**MDA No.: 1422** 

# Title: IOPC Report – Police Conduct and Complaints

### 1. Executive Summary

- 1.1 At the Police and Crime Committee meetings on 8 June and 22 June 2022, the Committee held discussions on the work of the Independent Office for Police Conduct (IOPC) and resolved that:
  - Authority be delegated to the Chairman, in consultation with party Group Lead Members, to agree any output arising from the discussion.
- 1.2 Following consultation with party Group Lead Members, the Chairman is asked to agree the Committee's report, *Police Conduct and Complaints*, as attached at **Appendix 1**.

### 2. Decision

2.1 That Police and Crime Committee's report, *Police Conduct and Complaints*, be agreed.

### **Assembly Member**

I confirm that I do not have any disclosable pecuniary interests in the proposed decision and take the decision in compliance with the Code of Conduct for elected Members of the Authority.

The above request has my approval.

Signature:

Printed Name: Susan Hall AM, Chairman of the Police and Crime Committee

Date: 10/11/2022

### 3. Decision by an Assembly Member under Delegated Authority

### Background and proposed next steps:

- 3.1 The exercise of delegated authority agreeing the Committee's report, *Police Conduct and Complaints*, will be formally noted at the Committee's next appropriate meeting.
- 3.2 Officers confirm that the report and recommendations fall within the Committee's terms of reference.

### Confirmation that appropriate delegated authority exists for this decision:

Signature (Committee Services): L. Harvey

Printed Name: Lauren Harvey, Senior Committee Officer

Date: 31/10/2022

Telephone Number: 07729 625579

### **Financial Implications: NOT REQUIRED**

Note: Finance comments and signature are required only where there are financial implications arising or the potential for financial implications.

Signature (Finance): Not Required

Printed Name: N/A

Date: N/A

Telephone Number: N/A

### **Legal Implications:**

The Chairman of the Police and Crime Committee has the power to make the decision set out in this report.

Signature (Legal):

Printed Name: Emma Strain, Monitoring Officer pp Rebecca Arnold, Assistant Director, Committee and Member Services

Date: 3/11/2022

Telephone Number: 07971 101375

Georgia-

### Supporting Detail / List of Consultees:

- Unmesh Desai AM (Deputy Chair)
- Caroline Pidgeon MBE AM
- Caroline Russell AM

### 4. Public Access to Information

- 4.1 Information in this form (Part 1) is subject to the FoIA, or the EIR and will be made available on the GLA Website, usually within one working day of approval.
- 4.2 If immediate publication risks compromising the implementation of the decision (for example, to complete a procurement process), it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary.
- 4.3 **Note**: this form (Part 1) will either be published within one working day after it has been approved or on the defer date.

### Part 1 - Deferral:

Is the publication of Part 1 of this approval to be deferred? NO

If yes, until what date:

### **Part 2 – Sensitive Information:**

Only the facts or advice that would be exempt from disclosure under FoIA or EIR should be included in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a part 2 form? NO

### **Lead Officer / Author**

Signature: J. Roker

Printed Name: Janette Roker

Job Title: Senior Policy Adviser

Date: 3/11/2022

Telephone Number: 07511 213748

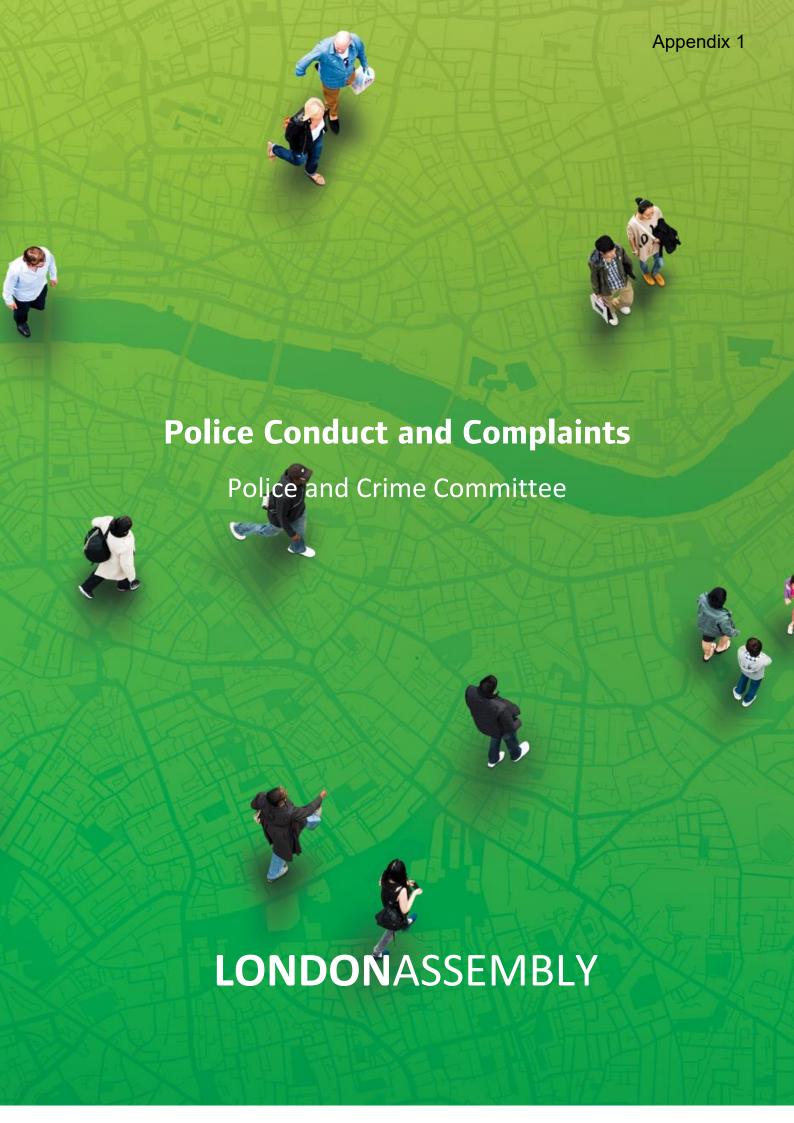
### Countersigned by Executive Director:

Signature: ##

Printed Name: Helen Ewen, Executive Director of Assembly Secretariat

Date: 9/11/2022

Telephone Number: 07729 108986



### **Police and Crime Committee**



The London Assembly Police and Crime Committee is responsible for examining the work of the Mayor and his Office for Policing and Crime (MOPAC), to make sure that he is delivering on his promises to Londoners. It also investigates other issues relating to policing and crime in the capital, and routinely publishes the findings and recommendations from its investigations.

### **Contact us**

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### **Contents**

Police and Crime Committee	2
Contact us	3
Contents	4
Foreword	5
Executive summary	7
Recommendations	9
Trust in the police conduct and complaints system	11
Police complaints and conduct matters in London	11
Discrepancies in outcomes	14
Responding to serious misconduct	15
Transparency and communication	18
Capacity and capability of the IOPC	23
Committee activity	29
Other formats and languages	30
Connect with us	31

### **Foreword**



Susan Hall AM
Chair of the Police and Crime Committee

The Metropolitan Police Service (the Met) has been beset by a series of scandals. Too many of these scandals involve unacceptable behaviour committed by serving Metropolitan Police Officers. Londoners will be distressed that this behaviour has been allowed to continue, as will the thousands of dedicated officers in the force.

It is in this context that the London Assembly Police and Crime Committee decided to examine the role of the police conduct and complaints system. Our investigation focusses primarily on the role of the Independent Office for Police Conduct (IOPC), which has a duty to secure and maintain public confidence in the police complaints system.

The minimum that the public expects is that complaints and allegations of misconduct against police officers are thoroughly and independently investigated, and that action is taken to remove any officer found guilty of serious wrongdoing. However, this is too often not the case.

During this investigation we have encountered a system of lengthy investigations causing real pain for victims, complainants and officers. The police complaints and conduct system is governed by highly complex regulations. It is unsurprising that it the system is poorly understood by the public.

