

<b>For Information:</b>	
<b>Public/Non Public*</b>	<b>Public</b>
<b>Report to:</b>	<b>Joint Audit and Scrutiny Panel</b>
<b>Date of Meeting:</b>	<b>30<sup>th</sup> November 2021</b>
<b>Report of:</b>	<b>Deputy Chief Constable Barber</b>
<b>Report Author:</b>	<b>Superintendent Donna Lawton</b>
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<b>Agenda Item:</b>	<b>16</b>

\*If Non Public, please state under which category number from the guidance in the space provided.

## **IOPC Investigations, Recommendations & Actions**

### **1. Purpose of the Report**

- 1.1 To inform the PCC in respect of the complaint and conduct matters which have been referred by Nottinghamshire Police to the Independent Office for Police Conduct (IOPC) during the relevant period 23<sup>rd</sup> April 2021- 9<sup>th</sup> November 2021, together with relevant recommendations and actions

### **2. Recommendations**

- 2.1 That the panel receive assurance that Nottinghamshire Police is transparent in referring itself to the IOPC in relation to all instances which meet the criteria defined at 4.1 and 4.2 of this report.
- 2.2 That the panel receive reassurance that Nottinghamshire Police consider and respond to IOPC recommendations.

### **3. Reasons for Recommendations**

- 3.1 The data summary in 4.2 outlines those DSI matters referred to the IOPC during the period 23<sup>rd</sup> April 2021- 9<sup>th</sup> November 2021. In total 34 referrals were made compared to 14 in the last reporting period. Further detail is shown in section 4.2 below. Of the referrals made in this reporting period the IOPC have taken 1 as an independent investigation. This has resulted in two officers receiving Gross Misconduct notices.
- 3.2 A total of 66 DSI incidents were assessed in the reporting period to establish whether they met the criteria for referring to the IOPC. Where cases are not referred, the rationale is recorded and the matter reviewed to identify any personal or organisational learning. During this reporting period there were 34 DSI incidents referred out of the 66 assessed.
- 3.3 No formal IOPC recommendations have been made in the reporting period for Nottinghamshire Police.
- 3.4 Regardless, monthly oversight bulletins circulated by the IOPC to all forces are received by PSD, with general recommendations reviewed and disseminated

where appropriate. Recent IOPC recommendations have focussed on the use of Taser and APSP (Abuse of Position for Sexual Purpose).

3.5 During October 2021 Nottinghamshire Police reinforced the message surrounding an 'abuse of position' to all employees in the wake of the Sarah Everard Murder. The CC and a video prepared by the College of Policing has been distributed to every employee within Nottinghamshire Police for mandatory viewing.

**4. Summary of Key Points (this should include background information and options appraisal if applicable)**

4.1 Death or serious injury matters (DSI) are not necessarily linked to a public complaint or any identified misconduct. The full definition of a DSI can be found in section 29 Police Reform Act 2002; in brief it is where there is/may be a causal link between a member of the public having contact with the police and death or serious injury occurring to that person. On receipt of a DSI referral the IOPC will determine the mode of investigation; usually an independent IOPC investigation or referred back to Force to investigate.

4.2 The data summary below outlines those DSI matters referred to the IOPC during the period 23<sup>rd</sup> April 2021- 9<sup>th</sup> November 2021.

Suicide following arrest	1
Injury following a collision during police pursuit	1
Suicide following investigation for sexual offence	3
Injury during arrest	2
Self – inflicted injury during arrest	0
Injury / death following police contact-other	18
Suicide while classified missing from home	3
Dog bite	4
Illness in custody	2

4.3 In addition to DSI's the Police must refer to the IOPC complaints and recordable conduct matters that include allegations of conduct which constitute:

- Serious assaults
- Serious sexual offences
- Serious corruption (includes Abuse of Position Trust for Sexual Gain)
- Criminal offence or behaviour aggravated by discrimination
- Relevant offence (where the sentence is fixed by law or 7yrs on first conviction)

The table below shows the number in each category recorded by Nottinghamshire Police in the reporting period 23<sup>rd</sup> April 2021- 9<sup>th</sup> November 2021 . Serious assault is classed as actual bodily harm or above.

Type of conduct	Total
Serious assault	1
Serious sexual offences	0

Serious corruption (includes Abuse of Position Trust for Sexual Gain)	0
Criminal offence or behaviour aggravated by discrimination	0
Relevant offence (Where the sentence is fixed by law or 7 years upon first conviction)	0

## **5. Financial Implications and Budget Provision**

5.1 There are no specific financial implications in respect of this report.

## **6. Human Resources Implications**

6.1 PSD resources are under constant review, ensuring that the department has both the capacity and capability to meet demand. This reporting period has been exceptionally busy.

## **7. Equality Implications**

7.1 No specific implications

## **8. Risk Management**

8.1 It is essential the public have confidence in the service Nottinghamshire Police provide. Any risk identified is raised to the Organisational Risk and learning board. The Head of Department attends this meeting. Anything of a sensitive nature is discussed separately with DCC Barber.

8.2 Organisational learning is a whole organisation responsibility which helps to mitigate risk. Professional Standards Directorate contributes to risk management through the sharing of learning and encouragement of change across the organisation where appropriate. A new PSD section has been added to the force 'In The Know' document which is cascaded to the workforce in the form of updates for officers/staff to encourage reflection and learning from previous incidents and any changes in practice.

## **9. Policy Implications and links to the Police and Crime Plan Priorities**

9.1 IOPC investigations ensure that the public can have confidence in the independence, accountability and integrity, of the most serious of cases, most notably Death or Serious Injury.

9.2 It is the responsibility of the force to ensure mandatory and voluntary referrals are made in a timely fashion and that appropriate support is given to IOPC investigators.

## **10. Changes in Legislation or other Legal Considerations**

10.1 None

**11. Details of outcome of consultation**

11.1 None

**12. Appendices**

12.1 None