

SUBMISSION

TO	All Party Parliamentary Group for Domestic and Sexual Violence
FROM	The Independent Police Complaints Commission (IPCC)
REGARDING	Women's access to justice and experiences of the criminal justice system

Summary

The IPCC has experience of conducting investigations in relation to allegations of domestic violence involving police contact where there is an allegation of police failure to protect the victim. The IPCC has also conducted a number of investigations surrounding the response of the police to allegations of sexual violence and has also conducted thematic research (in partnership with the Association of Chief Police Officers) into cases where police officers have abused their powers to sexually exploit women and girls.

There are a number of outcomes arising from an IPCC investigation including criminal proceedings, disciplinary proceedings and learning recommendations to help improve the service for the future. The IPCC has made a number of recommendations as a result of its investigations which have a domestic violence element or sexual violence element.

The Independent Police Complaints Commission (IPCC)

1. The IPCC was established by the Police Reform Act 2002 (PRA) and became operational in April 2004. Its primary statutory function is to secure and maintain public confidence in the police complaints system in England and Wales. It acts as an appeal body for some locally handled complaints and issues statutory guidance on complaints handling to police forces. It undertakes independent investigations into the most serious cases; and has the power to manage or supervise police investigations. It has a statutory obligation to measure, monitor and where necessary, seek to improve the current complaints system. The IPCC

is independent and makes its decisions independently of the police, government and interest groups.

2. The IPCC was created following both public and political concerns about the lack of an independent system to deal with complaints and conduct matters within the police service. Since 2004, the organisation's remit has been extended to include serious complaints and conduct matters relating to staff at the National Crime Agency, Her Majesty's Revenue and Customs and the UK Border Agency.
3. The Police Reform and Social Responsibility Act 2011 extended the IPCC's remit further. Since January 2012, the IPCC has been responsible for deciding whether any criminal allegations relating to the occupant of the Mayor's Office for Policing and Crime (MOPC) or his Deputy should be investigated. Since November 2012, the IPCC has had a similar remit over all Police and Crime Commissioners and their deputies.
4. The IPCC is run by a Chair, two Deputy Chairs, eight operational Commissioners and two non-executive Commissioners. Together they make up the Commission. Commissioners (other than the two non-executive Commissioners and the Chair) have an operational role and all Commissioners have responsibility for governance of the organisation. Commissioners are appointed by the Home Secretary and by law they must never have served as a police officer. The Commission is supported by a Chief Executive, a small management team and a staff of about 480¹. In 2013/14, the IPCC received an annual budget of £32.5m².

The IPCC's role in relation to investigating cases involving domestic or sexual violence

5. Police forces have a legal responsibility to refer incidents of death or serious injury during or following police contact. This includes allegations of domestic or sexual violence involving police contact where there is an allegation of police failure to protect the victim.
6. As a result of emerging themes arising from these investigations, in 2009 the IPCC established a gender violence Strategic Support Group (SSG), predominantly comprising expert voluntary sector organisations, to review these cases and identify any lessons for both the IPCC and for policing more widely.
7. As a result of the work of the SSG and following specific investigations both before and since, a number of recommendations and areas of learning were identified and disseminated throughout the police service.

¹ This excludes the staff specifically recruited for and working solely on the Hillsborough investigation

² This excludes the budget specifically provided for the Hillsborough investigation

Relevant IPCC recommendations and learning - domestic violence

8. Between April 2010 and 8 March 2013, the IPCC independently investigated 33 cases where there were concerns that the police may have failed to adequately protect a victim of domestic violence.
9. As a result of these and previous investigations, the IPCC has identified a number of common weaknesses in the police response to victims of domestic violence and these include:
 - Failure to complete (or inadequate completion) of risk assessments^{3 4}
 - Call handling – failure to take and record full and accurate details^{5 6}
 - Insufficient or inadequate training for staff^{7 8}
 - Inadequate resourcing of domestic abuse teams⁹
 - Failure to keep the victim informed of any delays in police response^{10 11}
 - Linking previous incidents or history of domestic incidents and therefore viewing incidents in isolation
10. The IPCC has made a number of recommendations to specific forces in relation to some of the areas above and further details can be provided to the APPG if helpful.

