria. This follows the report we published in January of this year.

Please call your OFL or the Assessment Unit if you need advice about whether something should be referred.

Severity assessments/RAB

We have received a number of queries about the various assessments that need to be done at the beginning of an investigation. This is also often raised by casework managers assessing appeals after a force investigation into a complaint.

The diagram on the right should assist in understanding the various tests that need to be applied to complaints. Don't forget <u>issue four of FOCUS</u> also gives advice on this topic.



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	IPCC	Gross Misconduct	Case to answer	Hearing	
			No case to answer	MA UPP Learning NFA	
		Severity Assessment			
		Misconduct	Case to answer	Meeting MA UPP Learning NFA	♠ Degree of co
8			No case to answer	MA UPP Learning NFA	
RAB	Preliminary evidence review Seriousness				ge
	Either (depending on wording of allegation)	Non special requirements investigation	Upheld Not upheld	MA UPP Learning NFA	Degree of cogency / seriousness
		Substance of allegation	LR test		SS
		LR	Upheld Not upheld	MA UPP Learning NFA	
		Wording	RAB test		
	Force	LR	Upheld Not upheld	MA UPP Learning NFA	

You told us...

- Many forces have asked us to communicate with them regularly. This is one of the reasons we have produced this bulletin. We have also established a system for collating all our messages to forces into a regular monthly email. Please do let us know about topics you'd like us to cover in this bulletin.
- All the feedback you provide about our operational work is collated, and, where appropriate, fed back to management and the quality team.
- We have reduced the backlog of waiting appeals to 8 working days, to notify you of an appeal received by the IPCC, in some cases we are able to notify you sooner.

Forward look

- We will be publishing an issue of FOCUS on the quality of complaint investigations conducted by forces.
- We will be evaluating the launch of The IPCC's guidelines on investigating allegations of discriminatory behaviour. We would be interested to hear any further comments about how you think the launch went.