

Response to the Home Secretary on the efficiency, effectiveness and profile of the IOPC

Introduction

This report is in response to the letter from the Home Secretary to Michael Lockwood, Director General of the IOPC, on 16 October 2019.

In that letter you recognised the significant progress the organisation has made since it was created in January 2018 and asked that we provide you with a comprehensive plan for delivering further improvements to the efficiency, effectiveness and profile of the IOPC. In particular, you asked us to address the following areas:

- timeliness of investigations (page 2)
- quality of investigations (page 6)
- scrutiny of decision making (page 9)
- impact of the IOPC (page 13)

This response takes each of those areas in turn and sets out both what we have achieved to date and our plans to continue that progress. We have also included a timeline that sets out those commitments and when we expect to achieve them at annex 1 (page 21).

We welcome this opportunity to share with you the progress we have made to date and the ambitious plans we already have in place for the future.

Timeliness of investigations

What are we doing already?

Performance improvements and longstanding 'legacy' cases

Since the creation of the IOPC, improving timeliness of investigations has been a key focus and we have made significant improvements in this area.

We closed nearly 80% of cases within 12 months in 2018/19 – a significant increase on the performance achieved in the final year of the IPCC. If we exclude our most complex cases, which are managed by our Directorate of Major Investigations, we completed **82% of independent investigations within 12 months** (compared to 69% in the previous year).

We are also closing more cases than ever before (**completing 1,254 investigations** since January 2018). The IOPC also inherited a caseload of 538 active investigations from the IPCC and closing those cases, some of which had already been open for too long, has been one of our main priorities.

95% (511) of those longstanding cases are now complete. Of the 27 cases remaining, we expect to complete a further 21 of those by March 2020 and the remaining six by August 2020.

The closure of these older cases inevitably has a negative impact on our timeliness. To achieve these significant performance improvements, we have had to ensure our performance for cases opened as the IOPC is well above that target.

For those investigations started and completed since becoming the IOPC, we have closed 93% within 12 months to the end of October 2019.

Actions we have taken to improve timeliness of investigations include:

- Introducing a new streamlined investigation process for lower-risk cases. This has helped to reduce the average time it takes to complete our investigations.
- Working more collaboratively with police Professional Standards Departments to reduce delays and increase efficiency. Through this work, we have identified several opportunities to standardise and improve our processes and communication channels.
- Engaging extensively with the Police Federation and other staff associations, to develop a respectful relationship and greater co-operation. We now engage regularly with Federation leaders and local conduct leads. We have held regular discussion sessions and committed to specific actions in response to the concerns raised. As a result, we are seeing the benefits of improved relationships, including more examples of co-operation with our investigations and facilitation of earlier statements and interviews.

IOPC and the wider system

We recognise that some of our investigations have taken too long and we are addressing this. However, we are one part of a much wider system.

While we work as hard as we can to influence this, timeliness of criminal and misconduct proceedings, inquests and the time taken to organise hearings are outside our control. This impacts on the end-to-end timeliness of cases, as processes which follow our investigations can add considerable time to their conclusion.

The impact of these delays can be seen in the IOPC 'post final report' caseload. While the number of our live investigations has fallen since the IOPC was created, the number of post final report cases has increased. These are investigations that the IOPC has completed but are now awaiting other proceedings.

For the officers, families and complainants in these cases, the incident is not resolved and the impact on them continues until all proceedings are complete.

We have 349 investigations awaiting post investigation proceedings, which others in the system are responsible for.

These have on average been waiting 200 days since the completion of our investigation. Forty¹ of these have been awaiting proceedings before the creation of the IOPC. This compares to a caseload of 303 cases and an average age of 122 days in January 2018.

We have already worked with others to identify improvements across the system. To date we have:

- Proposed to the Ministerial Board on Deaths in Custody ways to improve timeliness across the end-to-end processes when someone dies during or following police contact. Our proposals served as a starting point, with the Home Office arranging workshops involving, National Police Chiefs' Council (NPCC), CPS, Chief Coroner and others, to progress our ideas.
- Raised with NPCC leads for Professional Standards the need for improvements in scheduling misconduct processes.
- Developed more effective ways of working with the CPS, focusing on early advice and effective handover of cases to support more timely decision making.
- Developed an MOU (memorandum of understanding) with the Chief Coroner to ensure a better understanding of our respective responsibilities and proposals for a more efficient way of working.

¹ The majority of these cases are awaiting an inquest.

- Made changes to our communications to better reflect the various processes that impact on overall timeliness so that stakeholders better understand the causes of delay.

