

Local Resolution: The Views of Police Officers and Complainants

A Report for The Police Foundation and the
Independent Police Complaints Commission

Tiggey May, Mike Hough, Victoria Herrington and Hamish Warburton

Institute for Criminal Policy Research
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The Police Foundation
First Floor
Park Place
12 Lawn Lane
London SW8 1UD
020 7582 3744

The Independent Police Complaints Commission
90 High Holborn
London WC1V 6BH

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Tiggey May
Mike Hough
Victoria Herrington
Hamish Warburton

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Summary

This report presents the results of research examining innovative ways of dealing with low-level complaints against police officers. The research focuses on the Local Resolution process and ways of improving it. Interviews were conducted with complainants and police officers who had been involved in the Local Resolution process. The key findings are:

- Few complainants knew anything about the Local Resolution process before complaining.
- Some complainants said that Local Resolution was presented to them as their only option and were unaware their complaint could be resolved in any other way.
- Complainants were initially satisfied with their investigating officer, but the majority were dissatisfied with the process as a whole and with the final outcome of their complaint.
- The process failed to deliver what many complainants actually wanted – an apology.
- Police officers who were subject to locally resolved complaints were poorly informed about Local Resolution, and generally cynical about its operation.
- Police officers were satisfied with the investigating officers' initial handling of the complaint, but tended to feel that the process was unfair and biased in favour of complainants.
- Almost half of officers were unaware how their complaint had been finalised.
- A greater number of officers were dissatisfied with the end result than were satisfied.

We conclude that Local Resolution is a process with the potential for dealing effectively with low level complaints, but there are instances where it is not being used to its full potential. Complainants need to be better informed about the process – and the options open to them – at the outset and during the investigation of their complaint. Informing complainants of the final outcome of their complaint needs to be handled more sensitively and with more flexibility. Officers also need better training about the Local Resolution process and the intentions behind it. There was also some evidence to suggest that Divisional Liaison Officers with expertise in handling complaints may improve the overall quality of the Local Resolution process. The Police Federation also have an important role to play in changing workforce attitudes to the complaints process.

Chapter One: Introduction

This report forms part of a four-year programme of research into police complaints by the Institute for Criminal Policy Research (ICPR). Most of the programme was conducted on behalf of The Police Foundation, with funding from the Big Lottery Fund. The Independent Police Complaints Commission (IPCC) provided additional funding for the work presented here, which examines innovative ways of dealing with low-level complaints against the police. The aim of the research was to identify and examine a selection of police forces that were developing and implementing new ideas to improve the Local Resolution process – the method of dealing with low-level complaints introduced by the Police Reform Act (PRA) 2002.

Accountability is central to effective policing. Without accountability, the police service loses legitimacy. Without legitimacy, the police lose their authority, and their capacity to command compliance with the law. There are many dimensions of police accountability; for example, accountability to the law, financial accountability and administrative accountability (cf Bowling and Foster, 2002). The police complaints process is clearly at the centre of these systems. It provides the means whereby officers are called upon to account for their actions in response to complaints made by members of the public.

The current system is a new one, replacing arrangements that had been in place for two decades. The 1984 Police and Criminal Evidence Act (PACE) established the Police Complaints Authority (PCA), which introduced a degree of independent review into the police complaints process that had not existed before. Despite these changes the PCA failed to command popular support. It was criticised for the very low rates at which complaints were upheld, and for its lack of independent investigative capacity (Cohen, 1985; Home Affairs Select Committee, 1998; Macpherson, 1999; Home Office, 2000; KPMG, 2000; Reiner, 2000; Harrison and Cunneen, 2000).

Following numerous calls for independent investigations into serious complaints of police misconduct, the PRA established the IPCC, which came into being in April 2004 and gave civilian investigators the power to investigate allegations of misconduct and serious incidents such as deaths following police contact, independently of the police.¹ The Act gave the IPCC a statutory duty to ‘increase public confidence by demonstrating the independence, accountability and integrity of the complaints system and so contribute to the effectiveness of the police service as a whole’ (IPCC, 2005: 7). The Act also set out the IPCC’s role as ‘guardian’ of the police complaints system and provided the Commission with powers intended to strengthen and improve the system for police staff, police officers and complainants.

¹ At the time of writing many civilian investigators were ex-police officers.

Local Resolution²

Some complaints are of such a serious nature that independent oversight is vital³ to ensure that public confidence in the system is maintained. Most complaints are still, however, considered to be 'low level', in that they involve less serious allegations such as incivility, impoliteness or intolerance. In 2005/06 there were 40,384 allegations of wrongdoing made against the police; of these 46 per cent were locally resolved, 28 per cent were investigated, 14 per cent were dealt with by way of dispensation and 12 per cent were withdrawn (Gleeson and Dady 2006: v). Local Resolution (LR) is generally viewed as a means to resolve low-level complaints, gain 'user feedback' and engage in constructive engagement between the police and the public they serve. Local Resolution is the successor of informal resolution, a process that previously existed under the PCA. The PRA extended the scope of the process, and entrusted its oversight to the IPCC, as part of its duty to ensure that suitable arrangements were in place to deal with complaints made against both police officers and civilian police staff.

Similar to its predecessor, Local Resolution involves 'solving, explaining, clearing up or settling the matter with a complainant' (IPCC, 2005: 24) and it is used when a complaint is suitable for resolution at a local force/BCU level rather than being dealt with by officers from another force or by IPCC investigators. Local Resolution is intended to provide a proportionate and timely response to complaints at the less serious end of the spectrum. In theory, the Local Resolution process gives police officers the opportunity to explain and justify their actions and, if appropriate, to apologise for any wrongdoing. Complainants get a chance to air their feelings directly to the police, and so build up a better relationship based on mutual understanding.⁴

Once a complaint by a member of the public is recorded, the police force must decide if the alleged circumstances are such that it meets the criteria for an investigation, or an immediate referral to the IPCC or if it is suitable for Local Resolution. The complainant is not obliged to go through the Local Resolution process, and can instead opt for a formal investigation into their complaint. Fundamental to the voluntary nature of the process is the concept of 'informed consent', whereby the complainant must agree to Local Resolution on the basis of a full understanding of the process and possible outcomes. The IPCC (2005: 24) supports the increased use of Local Resolution on the basis that 'if handled confidently and professionally, this approach will have a positive impact on the views of people about policing in their area'.

² A diagram illustrating the Local Resolution process is provided in Appendix A.

³ Most independent investigations undertaken by the IPCC involve serious incidents, such as a death in custody, rather than a complaint.

⁴ See IPCC leaflet How to resolve your complaint locally (IPCC, 2005a)

Although the PRA made substantial changes to the overall governance of the police complaints system, it was left to the IPCC to establish the details of exactly how the new Local Resolution process would operate in practice. The IPCC Statutory Guidance (2005) states that in order for Local Resolution to work and to meet the needs of both complainants and officers, the police service needs to:

- Build complainants' confidence in the process
- Build particular communities' confidence in the process
- Use imaginative and innovative ways of settling complaints
- Build police confidence in the process
- Consider training needs

In meeting these needs the IPCC emphasises the need for forces to develop appropriate and innovative procedures and to deliver Local Resolution in a way that ensures the system is transparent and timely; that complainants have realistic expectations about what the process can and cannot deliver; and that forces learn lessons from each complaint.

When the new complaints system was being designed and implemented, three major reviews were published, all of which had recommendations relevant to the complaints system in general and to Local Resolution in particular. These were:

- The Morris Inquiry, examining aspects of employment in the Metropolitan Police Service (Morris, 2004)
- The Taylor Review, examining police disciplinary procedures and professional standards (Taylor, 2005)
- The Commission for Racial Equality's formal investigation into the police service in England and Wales (CRE, 2005).

The Morris Inquiry suggested that grievance procedures should be based on the Advisory, Conciliation and Arbitration Service's Code of Practice on Disciplinary and Grievance Procedures. This recommendation implied a shift from procedures designed to allocate blame to new mechanisms intended to resolve conflict. In similar vein, the Taylor Review proposed that the complaints system should be more 'citizen focussed', with the intention of improving complainant satisfaction and service delivery, and less focussed on the attribution of blame and responsibility. It recommended that all complaints should be resolved at the earliest opportunity at the lowest possible level (a recommendation also made by the CRE) and that mechanisms to achieve this should be improved. It also argued that more emphasis should be placed on the

individual development and improvement of officers and that a simplified and better-understood complaints process would result in better professional standards and an increase in public and police confidence in complaint outcomes.

These reports were published during the third phase of this study and, alongside the IPCC's Statutory Guidance, form an important backdrop to our examination of the new Local Resolution procedure introduced by the IPCC.

Trends in the use of Local Resolution

Between 1993 and 2003 (the final ten years of the old system), the use of informal resolution became increasingly widespread, and by its final year of operation (2003/04) it accounted for 35 per cent of all completed allegations against officers (Home Office, 2004). In 2005/06 Local Resolution accounted for 46 per cent of the 26,880 complaints recorded against police staff in England and Wales (Gleeson and Dady, 2006). Whilst the total number of complaints rose in 2005/06, investigated complaints (i.e. those undertaken by either police officers or IPCC investigators) fell both in number and in proportionate terms. There is considerable variation across police forces in the use of Local Resolution. Figures for 2005/06 ranged from 75 per cent to 26 per cent (Gleeson and Dady, 2006).

The study

This report forms the final part of a large-scale examination of the Local Resolution of police complaints. The first two phases of this study took place prior to the IPCC being established and focussed on informal resolution (Warburton et al., 2003). The third and final phase of this study began after the IPCC had been in operation for a year. Its objectives were twofold:

- To assess any changes to the organisational arrangements to deal with complaints that are suitable for Local Resolution (Herrington et al., 2007)
- To monitor new and existing innovative ideas for locally resolving complaints

This report deals exclusively with the second objective. We aimed to examine what impact these new ways of resolving complaints had on the satisfaction of both complainants and officers against whom complaints had been made. Two forces, Cleveland and West Mercia, took part in the research. In Cleveland our work examined the use of an officer information leaflet, which was designed to improve understanding of the Local Resolution process among officers. In West Mercia we examined the use of Divisional Liaison Officers (DLOs) who, at a local level, provided support and advice to officers resolving complaints and those subject to a

complaint. We also examined West Mercia’s use of information leaflets, intended to improve the understanding and satisfaction of complainants and officers with Local Resolution.

Methods

The first part of the final phase of the research involved a survey of the 43 police forces, 42 of whom completed it. As part of the survey we asked if forces would be interested in taking part in the second part of the final stage of the research (the focus of this report). Although a number of forces indicated an interest, the research was finally conducted in Cleveland and West Mercia, as these two forces had already developed or were in the process of developing ideas to improve the understanding and satisfaction of complainants and officers with the Local Resolution process.

Cleveland

At the time of our research the Professional Standards Department (PSD) in Cleveland was in the process of tasking a PSD Inspector to provide divisional officers with complaints training. We asked Cleveland if they would be interested in developing an information leaflet aimed at officers subject to a complaint suitable for Local Resolution. They agreed to develop this leaflet.

West Mercia

In each of the five divisions in West Mercia a DLO acts as a ‘local complaints expert’. This post was created to assist with the management of low-level complaints at a divisional level and to provide support to officers seeking to resolve complaints and for officers who are subject to a complaint. West Mercia Constabulary asked us to examine the role of the liaison officer and suggest ways to improve the post or, if necessary, alter its focus. We also examined the information leaflets they introduced.

To examine the impact of the information leaflet schemes in both forces we conducted a number of interviews before the leaflets were introduced and after their introduction. In total we interviewed 76 officers and 64 complainants. Table 1.1 outlines the stage at which the interviews were conducted by force area.

Table 1.1 Breakdown of number of interviews conducted at different stages by force area

	Complainants pre information leaflet	Officers pre information leaflet	Complainants post information leaflet	Officers post information leaflet
Cleveland	20	17	10	16
West Mercia	20	25	14	18
Total	40	42	24	34

In addition to the interviews with officers and complainants across the two forces we also interviewed:

- Six Professional Standards Department staff
- Eight divisional supervisors
- Four Divisional Liaison Officers

We also shadowed three liaison officers for a day each, focusing on how they organised their complaints work alongside their other priorities. We also discussed with each DLO how they viewed their role and what developments they thought could be initiated to improve the advice and service they delivered to complainants and officers.

