

<b>For Information</b>	
<b>Public/Non Public</b>	<b>Public</b>
<b>Report to:</b>	<b>Audit and Scrutiny Panel</b>
<b>Date of Meeting:</b>	<b>17<sup>th</sup> June 2014</b>
<b>Report of:</b>	<b>IPCC Investigations, recommendations and actions</b>
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<b>Agenda Item:</b>	<b>5</b>

## **IPCC INVESTIGATIONS**

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

- 1.1 To inform the PCC in respect of complaint and conduct matters which have been referred by Nottinghamshire Police to the IPCC during the period 1 October to 31<sup>st</sup> March 2014, together with relevant recommendations and actions.

### **2. Recommendations**

- 2.1 That the Panel receive assurance from the processes in place relating to IPCC investigations as detailed within the report.

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

- 3.1 To provide the PCC with relevant information and oversight in respect of cases that Nottinghamshire Police refers to the IPCC

### **4. Summary of Key Points**

- 4.1 The Force has referred 17 cases to the IPCC during the relevant period 1 October 2013 to 31<sup>st</sup> March 2014. This compares to 22 in the previous period (1 April to 30 Sept 2013). Details of the referrals made in the relevant period is attached to this report at Appendix A.
- 4.2 Of the 17 referrals made in the relevant period, 15 were mandatory referrals in line with IPCC statutory guidance, and two were voluntary referrals. 15 of the 17 referrals made were referred back to the force PSD for a local investigation. The remaining 2 were determined by the IPCC to be suitable for a supervised investigation. None of the 17 referrals were determined to require an independent IPCC investigation.
- 4.3 During the relevant period six public complaints that had previously been referred to the ipcc were finalised. One was a supervised investigation and five of were locally investigated. With regard to the supervised investigation, the complaint was not upheld. This matter had also been presented to the

CPS who determined that no criminal charges should be brought. Of the five locally investigated referrals (all in respect of police officers) :

- one was resolved by way of local resolution
- two were not upheld following a PSD investigation
- two complaints were upheld following a PSD investigation.

The two upheld complaints led to two officers attending a formal gross misconduct hearing and receiving final written warnings and the other was an organisational issue in respect of the condition of police cells in 2012, rather than any misconduct by an individual.

4.4 During the same relevant period 13 internal conduct matters that had previously been referred to the IPCC were also finalised. One was investigated independently by the IPCC and was upheld as a misconduct matter for which the officer attended a formal disciplinary meeting and received management advice. Four matters were resolved (all in respect of police officers) following a supervised investigation as follows:

- 1 supervised case had no case to answer
- 1 supervised case had a case to answer for misconduct and a sanction of management advice
- 1 supervised case resulted in criminal charges and was found guilty of misuse of police systems. The officer resigned prior to court proceedings
- 1 supervised case had a case to answer for gross misconduct and resigned prior to the police hearing.

The remaining 8 finalised matters were concluded following a local investigation; all were found to have a case to answer and were concluded as follows:

- 3 led to the dismissal of a police staff members for gross misconduct
- 2 led to the dismissal of police officers for gross misconduct
- 3 led to management action for police officers in respect of misconduct.

4.5 The investigations referred to the IPCC in the relevant period have covered a variety of themes, and are attached at Appendix A.

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

5.1 While there are no specific financial implications in respect of the above cases, it should be noted that all police forces have had their budgets top-sliced to allow for additional funding to the IPCC in order for them to conduct more investigations independently.

## **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. Where additional resources have been required these have been authorised and temporary staff recruited where necessary.

## **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.
- 8.2 Where it is identified mistakes have been made there needs to be an open and transparent process, ensuring the circumstances are reviewed either independently or managed by the IPCC or supervised and any recommendations for change are implemented, with robust governance and accountability.

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

- 9.1 Clearly the IPCC Investigations ensure the public can have confidence in the independence, accountability and integrity, that in the most serious of cases, most notably Death or Serious Injury, that there will be independent scrutiny of the forces actions.
- 9.2 The responsibility of the force to ensure mandatory and voluntary referrals are made in a timely fashion and that all appropriate support is given to the IPCC investigators, ensure we deliver a professional service that supports the organisations 'Vision', 'Values' (PROUD) and 'Plan' 'To cut crime and keep you safe', 'To spend your money wisely' and 'Earn your trust and confidence', ensuring all relevant parts of the organisation are given help to improve our service and ultimately achieve the force priorities.

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

- 10.1 None

## **11. Details of outcome of consultation**

- 11.1 None

## **12. Appendices**

- 12.1 Appendix A - Cases referred to the IPCC 1 October to 31<sup>st</sup> March 2014.



## Appendix A

Referred To IPCC1	Reason Referred	Date Of IPCC Decision	IPCC Decision
03/10/2013	Death - suicide	07/10/2013	Local
07/10/2013	Death - apparent suicide	08/10/2013	Local
02/10/2013	Serious injury - fractured skull and bleed to brain after falling in cell	03/10/2013	Local
25/10/2013	Serious assault - knee strike	29/10/2013	Local
15/11/2013	Voluntary - impartiality	03/12/2013	Local
26/11/2013	Serious injury - car accident, multiple fractures & dislocation of right arm	28/11/2013	Local
29/11/2013	Discriminatory behaviour likely to lead to discipline - racial stereotyping	04/12/2013	Local
10/12/2013	Corruption - fraud	10/12/2013	Supervised
07/01/2014	Voluntary - Notts Police being institutionally racist	10/01/2014	Local
18/12/2013	Death - RTC	13/01/2014	Supervised
22/01/2014	Serious injury - fracture to elbow	28/01/2014	Local
22/01/2014	Perverting the course of justice by fabricating evidence	31/01/2014	Local
14/01/2014	Serious assault - left ankle fractured	24/01/2014	Local
24/01/2014	Death - Road Traffic Incident	24/01/2014	Supervised
24/10/2013	Unauthorised showing of photo of crime scene to a member of public	25/10/2013	Local
23/02/2014	Death within 24 hours of Police contact	28/02/2014	Local
24/02/2014	Serious sexual offence - Sexual text messages	25/02/2014	Supervised
14/03/2014	Voluntary - Baton discharge	17/03/2014	Local
17/03/2014	Serious sexual offence - historic allegation of rape (1980)	24/03/2014	Local