Improvements from this work are happening, but we need to increase the momentum, not just within the IOPC, but across the entire system. We welcome the work the Home Office is now undertaking to develop the data to better understand and address this issue of end-to-end timeliness.

What are we planning to do?

Performance improvements have been made as a result of changes to the way we work and engage with our stakeholders. We expect to maintain this performance in the current year, but to make the next step-change, we must make other changes to how we work.

Redesigning our operational processes

We have begun an ambitious programme to redesign the operational processes we inherited, to improve both the timeliness and quality of what we deliver.

This will result in a new way of working, one which is more dynamic in investigative approach – being more proportionate to the circumstances and making better use of evidential opportunities, such as the increasing availability of body-worn video.

The new design will be staff-led and informed by best practice from similar organisations. It will also have input from our stakeholders, including those directly affected by our work, so they are confident in those changes.

This work builds on the changes we have already made to our operational functions. For example:

- A pilot to consider streamlining Death and Serious Injury (DSI) investigations where there is no indication of misconduct has reduced the average time to complete these to 58 days (an average reduction of 150 days). We are now adopting this approach nationally.
- Building on this approach, a second pilot tested a new investigation model and delivered two linked criminal investigations through to final report and CPS referral in just under one month. The model focused on running more investigative actions in parallel, establishing early and open engagement with PSD, CPS and Federation representatives and quick-time decision making. We are currently evaluating this pilot to inform our future design.
- Changes to the way we identify and engage experts who provide evidence and opinion in our cases to ensure this can be procured in a more timely way.

More opportunities will emerge from the design work and we will implement those as they are identified. Implementation of the fully redesigned processes is planned from August 2020.

To underpin the expected efficiencies and performance improvements, we will need to invest in a new Case Management IT solution to improve both the flow of work and the data to manage performance improvement. We have already identified efficiencies that will allow us to fund some of the revenue costs, and have begun discussions with officials about the capital funding requirements that are needed.

Legislative changes to the police complaints and discipline system

Several of the forthcoming reforms to the police complaints system will also help to improve timeliness. For example:

- A clear expectation in the Standards of Professional Behaviour that police officers who are witnesses should co-operate with investigations.
- The reduction in the number of steps that the IOPC will have to follow when determining what action should be taken at the end of an investigation.
- The statutory ability to re-open our investigations where it becomes apparent that there are compelling reasons to do so.
- The changes to processes for setting up and managing disciplinary hearings.
- The change to the definition of misconduct, which may result in a reduction in the number of cases dealt with under misconduct procedures and resulting in disciplinary proceedings, which again may have an impact on overall timeliness of cases across the system.

These reforms have been subject to considerable delays. We are ready to implement these and are working closely with police forces and Police and Crime Commissioners to launch our revised Statutory Guidance in readiness for a potential implementation date of February 2020. We would urge the Government to take steps to ensure that the necessary regulations are laid as soon as possible so that these benefits can be realised.

Quality of our investigations

What are we doing already?

In improving the timeliness of our investigations, we need to ensure they continue to be high quality and meet the needs of those involved – our ‘service users’. Because of the nature of our work, we know that others will sometimes disagree with our decisions, but we must carry out our investigations without fear or favour.

Investigations must be impartial, our decisions informed by the available evidence and within the parameters of the statutory schemes that govern our work. We must demonstrate that there has been thorough scrutiny of the evidence and that this has led to well-reasoned conclusions. Wherever possible, we will be transparent about the evidence that has informed our decisions and provide a clear rationale for those.

Ensuring the skills and expertise of our staff

IOPC investigators come from a range of backgrounds, some are ex-police officers, others are from other investigative backgrounds, and some have been recruited as trainees and developed into the role.

We have created our own investigator development programme, which leads to a BTEC Level 5 (for trainees and investigators) or a diploma for Lead Investigators. These are bespoke qualifications developed for the IOPC and awarded by Pearson, the UK’s largest Awarding Body.

Investigators are also required to demonstrate their knowledge and practical application, through a work-based portfolio of evidence. It is a mandatory requirement for all investigators to achieve accreditation².

At the outset of an investigation, a lead investigator will be appointed, who is responsible for the day-to-day running of the investigation. They are supported by a team including other investigators, supervisors, lawyers, subject matter experts and policy advisors, as well as other specialist staff if required. This multidisciplinary approach is designed to ensure we make the best use of all the expertise within the organisation, as well as using external expertise if required.