Complainant and officer demographics

We interviewed 64 complainants (30 from Cleveland and 34 from West Mercia). . As Table 1.1 indicates, 40 interviews were conducted prior to the information leaflet being implemented and 24 were held after it had been introduced. Of those interviewed, 34 were female, 62 were White and two were from Black and minority ethnic backgrounds. The average age at interview was 42, with an age range from 18 to 75 Ten interviewees were unemployed at the time of the interview and four were claiming either incapacity or disability benefit. The remainder were either in paid employment, a student, retired, a carer or a parent.

We interviewed 76 police officers, (33 from Cleveland and 43 from West Mercia). Forty-two officers were interviewed prior to the information leaflet being implemented and 34 following its implementation. Fourteen officers were of a sergeant or inspector rank. The remainder were constables. Over two-thirds of the officer sample were White, with an average age at interview of 36 (ranging from 23 to 53 years) and an average of ten years working in the police service (ranging from one to 29 years).

Cleveland: an overview

Cleveland is a relatively small and compact police force. It has three ethnically diverse, densely populated urban areas and a number of smaller rural communities. The resident population comprises just over 553,000 people spread across four territorial policing districts. Heavy industry and petrochemical engineering dominate the local economy. Unemployment is over twice the national average at nine per cent, and the area suffers from multiple problems associated with social deprivation.

Since the Police Reform Act 2002 reforms came into operation recorded complaints in Cleveland have increased more sharply than average⁵. In 2005/06 there were 691 allegations made against police staff, 653 of which were made against police officers. In 2005/06 50 per cent of allegations were locally resolved. Although Cleveland had a 137 per cent increase in complaints since 2003/04, the force’s use of Local Resolution has only increased slightly. Table 1.2 provides a breakdown of completed complaints between 2003/04 and 2005/06.

Table 1.2 Complaint resolution in Cleveland in 2003/04 and 2005/06

	Investigated		Withdrawn		Dispensation		Local Resolution		Total
	N	%	N	%	N	%	N	%	
2003/04	45	14	37	12	76	25	151	49	309
2005/06	133	19	94	13	128	18	349	50	704

Source: Cleveland Professional Standards Department and IPCC, 2006.
Only completed complaints are shown.

West Mercia: an overview

West Mercia Constabulary polices the fourth largest geographical area in England and Wales, providing policing for 1.6 million residents. The area is diverse, ranging from the urban fringe of Birmingham to market towns and rural hamlets.

Between April 2004 and March 2005 West Mercia PSD recorded 717 complaints against police staff. In 2005/06 this figure rose to 796 (an 11 per cent rise), again in line with national trends.

Table 1.3 presents a breakdown of the number of recorded complaints in West Mercia and their final outcome in the year prior to the PRA reforms coming into operation. Although the number of investigated complaints increased during this time, the proportional use of Local Resolution also increased.

Table 1.3 Complaint resolution in West Mercia in 2003/04 and 2005/06

	Investigated		Withdrawn		Dispensation		Local Resolution		Total
	N	%	N	%	N	%	N	%	
2003/04	155	33	51	11	110	24	148	32	464
2005/06	260	26	134	14	70	7	520	53	984

Source: West Mercia Professional Standards Department and the IPCC, 2006.
Only completed complaints are shown.

⁵ In 2005/06 there was a 15 per cent increase across the 43 police forces in recorded complaints against police staff.

Limitations to the methodology

The research should be regarded as an account of two case studies, and generalisations to the police service as a whole cannot be made with any confidence. There are obviously important differences between forces in the way in which the complaints system is managed, and there are differences in approaches to innovation. A different picture may have emerged if different forces had volunteered to be researched. We should also stress that the case studies themselves draw on small samples of complainants and officers, and our findings are subject to sampling error.

Structure of the report

This report examines officers' and complainants' experiences of Local Resolution and the new ideas that have been implemented to improve the satisfaction of officers and complainants. Chapter 2 examines the understanding and expectations that officers and complainants have of Local Resolution. Chapter 3 focuses on the experience of the Local Resolution process, and officers' and complainants' satisfaction with it, while Chapters 4 and 5 describe new approaches to Local Resolution adopted by West Mercia and Cleveland. In Chapter 6 we present our conclusions and discuss the implications of our findings for the future of Local Resolution

Chapter Two: Complainant and Officer Understanding and Expectations of Local Resolution

Local Resolution's predecessor, Informal Resolution, was never particularly popular with either police officers or complainants. Research consistently found that operational police officers viewed Informal Resolution as unfair, neither officers nor complainants understood the purpose of Informal Resolution and neither expressed particular satisfaction with the final outcome of their complaint (see Maguire and Corbett, 1991; May et al., forthcoming). In the year prior to the launch of the IPCC we conducted interviews with 143 officers and 260 complainants about their experience of informal resolution (May et al., forthcoming). Our results, like previous research findings, showed that informal resolution was neither supported nor properly understood by either group.

In our interviews we found that officers' perceptions of Informal Resolution were negative and their understanding of the process was often based on misperceptions passed from one officer to another. Officers also had limited confidence in the process, failed to fully understand it and regarded most complaints as unfounded. Complainant satisfaction was equally low. In our interviews with complainants we found that as the Informal Resolution process progressed, complainant satisfaction levels declined. Overall, complainants expressed greater levels of satisfaction with the investigating officer and the way he/she conducted the Informal Resolution than with the end result. By the end of the process complainants often reported that their expectations had not been met, and that they were dissatisfied with the final outcome. Many judged the process as unfair, believing it was biased in favour of officers. Overall, complainants reported feeling let down by the process and ultimately distrustful of their local police force (May et al., forthcoming)

As part of the research we wanted to examine whether the move from Informal Resolution to Local Resolution had made any significant difference to the experiences of officers and complainants. For Local Resolution to be successful it needs to be perceived as different from Informal Resolution, supported by both complainants and officers and viewed as a fair and just system. If Local Resolution is to command support there must also be an understanding of what the process involves and what it aims to achieve. If complainants are unable to find the information they need or are dissuaded from complaining, the integrity and efficacy of the system is likely to be viewed with scepticism. Equally, if officers are left feeling powerless in the process and continue to wrongly believe that the majority of complainants are arrestees attempting to disrupt the criminal justice process, they too are unlikely to either engage with the

system in a meaningful way or believe that the system is one they can learn from. During the course of our interviews we wanted to find out:

- what knowledge and understanding our interviewees possessed about the system prior to complaining or receiving a complaint;
- what information they were provided with;
- if they had any worries about making a formal complaint or about having a complaint made against them; and
- what they expected the Local Resolution process to achieve for them.

Complainant understanding and awareness of the Local Resolution process

Understanding about and awareness of the complaint procedure is likely to have an impact on how satisfied a complainant is with the process. Previous research indicates that complainants generally have very limited awareness and understanding of their options when they first complain. For example, Hill et al (2003) found that 96 per cent of their complaint sample had never complained before, which mirrors the findings from Maguire and Corbett's (1991) study.

Of the 64 complainants interviewed in our study, only 13 had any previous experience of the complaints process. Seven of these had made one other complaint, six more than two complaints. Only one interviewee had made a complaint since the IPCC was introduced in April 2004.

Just over three-quarters of our interviewees said that their knowledge of the Local Resolution system was very limited prior to making their complaint. Six interviewees stated that, although scant, they did possess a working knowledge of the process. One interviewee described their knowledge as moderate and six were confident that they possessed a good understanding of Local Resolution and what it was intended to achieve. Of this group, one was a retired police officer, three had complained previously and one was a solicitor.

Information provided to complainants

If complainants are to make informed decisions about whether their complaint is best suited to Local Resolution it is important they are provided with information they understand. It is equally important they are aware of what the process can achieve for them and do not feel pressurised into accepting Local Resolution as the only means of resolving their complaint. Previous research (Maguire and Corbett, 1991) suggests that complainant understanding is often influenced by information given to them by the investigating officer.

We asked complainants if the options (formal investigation and Local Resolution) were fully explained to them so that they understood the difference between the two processes and what

each was designed for and intended to achieve. Almost two-thirds of interviewees said they had been made aware of the options and that these were explained to them. However, just over a third (22) stated that they were not aware of the differences between a local investigation and Local Resolution. Some complainants disclosed that Local Resolution was presented to them as their only option and were unaware their complaint could be dealt with in any other way. Once they had decided on Local Resolution, most complainants were happy with the explanation they were given, although 20 were less enthusiastic. When we asked complainants if they thought Local Resolution was the best course of action for them, over a third were either unsure or did not think it was, although by this point most had already agreed to Local Resolution and signed the accompanying paperwork.

Officer understanding and awareness of the Local Resolution process

Whilst most of our complainants were novices to the complaints system, almost all of our officers (n=76) knew about it and all but one had had experience of the previous system – informal resolution. On average officers had received five complaints throughout their careers. Even though all the officers we spoke to had experience of Local Resolution, only eight had received any formal training on Local Resolution since the inception of the IPCC.

During the interview we asked officers to explain their understanding of Local Resolution. In particular we were interested in their understanding of its purpose, when it is used, who conducts and finalises the process and what the process involves. Despite all the officers in the sample having experienced Local Resolution, almost a fifth were unable to provide any details about what the procedure entailed. Twenty-six were only able to provide partial details, and 17 believed that the purpose of Local Resolution was to establish who was in the right, as the following responses illustrate

“Don’t know why it’s used. If people complain then fair enough but most complaints shouldn’t be locally resolve[d]. The complaint is put on record and is against you. It’s about appeasing members of the public. It’s done by a sergeant.”

“It’s what the complainant wants to happen. The inspector speaks to us, but generally nothing happens. The police think it’s a waste of time as nothing happens to it.”

“Local Resolution is when nothing comes of it [the complaint], but officers are told there has been a complaint and are made aware of the complainant’s opinion.”

“I don’t really know. It’s never been explained to me. [police force] just tend to pay people off to shut them up.”

Just under half the sample (35) showed a better understanding of some parts of the procedure, as described by the officer below:

“It’s basically when the complainant is seen and spoken to. I’d [police officer] be seen. Then both parties are told what has been said. The complaint is acknowledged and advice is given if necessary. It’s resolved prior to going any further.”

Very few of the officers interviewed were able to give an accurate description of the process, few described it positively, and no officer described it as a legitimate means for encouraging the police to improve their service delivery. None of the officers described the process as one they could learn anything from. They were also confused about where Local Resolutions were recorded and held, even though this information is contained within the Statutory Guidance published by the IPCC. One officer thought that Local Resolutions were not recorded at all, 21 said they did not know what happened to the paperwork, two believed their area commander filed Local Resolutions and nine believed they were held on each officer’s personnel file⁶.

Information provided to officers

A central aim of the Local Resolution process is to enable officers to learn from their mistakes through a process designed to avoid the attribution of blame. Our research suggested that officers’ understanding of this aim is, however, limited and is perhaps the most fundamental barrier to the success of the process. During our interviews we asked officers what information they had been given on Local Resolution and if they had found it useful and/or informative. Over half did not recall having received any information about Local Resolution, few had received any formal training since Local Resolution had been introduced and only a quarter had received any information about the IPCC. Only one officer said his understanding of Local Resolution was shaped by the information he had been given about Local Resolution and the IPCC. Officers therefore were often reliant on their colleagues for information about Local Resolution and this was often negative and ill-informed. For example:

“I feel that I’ve been blamed, my point of view is disregarded against the complainant who is assumed to be in the right. You have no recourse against the outcome. You get the Local Resolution but no say in the matter.”

“I only found out about it when I got your letter [inviting the officer to participate in the research]. I don’t want my reputation dragged down for something I haven’t done.”

“I’m prepared to account for my actions but was not given the opportunity. The manner in which complaints are dealt with leaves a sour taste.”

“If used correctly it [Local Resolution] would be fine. It would be better if officers had more of an opportunity to defend themselves.”

⁶ Although forces differ, Local Resolution files are generally held by the Professional Standards Department.

Complainant and officer expectations of Local Resolution

Managing the expectations of complainants and officers about the Local Resolution process and what it can achieve is a challenging task. Research has consistently shown that both groups can have unrealistic expectations, which are often exacerbated by investigating officers providing both parties with inadequate explanations of what Local Resolution is and what it is there to achieve. Managing complainant and officer expectations is therefore often viewed as the key to improving levels of satisfaction with the process.

Complainant expectations of Local Resolution

Complainants were asked what they expected to achieve by making a formal complaint. Their responses are shown in Table 2.1 and these are very similar to those found in previous research (Hill et al., 2003; Brown, 1987; Maguire and Corbett, 1991; Waters and Brown, 2000). Complainants typically want an apology, the opportunity to express their feelings, or to stop a similar incident happening to someone else. Some complainants, as many officers in our research believed, are driven by a need for vindication. Brown (1987) found that wanting an officer to be punished was a motivating factor for half the complainants in his sample. Waters and Brown (2000) reported that 47 per cent of complainants disclosed similar motivations. Studies which examined Local Resolution's predecessor – informal resolution – reported fewer incidents of complainants being driven by the desire to see an officer punished. For example, Hill et al's (2003) study found that 19 per cent of complainants wanted an officer punished. In our complainant sample, just under a third (20) wanted an officer reprimanded or punished and four were seeking compensation.