We were dissatisfied that senior officers are not in charge of who can be dismissed from their force. This is supported by Baroness Louise Casey's recent review of the Met's misconduct system, which described appalling cases of officers getting away with breaking the law and misconduct. Her review was published after we had completed the work for our investigation, but I welcome her findings which resonate with our own.

I was also encouraged that following this review, Commissioner Sir Mark Rowley has already written to the Home Secretary to seek changes in regulations so that he can act more decisively to root out those who have no place in the police.<sup>2</sup> This action to some extent anticipates recommendation two from our investigation.

<sup>&</sup>lt;sup>1</sup> The Met, <u>Baroness Casey's report on misconduct</u>, 17 October 2022

<sup>&</sup>lt;sup>2</sup> The Met, Commissioner Sir Mark Rowley's letter to Baroness Casey on misconduct, 17 October 2022

Finally, we would like to thank all of our witnesses – the Met's Directorate of Professional Standards, the Mayor's Office for Policing and Crime, the Metropolitan Police Federation and the IOPC – who generously gave their time to support the Committee's work.

There is a crisis in confidence in the Met, and Londoners need and deserve to see real change. The Mayor should treat this issue as a priority and take forward this report's recommendations as soon as possible.

I hope that Met officers and the IOPC can overcome areas of disagreement between them and work collaboratively with the Mayor and MOPAC to implement the Committees recommendations. I believe this is vital if we are to have a clear, transparent and effective conduct and complaints system that the public can trust.

### **Executive summary**

The Independent Office for Police Conduct (IOPC) was founded in 2018. It replaced the Independent Police Complaints Commission (IPCC) and formed part of several measures to improve the efficacy of the police complaints system. It has statutory duties to secure and maintain public confidence in the police complaints system in England and Wales; and to ensure that it is efficient and effective. It also aims to improve public confidence in policing by ensuring the police are accountable for their actions, and that lessons are learnt. <sup>3</sup>

This investigation examined the role of the police complaints system in improving public confidence in the Metropolitan Police Service (the Met). The Committee held two evidence sessions with representatives from the IOPC, the Met's Directorate of Professional Standards (DPS), the Mayor's Office for Policing and Crime (MOPAC) and the Metropolitan Police Federation. We are thankful to our witnesses who generously shared their time and expertise.

Londoners need to be assured that misconduct by serving officers in the Met will be dealt with professionally, impartially and in a timely way by people with the expertise required to reach a fair conclusion. Met officers under investigation also want such assurances. This investigation makes several conclusions, highlighting areas where further attention is required to increase confidence in the complaints and conduct system. These conclusions include the following:

- There is a highly fraught relationship between Met officers and the IOPC. The
  Metropolitan Police Federation was particularly forthright in its criticism of the IOPC,
  and the accusations and disagreements between both parties risk further eroding trust
  in both the Met and the conduct and complaints system.
- Statutory guidance does not allow for the swift removal of officers who have committed serious misconduct, including those convicted of crimes. The Committee calls on the Mayor to coordinate with relevant agencies to push for a change in the rules.
- The IOPC is the custodian of police complaints data. This is a vital role that should allow people to scrutinise and hold to account both police forces and the conduct system. However, the Committee was disappointed with the quality of data provided by the IOPC, and makes several suggestions for how this should be improved.
- The investigation found that the Met still does not know how to effectively respond to the increased prevalence of footage of policing incidents being shared on social media. The Committee suggests that the Met should develop a new communications strategy that will enable it to respond more proactively.
- Senior Met officers do not feel confident that they can comment publicly on policing incidents subject to ongoing investigation by the IOPC. A "say nothing" approach prevails, and this can result in scrutiny bodies being unable to ask questions of senior staff on issues of great importance and interest to the public. The Committee

<sup>&</sup>lt;sup>3</sup> The police complaints and conduct system is complex, and this short report does not attempt to provide readers with a comprehensive overview of how the police complaints and allegations of misconduct are investigated. The House of Commons Library has published a useful guide explaining the system here.

recommends that relevant media guidance issued by the IOPC and the National Police Chiefs' Council (NPCC) is reviewed.

- The length of time the IOPC takes to conclude investigations is still a point of frustration, but the Committee is confident that the IOPC understands this and is making appropriate changes. Greater transparency from the IOPC on how live cases are progressing would be welcome, particularly for cases taking over 12 months.
- The IOPC does not have the resources it needs to be an effective independent investigator of police conduct and complaints in London. Without a significant uplift in its resources, including staff, the pressures it currently faces will only grow as the uplift in police officers' numbers could lead to a higher volume of cases.
- Unlike its predecessor, the IOPC makes learning recommendations to the Met aimed at
  addressing systemic issues they are observing across investigations. However, the IOPC
  does not track the learning recommendations it makes to the Met, raising questions
  over how effective this function is.

The Committee also notes the recent publication of Baroness Casey's interim review on misconduct procedures in the Met and welcomes its findings. The Committee completed its work for this investigation before the publication of Baroness Casey's review, and completely independently of the review, though we are pleased to see there are clear areas of commonality in our findings.

The Committee makes eight recommendations, which are set out overleaf.

### Recommendations

### **Recommendation 1**

In order to decrease the number of cases being unnecessarily taken forward, the Home Office should review the threshold at which police conduct matters are brought to a disciplinary panel.

### **Recommendation 2**

The Mayor should work with the IOPC, the Met and the Metropolitan Police Federation to lobby the Home Secretary to review statutory guidance to allow for the immediate removal of police officers who are proven unfit for the role, including those who have been convicted of criminal offences

### **Recommendation 3**

For the IOPC to fulfil its role as the custodian of police complaints data for London and nationally, it should establish a consistent policy on data, informed by the principles set out in the Code of Practice for Statistics, which seeks to:

- ensure that all statistical reports are accompanied with associated data tables
- make raw data on police complaints and conduct publicly available at force-level, where appropriate
- ensure the IOPC website is regularly maintained so that statistical bulletins are easily accessible and clearly labelled, and links to external webpages work
- clearly communicate when each statistical bulletin is published and when the next in that series is expected to be published.<sup>4</sup>

### **Recommendation 4**

Upon publication of annual police complaints statistics, the IOPC should brief the Committee on key data relevant to the Met and how the Met's performance compares to most similar forces.

### **Recommendation 5**

The Met should develop a new communications strategy to enable it to respond more proactively to members of the public recording and uploading video footage of police incidents online. The strategy should set out clear guidance to Met communications staff on how they can swiftly publish contextual information online to ensure the public are aware of the full context of incidents.

### **Recommendation 6**

The IOPC should, jointly with the NPCC, seek feedback from individual forces, including the Met, to inform a review of its protocol for media relations, to provide officers with greater

<sup>&</sup>lt;sup>4</sup> UK Statistics Authority, Code of Practice for Statistics, May 2022

confidence when commenting publicly on incidents subject to live investigations, including when attending official scrutiny meetings of elected representatives.

### **Recommendation 7**

The Mayor should work with the IOPC, the Met and the Metropolitan Police Federation to lobby the Home Secretary to request that the IOPC is provided with a long-term uplift in resources to boost its capacity in line with the increase in police numbers.

### **Recommendation 8**

By the end of 2022, MOPAC and the IOPC should establish and publish details of a formal joint mechanism for tracking the implementation of the IOPC's learning recommendations made to the Met.