To improve the quality and consistency of our work, we have created Subject Matter Networks (SMNs) in key thematic areas³. These are networks of experts from across our organisation with technical expertise. They have protected time to provide advice and guidance to investigators and positively influence our operational work.

Our SMNs work with external specialists to build links with experts and ensure our work is informed by the latest thinking, practice and guidance in these areas. These

² Within 18 months for investigators and within 24 months for lead investigators.

³ SMNs were created in the following areas: discrimination, mental health, domestic abuse, abuse of position for a sexual purpose, deaths in custody, use of force and roads policing. In addition, we have added practitioner groups on disclosure, digital investigations and interviewing.

networks are now well established and have helped build expertise internally and credibility externally.

Meeting the needs of our 'service users'

We want all those involved in our investigations to understand the process and be confident they will be listened to and treated with respect and courtesy.

Since the creation of the IOPC we have worked with a wide range of service users to understand their respective experiences and how we can improve them. Those involved in our investigations are invited to feed back their experiences and the results are used with staff to improve our approach.

We have also undertaken more in-depth learning exercises, including listening days with bereaved families and learning debriefs following the closure of particularly complex or adversarial cases involving the police officers concerned. This has been well received and the learning is influencing the redesign of our investigation process, and has informed the development of our [service user standards](#) which set out what users can expect from us.

Our service users include, among others, police officers, complainants and bereaved families, as well as a range of other interested parties. While they may have different perspectives and often have competing needs, our service user standards apply to all equally.

We have also begun the process of achieving Customer Service Excellence accreditation, with our assessment planned for March 2020. This is an important demonstration of our commitment to putting service users at the heart of our work.

What are we planning to do?

The IOPC created a Quality and Service Improvement team and, in 2018, asked the Home Office audit team to conduct a review of our quality assurance processes as part of our internal audit activity. They found good evidence of assurance but also that there was at times too much reliance on the quality team to provide the 'first line of defence', which should be better provided by line managers and supervisors.

Since then, we have refocused the team's work and moved it from Operations to the Strategy and Corporate Services part of the business to bring greater independence to its work.

All our cases are risk-assessed and subject to quality reviews by supervisors. An additional legal review is available for decision makers in those cases where there are particular legal risks or issues. All 'high-risk' cases are reviewed at regular intervals by the Quality and Service Improvement team, and recommendations are made to improve quality and progress as required.

We have undertaken a full review of our quality assurance framework and the following are either in place or planned:

- We are developing proposals for a new Quality Committee for consideration by our Unitary Board in early 2020. Ultimately, we intend that this committee will have an independent Chair.
- We have established a multi-disciplinary Critical Case Panel, chaired by the Director General, which oversees particularly complex or high-risk cases. This panel ensures cross-organisational support and assurance that work is properly resourced and that risks are identified and mitigated.
- This panel approach is now replicated in all our regional offices, chaired by Regional Directors, so that all investigations have appropriate oversight and multi-disciplinary support. Regional panels will provide assurance to the DG and ensure that cases are escalated to the critical case panel when necessary.
- Alongside these case panels, in 2020/21, we will introduce decision-maker forums to drive consistency of approach to key decisions on cases.
- We will also use the expertise of our SMNs to support a new process of peer review, which can be called upon by all lead investigators and supervisors when needed.
- We are redefining our quality standards for investigations. These will be launched early 2020/21 and have been informed by the requirements of the statutory scheme and guidance, our service user standards and learning from previous quality reviews. They will set minimum standards for all our investigations and help identify when an investigation is at risk of not meeting those standards so swift action can be taken.
- We are updating our investigator accreditation programme for re-launch in March 2020. This includes working with College of Policing to align some of our core investigation standards with the Professionalising Investigations Programme (PIP) programme. This will help increase confidence in IOPC investigators' expertise, as they will be aligned to nationally recognised standards of best practice for investigations.
- We know that, for police officers and staff involved in our investigations, this can be a time of considerable concern. To reduce this impact, we are keen to introduce a new commitment that, when an investigation is not completed within three months, we will aim to confirm the status of all those involved – whether they are to be considered witnesses or to serve the appropriate misconduct notices. We intend to introduce this as a new performance indicator in 2020/21.

Scrutiny of decision making

What are we doing already?

Existing governance, scrutiny and challenge

As the body charged with investigating the most serious incidents and allegations involving the police, we have a responsibility to ensure that our decisions are fair and based on a sound analysis of all relevant evidence. We understand that the decisions we make can have a huge impact on the lives of complainants, officers, families, communities and ultimately on public confidence.

