

CONSULTATION RESPONSE

TO	HMIC
FROM	The Independent Police Complaints Commission (IPCC)
REGARDING	Consultation on HMIC's Proposed 2014/15 Inspection Programme

The IPCC and its remit

The IPCC's primary statutory purpose is to secure and maintain public confidence in the police complaints system in England and Wales. We are independent, and make decisions independently of the police, government and interest groups. We investigate the most serious complaints and incidents involving the police across England and Wales, as well as handling certain appeals from people who are not satisfied with the way the police have dealt with their complaint.

The IPCC was established by the Police Reform Act 2002 and became operational in April 2004. Since that time our remit has been extended to include:

- certain specialist police forces (including the British Transport Police and the Ministry of Defence Police).
- Her Majesty's Revenue and Customs (HMRC);
- staff who carry out border and immigration functions who now work within the UK Border Force and the Home Office;
- the National Crime Agency (NCA), and previously the Serious Organised Crime Agency (SOCA);
- the London Mayor's Office for Policing and Crime and any Deputy Mayor for Policing and Crime; and,
- Police and Crime Commissioners and their deputies.

The majority of complaints against the police are dealt with by the relevant police force (or other body) without direct IPCC involvement, unless cases are appealed to us. However, certain types of complaints and incidents must be referred by the police directly to the IPCC. These include where someone has died or been seriously injured following direct or indirect contact with police, as well as allegations of serious corruption, serious assault, and criminal offences or behaviour liable to lead to misconduct proceedings which are aggravated by discrimination. We then decide what level of involvement we should have in any investigation of the matter. We may choose to conduct our own independent investigation,

manage or supervise a police investigation, or decide that the matter can be dealt with locally by the police without IPCC involvement.

Securing public confidence in the police complaints system: The IPCC's oversight and confidence strategy

While respecting the independence of our two organisations and recognising our very different roles, we believe that continued cooperation and partnership between the IPCC and HMIC has an important part to play in the IPCC's mission to secure public confidence in the police complaints system.

It is our view that one of the ways in which public confidence can be ensured is if the complaints system fulfils its potential to bring about real improvements in how policing is delivered. Our investigations can reveal themes that may lead to HMIC thematic inspections, and HMIC's inspections can help to monitor whether the changes we recommend to individual police forces and to the police service as a whole have been implemented. Equally, we can draw on HMIC inspections, both of custody suites and in general, to assist our investigation and appellate work and the recommendations that we make as a result. We see this as a significant means through which a virtuous circle of learning and improvement from complaints can be achieved.

The IPCC is currently consulting on a formal oversight and confidence strategy. This will form a key part of our work, as we take on more cases over coming years. The IPCC's investigations and decisions on appeals from members of the public about how the police have handled their complaints are necessarily reactive – we respond to the referrals and appeals that are made to us. Our proposed strategy reflects how we will work proactively to identify areas of concern in how complaints are handled and the themes that emerge from our work, and to respond to these. Partnership working will play a significant role in this.

The IPCC has already a strong history of working with HMIC, for example on the joint HMIP/HMIC custody inspection programme. We aim to build on this as we implement our oversight and confidence strategy.

IPCC recommendations and HMIC's all-force inspection programme

Two current developments are particularly relevant to how we can work together. Firstly, the IPCC anticipates being granted a new power through the Anti-Social Behaviour, Crime and Policing Bill. This will enable the IPCC to make formal recommendations to police forces and other bodies, following an investigation or after considering certain appeals. Those bodies will then have a statutory obligation to respond, setting out whether they accept our recommendations and, if so, how they will comply with them. Secondly, your proposed inspection programme sets out the new work that HMIC will be doing from 2014/15 to undertake regular all-force inspections. We believe that these two developments are complementary.

While police forces will be obliged to respond to our recommendations, they will have no ongoing obligation to update us on their subsequent work to implement them. HMIC's planned all-force inspection programme has a clear focus on each force's ability to cut crime, to provide its services fairly and to provide value for money. We believe that many of the

recommendations we make will be relevant to these areas of inspection and will contribute to forces better achieving these outcomes. We therefore believe that HMIC's all-force inspection programme provides a means through which the implementation of many of our recommendations can be monitored. Conversely, how forces respond to our recommendations can offer insight into these inspection goals.

Similarly, the issues that emerge from the all-force inspections, like those that have come from the regular HMIC/HMIP custody inspections and other HMIC inspection work, will be extremely valuable when we embark on investigations into a particular force, or deal with complaints and appeals.