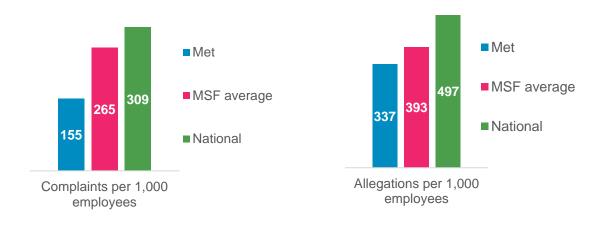
### Trust in the police conduct and complaints system

### Police complaints and conduct matters in London

In 2021-22, there were 7,216 complaint cases logged by the Met.<sup>5</sup> These complaint cases included 15,773 separate allegations made against Met officers. Fewer allegations were made against the Met per 1,000 employees than averages both across the most similar force (MSF) group and nationally.<sup>6</sup>

Complaints logged in 2021-22

Allegations logged in 2021-22



The highest number of allegations were around delivery of duties and service (49 per cent), followed by police powers, policies and procedures (26 per cent); individual behaviours (11 per cent); and discriminatory behaviour (4 per cent).<sup>7</sup> Of the 629 allegations of discriminatory behaviour, 74 per cent were related to race. This is higher than both the MSF (66 per cent) and national average (59 per cent).

In 2021–22, 90 per cent of allegations logged by the Met were handled formally.<sup>8</sup> Twenty-four per cent of these were subject to formal investigation by either the Met or the IOPC.<sup>9</sup> Seventy-four allegations led to an officer being found to have a case to answer for misconduct or gross misconduct.<sup>10</sup>

The IOPC handles only the most serious complaints and conduct matters. In 2021-22 it received

<sup>&</sup>lt;sup>5</sup> IOPC, Police Complaints Information Bulletin, the Met, Q4 2021/22, p.2-3, September 2022

<sup>&</sup>lt;sup>6</sup> The MSF group used by the IOPC is: Greater Manchester, Metropolitan, West Midlands and West Yorkshire.

<sup>&</sup>lt;sup>7</sup> IOPC, Police Complaints Information Bulletin, the Met, Q4 2021/22, p.4, September 2022

<sup>&</sup>lt;sup>8</sup> In its data, the IOPC refers to allegations that are handled formally as being handled under Schedule 3 of the Police Reform Act 2002.

<sup>9</sup> IOPC, Police Complaints Information Bulletin, the Met Service, Q4 2021/22, p.7, September 2022

<sup>&</sup>lt;sup>10</sup> IOPC, Police Complaints Information Bulletin, the Met Service, Q4 2021/22, p.7, September 2022

1,061 referrals from the Met. The IOPC conducted an independent investigation into only 91 (9 per cent) of these referrals.<sup>11</sup>

### Relationships between the Met and the IOPC are strained

A lack of trust between Metropolitan Police officers and the IOPC risks further damaging the reputation of both parties

There is a clear lack of trust between rank-and-file Met officers and the IOPC. In evidence given to the Committee in its meetings on 8 June and 22 June 2022,<sup>12</sup> the Metropolitan Police Federation indicated that officers have a dim view of the IOPC, and the Met's DPS said many officers believe that the IOPC is "out to get them".<sup>13</sup>

"Officer confidence is low in the IOPC. I do not think that will come as a great surprise to anyone. There are various reasons for this. There is still the perception that the IOPC are out there to get officers."<sup>14</sup>

### Matt Cane, Professional Standards Lead Metropolitan Police Federation

"I think they probably have a low opinion of the IOPC, to be honest ... I think that they see the IOPC as an independent body that is out to get them. I will not mince my words, but I think you can probably understand why they feel that. That is not what they want to do, and it is not the message that my department promotes." 15

Commander Jon Savell, Head of Professionalism Standards and Recognition The Met

The Metropolitan Police Federation repeatedly stated its support for an independent complaints and conduct system. However, it appeared to have little faith that the IOPC was able to administer such a system effectively and impartially. It said officer confidence had been dented by lengthy IOPC investigations; experience of IOPC investigators; and the oversight and governance of the IOPC. It also said there was a perception that the IOPC only publicises cases of misconduct, and does not publicise examples of where investigations have vindicated the actions of officers or found examples of good practice. On this latter point, the IOPC told us that it has tried in the past to publicise examples of good practice, but that the media were less interested in such "good news" stories.

The Metropolitan Police Federation also accused the IOPC of being politically motivated in some of its actions. It suggested that the IOPC chose to publish its Operation Hotton report at a time that would cause maximum damage to the then Commissioner of the Met, Dame

<sup>&</sup>lt;sup>11</sup> When the IOPC receives a referral from a police force, it reviews the information the force has provided. The IOPC decides whether the matter requires an investigation, and whether that investigation should be led by the IOPC (independent investigation) or by the force (directed or local investigation).

<sup>&</sup>lt;sup>12</sup> London Assembly, <u>Police and Crime Committee agenda and minutes</u>, 8 June 2022; London Assembly, <u>Police and Crime Committee agenda and minutes</u>, 22 June 2022

<sup>&</sup>lt;sup>13</sup> London Assembly, Police and Crime Committee agenda and minutes, 8 June 2022

<sup>&</sup>lt;sup>14</sup> London Assembly, Police and Crime Committee agenda and minutes, 22 June 2022

<sup>&</sup>lt;sup>15</sup> London Assembly, Police and Crime Committee agenda and minutes, 8 June 2022

Cressida Dick DBE QPM. <sup>16</sup> This suggestion was rebutted at the Committee's meeting by the IOPC

"I take the cynical view that it was a political timing to release that [Operation Hotton] report, because we all know what the fallout of that report was: the resignation of one of the most respected commissioners in a very long time." <sup>17</sup>

Ken Marsh, Chair Metropolitan Police Federation

"In terms of any allegations around the timing of that report, I would absolutely reject any sort of assertion there. It is really important to go on record to do so." 18

Sal Naseem, Regional Director for London IOPC

The Committee recognises that a degree of wariness is always likely to exist between police officers and the independent body that investigates their conduct. The Committee was, however, disappointed that the Metropolitan Police Federation questioned the IOPC's integrity and political neutrality in this way. Such public disputes only damage the reputations of both bodies and risk further worsening public trust in the complaints and conduct system.

Poor relationships must not hinder investigations

A lack of trust amongst Met officers in the IOPC can hinder investigations. When asked whether officers cooperate well with IOPC investigations, the IOPC told the Committee it was a "mixed picture". <sup>19</sup> It said, for example, that collecting statements from officers could sometimes be a "drawn-out" process that contributed to delays.

"What we would love is for the officer to be able to just give their account in a way that is as speedy as possible so that we can get to the place we all need to get to, to reach our conclusions. Sometimes that process can be quite drawn out in terms of written statements."

Sal Naseem, Regional Director for London IOPC

Other witnesses told the Committee that officers were cooperative with investigations. The Met's DPS explained that officers may prefer to provide a "full but considered response" via written statement, rather than providing a statement under interview conditions.<sup>21</sup> The

<sup>&</sup>lt;sup>16</sup> Operation Hotton was a series of interlinked investigations conducted by the IOPC into the actions of officers predominately based at Charing Cross Police Station. The report, published in January 2022, can be found here.

<sup>&</sup>lt;sup>17</sup> London Assembly, Police and Crime Committee agenda and minutes, 22 June 2022

<sup>&</sup>lt;sup>18</sup> London Assembly, Police and Crime Committee agenda and minutes, 22 June 2022

<sup>&</sup>lt;sup>19</sup> London Assembly, Police and Crime Committee agenda and minutes, 22 June 2022

<sup>&</sup>lt;sup>20</sup> London Assembly, Police and Crime Committee agenda and minutes, 22 June 2022

<sup>&</sup>lt;sup>21</sup> London Assembly, Police and Crime Committee agenda and minutes, 8 June 2022

Metropolitan Police Federation said that it had "never been made aware by an IOPC investigator that any officer is or has not cooperated with an investigation". <sup>22</sup> It also said it was right that officers would want to consider legal advice before making statements.

The differing viewpoints heard by the Committee are a cause for concern. A situation where different parties publicly blame each other over the cause of delays to investigations, and dispute whether officers are fully cooperative, again risks damaging the reputation of all involved.<sup>23</sup>

### **Discrepancies in outcomes**

Discrepancies between IOPC findings and disciplinary panel decisions can cause concern amongst the public

When a case is referred to a police misconduct hearing,<sup>24</sup> that hearing must be conducted by a panel of three people: a legally qualified Chair (LQC); a senior police officer; and an independent panel member (IPM). In London, both the LQC and the IPM are recruited, trained and appointed by MOPAC.<sup>25</sup> The panel must establish "a fair and evidence-based judgment" about a particular police officer's conduct and agree an appropriate sanction.