The work of the IOPC is not carried out without any external scrutiny or challenge. It is frequently scrutinised and/or challenged by complainants, families, those subject to investigation and their representatives, as well as the media and other groups and communities who have an interest in our work.

The Unitary Board acts as the IOPC's governing body. It is chaired by the Director General and has majority of non-executive directors. The IOPC's six non-executive directors are appointed by the Home Secretary and play a key role in providing a level of external scrutiny to the organisation and its work. The Board itself undertakes a number of statutory functions which include:

- having in place appropriate arrangements for good governance and financial management
- determining and promoting the strategic aims and values of the IOPC
- providing support and advice to the Director General in the carrying out of his functions

The IOPC also has two Committees – the Audit and Risk Assurance Committee and the Human Resources and Remuneration Committee. Both of these are comprised of non-executive directors, which enables them to exercise their scrutiny role across a range of key areas within the organisation.

We are also subject to the scrutiny of Parliament. Our Annual Report and Accounts are laid before Parliament and we are also answerable to the Home Affairs Select Committee and Public Accounts Committee.

We agree that it is right our decisions should be open to scrutiny and challenge by others, especially as some of the decisions that we are required to make are not straightforward and rely on a careful balancing of the evidence available.

The legislative framework means that other bodies make the final decisions in respect of the most serious outcomes that can follow an IOPC investigation (we are not judge and jury). The CPS decides whether an officer should be prosecuted; a jury decides whether an officer is guilty of a criminal offence; and a panel headed by an independent chair decides whether an officer's conduct amounted to misconduct

and what, if any, sanction they should face. This provides for a significant degree of independence from the IOPC in decision making on final outcomes in the most serious cases.

However, we recognise that other important decisions we make – such as whether to refer a case to the CPS and whether an officer has a case to answer for misconduct or gross misconduct – are not routinely subject of further external scrutiny. The primary mechanism for challenging decisions such as these is through the courts – either by way of a judicial review or, more rarely, a civil claim.

In 2018/19, the IOPC was threatened with judicial review on 33 occasions, and 26 judicial reviews were issued. The majority of these were refused by the Court. Permission was granted on just five occasions⁴.

The small number of occasions on which permission has been granted, and on which the finding of a substantive hearing has found against the IPCC/IOPC, is a positive indicator of the quality of our original decisions. However, we are mindful that some people may not be aware of the judicial review process or feel able to use it to challenge our decisions.

We have therefore developed a variety of methods to provide further scrutiny of our work. The following are some examples of this:

- **Feedback, challenge and complaints about the IOPC**

In January 2019 we launched a new process for dealing with feedback and complaints about the IOPC and its staff. Information about [how to make a complaint](#) is more prominently accessible on our website.

We have also introduced a variety of ways to provide service users with the opportunity to provide feedback and/or challenge our work, including the introduction of restorative practice debriefs. These provide an opportunity for them to discuss their concerns directly with our staff and to play an active role in the investigation debrief. They also give us an opportunity to provide further explanations to help them understand our actions and the reasons for them.

- **External Stakeholder Reference Group**

The IOPC External Stakeholder Reference Group brings together a range of external stakeholders, both statutory and non-statutory, to challenge and influence our work. The reference group meets quarterly, and membership continues to grow with increased representation from non-policing stakeholders representing community and service user groups with low confidence in the police complaints system. The diversity of the reference

⁴ Since our predecessor the IPCC came into effect on 1 April 2004, there have been 42 cases involving the IPCC/IOPC (as a claimant or defendant) that have proceeded to a substantive judicial review hearing. Of the 42 cases, 28 were found in the IPCC/IOPC's favour and 12 against.

group ensures our staff are exposed to a range of perspectives to inform or challenge their work.

Agenda items can be proposed by members of the reference group or the IOPC, with discussion of our performance as a standing item. Recently, the group have helped to set our strategic priorities and provided scrutiny to core projects, including work to refocus IOPC investigations, our Learning and Stakeholder Engagement strategies, and how we can better focus our oversight work to improve the police complaints system.

- **Joint scrutiny agreement with the Police Ombudsman for Northern Ireland, the Garda Síochána Ombudsman and the Police Information Review Commissioner**

Under the terms of this agreement each organisation can request a review of its investigations and decisions. Each organisation can make special requests where, in their view, a critical incident affecting public confidence in their organisation requires an independent review.

Senior IOPC staff have recently met with both the Police Ombudsman for Northern Ireland and the Commissioner in Scotland and have agreed our commitment to develop closer working relationships to both support external scrutiny and share best practice. We are exploring holding a joint conference in 2020 to support this commitment.