Table 2.1 Complainant expectations of the Local Resolution process

Type of expectation	N=64
Wanted an apology	35
Wanted to stop it happening to someone else	35
Wanted the officer reprimanded or punished	20
Wanted to express how upset I felt	13
Wanted an explanation	12
Wanted to express my anger	9
Wanted a better police response/action	8
Wanted it proved I was telling the truth	8
Wanted officer advised/trained	6
Wanted compensation	4
Wanted to be treated with respect and/or an acknowledgement that the officer had failed in his/her duty	3
Wanted criminal charges dropped	3
Wanted police to leave me alone	2

Note: Complainants could specify more than one expectation.

Officer expectations of Local Resolution

Whilst complainants' expectations often related to the outcome of the complaint, officer expectations were frequently concerned with the actual Local Resolution process. Officers were often more negative than complainants about Local Resolution and often perceived the system to be unfair and the process biased in favour of complainants. Table 2.2 outlines officer expectations of the Local Resolution process. Although many of the comments made by officers illustrated a mistrust of the process and a lack of understanding about its purposes, many were also realistic.

Table 2.2 Officer expectations of the Local Resolution process

Type of expectation	N=76
Fair and objective process	19
No expectations	14
To be listened to	10
Don't know/not answered	10
To be complainant driven	9
To be kept informed	8
For the complaint to not be recorded	6
To be exonerated of any blame	6
To be treated equally	3
To have complaint investigated	2
Dealt with by an independent officer	2
To meet with complainant/give complainant explanation	2
For it to just be resolved	1

Note: Officers could specify more than one expectation.

Concerns about the Local Resolution complaints process

Complainants and officers were asked if they had any worries about the complaint they had made or had recorded about them. We wanted to establish if, by identifying their worries, we could suggest possible solutions that force PSDs, the IPCC and ACPO could take account of when planning and designing any future guidance documents.

Complainant concerns

Complainants who described their knowledge of Local Resolution as 'considerable' did not disclose worries about the implications of making a complaint. Twenty-eight of the 64 complainants we interviewed did, however, express worries. The majority thought that by complaining they might single themselves out for retaliation or reprisal or that the police would close ranks and find that their complaint had no substance. For example:

“A lot of people advised me not to do it because of repercussions. But if no-one complains then everyone thinks they’re doing a top notch job and they aren’t always.”

“I thought I might have got a little bit of harassment. I don’t know why, I just thought I might get a little bit of comeback.”

Other respondents were concerned that their complaint might cause undue trouble for the officer. Some complainants were also concerned that their complaint would be wasting valuable police resources:

“I thought carefully and did not want to cause the lad a lot of trouble because it was not all his fault - it was training.”

“My concerns were they [the police] have lots to do without having to deal with complaints. I was worried about wasting their time. He should have been better trained, the sergeant, and known the law.”

Officer concerns

Almost two-thirds of officers (49) expressed worries about the complaint that had been made against them. For 18 officers these worries included a feeling that even though the complaint was unfounded they would still be treated as if the complainant was in the right and they were in the wrong. This concern highlights both the lack of understanding amongst many of our interviewees about the purpose of Local Resolution, and a belief that most complaints have no basis. In 11 cases officers felt that the complaint they were subject to had arisen because a member of the public had not understood that the officer was simply doing his/her job and enforcing the law. There was a sense amongst our police sample that minor complaints would be recorded and locally resolved regardless of the merits of the case. For example, one officer described an incident where he was answering an emergency call with his siren operating and his blue lights flashing. However, a member of the public complained because they believed the officer was driving too fast.

Other officers stated that they were worried that the complaint would affect their professional reputation or their job. Although understandable, this is a largely unfounded concern as the Local Resolution process is intended to be a process that officers learn from, not one that allocates blame and admonishment. The only circumstances in which locally resolved complaints might lead to closer scrutiny of an officer’s conduct are where he or she receives three or more such complaints in a twelve-month period. In such cases most forces review an officer’s complaints profile with a view to providing additional training or words of advice. Other officers were worried about the process as they had no idea they had been complained about

until they were told it had been locally resolved and were asked to sign the Local Resolution form. The following comments illustrate these concerns:

“I take pride in what I do and I do the best I can. I was a bit disillusioned about the fact she’d thought I’d been unfair when I hadn’t. No-one likes being complained about.”

“I was quite cross because the first I heard of it was when it had been resolved.”

“I had no worries about what I had done; however, I was concerned about whether I was going to be made a scapegoat.”

“[I was worried] because I hadn’t done anything wrong. However I was apprehensive to start with but I reassured myself that I had done nothing wrong. I was kind of annoyed as well. I took advice from a senior officer, who said, ‘Don’t put much in your statement because you can expand later.’ I was a bit annoyed because I would have liked to have put more detail in my statement.”

In summary

- Just over three-quarters of the complainant sample stated that their knowledge of the Local Resolution system was very limited prior to making their complaint.
- Almost two-thirds of complainants said they had been made aware of the various options open to them to resolve their complaint and that these were explained to them. However, just over a third stated that they were unaware of the difference between a local investigation and Local Resolution.
- Only eight officers in our sample (n=76) had received any formal training on Local Resolution since the inception of the IPCC.
- Despite all 76 officers having prior experience of the complaints process (either informal or Local Resolution), almost a fifth were unable to provide any details about what the procedure entailed. Twenty-six were able to provide only partial details and 17 believed that the purpose of Local Resolution was to establish who was in the right.
- Few officers described Local Resolution positively and no officer described it as a legitimate means for encouraging the police to improve their service delivery. In addition, no officers described the process as one they could learn from.
- Many complainants wanted an apology, or the opportunity to express their annoyance, or complained in order to prevent a similar incident happening to someone else.
- Officers’ opinions were often negative, reflecting a belief that the system is unfair and the process biased in favour of complainants.

Chapter Three: The Experience of Local Resolution

One of the challenges for PSDs and the IPCC is to establish a Local Resolution process that is perceived as fair and equitable by both officers and complainants. In any complaints process, where one party highlights their dissatisfaction with another, it is inevitable that striking a balance will be difficult. The police complaints process is no different. During our interviews we asked a number of questions about officers' and complainants' perceptions of the complaints process. In particular we enquired about their confidence in the investigating officer, their satisfaction with the time it took to resolve the complaint and their satisfaction with the final outcome. Finally, we examined the differences in the levels of satisfaction of those officers and complainants who stated they were very satisfied with the process and the end result, and those who were very dissatisfied.

Complainant and officer perceptions of the investigating officer

A complainant's first impression of the complaints process is very important. Early impressions will often frame how a complainant views the process and can often be the difference between a satisfied complainant and a disgruntled one. Officer perceptions of how investigating officers (IOs) collect information about the complaint, and the value they place on keeping the officer informed, affect how officers view the complaints process. We asked all interviewees about their initial contact with the IO. In particular we asked how well informed they felt they were kept by the IO, their satisfaction with the length of time it took to resolve the complaint and their general satisfaction with the IO. In particular we wanted to know if the experience of making a complaint was an easy stress-free process or whether it was fraught with difficulty and unnecessary obstacles.

The initial response

Over half of our 64 complainants expressed high levels of satisfaction with the initial response they received from the police (prior to any paperwork being completed), although 14 said that they were very dissatisfied with the initial response. Once recorded, just over half the sample (35) stated that they believed their complaint would be dealt with fairly by the IO. However, 27 complainants were unconvinced that the system would be fair and unbiased. The following quotes illustrate variations in satisfaction with the initial response from the IO:

"The response was very good. They were very understanding, they were aware of the need to act and investigate further. The response was timely too."

“The letter [that I sent] was acknowledged and an inspector called round. I was in bed after nights and he was going on holiday so he sent a sergeant over. The sergeant who came was the sergeant of the PC who I’d complained about. Someone independent should have come to see me, they’re just looking after their own. What’s the point?”

Like complainants, many (44) but by no means all officers were confident that the complaint would be dealt with fairly, and half (38) the officers we interviewed also stated that they were either ‘fairly’ or ‘very’ confident that the Local Resolution process would be an impartial one.

We asked both complainants and officers if they were happy with the way the investigating officer had collected the information about their complaint. Almost two-thirds of complainants (42) stated that they were, although 23 were either unsure or were unhappy. More than two-thirds (44) also believed that their version of events was accepted by the IO. Officer satisfaction was also particularly high when discussing how the IO collected information about the complaint that had been made against them, and whether they thought their version of events was accepted as an accurate reflection of the situation. Fifty-one officers were happy with the way in which the information was collected and slightly more (56) thought the IO accepted their account of the event that led to the complaint.

Being kept informed

In Chapter 2 we outlined the importance both officers and complainants placed on being kept informed about the progress of their complaint. More complainants were unhappy than happy with the amount of communication they had had with the investigating officer. Many officers were similarly dissatisfied. Almost half said they had been ‘not very well’ or ‘very badly’ informed throughout the process. Just over half (36/66) said they were happy with the level of communication between themselves and the IO.

The time taken to resolve the complaint

The IPCC’s Statutory Guidance encourages forces to resolve complaints within, on average, 28 days. Both the IPCC and force PSDs appreciate that if a complainant becomes involved in a long drawn-out process it is likely to adversely affect their overall satisfaction with the handling of their complaint. Nearly half (31) of the complainants in our study said that their complaint had been resolved within 28 days. A small number of cases took months to resolve; one possible reason for this may be that some of these complaints were related to criminal proceedings that were sub judice (before a court) and therefore not resolved until the criminal justice process had taken place. We asked complainants if the time it took to finalise their complaint was reasonable. Almost two-thirds (40) were satisfied with the timescales. Officers were also generally satisfied

that their complaint had been concluded within a reasonable time. Almost two-thirds stated that the time it took to resolve their complaint was 'about right' or 'relatively quick'. However, just over a quarter of the officers we interviewed voiced frustration that a minor complaint that did not necessitate a protracted or complicated investigation had, in their opinion, taken far too long to resolve.

Satisfaction with the investigating officer

We asked officers and complainants about their overall satisfaction with the IO and how they had managed their complaint. Despite the dissatisfaction expressed about being kept informed, complainants and officers both expressed considerable overall satisfaction with the IO, as Figures 3.1 and 3.2 show.

Figure 3.1 Complainant satisfaction with the investigating officer (n=64)

