

# **MOPAC**

## **POLICE COMPLAINT REVIEWS TEAM**

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**MAYOR OF LONDON**

OFFICE FOR POLICING AND CRIME

# What we do

We review the outcome and handling of *some* complaints made to the Metropolitan Police Service (MPS).

One of the aims of the Policing and Crime Act 2017 was to **reform the police complaints and disciplinary systems to ensure that the public have confidence in their ability to hold the police to account.**

To that end, the act introduced several reforms - one reform was that local policing bodies (Police and Crime Commissioners / MOPAC) took over the appeal function - now known as reviews.

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## Who can request a review?

- Anyone who makes a complaint to the MPS that is **recorded** under Schedule 3 to the Police Reform Act 2002.
- If the complainant for example is unhappy with the handling or outcome of that complaint, they have a right of review.
- Depending on the nature of the complaint, the review body is either the IOPC or MOPAC.

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# What complaints can MOPAC review?

The **IOPC** is the relevant review body where:

- i. the appropriate authority is a local policing body
- ii. the complaint is about the conduct of a senior officer (an officer holding a rank above chief superintendent)
- iii. the appropriate authority is unable to satisfy itself, from the complaint alone, that the conduct complained of (if it were proved) would not justify the bringing of criminal or disciplinary proceedings or would not involve an infringement of a person's rights under Article 2 or 3 of the European Convention on Human Rights
- iv. the complaint has been, or must be, referred to the IOPC
- v. the IOPC is treating the complaint as having been referred (also known as the 'power of initiative', see paragraphs 9.36 - 9.39)
- vi. the complaint arises from the same incident as a complaint falling within ii-v
- vii. any part of the complaint falls within ii-vi

In any other case, the relevant review body is **MOPAC**.

# How to request a review

## Your right to a review

### MOPAC

If you think you have a reason for this decision to be reviewed, the Relevant Review body is the Mayors Office for Policing and Crime (MOPAC). You have 29 days from the date of this letter to make your appeal. The 29th day is 9 March 2023. Appeals received after 29 days may not be considered unless there are exceptional circumstances.

[ComplaintReviews@mopac.london.gov.uk](mailto:ComplaintReviews@mopac.london.gov.uk)

[www.london.gov.uk/police-complaints-review](http://www.london.gov.uk/police-complaints-review)

MOPAC Police Complaint Reviews Team  
169 Union Street  
London  
SE1 0LL

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# What can't we consider?

## We cannot:

- Reconsider or investigate complaints
- Investigate crimes
- Recommend compensation
- Make directions

Reviews are an opportunity for us to **independently consider the handling and outcome of a complaint - not to investigate the complaint ourselves.**

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# What can we consider?

There is a set list of criteria we have to consider:

- Why you are unhappy about the outcome or handling of your complaint.
- Was your complaint fully understood, and were all allegations or concerns addressed?
- Were reasonable lines of enquiry pursued to be able to provide a reasonable and proportionate outcome?
- Was appropriate guidance followed in determining the outcome of your complaint?
- Was all information or evidence weighed appropriately and fairly?
- Do the findings or determinations reached logically follow from the information or evidence available?
- Are the proposed outcomes appropriate?

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# Reasonable and Proportionate

- The key principles when reviewing a complaint are *reasonable and proportionate*.
  - Doing what is appropriate in the circumstances.
  - Weighing up the matter's seriousness and its potential for learning against the efficient use of policing resources.
  - Considering the nature of the incident, any actual or potential impact or harm to individual(s), communities or the wider public - and the potential impact on confidence in the police / police complaints system.
  - Providing a clear and evidence based rationale for any decisions taken.

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# Upheld cases

- Upheld cases are those where the outcome of the complaint was not reasonable and proportionate. This could mean for example that an outcome was not logical or not all appropriate lines of enquiry were pursued.
- If we identify that something has gone wrong - we make a recommendation to address that.
- The majority of upheld cases result in a recommendation that the MPS should **investigate** a complaint.
- The other recommendation we regularly make is called a “**28ZA recommendation**” - effectively any recommendation which we think will remedy the complainant’s dissatisfaction. This could for example be an apology, providing a piece of information, or recommending that the matter is dealt with under the Reflective Practice Review Process. It may not be a recommendation that compensation is paid.
- We also identify learning for complaint handlers on some not-upheld cases. This is communicated to both the complainant and the MPS and used to improve future complaint handling.

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## Overview of reviews 1 February 2020 - 7 March 2023

- **2,400** review requests received
- **2,014** cases closed
- **1,582** review decisions issued
- **197** RRB changes recommended and agreed

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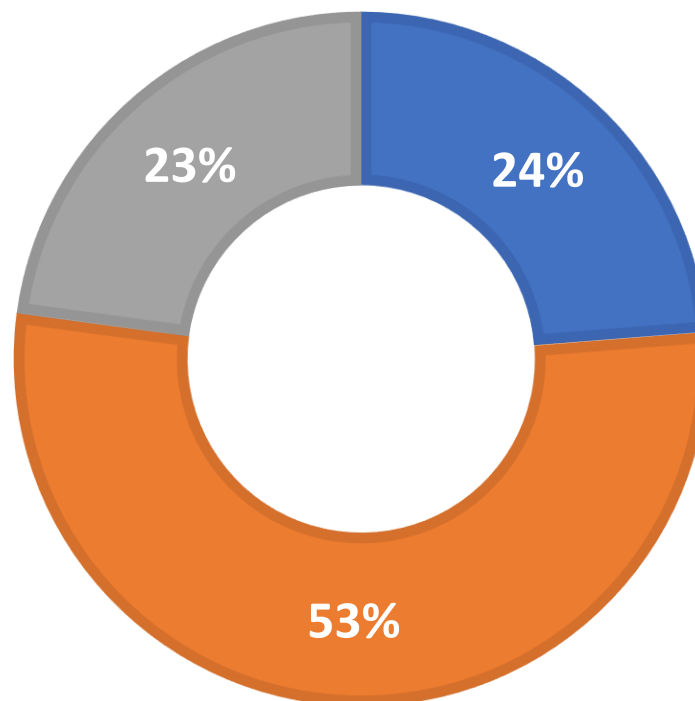
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# Review outcomes

■ Upheld - 347

■ Not-upheld - 779

■ Not-upheld + learning identified - 334



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Ultimately, there is a significant benefit to MOPAC identifying learning while performing reviews. We work with the MPS to improve complaint handling, but we also get first hand insight about why people are complaining. If we can help to identify this alongside the MPS, there is the potential to make a positive impact on day to day policing.

- In addition to completing reviews, MOPAC work hard to identify trends and problem areas, and work collaboratively with the MPS to address them.
- This includes training we deliver to the MPS and guidance for complaint handlers.

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