Relevant IPCC recommendations and learning - sexual violence

11. The IPCC has also conducted a number of investigations into the police's response to victims of sexual violence.
12. These include investigations into how the police have dealt with allegations of sexual assault and how they have interacted with victims of these assaults.

³ Clare Wood - <http://www.ipcc.gov.uk/investigations/clare-wood-greater-manchester-police>

⁴ Casey Brittle - <http://www.ipcc.gov.uk/investigations/casey-brittle-nottinghamshire-police>

⁵ Joanna Michaels - <http://www.ipcc.gov.uk/investigations/joanna-michael-gwent-police>

⁶ Mary Griffiths - <http://www.ipcc.gov.uk/investigations/mary-griffiths-suffolk-constabulary>

⁷ Joanna Michaels - <http://www.ipcc.gov.uk/investigations/joanna-michael-gwent-police>

⁸ Karen McGraw - <http://www.ipcc.gov.uk/investigations/karen-mcgraw-north-wales-police>

⁹ Christine Chambers - http://www.ipcc.gov.uk/sites/default/files/Documents/investigation_commissioner_reports/Chambers%20investigation%20report%20summary.PDF

¹⁰ Clare Wood - - <http://www.ipcc.gov.uk/investigations/clare-wood-greater-manchester-police>

¹¹ Ms A - <http://www.ipcc.gov.uk/investigations/ms-lancashire-constabulary>

Notable cases include the police response to crimes committed by John Worboys¹² and Kirk Reid¹³.

13. These two cases highlighted:

- A poor investigative response by failing to secure evidence
- Failure to gain trust of the victim
- Failure of front line supervision
- Lack of cross checking to similar offences

Sapphire Unit

14. Following concerns highlighted by these, and other, investigations, the IPCC also conducted a specific review into the Sapphire Unit¹⁴ in Southwark (Metropolitan Police) and how this unit dealt with allegations of sexual assault.

15. The review found that Southwark Sapphire unit was under-performing and over-stretched and officers of all ranks, often unfamiliar with sexual offence work, felt under pressure to improve performance and meet 'sanction-detection' targets.

16. The IPCC found that Southwark Sapphire had implemented its own standard operating procedure over this period to meet these targets. Essentially, this took the form of encouraging officers and victims to retract allegations (so that no crime was recorded) in cases where it was thought that they might later withdraw or not reach the standard for prosecution (which would have been recorded as an unsolved crime).

17. This resulted in the close questioning of victims before they even met an officer trained in dealing with sex crimes and the widespread use of retraction statements – including in cases where this was clearly inappropriate. This local standard operating procedure, authorised by senior officers, increased the number of incidents that were classified as 'no crime' and therefore increased the sanction-detection rates for the unit.

18. The approach of failing to believe victims in the first instance was wholly inappropriate and went against the first principle of the Metropolitan Police Service standard operating procedure: to believe the victim until evidence demonstrated otherwise. The IPCC found that the pressure to meet targets as a measure of success, rather than focussing on the outcome for the victim, resulted

¹² Worboys - <http://www.ipcc.gov.uk/investigations/john-worboys-metropolitan-police-service>

¹³ Reid - <http://www.ipcc.gov.uk/investigations/kirk-reid-metropolitan-police-service>

¹⁴ Sapphire Unit - <http://www.ipcc.gov.uk/investigations/southwark-sapphire-unit-metropolitan-police-service>

in the police losing sight of what policing is about – protecting the public, and deterring and detecting crime.

Abuse of police powers to perpetrate sexual violence

19. In September 2012, the IPCC published a joint report with the Association of Chief Police Officers (ACPO) relating to the abuse of police powers to perpetrate sexual violence. The report detailed how some police officers had used their positions of trust to abuse and exploit people with whom they had come into contact.

20. The report contained a number of specific case studies and identified a number of underlying themes: including the need for effective supervision, vetting and information sharing. It also recommended that police forces should make the prevention, detection and investigation of officers abusing their powers for sexual exploitation a higher priority than is currently the case. As a consequence, the IPCC is seeing more referrals of such allegations into its corruption team.

21. A full copy of the report can be found on the IPCC website at:
<http://www.ipcc.gov.uk/page/research-and-statistics>

Independent Police Complaints Commission (IPCC)

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