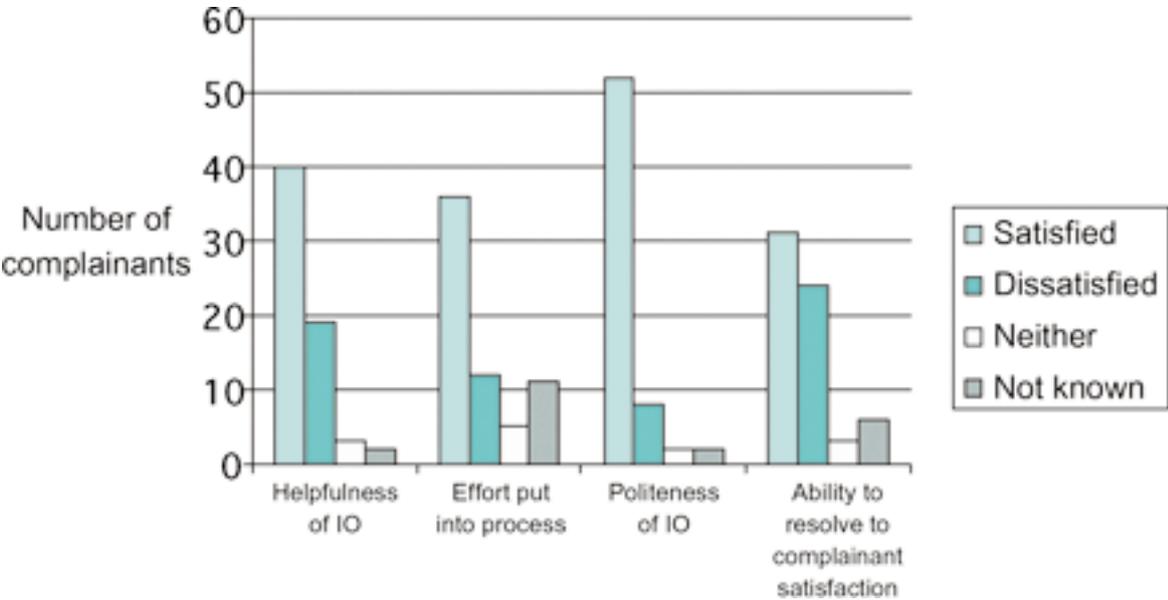
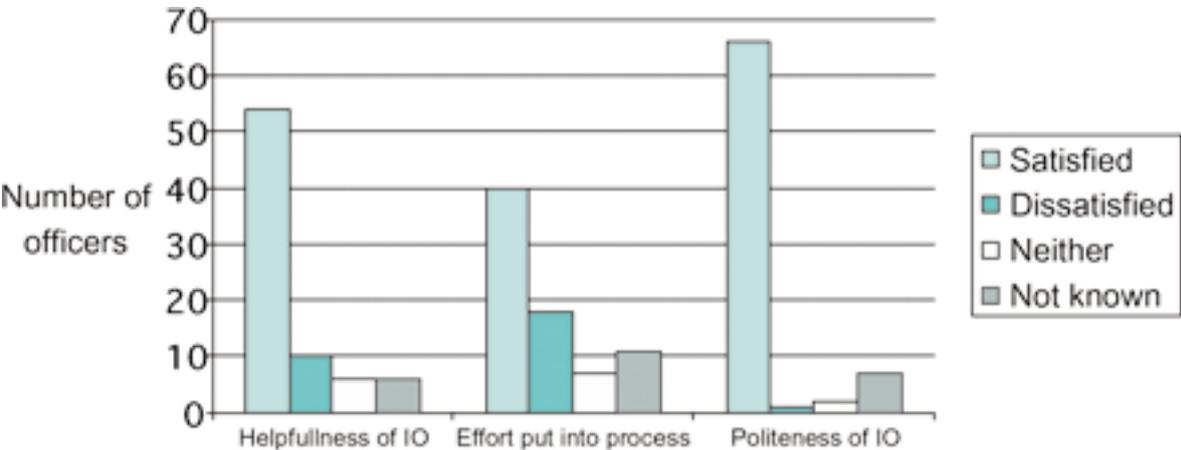


Figure 3.2 Officer satisfaction with the investigating officer (n=76)



The complaint outcome

Finalising a complaint suitable for Local Resolution can be done in a number of ways. Approaches that are available include:

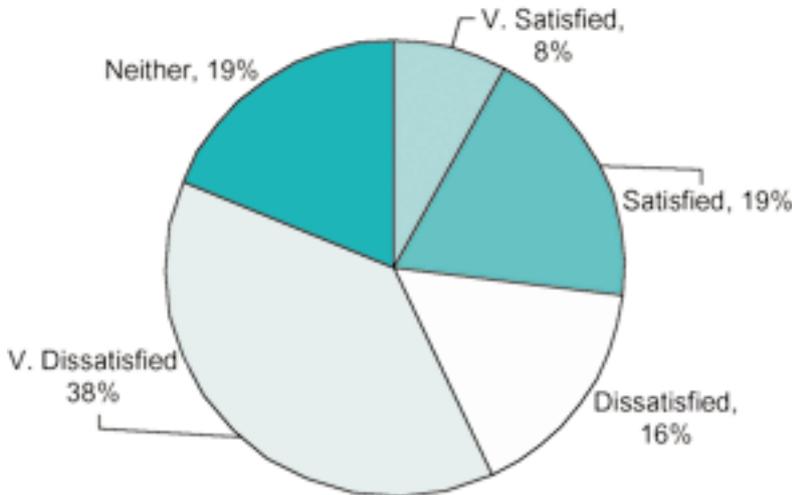
- The officer offering an apology to the complainant
- The force offering an apology to the complainant
- An explanation being offered but no apology given
- Compensation being offered; and
- The officer and complainant attending a mediation meeting.

The way in which the final outcome of a complaint is communicated can obviously shape both complainants' and officers' views about the transparency and fairness of the process.

Officer knowledge of and satisfaction with the final outcome

Almost half the officers we interviewed (35) were unaware how their complaint had been finalised. They had not been informed about whether the investigating officer had offered a force apology, or an explanation to the complainant, or even visited or phoned the complainant. Of the 41 officers who knew how their complaint had been finalised only one stated that he had apologised and another had requested that the IO apologise on his behalf to the complainant. Three officers were told that their force had apologised to the complainant and 27 stated that they thought the complainant had been provided with an explanation, but no apology. Of the 35 officers who were unaware how their complaint had been finalised the majority (29) thought they should have been informed. Of the six who did not feel they should have been informed, three felt that it was unimportant whether the IO informed them or not and three were unconcerned about the final outcome. Figure 3.3 illustrates officer satisfaction with the final outcome of the 75 officers who answered the question.

Figure 3.3 Officer satisfaction with the final outcome (n=75)



Of the 41 officers that were aware of the final outcome of their complaint, 13 were either 'satisfied' or 'very satisfied' with the end result, as highlighted by the officer below:

"The way I spoke to him I was in the wrong, so I was pleased I could phone him up and apologise."

Of the 35 that had not been informed about the final outcome only seven expressed any satisfaction with the end result. In our view, it seems highly likely that failure to keep officers informed about the outcome contributes to dissatisfaction. A slightly larger proportion of officers in West Mercia voiced dissatisfaction with the end result than those in Cleveland. Some illustrative quotes are below:

"I wrote to PSD asking, 'Why aren't we taking action against people who deliberately make false and malicious allegations against police officers?' – which happened in this case. I was angry that another complaint was recorded against me when I hadn't done anything wrong. I just wonder whether it's because it's the cheaper option."

"I don't agree with the process. It's a paper exercise, which doesn't do anything – it's to make members of the public feel better, that's what it is. It's also been recorded in my personal record, which I can't see a reason for when it's not substantiated."

"There is not one police officer who likes Local Resolution. It leaves the complainant thinking they have got one over on the officer and the officer has no redress and no say. Just told that is how it will be resolved."

Officers' perceptions of the impartiality of Local Resolution

Officers were split about the impartiality of the Local Resolution process. Thirty-seven thought the process lacked impartiality, whilst 38 thought it was either 'fairly' (28) or 'completely' (10) impartial. One was undecided. We asked officers whether they had more or less faith in the complaints process now that their complaint had been locally resolved. Of the 76 officers, 40 said that their faith in the system had diminished. Fourteen said that their faith in the complaints process had improved and that they saw it as an effective means by which to handle low-level complaints. A further 22 stated that their faith remained unchanged.

Complainant knowledge of and satisfaction with the final outcome

Unlike officers, most complainants were aware of how their complaint had been finalised. Although 35 complainants wanted an apology from the officer they had complained about, only four actually received one. However, 19 complainants received an apology from either the IO on behalf of the officer (5) or a force apology (14). Those complainants who received a force apology were aware that it was not the officer who had apologised, and tended as a consequence to be dissatisfied with the apology they did receive.

Eighteen complainants said they received an explanation but no apology from the IO. The remainder were unclear about the outcome of their complaint. Six interviewees had no idea how their complaint had been finalised. Four said they had been given a letter but no explanation. Two were unaware that their complaint had actually been finalised until they received a letter from the ICPR inviting them to take part in the research. Two others were told that their complaint had been 'locally resolved', and a further four were told simply that the officer had been spoken to. Finally, one complainant had taken part in a mediation meeting, and another had received compensation, but no explanation or apology.

Forty-four complainants said they had received a letter from the force stating that their complaint had been finalised. Some complainants retained their letter and showed us copies. Below is an example which we were given, drawn from the less impressive end of the spectrum:

Dear Mr

Further to my telephone message in relation to the complaint you spoke to me about on 6th January 2006. I can confirm I have identified the officer who spoke with you, and I have obtained an explanation from him. Furthermore as agreed with you I have looked at any development issues and resolved this at a local level. This as discussed the Local Resolution.

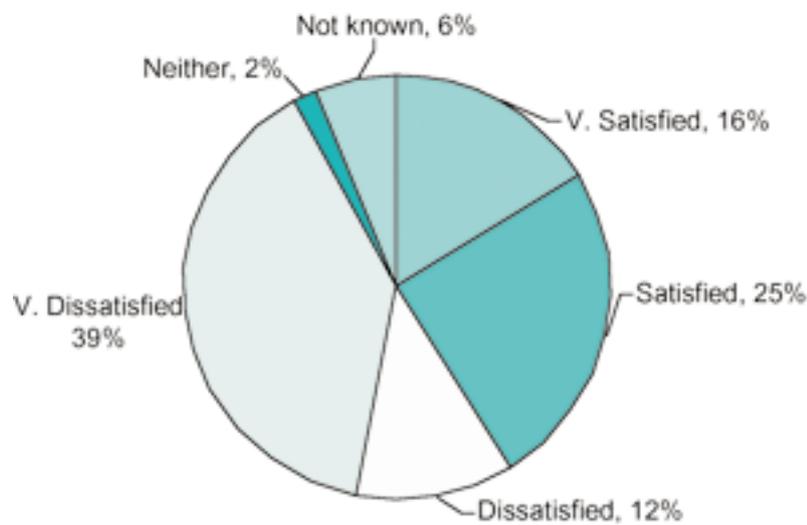
Should you wish to discuss this matter any further, please do not hesitate contacting me.

I thank you for giving me the opportunity to resolve this matter for you.

The complainant who provided us with the letter was unaware what action had been taken against the officer, and would have liked to have been provided with an explanation. The complainant was particularly unhappy that the letter was badly written and appeared to have had no thought put into it. In short the complainant considered the letter both uninformative and unprofessional.

We asked complainants if they were satisfied with the outcome of their complaint. Figure 3.4 highlights complainant satisfaction with the final outcome of their complaint.

Figure 3.4 Complainant satisfaction with the final outcome



By the end of the process, more complainants were dissatisfied than were satisfied. Over a third stated that they wished they had asked for a full investigation rather than a Local Resolution. The following quotes illustrate responses:

"[I was satisfied] because everything I asked for was answered without complication and was very easy to understand. They dealt with me compassionately. I was satisfied because the officer was spoken to. The apology was nice and probably nicer because I didn't ask for it."

"I didn't get an apology. I've had him in this house. He stood here and never said a word to me."

"We complained and that was what we wanted to do but his inspector shouldn't have dealt with it."

"I haven't received anything from the police. The officer didn't receive anything other than a slapped hand. I felt quite hard done by. The police are in a position of trust and I felt I couldn't trust them. I also didn't receive an apology."

In summary

- We interviewed 64 complainants, over half expressed high levels of satisfaction with the *initial* response they received from the police.
- Just over half the sample of complainants believed their complaint would be dealt with fairly by the investigating officer.
- Like complainants, officers were fairly confident that once a complaint had been made it would be dealt with fairly.
- Both officers and complainants believed their version of events was accepted by the investigating officer.
- Although regular updates were considered important, both complainants and officers were unhappy with the amount of contact they had with the investigating officer throughout the process.
- Complainants and officers were both satisfied that their complaint was resolved in a timely manner.
- More than half of both officers and complainants were either dissatisfied or very dissatisfied with the *final* outcome, with slightly more dissatisfaction voiced by complainants.
- On reaching the end of the process a greater number of complainants were dissatisfied with the end result than were satisfied. Over a third stated that they wished they had asked for a full investigation rather than a Local Resolution.
- Only four complainants received an apology from the officer they had complained about.
- Almost half the officers interviewed were unaware how their complaint had been finalised.
- Just over half the officers interviewed stated that their faith in the system had diminished since experiencing the Local Resolution process.

Chapter Four: Examining the Role of the Divisional Liaison Officer

West Mercia Constabulary is divided into five divisions each of which has a Divisional Liaison Officer (DLO). Prior to the introduction of the DLO posts PSD officers often found themselves spending a disproportionate amount of time travelling between complainants and officers. To remedy this situation the PSD introduced the DLO position. The posts were created to help West Mercia PSD manage low-level complaints and to act as a point of reference for officers resolving complaints and officers subject to a complaint. Each DLO (who is an inspector) is responsible for the administration and coordination of locally resolved complaints on their division. The DLO also has other operational and administrative responsibilities. This chapter examines the work of the DLOs, the training they received, the training they provide, and the benefits and limitations of their role.

The research focussed on three of the five post-holders in West Mercia. These officers were shadowed for a day and interviewed. In addition we interviewed 14 divisional officers involved in resolving complaints and staff from the PSD. We also asked the 43 officers we interviewed who had been subject to a complaint a range of questions about their understanding and effectiveness of the DLO post.