- **Independent scrutiny of our decision-making framework**

All operational decisions are delegated from the Director General to appropriate IOPC staff – a significant change from the IPCC where all decisions were taken by Commissioners. Before introducing delegated decision-making, the new framework was piloted and an independent barrister commissioned to provide external scrutiny of the decisions, ensuring the new framework did not have a detrimental effect on quality or consistency.

- **Scrutiny of our investigation relating to the Hillsborough disaster**

Given the size and seriousness of this major investigation, the Police Investigations and Review Commissioner in Scotland was asked to act as a critical friend and carried out two reviews, to provide external scrutiny and assurance that the investigation was being managed objectively and effectively, and in accordance with nationally accepted good practice.

An Article 2 Reference Group (in collaboration with the CPS and Home Office) was also established, to provide a channel for the family groups and their legal representatives to ask questions and raise concerns. Over time this panel's function was superseded by the Family Forums, regular direct meetings between the investigators and these groups, chaired by the

Bishop of Liverpool, James Jones. The unique joint working relationship between the IOPC, Operation Resolve and CPS provides ongoing challenge and peer review across the three bodies. This is overseen by a strategic leadership oversight group, including officials from the CPS and Home Office, which provides further scrutiny of the investigation.

What are we planning to do?

Work is underway to further enhance the ability to challenge and scrutinise the IOPC's work and decisions.

When implemented, the Government's reforms to the complaints system will make it easier for the IOPC to reopen an investigation, without delay or recourse to the courts. The Director General will, at any time, be able to determine that a matter that was investigated by, or under the direction of, the IOPC will be reinvestigated if he is satisfied that there are compelling reasons for doing so.

We are developing a Victims' Right to Review scheme, to give victims the right to request a review of our decision not to refer an investigation to the CPS. While not required to have such a scheme, we are keen to ensure there is no disparity between the rights of a victim who alleges that a crime was committed by a member of the public, and one who alleges that a crime was committed by a person serving with the police. We envisage it will apply to criminal investigations that have been carried out or directed by the IOPC, and it will enable the individual to request that the original decision is reviewed. We intend this to be in place by April 2020.

We understand the importance of scrutiny and challenge and are aware there is a growing expectation that decisions taken by organisations like the IOPC, the police and CPS should be open to challenge from those affected. This expectation, along with the new power to reopen investigations means that we should now review whether our existing mechanisms are sufficient to maintain public confidence in our work.

There needs to be careful consideration of the potential disadvantages of introducing what could be an additional layer to the complaints and discipline system, which already is often accused of being bureaucratic and slow.

We have commenced work to consider these issues and develop options for introducing other ways to challenge our decisions. This will consider the requirements of service users, benefits, risks and costs, and will be informed by the experience of other organisations who have introduced similar measures, such as the CPS.

We will produce a policy proposal setting out further options for how this could be achieved, which we will share with you and your officials for consideration early in the next financial year.

Impact of the IOPC

What are we doing already?

Following extensive consultation with our stakeholders, we published our first strategic plan in November 2018. This included a more ambitious mission:

To improve public confidence in policing by ensuring the police are accountable for their actions and lessons are learnt.

This represents a marked change from our predecessor in two important ways. We have set ourselves a higher ambition – to help improve confidence in policing (rather than just the police complaints system) and to give equal weight to improving policing through learning alongside holding individuals to account for poor conduct.

Since then we have been working hard to ensure there is an increased focus on learning, in line with the Government's wider reforms to rebalance the police complaints system so that it is not focused solely on individual blame when there are wider systemic issues to be addressed.

We know from our Public Perceptions Tracker that learning is the outcome the public most wants to see following complaints against the police⁵ – 93% of respondents said that police officers and managers learning from complaints was the most important outcome – and our strategy and approach have been welcomed by our stakeholders. This was demonstrated in the results of our recent [stakeholder survey](#).

We have committed to publishing an annual Impact Report, setting out our achievements and the difference we have made. In addition, we publish a range of information throughout the year that demonstrates both our impact and performance.

Information about how we are holding to account those who commit misconduct

Our focus on learning is in addition to, and not instead of, the vital role we play in ensuring that the police are accountable for their actions. The latter remains our core function and is crucial for public confidence in both the police and police oversight.

We also have a duty to act as guardians of the complaints and discipline system. This includes issuing guidance and, where necessary, seeking changes to secure and maintain public confidence in police oversight.

We provide information proactively about cases to the media and publish news releases on our website and via social media channels. Media coverage helps us appeal for witnesses and evidence, raise awareness of our work and the outcomes that follow our investigations. Unless there are exceptional reasons, we publish each investigation report or an investigation summary on our website.

