

Living in Hackney Scrutiny Commission (LiH)

MPS complaints system

Your request:

Is there scope for the IOPC to work with Hackney Council to better promote the changes to the MPS complaints system to facilitate better community engagement by residents with the MPS complaint system?

IOPC response:

Yes, there is definitely scope to undertake this work in Hackney. Whilst we have not yet attended the Hackney IAG, S&S CMG or SNB meetings we can organise these as a priority by liaising with the Chairs of these groups.

Whilst we do try to maintain contact with stakeholders including local Councillors, community groups and Chairs of the aforementioned groups, we are also willing to attend any stakeholder meetings in the Borough where there is a wide reach and the opportunity to raise awareness of communities and residents.

The opportunity to work alongside colleagues from Hackney Council to promote the police complaints system on their website, signposting people to where they can complain is one which we would welcome.

Your request:

We would like more information about the outcomes of reviews or appeals the IOPC has conducted since the new process and procedures were introduced?

IOPC response:

Since the introduction of the new legislation (1 Feb 2020), the IOPC have continued to handle appeals for legacy cases; complaints made prior to the new legislation coming into force and now handle reviews against handled other than by investigation or investigation.

The IOPC have handled a number of reviews, as well as MOPAC. The MPS have also been considering appeals within this time too, for legacy cases where they are the relevant appeal body.

Further information from the IOPC and MOPAC is provided below.

IOPC reviews/appeals

Period: 1 February 2020 to 10 May 2021 (inclusive)

Appropriate Authority: Metropolitan Police

Investigation Appeals

	No. Received	No. Completed	No. valid completed*	No. upheld	No. not upheld	% upheld**	No. completed appeals with 1 or more directions made***
Investigation Appeals	338	374	355	113	241	32%	72

*Some appeals may be deemed 'invalid' (i.e. there was no right of appeal) and these have been excluded from the number of 'valid completed' and the calculation for '% upheld'

**Due to a recording error, one appeal was deemed valid but has no recorded decision (Upheld or Not Upheld). It has been included as a valid completed appeal, but does not contribute to the number upheld/not upheld or the % upheld.

***These 72 appeals accounted for 75 directions in total (3 appeals had two directions made each).

Reviews

	No. Received	No. Completed	No. valid completed*	No. upheld	No. not upheld	% upheld
Investigation	120	65	65	18	47	28%
Other than by investigation	100	70	67	22	45	33%

*Some reviews may be deemed 'invalid' (i.e. there was no right of review) and these have been excluded from the number of 'valid completed' and the calculation for '% upheld'

MOPAC requests for review (received 30/04/21)

MOPAC have received 597 'requests for review' in the twelve months following 1 Feb 2020.

Since 1 January 2021, MOPAC have received approximately 300 requests for review.

MOPAC have upheld approximately 32% of reviews.

In 65% of cases, MOPAC have recommended learning for the MPS. This is most commonly relating to the poor level of contact they have had with complainants.

This leads to them missing parts of what the complainant is unhappy about.

Your request:

We would like more information about the difference in the role of the IOPC and MOPAC in the right of review/appeal process for MPS complaints

IOPC response:

The differences in our role is the severity of the types of cases/complaints we will respectively handle. MOPAC will handle the less serious complaints, whereas the IOPC will handle the more serious/severe allegations. But ultimately our aim is the same i.e. to determine whether the forces handling of a complaint is reasonable and proportionate.

The test to decipher who the relevant review body (RRB) is set out in Chapter 18 of the Statutory Guidance. This states that the IOPC is the relevant review body under in any of the following categories:

- . A complaint about senior officers
- . The conduct complained of, if proved, would justify criminal or misconduct proceedings or involves the infringement of Article 2 (right to life) or Article 3 (protection from torture) of the ECHR
- . The complaint has been, or must be, referred to the IOPC

- . The complaint arises from the same incident as a complaint that satisfies any of points 1-3 above

For info, the RRB is the same wording as the relevant appeal body test (RAB) under the previous legislation; the key difference being that the definition of misconduct has changed – misconduct proceedings are warranted if it would result in a written warning).

Culture change

Your request:

How will the IOPC monitor the progress of the recommendations from this review and is there any statutory support to enforce the recommendations or the monitoring process?

IOPC response:

We are aware that a number of local Boroughs are implementing action plans in response to the recommendations made by the IOPC and are using S&S CMG to have oversight/monitor the progress being made.

The IOPC are carrying out a mapping exercise across London to see how consistent this approach is.

Ultimately, MOPAC have within their remit through the Deputy Mayor, to hold the MPS accountable for the delivery against the Stop & Search learning recommendations.

Your request:

Is there further work the IOPC can do to encourage the MPS to look at culture change within their organisation?

IOPC response:

Any investigations which cause us concern regarding the culture of policing we address via the learning recommendations made during and at the end of the case.

Our thematic work on Race discrimination will also consider the issue of culture within police forces across England and Wales, as we analyse our evidence base which features issues concerning discrimination. This work is underway, and we will be sharing interim findings this summer and our substantive report will be published next year.

We have recently issued a letter to all police forces across England and Wales, because of concerns we've seen in our investigations about how police officers are using social media. [IOPC warns officers about inappropriate social media use | Independent Office for Police Conduct](#)

Youth Engagement

Your request:

Is there scope for the Hackney Account Group to feed into the IOPC's youth engagement programme of work?

IOPC response:

We have been keen to undertake engagement with the Hackney Account group but have unfortunately been unable to do this mainly due to capacity, however, are in contact with colleagues from Account and are hoping to progress this relationship and engagement in the coming months.

We will be extending the invitation for members of Account to join the IOPC youth panel, which is something we can discuss with them when we meet.

We have also ensured that the opportunity to apply to be an IOPC Aspiring Professional (4 week work placement) was forwarded to Account group members in early May.