The work of Divisional Liaison Officers

The work of each DLO can be grouped into three main areas:

- Providing support and advice to officers resolving complaints
- Providing support and advice to officers subject to a complaint
- Managing Local Resolution at a divisional level.

DLOs are expected to disseminate PSD policies on models of best practice for conducting Local Resolutions alongside any other information relevant to Local Resolution. To minimise the workload of PSD officers, each DLO is expected to ensure that, wherever appropriate, an attempt at Local Resolution is made and that the number of complaints referred to the PSD for a full investigation is kept to a minimum. DLOs are also expected to take responsibility for any further attempts at Local Resolution if the initial attempt has failed, but where PSD officers still believe it is the most appropriate course of action.

DLOs were considered by both PSD staff and their divisional colleagues as the officers who provided complaints expertise. Providing support to supervisors and officers subject to a complaint was seen to be one of the DLOs' main responsibilities. During our time with each DLO we observed sergeants and inspectors approach them to discuss a number of issues. These ranged from asking a DLO to assess the suitability of a complaint for Local Resolution to informally advising the DLO how they had resolved a particular complaint. For supervisors this point of contact appeared to be welcomed and was described as invaluable. One DLO commented that often their role is simply to reassure sergeants or inspectors that the approach they had adopted was the right one, as one officer commented:

"It's handy having someone to go to for advice that's used to dealing with PSD."

Views from officers of the DLO role

Of the 43 officers we interviewed in West Mercia just over half were aware of the DLO role, although there was variation in officers' understanding of the post. Most understood that the DLO was the divisional complaints officer; others viewed the post as acting as the bridge between the complainant and the police service or between the division and the PSD. Some officers saw the DLO as the gatekeeper of Local Resolution at a divisional level. Five officers specifically mentioned that the role involved providing advice to divisional officers. Below are various responses from officers when asked about their understanding of the DLO role:

"[DLO is the] single point of contact, he's the link to PSD. He's the administrator of process."

"The DLO has knowledge of the complaints system; he's there for advice for supervising officers."

"He's the middle man between the job [the police] and the complainant. He liaises to get the complaint boshed, ASAP if possible."

"He's the gatekeeper between divisional officers and PSD. He should expedite the complaints process."

Although most officers were aware of the DLO role, only 11 had had any contact with the officer in his or her capacity as divisional complaints guardian. Two officers specifically said they would not go to the DLO if they were worried about a complaint, and that they would be most likely to ask for help from their Police Federation representative or their shift supervisor.

The DLO role

Although the DLOs viewed their role as one of managing the Local Resolution process, they saw their task as essentially an administrative one. For the DLOs we observed and interviewed a recurring theme was that of time. Finding the time to dedicate to the role was perceived as a problem by all the DLOs. In particular they all viewed the administrative burden of the post as the main barrier to being more effective. Some of the administrative tasks undertaken by the DLOs are outlined below:

- Allocating resolving complaints to named supervisors
- Ensuring all Local Resolutions are dealt with as soon as practicable
- Correspondence with complainants
- Returning paperwork on resolved complaints to the PSD
- Referring complaints not suitable for Local Resolution that have been recorded on division
- Referring to the PSD the paperwork of complainants requesting an investigation
- Collating monthly statistical reports on Local Resolution
- Managing the Local Resolution database.

In the three divisions the time DLOs allocated to dealing with complaints varied largely according to their other commitments. In two divisions DLOs said about a fifth of their time involved complaints. In the third the DLO said that he was lucky to be able to commit one day in ten to his complaint duties:

“Until recently I was working as a shift inspector covering 24/7. Instead of nights I was given two discretionary days to do with what I liked. Theoretically I could dedicate these to complaints; however, I was being used to cover for the response inspector when they were sick or wanted time off, so in reality I was getting one day in ten to deal with complaints, if I was lucky.”

Towards the end of the fieldwork this particular DLO’s duties changed. His new position allowed him to devote more time to his role as a neighbourhood policing team inspector. The officer envisaged that this would also allow him more time to deal with complaints. Having enough time for their complaint role was a concern for all three DLOs. One believed that his responsibilities amounted to three full-time positions, plus additional ‘bolt-ons’ and outlined his portfolio of responsibilities, which included:

- Performance management and facilitator of interagency and interdepartmental cooperation (including information sharing)
- Command Team Support (responsibility for the introduction of new policies and processes)
- Night shift cover
- Management of 50 special constables
- Line management of the duties team (incorporating one sergeant and 13 PCs)
- Management of the front counter staff (incorporating one team leader, five police staff and two police officers)
- Management of the local public service desk team (with 20 civilian staff and one sergeant).

This officer commented that his additional duties had increased significantly in the previous 12 months which meant he had less and less time to dedicate to his complaints work. The amount of work this DLO was expected to undertake was similar to the other DLOs. One of the DLOs we interviewed also held the diversity and integrity portfolio for their division, which in addition to the complaints management role involved:

- Monitoring of ethnicity recording
- Organising mentoring
- Preparing newsletters, articles and policy papers around diversity issues
- Arranging and attending diversity awareness events
- Duty cover
- Personal development requirements, including Senior Management Team awareness days and work groups; and attendance at a conference of senior police women.

The DLOs also had other responsibilities which were unrelated to Local Resolution. These included:

- Management of Regulation 9 notices⁷
- The administration of direction and control complaints⁸
- Management of the direction and control database.

⁷ Regulation 9 notices are served on officers subject to a formal investigation by a PSD.

⁸ Direction and control complaints are complaints made against a police force as opposed to an individual officer. They involve force policies and procedures.

Whilst all of the DLOs were positive about their role and recognised the importance of recording complaints and the value of Local Resolution, there was a degree of criticism about Local Resolution and the wider complaints process as a whole. For example:

“Local Resolution currently is a con: It is not independent, the police are frightened to stand up and say, ‘No, that is not a complaint’, which means it is not representing the organisation effectively...There is no common sense in the Local Resolution system and the IPCC believe there is no such thing as a malicious complaint.”

“The police don’t have any choice in the complaints system – perhaps because they’re fearful of being accused of being neglectful of duty. As such complaints that aren’t even complaints make it through. I would like to have the discretion to be able to turn around to complainants and say, ‘I hear what you are saying but I am not going to record that as a complaint’.”

“I subscribe to the idea that there are sad, mad, bad and glad complaints. Some are very sad; for example we have a woman who lost her husband in a car accident and writes complaints to the police that they didn’t investigate it properly because they didn’t assign blame to anyone else but her husband, the driver of the car. Some are mad because the individual making the complaint is mad as a bag of badgers. We have a complainant that has made three complaints against police that are utter rubbish. In one instance he walked into a store and stood there. When asked to leave he refused and then said, ‘Is it because I’m black?’ The police were called to remove him and he complained about it. The bad complaints are generally tactical and/or malicious. They are designed to get the police to drop charges or to get back at an officer. The glad complaints are the ones I’m happy to receive – where officers have behaved inappropriately and need to be reprimanded.”

Whilst some of the comments from the officers are valid, it would appear that the DLO officers are as confused as operational officers about malicious complaints. The legislation allows individual forces to apply for dispensation from the IPCC where they believe a complaint is vexatious, oppressive or an abuse. It is important that officers who are offering advice are up-to-date with the legislation as they are a vital source of information for divisional officers and supervisors.

Training

To be an effective DLO, officers must be adequately trained and feel confident that the advice they give is based on a comprehensive understanding of all available options. Training for two of the DLOs had involved a one-day course on restorative conferencing, but nothing specifically

on Local Resolution. One DLO commented that he had not received any specific training since the inception of the IPCC but had been encouraged to develop the role as he saw fit:

“At the start a lot of it was done on the hoof because the IPCC guidelines kept changing on an almost weekly basis! There was a certain amount of local interpretation and direction from HQ. It felt like a collective meeting of minds. At the start there was also a commitment from the [divisional] Chief Superintendent to allow me to grow into the DLO role.”

Another DLO had spent half a day with her predecessor and half a day with PSD staff. All of the DLOs acknowledged that training was important and that there should be more formal training on Local Resolution, not only for supervisors but also for operational officers. At the time of writing this was not available. PSD staff also acknowledged the importance of training, but said it was difficult to find the time to schedule it in.

Part of the DLO role was to assist in the provision of training in Local Resolution for sergeants and inspectors. However, in the three divisions we examined, the opportunity to provide training was limited. One DLO commented that the only training he was able to provide was to make documents on Local Resolution available to officers. He doubted that this literature was read due to the amount of email learning officers are expected to digest and the perceived lack of importance of Local Resolution. In another division, however, the DLO had provided officers with a short workshop/presentation, and was committed to providing all new sergeants and inspectors with training on the Local Resolution process.

Only seven of the 43 officers we interviewed recalled receiving any training on Local Resolution since April 2004. Given the limited training available to divisional supervisors and operational officers, it is important that DLOs are available to offer informal guidance. If a divisional sergeant or inspector is confident in their ability to resolve complaints it is likely the service they provide to both officers and complainants will improve. In all the divisions we visited, supervisors commented that if they wanted advice they would call or visit their DLO. This availability of a local officer with a complaints expertise was seen as invaluable by all interviewees. All of the DLOs recognised the skills demanded by the DLO job. For example:

“Local Resolution requires a big investment of time and the organisation needs to consider employing a local officer who does nothing else – but they will need to make the role attractive. The problem is that they [PSD] have made it [the DLO role] local and devolved it. The skills have been diluted as a result. They can try and improve this with training but it all takes time.”

The advantages and drawbacks of Divisional Liaison Officers

We asked the DLOs, PSD staff and the 43 officers about the advantages and drawbacks associated with the DLO post, and how they thought the DLO role could be improved.

Advantages associated with the DLO post

The DLO role was valued in a number of ways. In particular officer interviewees recognised the benefits of having an independent officer rather than a shift supervisor resolving complaints. One interviewee described the damage done to his working relationship with his supervisor when the latter resolved a complaint made against him:

“It shouldn’t be your line manager that gives it [Local Resolution] to you. It has damaged the relationship between myself and my line manager. I feel betrayed. Perhaps PSD or division should do it. PSD need to be within touching distance though. They hide in locked rooms in HQ because officers don’t like them. They need to come out and sell themselves. They should tell officers how not to get in the shit rather than wait there with goal-keeping gloves to catch coppers.”

Other benefits of the DLO post highlighted by officers included:

- DLOs minimising the workload of PSD officers
- Local experts for officers to seek advice from
- Training divisional supervisors to be more effective at resolving complaints
- Providing a prompt and efficient service to complainants
- Providing divisional commanders with local performance information on complaints.

Drawbacks associated with the DLO post

DLOs and PSD staff all acknowledged that for the DLO post to have a greater impact on other divisional officers, administrative support was essential. The DLOs said their ability to provide training and advice was hampered due to the administrative work attached to the post. The provision of a full-time administrator and the creation of one database to record complaints were seen as essential. For example:

“More time is needed for the DLO role, especially for the administration side of the work. It would be good if there was a central divisional Local Resolution database so that if complaints come in to HQ they can input them onto the database and then send them to division for Local Resolution. At the moment there are five divisions and five different Local Resolution databases, none of which are accessible by HQ. It would be good if a central Local Resolution database was created at the same time as a direction and control database.”

“The DLO role should be a bit more hands on. All the DLO role is at the moment is administration – and a civilian can do that. It is useful having supervisors doing Local Resolutions who aren’t team or shift leaders, because they are less likely to protect their own. There is a need for officers conducting Local Resolutions to be independent from the team but still locally based. Complainants pick up on this.”

Whilst a full-time administrator was viewed as essential by the DLOs, it is an issue that should be given careful consideration by any force thinking about implementing a such a post, in particular because of the resource implications.

Each DLO mentioned that the current arrangement for recording complaints was cumbersome and needed to be simplified if their role as divisional complaints manager was to be more effective. In each division the liaison officer managed and maintained a database for complaints. Unfortunately each division had a different system to record complaints which was unable to be accessed by the PSD. Two of the divisions recorded complaints on an Excel spreadsheet and the third division used an Access Database. DLOs assigned each complaint with a divisional code, entered the details of the complaint on their database and then forwarded the documentation to the PSD where it was then recorded centrally. Complaints sent to the PSD were assigned another unique identifier and re-entered onto the PSD database. The PSD are unable to access DLO databases and vice versa. A number of interviewees commented that the use of different coding systems and the lack of a shared database had led to administrative confusion between divisions and headquarters when complaint files were closed. The three DLOs we interviewed and PSD staff all believed that if one system was put in place that all DLOs and PSD staff could access, tracking complaints would be easier and confusion would be minimised.

