

Living in Hackney Scrutiny Commission

Questions for the meeting on Monday 9 November

1. What is the role of the IOPC in working with the MET in relation to complaints?

We oversee the police complaints system in England and Wales. (As well as the police, our remit includes several organisations that have police-like powers but are not police forces. This includes Her Majesty's Revenue and Customs, the National Crime Agency, and the Gangmasters and Labour Abuse Authority. We also investigate criminal allegations against police and crime commissioners (PCCs) and their deputies.)

In particular, we:

- investigate the most serious incidents and complaints involving the police
- consider applications for a review or appeal from people who are unhappy about the outcome of their complaint or the way it has been handled by the police
- set and monitor the standards by which the police should handle complaints
- publish research and statistics on specific areas of policing and the police complaints system
- use learning from our work to influence changes in policing

While we play a central role in ensuring the police are held to account, we are part of a much wider system. We do not have responsibility for deciding the outcomes of criminal or misconduct proceedings or inquests, but the findings from our work are used to inform those important decisions.

All our decisions are made independently of the police, government and interest groups. Our Director General and executive team, and our Director for Wales and Regional Directors, have never worked for the police in any capacity.

Our mission is to improve public confidence in policing by ensuring the police are accountable for their actions and lessons are learnt. Our work plays a vital role in promoting transparency and ensuring effective oversight of policing. We also help to bring about improvements in policing and make sure that where something has gone wrong, it does not happen again.

Our priorities set out the areas we focus on and show how we intend to make a real difference to people's lives and to public safety. This includes a strong emphasis on ensuring lessons are learnt, whether from a single complaint or incident, or by looking at systemic issues.

2. What powers do the IOPC have in relation to the recommendations made following an investigation or review of a complaint case?

We use what we have learnt during our investigations and appeals work to improve policing practice, and to prevent similar incidents happening again. Learning recommendations can include:

- improving practice
- updating policy
- changes to training

We make learning recommendations in the course, or at the end, of our investigations. We can also make recommendations after making decisions on certain types of appeals.

Recommendations can be made to police forces (one or a number) or police and crime commissioners. In certain circumstances, we can also make recommendations for other organisations that are relevant to our investigations.

We have two legal powers to make recommendations. Under paragraph 28A, Schedule 3 of the Police Reform Act we can make a recommendation in relation to any matter dealt with in the investigation report or appeal. These recommendations can be made to police forces (one or a number) or police and crime commissioners. We can also, in certain circumstances, make recommendations for other organisations that are relevant to the investigation or appeal. Where we make a recommendation under paragraph 28A, the force or organisation we make a recommendation to must provide us with their response within 56 days, unless there are valid reasons not to. They can also request that we extend the time they have to respond. Both the recommendation and the response must be published.

Section 10 of the Police Reform Act gives us a slightly different power to make recommendations. This allows us to make recommendations more broadly about police practice that appear, from the carrying out of our functions, to be necessary or desirable. This does not carry the same legal requirement for the recipient of the recommendation to respond, or for the recommendation or any response to be published.

3. What percentage of IOPC recommendations do the MET comply with following reviews?

There is no obligation for recipients of recommendations from the IOPC to implement those recommendations however, as outlined above, where we make a recommendation under paragraph 28A, Schedule 3 of the Police Reform Act, they must respond saying whether they accept the recommendation.

We are currently undertaking some work to ensure our data about learning recommendations is up to date. At present this shows that between 1 January 2018 and 22 October 2020, we have made 43 recommendations to the MPS under paragraph 28A. Of these, they have accepted 22, did not accept 4 and we are awaiting a response on 17.

We are currently working to develop systems and processes for following up on learning recommendations, so that we can better understand what action has actually been taken in response to our recommendations, over and above whether they have been accepted.

4. What effect do IOPC recommendations have on policing policy and work practices?

Our impact report contains a variety of content relating to the impact our recommendations have had on policing policy and practice. Please refer to page 24-35 of the [impact report](#) for how we influence the bigger picture across the criminal justice system and other sectors, not just policing.

5. What will the IOPCs review on the use of stop and search cover and how can Boroughs engage with this work?

Sal is doing a lot of work in this area and will answer in detail at the meeting.