Sharing information

More generally we believe that our two organisations have much to offer each other by pooling our information, and our understanding of emerging themes in policing. This will allow us better to target and tailor our proactive work. Our oversight and confidence strategy will be underpinned by a continuous process of analysis, to identify themes and assist forces to handle complaints better, focusing on what the evidence we collect tells us is happening. We believe that there is a useful two-way relationship between this area of our work, and the monitoring work that HMIC carries out in order to identify issues in its all-force inspections. We also anticipate that we will continue to assist HMIC on specific inspections using information derived from the cases that we have handled.

While the IPCC is committed to the principles set out in this response, we know that we will have to align our information and our ways of working to the aspirations that we have under our oversight and confidence strategy. We need to make changes to how we hold, use and are able to share our information, in order that it provides us and our partners with a better understanding of what the complaints system tells us. Our achieving our aspirations under our strategy is therefore a key part of our work as we acquire more resources over the next few years; we expect that our capabilities will improve incrementally as our programme of change progresses.

We are already working to formalise our relationship in an agreement between ourselves, HMIC, and the College of Policing.

As part of your consultation you have asked a number of specific questions, to which our responses are as follows.

- 1. Which of the three proposed topics for thematic inspections (Modern Slavery; Honour Based Violence; Cyber Crime) do you think it is most important for HMIC to inspect in 2014/15?**
- 2. Which of the three proposed topics for thematic inspections (Modern Slavery; Honour Based Violence; Cyber Crime) do you think is it least important for HMIC to inspect in 2014/15?**

The IPCC does not hold the right evidence base to advise on which of these potential topics for thematic inspection is the most or least important. In terms of the cases that we have

dealt with, we would be better able to contribute to inspections dealing with either modern slavery or honour based violence than we would to an inspection focusing on cyber crime.

3. Are there particular groups of the public which HMIC should include in its consultation on the format and detail of the annual assessment?

We believe that HMIC's all-force inspections present an opportunity to drive up public confidence in local policing services, and to empower the public by providing better information about how these services are being delivered and how they can improve. It is particularly important that HMIC's annual assessment can meet the needs of those with the lowest confidence in policing.

The IPCC does not collect information about public confidence in policing as a whole. We do however collect information about public confidence in the police complaints system that we oversee. This tells us that minority ethnic communities and young people have the least confidence in the police complaints system. We believe that consultation among these groups could add value to HMIC's work.

4. What is the best way to gather the views of victims of crime and anti-social behaviour on the service they have received from the police? (For instance: use of existing surveys/questionnaires; focus groups; online forums; or face-to-face individual surveys?)

We would encourage HMIC to engage with national and local support organisations (for example, Victim Support) for advice on how best to approach victims of crime and anti-social behaviour, and for insight on an ongoing basis into victims' perspectives on the service they have received from the police.

There is understanding to be gained from the information on complaints generally, whether from victims of crime or otherwise, that we collect and collate. In line with the points we have made above, we would welcome further discussion with HMIC about how our information can inform and assist with the planned all-force inspection programme.

We note that HMIC intends to collect information directly from the recipients of policing services in order to inform its annual assessment. Something that we have considered is whether there is scope for greater consistency to be introduced in how individual forces collect information on satisfaction among their service users. Greater consistency would enable the more ready comparison of results obtained by different forces. HMIC may wish to explore this.

5. Do you think a single annual document request is likely to pose less of an inspection demand than:

(a) requests spread throughout the year; or

(b) allowing HMIC inspectors access to force intranets and internal filing systems to access the documents themselves?

We have no view on this point.

6. Do you have any other suggestions for how HMIC could collect documents from forces in a way that reduces the inspection demand?

We believe that giving early notice to forces or any other organisation which is to provide information, which may of course include the IPCC, as to what will be required is helpful in minimising and managing the impact of that request.

7. In considering options for minimising the inspection demand, do you think HMIC should conduct inspections that are:

(a) shorter – but more frequent; or

(b) longer – but less frequent?

We have no view on this point.

8. Do you have any other suggestions for how HMIC could schedule inspection fieldwork in a way that reduces the inspection demand?

Our own work under our oversight and confidence strategy will involve the collection of information from forces relating to the handling of complaints and sometimes the dip sampling of complaints cases. As a part of the information sharing that we envisage with HMIC, we are keen to ensure that we inform each other of our work plans at the earliest opportunity. In this way we will be able to avoid any clashes or duplication between our work, and better manage the overall demands placed on forces.

**IPCC
February 2014**