There is a final potential drawback associated with the DLO post which was put to us not by officers in the research sites but by senior officers in other forces who had decided against instituting DLO advice posts. It is the argument that is often made against the creation of specialist posts of any sort, that generalist officers can be de-skilled if they are stripped of too many of their roles and responsibilities. In relation to DLOs, the argument would run that shift inspectors should shoulder primary responsibility for handling Local Resolution, as a central aspect of personnel management. Removing this responsibility from them would signal that maintaining positive ‘customer relations’ is no longer a core role for them. This is a hard argument to evaluate, and not one which the research can directly address. We would find it more persuasive, however, if current arrangements were proving more successful in resolving low-level complaints to the satisfaction of all parties. We would also stress that the DLO role in West Mercia was envisaged as training and supporting divisional staff in the handling of Local Resolution, and not as taking over this function from them.

In summary

Our assessment of the DLO role is that this is a promising innovation. If properly developed, it could result in a Local Resolution process that commands greater confidence amongst both complainants and officers. However, assigning the role to a divisional middle manager carries a price. For DLOs to be able to provide the advice, training and independence that are obviously valued by PSD staff and operational officers, the position needs proper resourcing, training and support. If forces are considering developing such a post, it is essential that the administrative requirements of the post and any accompanying resource implications are taken into account.

Chapter Five: Improving understanding of Local Resolution

This chapter looks in greater detail at two pilot schemes designed to improve understanding of the Local Resolution process. One of these focussed on improving complainant satisfaction (West Mercia) and the other aimed at improving officer understanding (Cleveland). Both forces introduced information leaflets although there were slight differences in their implementation of these. Both pilots were designed in collaboration with the respective Professional Standards Departments and with the assistance of the Association of Chief Police Officers (Complaints and Discipline Committee).

In total we interviewed 76 officers from the two forces and 64 complainants. In Cleveland we conducted 17 pre- and 16 post-pilot interviews with police officers and 20 pre- and 10 post-pilot interviews with complainants. In West Mercia we conducted 25 pre- and 18 post-pilot interviews with police officers and 20 pre- and 14 post-pilot interviews with complainants. By comparing pre- and post-pilot responses we aimed to determine whether the information leaflet had had any effect on officer and complainant satisfaction and confidence in Local Resolution.

Unfortunately, in both sites the number of interviewees who saw or remembered seeing the leaflets was small. In Cleveland only seven of a possible 16 officers said they had seen the information leaflet and in West Mercia only eight of a possible 18 officers recalled seeing the leaflet. Half of the 14 complainants recalled seeing their leaflet. Owing to the limited number of interviewees that had seen the information leaflets, it is difficult to make any pre-/post-pilot comparisons and as such our findings must be treated with caution.

The information leaflets

As we discussed in Chapter 2, Local Resolution's predecessor, informal resolution, was never particularly popular nor properly understood by either police officers or complainants and both parties rarely expressed any satisfaction with the final outcome. It was with this in mind that, in collaboration with the two PSDs, we designed two pilot schemes aimed at addressing officer and complainant understanding of and satisfaction with Local Resolution. Our aim was to examine whether officer and complainant satisfaction could be influenced by an improved understanding and more realistic expectations of the process. The aim therefore was to strengthen the legitimacy of Local Resolution amongst both complainants and officers.

Setting up the pilots: Cleveland

During our second PSD survey (see Herrington et al, 2007) Cleveland PSD were in the process of designing a training presentation for officers below the rank of Chief Inspector. Staff working at the PSD were aware that officer understanding of and confidence in the complaints and misconduct procedures was, as in most forces, particularly low. The purpose of the training was to improve officer awareness of the complaints procedure. The in-house training was to be delivered by an experienced member of the Professional Standards Department. With this in mind, we approached the head of Cleveland PSD to discuss piloting an officer information leaflet. The pilot shared the same aims as the training presentation – to improve officer understanding of the Local Resolution process and confidence in it.

At the time of fieldwork Cleveland PSD was also in the process of redesigning their Local Resolution form. Initially it was envisaged that the information leaflet would be incorporated into the new Local Resolution complaints form, as it would be the ideal mechanism for integrating the scheme into the force's Local Resolution process. By incorporating the information leaflet into the force's Local Resolution paperwork it was thought that the chance of confusing officers would be reduced. There was also less risk of the form being ignored if it was attached to the official PSD documentation. However, whilst the initial plan was to incorporate the information leaflet into the new complaints form, it was eventually distributed as a stand-alone document.

An inspector from PSD was given responsibility for overseeing the pilot's implementation. Before the scheme began, the inspector emailed all the chief inspectors, providing them with an explanation of the pilot, a copy of the officer information leaflet and instructions on how the form was to be used. An information pack was also sent to each inspector and acting inspector which contained guidance about dealing with complaints, a copy of the officer information leaflet with instructions for its use, and a number of other complaint-related documents. In essence each officer who had a complaint locally resolved should have seen the information leaflet and run through it with the IO. A generic email was also sent to all police staff in the force informing them about the pilot scheme and what it would entail if they had a complaint locally resolved. The PSD inspector also informed the local Police Federation representatives that the pilot was about to go 'live'. The pilot ran from October 2005 until March 2006.

Setting up the pilots: West Mercia

In West Mercia the PSD was in the process of designing two information leaflets for complainants and officers. The aim of the leaflets was to provide officers and complainants with easy-to-understand information about the Local Resolution process. During the consultation period the head of the PSD consulted with the five DLOs about the information that needed to

be included on the Local Resolution forms. After the initial consultation process the leaflets were amended and local Police Federation representatives were asked for their comments. Each DLO was supplied with leaflets and asked to distribute them to both officers and complainants. Dissemination of the leaflets did not take a coordinated approach; instead each DLO was left to distribute them in the best way for their particular division. Leaflets were available from all the stations in each of the five divisions, the PSD and each DLO.

Both the officer and complainant information leaflets were developed at around the same time. In essence the two information leaflets were produced to complement one another. Both aimed to convey accurate information about the process, temper expectations about what the process is able to achieve for officers and complainants, and provide contact details for the force PSD and the regional IPCC if further information was needed. Neither leaflet was designed to be used by investigating officers when resolving a complaint, but both were intended to act as additional information to that supplied to officers and complainants by investigating officers. Both leaflets were, however, expected to be given to officers and complainants at the first available opportunity.

The aim of the Cleveland and West Mercia leaflets was to explain Local Resolution in an informative but easy-to-understand way. In both forces the officer leaflets contained similar information and explained that the Local Resolution process:

- Is not about proving who was in the right, establishing who was the guilty party or attributing blame
- Will not generally lead to any disciplinary action
- Is about exploring the complainant's concerns.

Both officer leaflets explained that Local Resolution can be used in several situations:

- When an officer has done nothing wrong but a misunderstanding has occurred between them and a member of the public
- When an officer feels that, on reflection, he/she could have done things differently
- When the officer has made a minor mistake in judgement or behaviour.

Both information leaflets also described the recording of complaints and the procedures if officers receive three or more complaints in a 12-month period. Finally, both explained that an apology can be provided where appropriate and that the officer and complainant can meet if both parties agree. Both forms also explained that low-level complaints are often based on

different perceptions of the same event and as such Local Resolution is not about deciding who is in the right or who should apologise to whom.

In addition the West Mercia officer leaflet also contained a 'common questions' section. This section answers questions such as "Will the Local Resolution go on my personal record?" and "Do I have to apologise?" For complainants the leaflet provides a step-by-step guide to making a complaint and the Local Resolution process.

In Cleveland it was envisaged that the IO would work through the information leaflet whilst with the officer subject to the complaint, thus allowing both officers the chance to go through the process, iron out any misunderstandings and clarify any points that had been missed or not covered during the training session. In addition the information leaflet was expected to serve as a useful checklist for supervising officers. It also prompted the officer's supervisor to ask how they would like to be informed about the outcome of their complaint. At the end of the information leaflet space was provided for both the investigating officer and the officer complained about to sign the form to signify that they had read the information leaflet and understood what the Local Resolution process entailed.

Impact of the officer leaflets

Only 15 officers involved in Local Resolution cases from the two forces reported that they had seen and read the information leaflet provided to them by their respective PSDs. Therefore, in relation to Local Resolution, measuring any impact the leaflet had on their understanding, confidence and satisfaction was problematic. These findings should therefore be treated as tentative rather than indicative.

In Cleveland those that remembered the leaflet were largely positive about it, as the following two interviewees explained:

"It's concise. It's good. It lets you know exactly what's going to happen. It lets the inspector know that I've understood the process, as I've signed for it."

"It was helpful. If you're not used to having complaints made against you, you lose touch with the complaints process, so it's a helpful document."

One officer was not so positive, dismissing the information leaflet as another piece of paper that officers were required to sign:

"I don't think I read it properly. It's just another piece of paper to sign. Providing [the complaints process is] explained that's fine."

In West Mercia, of the eight officers who remembered seeing and reading the form, only two had actually seen and read the leaflet prior to the Local Resolution taking place. Others received the leaflet either after their complaint had been resolved, or with our letter inviting them to take part in the research.

Was the officer information leaflet beneficial?

We asked the post-pilot officers who had seen the information leaflet about their knowledge of Local Resolution. Those that remembered the information leaflet displayed a greater awareness of some of the subtler aspects of Local Resolution compared to those who had not seen or read either information leaflet. In Cleveland all the officers who had seen the information leaflet and worked through it with the investigating officer were able to correctly state that:

- Local Resolution is not about attributing blame
- Local Resolution will not affect an officer's professional development
- Local Resolution will not lead to any disciplinary action
- Local Resolution is about improving public confidence in the police and the police complaints system
- Local Resolution is not about proving who was in the right.

In West Mercia the results were slightly less positive but, in this site, reading the information leaflet was left up to each individual officer and not, as in Cleveland, run through at the time of the complaint with the investigation officer. Even so, the knowledge displayed by the officers who had seen and read the information leaflet was still more accurate than that of their pre-pilot colleagues.

Whilst we can make only tentative suggestions about the usefulness of an information leaflet, it would appear that if the leaflet is one where an IO is able to work through it with an officer the benefits appear to be greater.

Despite improving officer understanding of the Local Resolution process, the information leaflet had no impact on officer satisfaction with Local Resolution. Officers still voiced considerable dissatisfaction with the process and the final outcome of their complaint regardless of whether they had disclosed reading the information leaflets or not. Dissatisfaction was dominated by a sense that unjustified complaints are still recorded against individual officers.

Impact of the West Mercia complainant leaflet

A total of 34 complainants were interviewed in West Mercia, 20 prior to the information leaflet being introduced (the pre-pilot group), and 14 its introduction (the post-pilot group). The interviews highlighted a slight improvement in complainant satisfaction with the complaints process and the result. Seven of the post-pilot sample were satisfied with both the process and the final outcome of their complaint compared to less than half in the pre-pilot sample. Other measures of satisfaction also improved in the post-pilot sample. For example, a higher proportion of complainants reported that they felt Local Resolution was the right course of action for them and that their expectations had been met. Considerably fewer post-pilot complainants stated that they wished they had asked for a full investigation. The slight improvement in the satisfaction levels of the post-pilot sample may, however, be a reflection of certain supervisors having a better understanding of Local Resolution than others and therefore providing better explanations of the process to complainants than were contained in the leaflets.

Data from both our pre- and post-pilot interviews suggest that complainant dissatisfaction is more likely to be related to the final outcome, and a perception that nothing has happened with their complaint, rather than a lack of understanding of what Local Resolution can achieve. Two-thirds of complainants (22) were satisfied or very satisfied with the initial response they received, and a similar number were confident that their complaint would be dealt with fairly. Half (17) were satisfied with the result, but less than half were satisfied with what the process had achieved for them. The following quotes illustrate the dissatisfaction complainants often felt with the final outcome of their complaint:

"I was impressed with initial PC's response at [the] police station; however the outcome is disappointing because nothing actually happened."

"There was a lack of information at the very end. Halfway through, it was fine. But when it landed on the [name of officer] desk, who called me to say it had been sent back to the sergeant to be resolved, it just went into the wilderness. I'm very dissatisfied with the outcome. Even if they had turned around and said 'that's police policy' I wouldn't have been happy but at least it would have been an answer. At the moment I feel it is unresolved."

"In the first interview with the female sergeant I felt she was genuinely trying to resolve the complaint. But in the second interview with the male sergeant I got the sense he was going through the exercise of doing the paperwork required. No interest in what I felt and if anything he was prejudiced against me. It was all about looking after the boys."

