

<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>29<sup>th</sup> May 2019</b>
<b>Report of:</b>	<b>IOPC Investigations, Recommendations and Actions</b>
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<b>Agenda Item:</b>	<b>15</b>

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

## **Independent Officer for Police Conduct (IOPC) Investigations, Recommendations & Actions**

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

- 1.1 To update the Joint Audit and Scrutiny Panel (JASP) 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 1<sup>st</sup> October 2018 to 31<sup>st</sup> March 2019, together with relevant recommendations and actions.

### **2. Recommendations**

- 2.1 It is recommended that the panel receives assurance that Nottinghamshire Police work in adherence to Approved Professional Practice (APP) and the operational guidance issued by National Police Chief's Council (NPCC) when managing the risk of suicide to persons under investigation for online child sexual exploitation and abuse.
- 2.2 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.

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

- 3.1 Law enforcement in the UK has significantly increased the amount of coordinated activity to address the threat of harm posed from child sexual exploitation and abuse. Consequently there has been an increase in the numbers of suicides committed by offenders after law enforcement intervention. The data contained within this report differs from that in the previous reporting period. Previously there were some instances of suicide where those under investigation had been interviewed for on line sexual exploitation. There have been none in this reporting period. This may be due to the risk assessment process changing for those under investigation for producing indecent images of children (IIOC).

#### 4. Summary of Key Points

- 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 1<sup>st</sup> October 2018 to 31<sup>st</sup> March 2019. Overall the average number of referrals per month has remained the same as the previous reporting period but the category of referral has changed. This period has seen more violence and resistance being offered by subjects under spontaneous arrest necessitating lawful use of force. These are isolated incidents due to the presentation of the subjects. Where applicable these incidents are raised at the Use of Force Meeting, Health and Safety Meetings and Organisational Risk and Learning Board. No suicides following investigation for IIOC have been recorded in this period.

Injury from use of force during arrest	Local
Injury from use of force during arrest	Independent
Suicide following investigation	Local
Injury from use of force during arrest	Local
Suicide while classified missing from home	Local
Injury from use of force during arrest	Local
Injury from a collision during police pursuit	Independent
Suicide following investigation for domestic violence	Local
Suicide following investigation for sexual offence	Local
Suicide while classified missing from home	Independent
Injury during arrest	Local
Cardiac arrest in custody	Local
Self-inflicted injury in custody	Local
Suicide following investigation for sexual offence	Force Deal
Injury following a collision during police pursuit	Local
Suicide following bail for sexual offence	Local
Self-inflicted injury in custody	Force deal

\*Independent investigations are carried out by the IOPC's own investigators.

\*Local investigations are carried out by police officers in the force area.

\*Force deal – these are cases for the force to decide on.

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 7 years on first conviction)

The table below shows the number in each category recorded by Nottinghamshire Police in the reporting period 1<sup>st</sup> October 2018 to 31<sup>st</sup> March 2019.

Type of Conduct	Total
Serious assault	1
Serious sexual offences	1
Serious corruption	0
Relevant offence	3
Offence aggravated by discrimination	0

Of the complaints and recordable conduct matters the sexual offence resulted in a conviction. Gross misconduct proceedings determined that the officer concerned would have been dismissed if still serving. He has also been placed on the Barred List preventing him from working in law enforcement. The other matters detailed in the table are still under investigation or have been determined no case to answer.

## **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.

## **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. There have been no specific organisational learning recommendations issued by the IOPC necessitating any change in policy, procedure, training or resourcing. Individual learning has been addressed where required.

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.

## **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 There are no changes in legislation to consider with regards to this report.

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

11.1 This is an update report to the JASP so there has been no consultation.

## **12. Appendices**

12.1 There are no appendices attached to this report.