Between February 2020 and July 2022, 46 Met officers were independently investigated by the IOPC and brought to a hearing.<sup>26</sup> Of those 46 officers:

- 17 were dismissed, or would have been dismissed if still serving
- 19 received a final written warning, a written warning, management advice or no further
- 10 had their case found not proven.

There have, therefore, been several instances where the IOPC has found that an officer has a case to answer for misconduct or gross misconduct, only to have the case found not proven by a disciplinary panel. Discrepancies between decisions reached by the IOPC and those reached by disciplinary panels can bring into question whether IOPC investigators are taking forward the right cases, or disciplinary panels are reaching the correct conclusions.

Both the IOPC and the Met DPS explained to the committee that these apparent 'discrepancies' are actually not unexpected.<sup>27</sup> Statutory guidance on the police complaints system sets the threshold for a misconduct hearing taking place as whether a panel *could* find a case of misconduct proven.<sup>28</sup> This means both the IOPC and the Met DPS have a lower threshold for deciding whether there is a case to answer for misconduct compared to the evidence likely

<sup>&</sup>lt;sup>22</sup> London Assembly, Police and Crime Committee agenda and minutes, 22 June 2022

<sup>&</sup>lt;sup>23</sup> This issue was also identified at the national level by the <u>Home Affairs Select Committee Police Conduct and Complaints inquiry</u>, which said it was "unsatisfactory and unedifying" for agencies to blame each other for delays.

<sup>&</sup>lt;sup>24</sup> MOPAC, <u>Police misconduct appeals</u>

<sup>&</sup>lt;sup>25</sup> MOPAC, Police misconduct appeals

<sup>&</sup>lt;sup>26</sup> This period has been chosen because police regulations changed in relation to conduct in February 2020.

<sup>&</sup>lt;sup>27</sup> London Assembly, <u>Police and Crime Committee agenda and minutes</u>, 8 June 2022; London Assembly, <u>Police and Crime Committee agenda and minutes</u>, 22 June 2022

<sup>&</sup>lt;sup>28</sup> IOPC, Statutory guidance on the police complaints system, February 2020

required to find a case of misconduct proven. Cases of misconduct will therefore inevitably be brought to a hearing on the basis that it 'could' be proven, only for it to be found not proven by a panel led by an LQC, who requires a higher level of proof.

"Could is quite a low bar. While it might be semantics, if that was 'would find on the balance of probabilities', that is quite a high bar. Of course, when you get to an independent panel with an independent legally qualified chair, they are testing the evidence and will almost certainly have a higher bar."<sup>29</sup>

Commander Jon Savell, Head of Professionalism Standards and Recognition The Met

This is how the system has been designed, which does not in itself indicate that cases are being brought erroneously. The media reporting of such discrepancies in outcomes, however, can help shape public perceptions that the police complaints system is flawed – either that IOPC investigations are reaching incorrect conclusions, or that bad officers are not facing justice.<sup>30</sup>

Prior to the statutory guidance on police complaints changing from February 2020, there was a smaller number of examples where the IOPC directed cases to progress to disciplinary panels, against the view of the Met DPS. These cases had a low likelihood of being found proven by a panel and had generated negative press.<sup>31</sup>

Following changes to the statutory guidance, however, the IOPC no longer follows a process where it 'directs' hearings when the force disagrees with the IOPC's determination. Now all misconduct proceedings brought following IOPC investigations are 'directed' by the IOPC and the IOPC's opinion is binding on chief constables. The Committee hopes that this change can reduce the level of public disagreement between the IOPC and the Met DPS.

Recommendation 1: In order to decrease the number of cases being unnecessarily taken forward, the Home Office should review the threshold at which police conduct matters are brought to a disciplinary panel.

### Responding to serious misconduct

### Statutory guidance hinders attempts to swiftly remove officers

MOPAC, the Met DPS and the Metropolitan Police Federation all agreed that there are flaws in the statutory regulations<sup>32</sup> on the police complaints system that affect how serious misconduct by serving officers, including criminal activity, can be handled.<sup>33</sup> The Met DPS said some of the

<sup>&</sup>lt;sup>29</sup> London Assembly, <u>Police and Crime Committee agenda and minutes</u>, 8 June 2022

<sup>&</sup>lt;sup>30</sup> The Guardian, Fewer than one in 10 police officers fired after gross misconduct finding, 18 January 2021

<sup>&</sup>lt;sup>31</sup> BBC, Police misconduct: Watchdog 'bringing wrong cases', 17 January 2019

<sup>&</sup>lt;sup>32</sup> IOPC, Statutory guidance on the police complaints system, February 2020

<sup>&</sup>lt;sup>33</sup> London Assembly, <u>Police and Crime Committee agenda and minutes</u>, 8 June 2022; London Assembly, <u>Police</u> and Crime Committee agenda and minutes, 22 June 2022

regulations "stretch things out" and "there are bits of the regulations which quite frankly need to be reviewed".<sup>34</sup>

Both the Met DPS and the Metropolitan Police Federation pointed out that police officers work as servants of the Crown, rather than being employed directly by the force. This means they are not subject to normal employment rules and cannot be immediately dismissed even where a serious offence has been committed.

MOPAC, the Met DPS and the Metropolitan Police Federation would all like to see police officers who have been convicted of criminal offences removed from employment immediately. However, their employment status and the timescales set out in the regulations mean that it takes at least three to four weeks to remove such officers. The Metropolitan Police Federation told the Committee that the regulations were "not fit for purpose".<sup>35</sup>

"Regulations are quite complex and where there are individuals that clearly we would not want to see serving within the MPS and where they are fairly – well, to my mind anyway – openand-shut cases, it should be a bit of a quicker process."<sup>36</sup>

# Kenny Bowie, Director of Strategy and Policing Oversight MOPAC

"The Commissioner and anybody that works in the MPS who sees a police officer convicted of a criminal offence wants to see them removed from the organisation as quickly as possible. The regulations are set out where notices have to be served and have to be responded to. Roughly three to four weeks is about the quickest you can then remove an officer from the force when they have been convicted of a rape, for example. I think you and I would all want to be serving that notice on the steps of the court." 37

Commander Jon Savell, Head of Professionalism Standards and Recognition The Met

The Met DPS also said that regulations and the employment status of an officer make it much harder to remove individuals exhibiting poor behaviour in their initial probation period, even when it is clear at an early stage that an officer is unfit for the role.<sup>38</sup>

Given the consensus between the Met DPS, MOPAC and the Metropolitan Police Federation, the Committee identified a clear need for a change in the rules to allow for the faster removal of officers who are convicted of crimes, or those who are under probation and clearly displaying behaviours at odds with the Met's values. The Metropolitan Police Federation said that it had "shouted about this from the rooftops" and raised this issue previously both with the Mayor of London and the Home Secretary.<sup>39</sup>

<sup>&</sup>lt;sup>34</sup> London Assembly, Police and Crime Committee agenda and minutes, 8 June 2022

<sup>&</sup>lt;sup>35</sup> London Assembly, <u>Police and Crime Committee agenda and minutes</u>, 22 June 2022

<sup>&</sup>lt;sup>36</sup> London Assembly, Police and Crime Committee agenda and minutes, 8 June 2022

<sup>&</sup>lt;sup>37</sup> London Assembly, Police and Crime Committee agenda and minutes, 8 June 2022

<sup>&</sup>lt;sup>38</sup> London Assembly, Police and Crime Committee agenda and minutes, 8 June 2022

<sup>&</sup>lt;sup>39</sup> London Assembly, Police and Crime Committee agenda and minutes, 22 June 2022

Recommendation 2: The Mayor should work with the IOPC, the Met and the Metropolitan Police Federation to lobby the Home Secretary to review statutory guidance to allow for the immediate removal of police officers who are proven unfit for the role, including those who have been convicted of criminal offences.