In many cases complainants reported receiving a letter saying that their complaint had been resolved, but had no notion of what the 'resolution' entailed. This was a particularly frustrating element for many complainants, and led many to believe that the matter had just been 'swept under the carpet'.

In summary

Although it improved officer understanding of the Local Resolution process we found that the information leaflet had no impact on officer satisfaction with Local Resolution. Officers still voiced considerable dissatisfaction with the process and the final outcome of their complaint regardless of whether they remembered reading one of the information leaflets or not. Dissatisfaction was dominated by a sense that unjustified complaints are still recorded against individual officers. Those that remembered the information leaflet did, however, display a greater awareness of some of the subtler aspects of Local Resolution compared to those who had not seen or read the information leaflet. Although only small numbers were involved, there was a slight improvement in complainant satisfaction with the process and the result in the post-pilot group of interviewees. However, it would appear that complainant dissatisfaction is more likely to be related to the final outcome and a perception that nothing had happened with their complaint, rather than a lack of understanding of what Local Resolution can achieve.

Chapter Six: Conclusions

With an increasing number of complaints being recorded by the police every year the complaints system clearly needs to be able to deal with less serious complaints in a non-bureaucratic and efficient manner. Local Resolution has the capacity to perform this function. However, our research suggests that the problems with Local Resolution's predecessor – informal resolution – still exist, and that levels of dissatisfaction with the process remain high for both officers and complainants.

This study has examined the views of officers and complainants on the Local Resolution procedure and documented two ideas implemented by two forces which were aimed at improving officer and complainant satisfaction with the Local Resolution procedure. Key points to emerge from the study are:

Complainants' views

- Few complainants had any knowledge about the Local Resolution process prior to complaining.
- Some complainants said that Local Resolution was presented to them as their only option and were unaware their complaint could be resolved in another way.
- Complainants expressed high levels of satisfaction with the investigating officer and the time taken to resolve the complaint.
- However, many were dissatisfied with the frequency of contact they had with the investigating officer during the Local Resolution process.
- Complainants often wanted an apology, the opportunity to express their annoyance or to stop a similar incident happening to someone else.
- Despite many complainants wanting an apology from the officer concerned only four actually received one.
- On completion a greater number of complainants were dissatisfied with the end result than were satisfied.

Officers' views

- Officers' understanding of the aim of Local Resolution was limited and this could explain why Local Resolution lacks their support.

- Very few officers had received any formal training on Local Resolution since the inception of the IPCC and consequently few were able to say precisely what Local Resolution involved.
- Officers expressed high levels of satisfaction with the way the investigating officer conducted the investigation.
- However, they thought that the Local Resolution process was unfair and biased in favour of complainants, with almost half thinking the process lacked impartiality.
- Almost half the officers interviewed were unaware how the complaint against them had been finalised.
- Many officers stated that their faith in the Local Resolution system had diminished somewhat since having the complaint against them resolved in this way.
- On completion a greater number of officers were dissatisfied with the end result than were satisfied.

The IPCC statutory guidance encourages forces to develop new ways to resolve complaints locally and to tailor the Local Resolution process to the specific needs of complainants and officers. Responsibility for improving the satisfaction of officers and complainants is rooted very much at a local level. If Local Resolution continues to be encouraged by the IPCC, ACPO and force PSDs, then training and guidance for supervisors and officers conducting Local Resolutions is essential. Adequate monitoring is also necessary, to ensure both officers and complainants are satisfied with the process and the final outcome. It is also important that both parties view the process as transparent and effective, as well as being a useful mechanism to highlight any training or development issues.

Our study has shown low levels of understanding and satisfaction with the Local Resolution process amongst both complainants and officers. Our findings suggest that more should be done to improve participants' knowledge of the process and to ensure that they have realistic expectations of what the process can offer. We shall consider these themes under two headings:

- Improving officer understanding and satisfaction with Local Resolution
- Improving complainant satisfaction.

We also examine some of the issues associated with the post of Divisional Liaison Officer. Finally, we discuss the importance of the Police Federation to the Local Resolution process and examine possible ways in which the IPCC can further support the work of local PSDs.

Improving complainant satisfaction with Local Resolution

One of the hardest elements of the police complaints system is managing complainant expectations. We have described how most complainants initiate complaints with little understanding of the process and how some have unrealistic expectations. Both the officers who initially record the complaint and those officers who resolve it are under a degree of pressure to 'sell' Local Resolution to complainants⁹. This emphasis on Local Resolution can, however, be at odds with the goal of ensuring that complainants enter the process with expectations that are as realistic as possible. Our interviews documented how some complainants are:

- Not informed about any other options besides Local Resolution
- Not informed about the aims of the process
- Not informed about what the process is able to deliver
- Furnished with unrealistic expectations
- Cajoled into the process with unrealistic promises about what the process can achieve for them
- Not informed about the appeals process.

To ensure complainants understand the formal nature of Local Resolution it is important they are made aware that it is overseen by the IPCC via the appeals process. It is also a process that allows forces to respond to the needs of complainants in a timely manner. As part of the process, complainants must be aware that the police service engages in multiple contacts and encounters with members of the public and that not every encounter ends with both parties being satisfied. At the core of explaining the concept of Local Resolution, complainants must be made aware that the Local Resolution process enables officers to find out:

- what went wrong in their encounter with the complainant;
- how they can address the complaint;
- how the complainant wants the process to move forward; and
- what they want the process to achieve for them.

Importantly, it must also be explained to complainants that Local Resolution is not about apportioning blame, but about effective communication between the complainant and the officer resolving the complaint, and about ensuring that local BCU staff learn from each complaint. It

⁹ Although officers are able to conduct proportionate investigations as part of the local resolution procedure the alternative to any form of Local Resolution is an investigation, which if carried out for minor complaints would be particularly resource and officer intensive. Hence officers are under a certain pressure to 'sell' the Local Resolution process.

must also be about explaining why, in certain situations, an officer took the course of action they did. It must be understood by all parties that the main intention behind Local Resolution is not to adjudicate between complainant and officer in order to allocate blame.

In line with the current advice note from the IPCC on the delivery of Local Resolution, it may be beneficial for the Local Resolution documentation to include some form of checklist to which complainants and the police supervisor commit at the start of the process. It would be preferable that both the complainant and the police supervisor provide their signature to confirm that they have read and understood the checklist. If such a checklist is included in the Local Resolution documentation it may also reduce the number of appeals being sent to the IPCC regarding the Local Resolution process. The checklist could include:

- A brief statement about the purpose of Local Resolution
- An acceptance that the officer will not be disciplined – though they may receive training, advice or other support
- An agreement that the complaint may be used for training purposes
- An agreement about how (and how often) the complainant will be informed of progress
- An agreement about how the outcome will be communicated to the complainant
- A statement informing them that they can appeal to the IPCC if they are dissatisfied with the process of Local Resolution
- A statement confirming that they are unable to appeal to the IPCC about the outcome of their complaint.

Such a 'checklist' may deter some complainants from going down the Local Resolution route. Undoubtedly there will be others who will accept the checklist and remain deeply dissatisfied with the outcome. However, as overall satisfaction with the process depends heavily on complainants providing informed consent, it is right that complainants should be given a clear understanding about what the process can and cannot deliver.

Whilst it is necessary to ensure that the whole process works well, particular importance must be attached to the way in which the final outcome of Local Resolution is communicated to a complainant. Our example of the complainant who received a final letter that managed simultaneously to be curt, bureaucratic and obscure should not be the norm. It would be simple to design pro forma letters, with scope for personalisation, that set out clearly and politely what action has been taken and why that action was decided upon.

Improving officer understanding of and satisfaction with Local Resolution

The IPCC Statutory Guidance stresses the importance of providing training for those supervisors and civilian investigators who conduct Local Resolutions. It also emphasises that the police service ‘needs to build officers’ and staff’s confidence in the complaints system to ensure that it is fair, voluntary and worthwhile’ (IPCC, 2005a: 25). We recognise that training budgets are under pressure, and that there are considerable costs in abstracting officers from their normal duties for training. That said, there is a wide disparity between the aspirations of force managers and the reality as experienced by front-line staff. The 42-force survey (Herrington et al., 2007) found that over two-thirds of forces stated that they provided training for newly promoted sergeants, inspectors and probationers. By contrast, over half the front-line staff interviewed for this study claimed to have received no training on Local Resolution; almost a fifth were unable to provide any details about the procedure and few were able to provide us with an accurate explanation of the aims behind Local Resolution. This suggests a need for redesigning both the style and the content of current training. Recurring themes throughout our interviews were that officers:

- Were very dissatisfied and sceptical of the process;
- Generally misunderstood many of the aims of the process;
- Assumed most complainants were manipulative offenders aiming to ‘work the system’; and
- Viewed the process as an adversarial one from which they could learn little.

If force PSDs are to make any headway in tackling these negative attitudes, they need to do more than simply inform officers about the process. They need to communicate to staff the philosophy that underpins the system, and the reasons for moving away from blame-centred processes. In an earlier report (Herrington et al., 2007) we suggested that training could be provided to PCs at briefing sessions, team meetings or through the Police Federation. Essential elements of any training initiative should include:

- Challenging officers’ misconceptions about the nature of complainants and complaints;
- Providing a better understanding of who complains and why they complain;
- Raising awareness of the aims of Local Resolution;
- Ensuring officers are aware that the process is not about apportioning blame but about improving the quality of policing;
- Consolidating knowledge about where Local Resolution information is held and why it is held;

- Challenging officers' attitudes about the value of apologising; and
- Improving officer understanding of the benefits of the system for both individual officers and the police service as a whole.

Harnessing ways to improve officer understanding of the process, and confidence in it, is essential if the process is to be viewed by the workforce as being valuable and transparent. We do not underestimate the problems in achieving what amounts to a shift in working culture, especially when those who will have to initiate and lead the training are located in PSDs that have traditionally been the focus of distrust and dislike by many officers. We think that the key to overcoming the problems of trust is for training to be developed and delivered in collaboration with local Police Federation representatives.

Improving officer satisfaction could also be achieved through:

- Agreeing, at the start of the process, the frequency of communication between the IO and the officer complained about
- Informing all officers of the outcome of their complaint, either by letter or email
- Providing officers with a copy of the final letter sent to the complainant.

Complaint specialists

The issue of whether to train individual officers to become divisional complaint specialists is a decision for each chief officer or head of a PSD. Practical considerations, such as the geography of the force and the travelling time may prove critical. However, our research has highlight some of the issues that need to be taken into consideration when discussing the usefulness and effectiveness of divisional complaint specialists.

A key issue is whether specialisation has the effect of de-skilling those sergeants and inspectors who might otherwise develop competence in handling Local Resolutions. If only a handful of officers are tasked with carrying out Local Resolutions, there is a risk that other officers will never develop – or will lose – the skills that are needed to carry out Local Resolutions competently. To mitigate this risk, complaint specialists should have a remit to train other divisional officers, rather than to substitute for them. The aim should not be to remove responsibility for complaints from divisional officers but to create a local specialist who can advise and support other supervisors and operational officers. Such a post should also improve divisional consistency and act as a central administrative contact for complainants, officers and PSD staff.

To ensure complaint specialists provide such a level of expertise, PSDs will need to provide ongoing training and support to officers performing this role, which will need to be carried out in conjunction with other responsibilities. In West Mercia, where there were five DLO posts¹⁰, the DLOs met regularly with PSD staff to discuss any problems or issues they had and to receive feedback from the PSD. A formal two-way communication process strikes us as an effective way to support such posts. In addition, if the administrative duties associated with the post are the remit of the complaint specialist, sufficient time will need to be made available to carry out such tasks, otherwise civilian support will need to be considered, and any additional costs would need to be factored in.

The role of the Police Federation

Many of the officers interviewed for this study who had complaints made against them discussed the importance of their Police Federation representative in the Local Resolution process. Outside of the formal interview a number of officers said they would prefer to seek the views of their Federation representative rather than an officer from the PSD or a dedicated complaints officer. Given that the role of the Federation is to look after the interests of its membership, this is hardly surprising. However, we were impressed throughout the life of the project by the breadth with which the Federation interpreted their role in relation to complaints – as helping to ensure that their members were subject to a genuinely fair and open complaints process. If the aim of PSDs is to change the negative views that officers hold of the process, Police Federation support for any training or innovation is in our view essential. Given the history of the complaints system, PSD staff cannot immediately expect to command trust from the rank-and-file and are poorly placed to engineer what amounts to a cultural change within policing. If the positive role played by the Federation in the fieldwork sites is replicated elsewhere it would suggest that Police Federation representatives should be encouraged to assist their PSD in developing training packages and play a part in delivering training aimed at challenging the conceptions held by officers about both complainants and the Local Resolution process. Without Federation support it is likely that any attempt to change officer attitudes or win support for new ideas might be met with resistance. This is not to deny that there are risks in seeking Federation support as ‘change agents’. In relation to the complaints process, just as in other policing issues, there are inevitably tensions between the public interest and the self-interest of the Federation membership – and all stakeholders in the complaints process need to remain sensitive to this.