⁵ The IOPC Public Perceptions Tracker is conducted by an external research company and provides an ongoing measure of perceptions of and confidence in the police complaints system.

Annually, we issue an average of 300 proactive media releases on our investigations and reports and manage more than 3,000 media inquiries. Through Twitter, we currently connect with more than 30,000 followers and 1,000 followers on LinkedIn.

While in many cases we find no wrongdoing on the part of an individual, there have also been many cases where our investigations have led to criminal and/or disciplinary sanctions. For example, this year, following our investigations:

- An officer was dismissed without notice for abusing their position to engage in sexual relationships with people who they met through their work, one of whom was a domestic abuse survivor and the other a 16-year-old.
- Two officers were convicted of falsifying a document purportedly from the CPS, manipulating CPS advice on their systems and destroying exhibits during child abuse investigations. Both officers received a custodial sentence – one of 18 months and the other of two years.
- An officer received a custodial sentence after they purchased access to pornographic channels using the account of a property owner while on duty following the death of a child at the property.
- Two former officers were found guilty of misconduct and gross misconduct respectively in relation to their response to reports made by a stalking victim who was later murdered by their ex-partner. Although the officer who was found guilty of gross misconduct had left the force prior to the disciplinary hearing being held, they were still placed on the police barred list, preventing them from working in any law enforcement agency in the future.
- A police officer who worked as a Safer Schools Officer was dismissed for failing to take appropriate action in response to reports that a child under 13 was having sex with a number of individuals, including failing to record the information as a crime, initiate an investigation or refer the matter for further safeguarding.
- An officer was sentenced for multiple crimes relating to indecent images of children and misconduct in public office. They were jailed for four years and four months, placed on the Sex Offenders Register and will be subject to a sexual harm prevention order for life.

The above is by no means an exhaustive list, but provides some examples of how our work plays a vital role in ensuring that those who commit serious misconduct are held to account, and how it supports disciplinary panels and juries to reach their own important final decisions in respect of conduct and criminality.

We have also published information about the actions we have taken to ensure the complaints and discipline system remains robust and can command public confidence. For example:

- At the time the IOPC was created, the issue of police witnesses being allowed to confer following a death or serious injury had become a controversial topic, one which was impacting on both public and police confidence in the system. We explained our views on this to stakeholders and the public, and agreed a way forward after many years of disagreement. Our guidance now sets out that separation is the preferred method and should be considered in every case. Where separation is not possible for operational reasons, we expect this to be documented and other methods used to protect the integrity of the evidence. The revised guidance was agreed by the Home Secretary in January this year.
- We have shared our concerns about the implications of the recent High Court judgement in respect of a judicial review of our decision to direct gross misconduct proceedings against an officer for fatally shooting Jermaine Baker in 2015. We have published a [blog](#), and contacted stakeholders to make them aware of our concerns about the implications of the ruling for police accountability. The public expect officers to be able to get on and do their job, including being able to use force when appropriate. However, they also expect that, if an officer is asked to justify that use of force, the officer's assessment of the circumstances should be judged against what is objectively reasonable, and against expected professional standards. We have explained that it is for this reason we are appealing the High Court's decision.

Information about how we are helping the police learn from mistakes

We share the learning from our work so that the police can use this to improve practice. For example:

- We use our statutory powers to make [formal organisational learning recommendations](#) to the police service and other bodies. These recommendations and the responses to them are published on our website so that the public can see what we have recommended and what the recipient intends to do as a result⁶.
- We produce 'Learning the Lessons' magazines, using real-life case studies as well as insight from policing experts and community representatives. For example, we have recently covered areas such as stop and search, mental health, and custody. The primary audience for the magazines is police practitioners, but they are also sent to many non-policing stakeholders such as community and voluntary organisations, academics and other agencies, to raise awareness of the learning that is arising from cases.
- We respond to a wide variety of inquiries and consultations using evidence from our work. These responses are published so that members of the

⁶ In the last financial year, we made 30 such recommendations to help bring about improvements to local and national policy, practice, training and guidance.

public can see the suggestions we have made and how our work has an impact on the criminal justice system.

- Following the tragic death of Kerry Power, who was murdered by her ex-partner, we launched a campaign to raise public awareness of the Silent Solution system, which prompts mobile callers who are in danger and unable to speak to press 55 to let the police know that there is a genuine emergency. The campaign reached over 16 million people through a range of media. Over 6,000 copies of our campaign poster were downloaded over an eight-week period.