### **Transparency and communication**

### The standard of data published by the IOPC is not good enough

The IOPC plays an important role as the custodian of police complaints and conduct data across England and Wales.

The IOPC's annual police complaints statistics reports provide key statistics broken down by police force area and show year-on-year change.<sup>40</sup> The reports are published in both plain text and PDF, with associated Excel data tables. The range of formats is welcomed and helps to make the data accessible to forces and the public. That said, the Committee believes the IOPC should also consider publishing raw data alongside its annual reports. The publication of raw data is a practice adopted by other organisations in the interest of transparency. For example, the Met publishes raw dashboard data on topics such as Stop and Search.<sup>41</sup>

The IOPC also publishes quarterly police force performance data. This provides a breakdown of how individual police forces handle complaints and allegations, with comparisons made against the national picture and MSF group. <sup>42</sup> Unlike annual police complaints statistics, however, quarterly police force performance data is only made available in PDF and is not accompanied with associated data tables, limiting accessibility.

The IOPC has recently published its Q4 2021–22 police complaints bulletin for the Met.<sup>43</sup> This is the first quarterly bulletin published for a year, after the IOPC paused publication of its quarterly bulletins due to complications arising from the February 2020 changes to the statutory regulations. The reason for the gap in data is not clearly explained on the IOPC's statistics webpage; nor is there any indication of whether this most recent publication is a one-off, or the resumption of quarterly bulletins.

These issues are indicative of wider shortcomings in how the IOPC presents its data, which does not supply the Committee with confidence or transparency. Such shortcomings include:

- the statistics page on the IOPC website is difficult to navigate, with information that is poorly labelled and, at the time of writing, broken links to external webpages
- while changes to the statutory regulations from February 2020 make year-on-year comparisons with previous statistical bulletins difficult, the IOPC does not help readers understand where comparisons can and cannot be made between bulletins
- the IOPC does not clearly or publicly explain when further statistical bulletins are expected to be published.

Assembly members were also surprised that the IOPC did not have key data to hand when providing evidence.<sup>44</sup> MOPAC told the Committee it would welcome "greater transparency

<sup>&</sup>lt;sup>40</sup> IOPC, Police complaints statistics

<sup>&</sup>lt;sup>41</sup> The Met, Stop and search dashboard

<sup>&</sup>lt;sup>42</sup> IOPC, <u>Police complaints statistics</u>

<sup>&</sup>lt;sup>43</sup> IOPC, <u>Police Complaints Information Bulletin, the Met, Q4 2021/22</u>, September 2022

<sup>&</sup>lt;sup>44</sup> London Assembly, Police and Crime Committee agenda and minutes, 22 June 2022

around some of the data, the facts and the figures". <sup>45</sup> It suggested it had already raised issues over data with the IOPC. During the course of the investigation the Committee repeatedly found accessing and analysing IOPC data to be challenging.

Recommendation 3: For the IOPC to fulfil its role as the custodian of police complaints data for London and nationally, it should establish a consistent policy on data, informed by the principles set out in the Code of Practice for Statistics, which seeks to:

- ensure that all statistical reports are accompanied with associated data tables
- make raw data on police complaints and conduct publicly available at forcelevel, where appropriate
- ensure the IOPC website is regularly maintained so that statistical bulletins are easily accessible and clearly labelled, and links to external webpages work
- clearly communicate when each statistical bulletin is published and when the next in that series is expected to be published.<sup>46</sup>

Recommendation 4: Upon publication of annual police complaints statistics, the IOPC should brief the Committee on key data relevant to the Met and how the Met's performance compares to most similar forces.

### The Met needs to be more front-footed in its online communications

Many police incidents in London are video-recorded, by either concerned members of the public or those directly involved in the police interaction. People make recordings with the intention of holding officers to account, and to ensure that any wrongdoing or excessive use of force is captured and evidenced. Sometimes this footage is shared on social media sites, which can understandably trigger a response from members of the public.

"I have gone on the record so many times asking for body-worn cameras to be used publicly straightaway, as in America and other places. We do not have a problem with that because body-worn cameras are brilliant evidence for my colleagues, absolutely brilliant evidence for them. However, time and time again they are not used publicly, but other snapshots from a member of the public's mobile phone, from a CCTV camera or any other mode of filming is used and it is a snapshot of what happened."

Ken Marsh, Chair Metropolitan Police Federation

The Metropolitan Police Federation is concerned over the prevalence of videos of police interactions being shared online.<sup>48</sup> It thinks such footage can provide a misleading picture of an incident when it is posted without full context. It wants the Met to routinely and proactively share body-worn video (BWV) footage of incidents in response to videos posted online, to provide more context and to reassure members of the public that the police response was

<sup>&</sup>lt;sup>45</sup> London Assembly, <u>Police and Crime Committee agenda and minutes</u>, 8 June 2022

<sup>&</sup>lt;sup>46</sup> UK Statistics Authority, <u>Code of Practice for Statistics</u>, May 2022

<sup>&</sup>lt;sup>47</sup> London Assembly, <u>Police and Crime Committee agenda and minutes</u>, 22 June 2022

<sup>&</sup>lt;sup>48</sup> London Assembly, Police and Crime Committee agenda and minutes, 22 June 2022

proportionate.

The Met DPS, MOPAC and the IOPC all disagreed that BWV footage should be routinely shared.<sup>49</sup> Witnesses highlighted several complicating factors around releasing BWV footage, including issues of privacy and consent for those involved in the incident and onlookers captured in the footage.

"When you start to consider all the implications [of publishing BWV footage], it is far more complicated than one might consider to start off with. First of all, you should be getting the consent of those that are on the video to show it. There needs to be a legitimate, lawful policing purpose to release that body-worn video and in most cases that is very difficult to justify. If you have captured members of the public who are standing next to the person you are dealing with, that person needs to be contacted and asked for their consent. You can immediately see some of the difficulties with that. The person that you are interacting with might actually not want that shown."

Commander Jon Savell, Head of Professionalism Standards and Recognition The Met

The Met DPS and the IOPC also indicated that there are complications relating to potential use of BWV as evidence in a prosecution.<sup>51</sup>

"That footage might actually end up being part of a judicial process or a misconduct process, and therefore it being widely known completely undermines the integrity of that and the potential for its use in a prosecution." <sup>52</sup>

Commander Jon Savell, Head of Professionalism Standards and Recognition The Met

The Met DPS and the IOPC suggested selective releases of footage from BWV can create suspicions amongst the public.<sup>53</sup> It is inevitable that footage will need to be edited to be used; and people may have justified suspicions of why footage is shared for some incidents and not others, and how and why certain footage has been edited and by whom. The Met DPS also said that BWV footage does not include the full context that would enable the public to make a judgement over the proportionality of an officer's behaviour – for example, what the officers were told going into the incident and the threat level. Instead of sharing BWV online, the Met DPS and MOPAC were broadly supportive of the Met being more front-footed on its communications around incidents that are discussed online.

<sup>&</sup>lt;sup>49</sup> London Assembly, <u>Police and Crime Committee agenda and minutes</u>, 8 June 2022; London Assembly, <u>Police and Crime Committee agenda and minutes</u>, 22 June 2022

<sup>&</sup>lt;sup>50</sup> London Assembly, <u>Police and Crime Committee agenda and minutes</u>, 8 June 2022;

<sup>&</sup>lt;sup>51</sup> London Assembly, <u>Police and Crime Committee agenda and minutes</u>, 8 June 2022; London Assembly, <u>Police and Crime Committee agenda and minutes</u>, 22 June 2022

<sup>&</sup>lt;sup>52</sup> London Assembly, Police and Crime Committee agenda and minutes, 8 June 2022

<sup>&</sup>lt;sup>53</sup> London Assembly, <u>Police and Crime Committee agenda and minutes</u>, 8 June 2022; London Assembly, <u>Police and Crime Committee agenda and minutes</u>, 22 June 2022

"There are considerations about what you might publish. Some incidents may involve multiple officers, all of whom might have body-worn video running, for instance, and the inevitable editing of the footage risks accusations of bias." <sup>54</sup>

## Sal Naseem, Regional Director for London IOPC

"Can the MPS be a bit more front-footed in its comms when it is being criticised or where there could be public reassurance around some things? ... There are ways in which they could be slightly more proactive at putting out messages which could either reassure the public or just correct a narrative if it is entirely wrong." <sup>55</sup>

Kenny Bowie, Director of Strategy and Policing Oversight MOPAC

Recommendation 5: The Met should develop a new communications strategy to enable it to respond more proactively to members of the public recording and uploading video footage of police incidents online. The strategy should set out clear guidance to Met communications staff on how they can swiftly publish contextual information online to ensure the public are aware of the full context of incidents.