¹⁰ The DLO posts in West Mercia were not stand-alone posts but were undertaken by officers with a number of other responsibilities.

The IPCC guardianship role

No report on the police complaints system would be complete without an examination of the guardianship role provided by the IPCC. The IPCC's annual report states that its purpose is "to increase public confidence in the system for dealing with police misconduct and complaints by acting independently and improving the efficiency and effectiveness of the system" (IPCC, 2006: 48). In achieving this purpose the IPCC (2006: 48) has set out four aims to be achieved by 2010/11:

- Access: increase awareness, accessibility and transparency of the complaints system.
 - Resources: reduce resources taken up by the complaints system and make it more effective.
 - Learning: enable police to learn from complaints and enhance professional standards.
 - Accountability: increase accountability of the police to the public.
- To meet these aims the IPCC must help local PSDs to improve the quality of service they deliver to police complainants and officers over the next five years. This report highlights the need to:
- Manage complainant expectations.
 - Train police supervisors and operational officers.
 - Improve the transparency of the current process.

As part of fulfilling these aims and objectives the IPCC needs to formalise its monitoring of the Local Resolution system and, where appropriate, provide specific guidance and training to local officers to improve the delivery of Local Resolution in ways other than through the appeals process. Whilst the appeals process is a useful monitoring tool, it should not be viewed as the only one. However, forces that attract a substantial number of upheld appeals regarding the Local Resolution process may need additional guidance and training. Regional IPCC staff could assist in delivering this, in collaboration with the force PSD and the local Federation representative. This form of monitoring will need careful explanation if misunderstandings between the IPCC and local PSDs are to be avoided.

If Local Resolution is to succeed it must be locally owned by forces, not the IPCC. The remit of the IPCC should be to support force PSDs, disseminate good practice, offer guidance, assist with training and monitor force performance. The appeals process should not, however, be the only means by which forces are monitored.

Another possible approach could be that the IPCC conduct both announced and unannounced spot checks to dip-sample¹¹ the Local Resolution files held by PSDs. The IPCC could also

discuss with divisional supervisors and officers the training they have received and plan, in collaboration with local PSDs, any further assistance the IPCC can provide to support the successful delivery of the Local Resolution process.

In line with the recommendations made in the Taylor Review it is important that the Local Resolution process is included at all stages in the proposed modernisation of the complaints and discipline system. Local Resolution must be viewed as a fundamental component of the process for changing officer and complainant attitudes, and moving from an adversarial system to one focussed on improvement.

Finally, if the public judge the police by their ability to be able to complain and receive a satisfactory response, our results suggest that certain aspects of the Local Resolution process need further scrutiny, both locally and at a national level. Local Resolution should be viewed by the IPCC, ACPO and force PSDs not just as an administrative procedure but as a central part of the process of improving local accountability.

¹¹ At the time of writing some regional IPCC offices had conducted dip-sampling of LR files. It would appear that there is a case for this to be put on a more formal basis and coordinated across and within regions.

References

Bowling, B. and Foster, J. (2002) 'Policing and the Police', in Maguire, M., Morgan, R. and Reiner, R. (eds.) *The Oxford Handbook of Criminology* (Third Edition). Oxford: Oxford University Press.

Brown, D. (1987) *The Police Complaints Procedure: A survey of complainants' views*. Home Office Research Study No. 93. London: HMSO.

Cohen, B. (1985) 'Police complaints procedure: why and for whom?', in Baxter, J. and Koffman, L. (eds.) *Police, the Constitution and the Community: A collection of original essays on issues raised by the Police and Criminal Evidence Act 1984*. Abingdon: Professional Books.

Commission for Racial Equality (2005) *A Formal Investigation of the Police Service of England and Wales*. London: HMSO.

Gleeson, E. and Dady, H. (2006) *Police Complaints: Statistics for England and Wales 2005/06*. IPCC Research and Statistics Series: Paper 5. London: IPCC.

Harrison, J. and Cuneen, M. (2000) *An Independent Police Complaints Commission*. London: Liberty.

Herrington, V., May, T., Warburton, H. and Hough, M. (2007) *From Informal to Local Resolution: Assessing changes to the handling of low-level police complaints*. London: IPCC and Police Foundation.

Hill, R., Cooper, K., Hoyle, C., and Young, R. (2003) *Introducing Restorative Justice to the Police Complaints System: Close encounters of the rare kind*. Occasional Paper No. 20. Oxford: Oxford University Press.

Home Affairs Select Committee (1998) *Police Disciplinary and Complaints Procedures*. *House of Commons Home Affairs Select Committee Report no.1 1997/98*. London: HMSO.

Home Office (2000) *Complaints against the Police: Framework for a new system*. London: Home Office.

Home Office (2004) *Police Complaints and Discipline*. Home Office Statistical Bulletin 17/04. London: Home Office.

Home Office (2005) *Guidance on the Handling of Complaints Relating to the Direction and Control of a Police Force by a Chief Officer*. Home Office Circular 19/2005. London: Home Office.

Independent Police Complaints Commission (2005) *Making the New Police Complaints System Work Better*. Statutory Guidance. London: IPCC.

Independent Police Complaints Commission (2005a) *How to Resolve your Complaint Locally*. IPCC Leaflet. London: IPCC.

KPMG (2000) *Feasibility of an Independent System for Investigating Complaints against the Police*. Police Research Series 124. London: Home Office.

Macpherson, W. (1999) *The Stephen Lawrence Inquiry. Report of an Inquiry by Sir William Macpherson of Cluny, Cm.4262-1*. London. HMSO.

Maguire, M. and Corbett, C. (1991) *A Study of the Police Complaints System*. London: HMSO.

May, T., Maguire, M. and Hough, M. (forthcoming) *Informal and Local Resolution of Police Complaints*. Bristol: Policy Press.

Morris W. (2004) *The Case for Change: People in the Metropolitan Police Service*. London: HMSO.

Reiner, R. (2000) *The Politics of the Police*. 3rd edition. Oxford: Oxford University Press.

Scarman, Lord (1981) *The Brixton Disorders 10-12 April 1981: Report of an inquiry by Lord Scarman. Cmnd 8427*. London: HMSO.

Taylor, W. (2005) *Review of Police Disciplinary Arrangements*. London: HMSO.

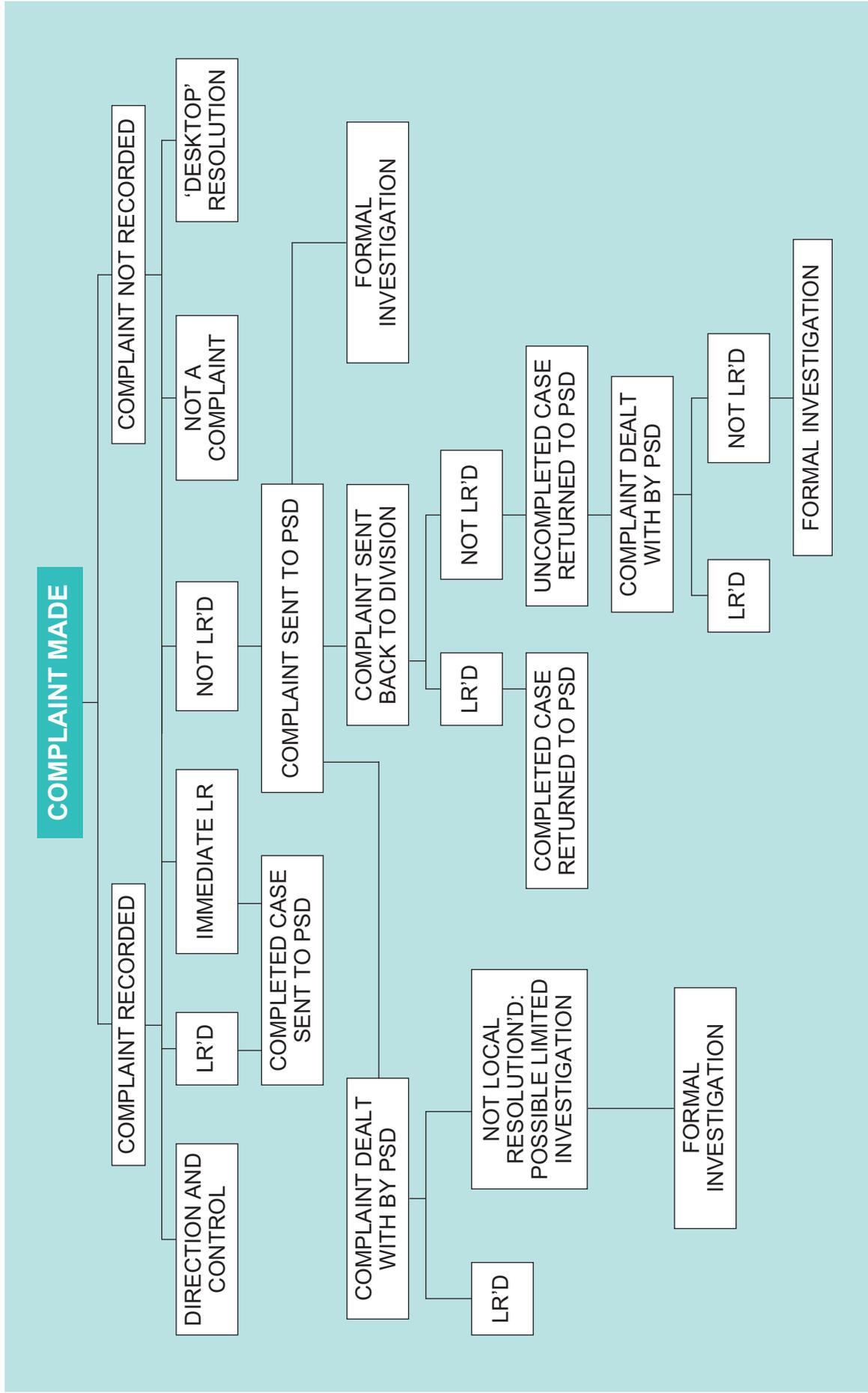
Warburton, H. May, T. and Hough, M (2003) *Opposite Sides of the Same Coin: Police perspectives on informally resolved complaints*. London: Police Foundation.

Waters, I. and Brown, K. (2000) 'Police complaints and the complainants' experience', *British Journal of Criminology Vol 40*. No 4 pps 617-638.

Acronyms

ACPO	Association of Chief Police Officers
BCU	Basic Command Unit
CRE	Commission for Racial Equality
HMIC	Her Majesty's Inspectorate of Constabulary
IO	Investigating Officer
IPCC	Independent Police Complaints Commission
IR	Informal Resolution
LR	Local Resolution
PACE	Police and Criminal Evidence Act
PC	Police Constable
PCA	Police Complaints Authority
PRA	Police Reform Act 2002
PSD	Professional Standards Department

Appendix A: The Local Resolution Process



Local Resolution: The Views of Police Officers and Complainants

A Report for The Police Foundation and the
Independent Police Complaints Commission

By Tiggey May, Mike Hough, Victoria Herrington and Hamish Warburton

This is the last of three reports, all of which examine different aspects of the Local Resolution of police complaints. This report examines the views of officers and complainants on the Local Resolution procedure and documents two ideas implemented by two forces, Cleveland and West Mercia, which aimed to improve officer and complainant understanding and satisfaction with the local resolution procedure.

Few complainants enter the complaints process knowing anything about Local Resolution, but many have high expectations of what it can achieve for them. Complainants are generally very satisfied with the officer assigned to resolve their complaint, but dissatisfied with the process as a whole and especially with the final outcome of their complaint. Complainants tend to leave the process feeling that it has failed to deliver what they actually wanted – an apology. Police officers are generally poorly informed about the Local Resolution process and cynical about its operation. Many officers feel powerless in the process and believe it is one that is unfair and biased in favour of complainants.

The authors provide a number of suggestions and recommendations aimed at strengthening the Local Resolution process. Their suggestions focus on how to improve officer and complainant understanding of the process, and ways in which Professional Standards Departments can ensure complainants start the process with realistic expectations and that officers are equipped with the necessary facts about the aims and uses of Local Resolution.

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The Police Foundation
First Floor
Park Place
12 Lawn Lane
London, SW8 1UD
Tel: 020 7582 3744

www.police-foundation.org.uk