What are we planning to do?

The work we have planned under our three-year strategic plan will not only help us to ensure that the police are accountable and that lessons are learnt, but that stakeholders and members of the public are more aware of our work and its impact.

Presenting cases at misconduct hearings

When the Government's reforms are implemented, we will have the power to present our own cases at misconduct hearings. We called for this change as the current arrangements, where a police force presents a case even when we have had to direct them to bring proceedings, can undermine confidence in the process and outcome. We welcome the opportunity to play a greater role in hearings that follow our investigations, and to better demonstrate how our work ensures accountability for those who commit misconduct.

We expect that this change will increase confidence in the police discipline system, particularly among those complainants who lack confidence in the force they have complained about.

We have already created a presenting unit in readiness, and would again urge the Government to implement the reforms without further delay.

Providing information on the outcomes of the complaints and discipline system

To demonstrate the impact of our investigations and how individuals have been held to account, we have been working to improve the data we collect on the outcomes of proceedings that follow our investigations. We expect to complete this work and publish data on the outcomes that follow IOPC investigations by the end of next year.

However, for the public to understand the complete picture of outcomes, wider work will be needed to enable robust, national data collection. We are working with Home Office officials to agree a consistent method of recording and collecting this data from all police forces.

While the IOPC plays a central role in ensuring that officers are held to account for poor conduct and can direct that they appear at disciplinary proceedings, other bodies are responsible for making the final decisions on whether this is proven and what sanction, if any, they should face.

This means we cannot always explain those final outcomes. While we respect the respective remits of the CPS, courts and disciplinary panels, we do not necessarily always agree with their conclusions. For example, there have been cases where we and other stakeholders have been surprised at the decisions of disciplinary panels.

The IOPC and disciplinary panels will not always reach the same conclusion on analysis of what is sometimes a complex set of evidence and where different legal thresholds apply. However, the Home Office may wish to consider whether there would be merit in conducting a review of whether:

- decision-making by panels is suitably consistent, and in line with the College of Policing's guidance on outcomes in police misconduct proceedings
- decisions made by panels, and the rationale for them, are adequately transparent and being communicated effectively to the public

We would welcome a review and would be keen to work with officials to support that work.

Improving our communications

We know that we still need to do more to raise awareness of the IOPC's role and impact.

We have developed a new three-year communication strategy. The strategy sets out ambitious plans to further improve our communications and over the next 12 months we plan to:

- launch a regular corporate e-newsletter to inform and engage with broader audiences
- review and improve our website, informed by research with users, allowing us to better target our communications and provide a better user experience
- deliver a range of communication plans focused on young people and communities with low confidence, to build awareness and trust in the police complaints system
- launch two new information/awareness campaigns on police road traffic incidents and abuse of power for sexual purpose
- expand resource materials including videos, fact sheets and website information for dissemination to police forces and other stakeholders

Transforming our approach to stakeholder engagement

This year we have expanded our stakeholder engagement team to increase our local presence and engagement with non-policing stakeholders across England and Wales. We have also produced a new three-year stakeholder engagement strategy to ensure that we listen, engage and use feedback so that:

- We identify and engage with local communities quickly and effectively to listen, communicate key messages and address existing or potential tensions.
- We continually improve the service we provide as our staff have more opportunities to hear from those with lived experience and from stakeholders who work with, and represent, people impacted by our work.
- We target our engagement work more effectively because we have a more sophisticated understanding of public confidence, including which demographic groups have the lowest confidence, and the influential factors that contribute to low confidence.

To achieve this, we will:

- Produce and implement local engagement plans for each of our geographical areas (defining and implementing a bespoke approach to engagement in each of our regions and in Wales).
- Continue to work with our Youth Panel, providing opportunities to influence our work, voice their views on policing and implement the recommendations made in their [2018/19 report](#). Work with our Youth Panel this year has included attending roundtables on stop and search and mental health, guest editing our Learning the Lessons Magazine and joining recruitment panels for key IOPC appointments. Two panel members are also co-chairing the NPCC Child Centred Policing conference in January 2020.
- Continue to work with our External Stakeholder Reference Group, ensuring they influence and challenge our work, particularly the redesign of our operational processes and development of our quality assurance framework.
- Continue roundtable events with stakeholders to help inform our case selection process.
- Provide information and/or training to improve our network of stakeholder advocates' understanding of the police complaints system, so they can support and advise the clients they work with.