# The IOPC and the Met need to clarify the protocol for commenting on live investigations

There remains a clear tension between the IOPC and Met officers over how senior officers should comment publicly on cases under investigation by the IOPC. As an example, earlier this year Bianca Williams criticised the former Acting Commissioner Sir Stephen House, and former Commissioner Dame Cressida Dick, for comments they made in response to the stop and search of herself and her partner Ricardo dos Santos. Sir Stephen House and Dame Cressida Dick both publicly defended the actions of officers involved in the incident while an IOPC investigation was ongoing. Since the IOPC later found five cases of gross misconduct against the officers involved in the stop and search, these public statements caused deep embarrassment for the Met.

The IOPC told the Committee that senior officers should not express their views on the conduct of officers while an independent investigation is ongoing.<sup>57</sup>

"Public statements by chief officers expressing a view about whether or not there has been misconduct, prior to the completion of all of the statutory procedures, are likely to undermine the confidence of either subjects, complainants, interested parties or the public in relation to the independence and fairness of those procedures. It may also breach the legal requirements on chief officers and appropriate authorities for performing their own statutory duties under the Act by giving the appearance of bias or fettering their discretion." <sup>58</sup>

Amanda Rowe, Deputy Director General IOPC

<sup>&</sup>lt;sup>54</sup> London Assembly, <u>Police and Crime Committee agenda and minutes</u>, 22 June 2022

<sup>&</sup>lt;sup>58</sup> London Assembly, <u>Police and Crime Committee agenda and minutes</u>, 22 June 2022

The Met DPS said these experiences have led senior officers to now take a cautionary approach: "At the moment the protocol is that we should not say anything." The Committee is concerned that a fear or lack of understanding amongst senior officers on what they are able to say on cases under investigation will affect the ability of the media and scrutiny bodies, such as this Committee, to hold the Met to account – particularly as cases can take several months or even years to resolve.

The NPCC/IOPC's joint protocol for media relations sets out expectations around how senior officers can comment on live cases.<sup>60</sup> The IOPC said it is discussing with the NPCC whether this needs to be reviewed, to better support senior officers to comment appropriately on cases under live investigation by the IOPC.<sup>61</sup> The evidence the Committee heard suggests a review is indeed needed, to ensure that all parties are clear on expectations and to enable the effective scrutiny of live issues of concern to people living and working in London.

"There is an IOPC and an NPCC joint media protocol which we have in place, which we look to when we are making decisions about what can be spoken about in public, including to other scrutiny panels. We understand that chief officers can be placed in a really difficult position when they are asked questions about live IOPC investigations, whether from scrutiny panels, the media or members of the community ... What we are doing is discussing with the NPCC as to whether the current joint media protocol needs to be reviewed." 62

Amanda Rowe, Deputy Director General IOPC

Recommendation 6: The IOPC should, jointly with the NPCC, seek feedback from individual forces including the Met to inform a review of its protocol for media relations, to provide officers with greater confidence when commenting publicly on incidents subject to live investigations, including when attending official scrutiny meetings.

<sup>&</sup>lt;sup>56</sup> Independent, Met Police bosses criticised for defending officers in black athlete search, 27 April 2022

<sup>&</sup>lt;sup>57</sup> London Assembly, Police and Crime Committee agenda and minutes, 22 June 2022

<sup>&</sup>lt;sup>58</sup> London Assembly, Police and Crime Committee agenda and minutes, 22 June 2022

<sup>&</sup>lt;sup>59</sup> London Assembly, Police and Crime Committee agenda and minutes, 8 June 2022

<sup>&</sup>lt;sup>60</sup> NPCC/IOPC, A protocol for media relations during investigations by the IOPC, June 2018

<sup>&</sup>lt;sup>61</sup> London Assembly, <u>Police and Crime Committee agenda and minutes</u>, 22 June 2022

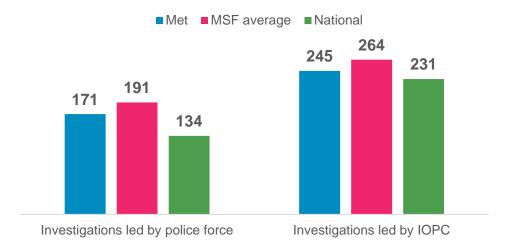
<sup>&</sup>lt;sup>62</sup> London Assembly, Police and Crime Committee agenda and minutes, 22 June 2022

### Capacity and capability of the IOPC

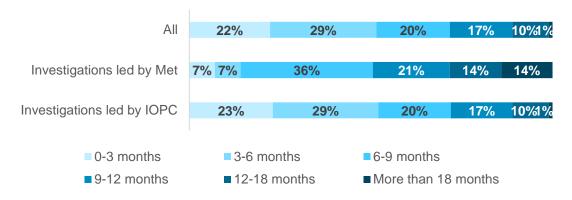
# Timeliness of IOPC investigations is improving, but remains a source of frustration

In 2021-22 investigations of allegations against Met officers led by the IOPC took on average 245 working days to resolve.<sup>63</sup> This is less than the MSF average (264) but higher than the national average (231). Investigations of allegations run by the Met itself took on average 171 working days to resolve. The IOPC completed 71 per cent of complaint cases involving the Met within 12 months; 28 per cent of cases took over 12 months to complete, half of which took longer than 18 months. As the IOPC leads on only the most serious allegations, it is to be expected that IOPC investigations will be more complex and therefore take longer to resolve.

Average number of working days to finalise allegations



Investigations completed in...



The Met DPS and MOPAC both said the timeliness of IOPC investigations had improved; but that more progress was needed to ensure investigations were resolved as swiftly as possible, in

<sup>63</sup> IOPC, Police Complaints Information Bulletin, the Met, Q4 2021/22, p.6, September 2022

the interests of police officers, victims and victims' families. 64,65

The Metropolitan Police Federation was, however, more critical of the IOPC's timeliness. It said there were "no controls" over how long investigations took; and that IOPC investigators did not understand the impact of prolonged investigations on officers.

"We do not think the IOPC investigators have any understanding of the impact of their investigations on officers or their families, as I said, particularly when they are restricted or suspended."66

Matt Cane, Professional Standards Lead Metropolitan Police Federation

The IOPC acknowledged there was more work to do on timeliness, though it referred several times to the complexity of the system and factors outside its direct control that prevented it from resolving investigations.<sup>67</sup> It said an investigation could be delayed if it is linked to the outcome of another IOPC investigation, or an inquest or review from another body. The IOPC and the Met DPS also suggested that more complex investigations, which might involve criminal behaviour, are likely to take longer to conclude.<sup>68</sup>

"The timeliness point is not lost on us. We are trying to discharge our duty in a difficult and complicated landscape. It is our challenge as much as it is policing's, but that is the challenge we have and we work through. The point on impacts is absolutely not lost on us. It is something we see day in day out and certainly I personally see." <sup>69</sup>

Sal Naseem, Regional Director for London IOPC

The Police Federation for England and Wales previously called for a 12-month deadline for IOPC investigations to conclude. The Met DPS, the IOPC and MOPAC all agreed that some investigations will inevitably take longer than 12 months and therefore did not support a deadline being imposed on investigations.

"12 months is a very long time, and we would all like to see that in 12 weeks rather than 12 months. But we have to be practical because sometimes, if there is a criminal prosecution, we know – with all the delays that come with that – that will stretch it out far beyond that timeframe. There are some cases that are incredibly complex."<sup>72</sup>

Commander Jon Savell, Head of Professionalism Standards and Recognition The Met

The Met DPS suggested that a benchmark is instead a useful mechanism to monitor

timeliness.<sup>73</sup> A benchmarking provision was brought in through the 2020 regulations, requiring the IOPC to write to MOPAC to explain the circumstances for any investigations that go beyond a year. The Metropolitan Police Federation criticised this as being "worthless", as IOPC investigators do not face any sanctions when an investigation takes longer than a year.<sup>74</sup>

MOPAC said that instead of imposing an "arbitrary deadline" for investigations to be resolved, the IOPC should focus on being "much clearer about the time it is expecting things to take, why that is the case, and provide more frequent updates". It said greater transparency from both the Met and the IOPC on how cases were progressing "would be helpful".

# The number of officers suspended and on restricted duties is severely impacting the Met

At the Committee's meeting in June 2022, the Met DPS said there were currently 53 officers suspended and over 400 officers subject to restrictions, which in almost all cases would involve being pulled from front-line, public-facing roles. <sup>76</sup> Overall, it was estimated there were around 450-500 officers who were not able to carry out a fully operational role. Additional information provided to the Committee by the Met DPS shows that some officers have faced suspensions and restrictions that have lasted several years. <sup>77</sup>

"In effect there is somewhere between 450 and 500 officers who are not able to do a fully operational role that we would want them to do. We know the size of the MPS; that is quite a significant number and it will impact on every area."<sup>78</sup>

# Commander Jon Savell, Head of Professionalism Standards and Recognition The Met

<sup>&</sup>lt;sup>64</sup> London Assembly, <u>Police and Crime Committee agenda and minutes</u>, 8 June 2022; London Assembly, <u>Police and Crime Committee agenda and minutes</u>, 22 June 2022

<sup>&</sup>lt;sup>65</sup> The <u>Home Affairs Select Committee Police Conduct and Complaints inquiry</u> similarly found that the IOPC had improved the timeliness of its investigations nationally, but that further improvements were needed.

<sup>&</sup>lt;sup>66</sup> London Assembly, <u>Police and Crime Committee agenda and minutes</u>, 22 June 2022

<sup>&</sup>lt;sup>67</sup> London Assembly, Police and Crime Committee agenda and minutes, 22 June 2022

<sup>&</sup>lt;sup>68</sup> Earlier this year, <u>in a letter to the Home Affairs Select Committee</u>, the IOPC suggested that certain investigations that involved potential criminal activity were being delayed by the time taken by the Crown Prosecution Service (CPS) to reach sentencing decisions. <u>Max Hill QC, Director of Public Prosecutions, disputed this</u> and said the IOPC referred some cases to the CPS with key evidence missing, requiring further evidence gathering before a sentencing decision can be made.

<sup>&</sup>lt;sup>69</sup> London Assembly, Police and Crime Committee agenda and minutes, 22 June 2022

<sup>&</sup>lt;sup>70</sup> Police Federation, <u>Time limits</u>

<sup>&</sup>lt;sup>71</sup> London Assembly, <u>Police and Crime Committee agenda and minutes</u>, 8 June 2022; London Assembly, <u>Police and Crime Committee agenda and minutes</u>, 22 June 2022

<sup>&</sup>lt;sup>72</sup> London Assembly, Police and Crime Committee agenda and minutes, 8 June 2022

<sup>&</sup>lt;sup>73</sup> London Assembly, <u>Police and Crime Committee agenda and minutes</u>, 8 June 2022

<sup>&</sup>lt;sup>74</sup> London Assembly, Police and Crime Committee agenda and minutes, 22 June 2022

<sup>&</sup>lt;sup>75</sup> London Assembly, Police and Crime Committee agenda and minutes, 22 June 2022

<sup>&</sup>lt;sup>76</sup> London Assembly, Police and Crime Committee agenda and minutes, 8 June 2022

<sup>&</sup>lt;sup>77</sup> London Assembly, Appendix 8 – MPS Responses to Actions, p.1, September 2022

<sup>&</sup>lt;sup>78</sup> London Assembly, Police and Crime Committee agenda and minutes, 8 June 2022

The high number of staff suspended and under restrictions impacts the Met both operationally and financially. Because of the variable nature of restricted duties, it is hard to quantify exactly the cost of staff on restricted duties to the Met. The estimated cost to the Met of suspended staff alone is over £3,736,924 per year.  $^{79}$ 

### The IOPC does not have the resources it needs

The Met DPS, MOPAC and the Metropolitan Police Federation all said that the IOPC does not have the resources it needs in the context of a growing police force.<sup>80</sup> The government is making significant investment to restore police numbers to pre-2009 levels; and new and inexperienced officers are more liable to make mistakes, which may lead to complaints. The IOPC said it hasn't seen a comparable increase in funding that would enable it to respond to this heightened demand.<sup>81</sup>

MOPAC and the Met DPS both suggested that the IOPC will need more investigators to meet this expected increase in demand. There was some disagreement, however, on where these additional investigators will come from. The Met DPS said the IOPC needed to recruit from outside of policing, while the Metropolitan Police Federation questioned whether IOPC investigators who have not had direct experience of policing in complex circumstances were able to fully understand officers' actions.

"Us in the Metropolitan Police Federation have always struggled to see how IOPC investigators can objectively investigate matters involving firearms, use of force, or driving in response mode, when they have never had that experience of being in those sorts of scenarios. It has always been a concern of ours."

Matt Cane, Professional Standards Lead Metropolitan Police Federation

The Metropolitan Police Federation also questioned the skill level and quality of training of IOPC investigators.<sup>84</sup> It said Met detectives are accredited to Professionalising Investigations Programme (PIP) Level 2, but IOPC investigators are not. It said that if IOPC investigators were to be accredited to PIP Level 2, this would "instil more confidence in their skills and capabilities". The IOPC defended the level of training its staff receive, stating that its investigators complete a Business and Technology Education Council (BTEC) Level 5 qualification, aspects of which are aligned to the PIP Level 2. It also provided more details on

 $<sup>^{79}</sup>$  This estimate assumes the Met has on average 53 people suspended at any one time, and is based on the average annual total cost of an officer to the Met in 2019/20 (£70,508) – see here

<sup>&</sup>lt;sup>80</sup> London Assembly, <u>Police and Crime Committee agenda and minutes</u>, 8 June 2022; London Assembly, <u>Police and Crime Committee agenda and minutes</u>, 22 June 2022

<sup>&</sup>lt;sup>81</sup> Information from IOPC business plans suggests the IOPC revenue budget for core business increased only from £63.11m in 2018-19 to £63.78m in 2020-21.

<sup>82</sup> London Assembly, Police and Crime Committee agenda and minutes, 8 June 2022

<sup>83</sup> London Assembly, Police and Crime Committee agenda and minutes, 8 June 2022

<sup>&</sup>lt;sup>84</sup> London Assembly, Police and Crime Committee agenda and minutes, 22 June 2022

its training programme in a letter to the Committee Chair.85

The Committee heard from the Met DPS that, due to a lack of capacity and resource, the IOPC often relies on the Met DPS to support its investigations, which inevitably raises some questions over independence. More generally, there were positive signs over the resource and capacity of the Met DPS, which has benefitted from an uplift in investigators and the creation of the Complaints Resolution Unit.