Maximising the impact of learning

We have also developed a new learning strategy to improve the way that we capture and share learning from our work, and to make sure that we are working effectively with partner organisations to drive change. We engaged with a variety of external stakeholders to develop the strategy, including members of our Youth Panel and External Stakeholder Reference Group, academics, police forces, the College of Policing, HMICFRS and the Home Office.

Both our stakeholder engagement and our learning strategies will be published on our website in the coming weeks, and details of the key activities and deliverables will be set out in our business plan for 2020/21.

Feedback from Stakeholders on our progress so far

We are encouraged that the results of our first [stakeholder survey](#) show that our stakeholders are supportive of the changes we have made and are seeing the impact of those improvements. The results show that all stakeholder groups had a more favourable opinion of the IOPC (in comparison to the results for the IPCC in 2017), had greater confidence in our impartiality and found it easier to engage with us.

The results suggest that stakeholders' increase in favourability towards the IOPC is driven by a sense that we are delivering meaningful change. The following quotes are just some examples of the views expressed:

"...they are taking active strides to listen to feedback, to develop and to become better at what they do." (Police stakeholder).

"They have increased their visibility; their engagement strategy is starting to impact. They're definitely heading in the right direction. I've seen evidence of the shift to learning through case studies and the way in which those are communicated with forces." (Non-police stakeholder).

"The words I would associate with the IOPC? One would be 'dynamic', although I think they would probably be quite shocked at that. But as an organisation we have seen them change quite a lot in a year and actually, from a civil servant's perspective we know how difficult it is for large organisations to change. I'm impressed with the speed of change." (Police accountability stakeholder)

"There is a willingness, when appropriate, to work together, accepting professionally we might not always be on the same page but that actually we work in the same place and it's sensible to cooperate and work together in a professional manner. That's something that Michael absolutely embodies." (Police stakeholder).

"I can see tangible changes in the way in which they're operating, both in practical terms of timeliness which has been an issue previously. Also, in a

more mature and thoughtful communications strategy, in the way which they engage in public dialogue but also dialogue with the service.” (Police stakeholder)

“Where Michael has made more of a difference is with other bodies, and going out and talking to the policing system in an open and engaged way, which has been really useful. The relationship with policing, was difficult, and it's got better.” (Police accountability stakeholder)

“It has some challenges to deal with, which they are getting on with, so in performance terms it's on the up, and has been now for a while. It's also improving its reputation with policing. The detailed performance measures that we would all care about have been improving, and that's one of the keys to improving confidence in the system.” (Police accountability stakeholder)

“I would congratulate him [Michael Lockwood] on doing the workshops he did. I thought that was a great idea and he did really strike me as a man that wanted to listen and be open. I had a lot of confidence in him when I met him, I thought ‘wow, here is a guy that is really willing to listen’. So, I do have quite good aspirations and hopes for it.” (Non-police stakeholder)

IOPC created
January 2018

Apr' 18

Apr' 19

Today
Dec 2019

Apr' 20

Apr' 21

Q 4

Q 1

Q 2

Q 3

Q 4

Q 1

Q 2

Q 3

Q 4

Q 1

Q 2

Q 3

Q 4

Timeliness of Investigations

CPS new ways of working

79% of investigations within 12 months

95% IPCC cases closed

Final IPCC cases closed

Streamlined investigation process (DSI, no conduct)

Pilot of new investigations model

Implement quick wins from redesign

Implementation of redesigned investigations process begins

Proposals to Ministerial Board on DiC

Reforms to the Police Complaints system

Quality of Investigations

Thematic case selection

Reflective practice learning debriefs

Critical case panels

Customer Service Excellence Accreditation assessment

New KPI, status of those under investigation

Subject matter networks

Service User standards

Updated accreditation of investigators programme

Peer review process implemented

Quality and service improvement team created

Operational practitioner groups

Minimum quality standards in place

Scrutiny of decision making

External stakeholder reference group in place

IOPC complaints and feedback policy

Victim's right of review on decision to refer to the CPS

Joint conference with UK Oversight bodies

NEDS appointed & Unitary U Board in place

Proposals for additional scrutiny

Revised policy and reopening investigations

Impact of IOPC

Youth Panel Established

IOPC Corporate Strategy

Stakeholder engagement strategy published

Roundtable - Race discrimination

Improved website launch

Stakeholder engagement - Strategy development

Section 22 guidance agreed

Campaign on silent solution system

Launch e newsletter

BME and Youth focused communication plans

IOPC Outcomes data published

Learning the Lessons Magazine redesigned

Stakeholder thematic roundtables

Impact report published

Learning strategy published

Regional community engagement plans agreed

APSP information awareness campaign