The Metropolitan Police Federation also suggested some investigations involving Metropolitan Police Service officers are being processed in Salford, suggesting that this was due to resourcing pressures in the London Office.<sup>87</sup>

"I have recently been made aware that some of the London cases are being sent to the IOPC Salford office. That proves that there is not the capability in London to handle the cases."88

Matt Cane, Professional Standards Lead Metropolitan Police Federation

Based on the evidence the Committee received, we agree with our guests that the IOPC does not have the resources it needs to be an effective independent investigator of police conduct and complaints in London. Without a significant uplift in the IOPC's resources, including staff, the pressures it currently faces will only grow as the uplift in police officer numbers in London may lead to higher volume of cases.

Recommendation 7: The Mayor should work with the IOPC, the Met and the Metropolitan Police Federation to lobby the Home Secretary to request that the IOPC is provided with a long-term uplift in resources to boost its capacity in line with the increase in police numbers.

### The mechanisms for tracking IOPC recommendations are not robust

The IOPC has legal powers to make recommendations to police forces in relation to any matter dealt with in an investigation report, appeal or review. Police forces must respond within 56 days unless there are valid reasons not to, and both the recommendations and the response must be published.<sup>89</sup> The IOPC has sought to expand its scope compared to its predecessors by looking at, and making recommendations on, more systemic issues – for example, through its thematic work on race.<sup>90</sup>

<sup>85</sup> IOPC, Letter from Sal Naseem to Susan Hall AM, 26 July 2022

<sup>&</sup>lt;sup>86</sup> London Assembly, Police and Crime Committee agenda and minutes, 8 June 2022

<sup>&</sup>lt;sup>87</sup> London Assembly, <u>Police and Crime Committee agenda and minutes</u>, 22 June 2022

<sup>&</sup>lt;sup>88</sup> London Assembly, <u>Police and Crime Committee agenda and minutes</u>, 22 June 2022

<sup>&</sup>lt;sup>89</sup> IOPC, National stop and search learning report, April 2022

<sup>&</sup>lt;sup>90</sup> IOPC, Thematic focus on race discrimination investigations, July 2020

"It is important, when we see things going wrong in our work, to try to go further up the river and to try to identify what the root cause is, and make recommendations to try to prevent some of these systemic issues happening again. Since we became the IOPC, we have made over 400 such recommendations." <sup>91</sup>

Sal Naseem, Regional Director for London IOPC

Both MOPAC and the Met DPS told the Committee that they were committed to implementing recommendations made by the IOPC. <sup>92</sup> The IOPC, however, said it does not have the resources to track implementation of the recommendations it makes.

"Ultimately the MPS is responsible to MOPAC for the implementation of any recommendations. We always cite the inspectorate, HMICFRS, around any recommendations we make. There is the potential for it to inspect any recommendations we make."

# Sal Naseem, Regional Director for London IOPC

"You do not follow them up yourself as a body?"

Susan Hall AM, Chair Police and Crime Committee

"No. We are not the inspectorate, we are not resourced to inspect it. There is a different body there to inspect. Equally, in terms of accountability, the MPS is accountable to MOPAC for the implementation of any accepted recommendations." <sup>93</sup>

Sal Naseem, Regional Director for London IOPC

The IOPC should use its privileged view of the police conduct and complaints system to identify where regular or persistent issues are arising and what can be done to address these issues more systemically. The fact that the IOPC is not tracking the recommendations it makes, however, brings into question how effective this function of the IOPC is and how much effect its recommendations have, unless other oversight bodies such as MOPAC step in to hold forces to account.

Recommendation 8: By the end of 2022, MOPAC and the IOPC should establish and publish details of a formal joint mechanism for tracking the implementation of the IOPC's learning recommendations made to the Met.

<sup>&</sup>lt;sup>91</sup> London Assembly, Police and Crime Committee agenda and minutes, 22 June 2022

<sup>&</sup>lt;sup>92</sup> London Assembly, <u>Police and Crime Committee agenda and minutes</u>, 8 June 2022

<sup>93</sup> London Assembly, Police and Crime Committee agenda and minutes, 22 June 2022

### **Committee activity**

The Police and Crime Committee agreed the following terms of reference for this investigation:

- to review recent IOPC investigations into the Met
- to assess how the IOPC ensures the implementation of recommendations made to the Met are tracked and monitored
- to assess how the IOPC ensures its investigations are timely and effective
- to consider the wider role of the police complaints system in improving public confidence in the Met
- to consider systems around complaints into the Commissioner and the Deputy Commissioner of the Met, and advice to them on answering questions from Scrutiny bodies that relate to incidents being investigated by the IOPC.

At its public evidence sessions, the Committee took evidence from the following guests:

### 8 June 2022

- Kenny Bowie, Director of Strategy and Policing Oversight, MOPAC
- Commander Jon Savell, Head of Professionalism Standards and Recognition, Metropolitan Police Service

### 22 June 2022

- Sal Naseem, Regional Director for London, IOPC
- Amanda Rowe, Deputy Director General, IOPC
- Ken Marsh, Chair, Metropolitan Police Federation
- Matt Cane, Professional Standards Lead, Metropolitan Police Federation

### Other formats and languages

If you, or someone you know needs this report in large print or braille, or a copy of the summary and main findings in another language, then please call us on: 020 7983 4100 or email <a href="mailto:assembly.translations@london.gov.uk">assembly.translations@london.gov.uk</a>

#### Chinese

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#### Vietnamese

Nếu ông (bà) muốn nội dung văn bản này được dịch sang tiếng Việt, xin vui lòng liên hệ với chúng tôi bằng điện thoại, thư hoặc thư điện tử theo địa chi ở trên.

#### Greek

Εάν επιθυμείτε περίληψη αυτού του κειμένου στην γλώσσα σας, παρακαλώ καλέστε τον αριθμό ή επικοινωνήστε μαζί μας στην ανωτέρω ταχυδρομική ή την ηλεκτρονική διεύθυνση.

#### Turkish

Bu belgenin kendi dilinize çevrilmiş bir özetini okumak isterseniz, lütfen yukarıdaki telefon numarasını arayın, veya posta ya da e-posta adresi aracılığıyla bizimle temasa geçin.

### Punjabi

ਜੇ ਤੁਸੀਂ ਇਸ ਦਸਤਾਵੇਜ਼ ਦਾ ਸੰਖੇਪ ਆਪਣੀ ਭਾਸ਼ਾ ਵਿਚ ਲੈਣਾ ਚਾਹੋ, ਤਾਂ ਕਿਰਪਾ ਕਰਕੇ ਇਸ ਨੰਬਰ 'ਤੇ ਫ਼ੋਨ ਕਰੋ ਜਾਂ ਉਪਰ ਦਿੱਤੇ ਡਾਕ ਜਾਂ ਈਮੇਲ ਪਤੇ 'ਤੇ ਸਾਨੂੰ ਸੰਪਰਕ ਕਰੋ।

### Hindi

यदि आपको इस दस्तावेज का सारांश अपनी भाषा में चाहिए तो उपर दिये हुए नंबर पर फोन करें या उपर दिये गये डाक पते या ई मेल पते पर हम से संपर्क करें।

### Bengali

আপনি যদি এই দলিলের একটা সারাংশ নিজের ভাষায় পেতে চান, তাহলে দয়া করে ফো করবেন অথবা উল্লেখিত ডাক ঠিকানায় বা ই-মেইল ঠিকানায় আমাদের সাথে যোগাযোগ করবেন।

### Urdu

اگر آپ کو اس دستاویز کا خلاصہ اپنی زبان میں درکار ہو تو، براہ کرم نمبر پر فون کریں یا مذکورہ بالا ڈاک کے پتے یا ای میل پتے پر ہم سے رابطہ کریں۔

#### Arabic

الحصول على ملخص لهذا المستند بلغتك، فرجاء الاستصال على فرجاء الاستصال برقم الهاتف أو الاستصال على العنوان البريد الباكتروني أعلاه.

### Gujarati

જો તમારે આ દસ્તાવેજનો સાર તમારી ભાષામાં જોઈતો ક્રોય તો ઉપર આપેલ નંભર પર ફોન કરો અથવા ઉપર આપેલ ટપાલ અથવા ઈ-મેઈલ સરનામા પર અમારો સંપર્ક કરો.

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