

Independent Scrutiny of Police Complaints Panel

Annual Report 2023

Panel Chair – Kim Smith

May 2024

Foreword



Kim Smith, ISPCP chair

Introduction

The Independent Scrutiny of Police Complaints Panel consists of lay people, all volunteers. We work on behalf of the Police and Crime Commissioner (PCC). Our role is that of a critical friend. Whilst we will always highlight areas where we consider that service has fallen short, we strive to do so in a constructive way which will bring about improvements for the public in future and we also praise good practice. We continue to be autonomous, dip sampling complaints files and choosing our areas of focus. No information in a complaint file is off limits to us - we review all the official reports and documents, accessing internal correspondence and documents. Our level of access means that we can truly scrutinise how complaints are handled.

As always, our work has been ably supported by officers from the Office of the Police and Crime Commissioner (OPCC), whose energy and enthusiasm has clearly demonstrated the PCC's commitment to working with volunteers.

How the panel works work

Every quarter each panel member is given several complaint files to review. When a panel member has concerns or queries about a complaint reviewed, this is raised with Professional Standards Department (PSD) the team who lead on complaints within the constabulary for a response. The PSD response is received ahead of the meeting and subject to further discussion at the meeting if necessary. Some of these responses are set out in this report.

As well as seeking feedback on points raised as part of complaint being reviewed, we continue to highlight ongoing themes with PSD. Current themes focus on the quality of the final response letter sent to a complainant.

At each meeting, regardless of the overall theme, the panel continues to review at least one discrimination complaint each. In 2024 we intend to start reviewing complaints relating to Stop and Search as proposed by the report *Identifying Disproportionality in the Avon & Somerset Criminal Justice System*.

Panel meetings have been joined by the Police and Crime Commissioner, Mark Shelford, the Deputy PCC Claire Hiscott, the OPCC Chief of Staff, Alice Ripley, and the OPCC Director of Performance and Accountability Sally Fox, whose team supports the PCC in holding the force to account for complaints. From Avon and Somerset Police we have been joined by the Head of PSD Superintendent Mark Edgington and a range of guest speakers.

As I write this our thoughts are with the family of panel member David Woodward, who sadly died recently. David joined the panel several years ago when numbers were low, and we sought temporary secondees from other panels. David kindly volunteered to join, and when recruitment was set back by Covid, agreed to become a full member. His insights and commitment will be missed.

OVERVIEW OF

2023

The panel met 3 times once remotely and twice in person.



78 complaint files were reviewed and feedback forms were provided for each case to PSD



The year started with the OPCC volunteer recruitment campaign, which was overseen by a Volunteer Recruitment Board including myself as ISPCP chair. We were very pleased that this resulted in 6 new panel members being appointed, bring us up to 12 members. They bring a range of backgrounds and skills, which broaden the panel considerably, though unfortunately we still lack younger panel members.

During the vetting period, before they were able to attend the panel, the new members joined us at the PCC's Volunteers Celebration event. They were also provided with an induction pack, a training day, plus a shorter repeat online session. Once cleared to review cases they were "buddied" with an experienced panel member to help them understand how to review complaints and guide them through the complaints files. Finally, the Volunteer Recruitment Board evaluated it's work to ensure no learning was lost.

Superintendent Jane Wigmore, Head of PSD left and we welcomed Superintendent Mark Edgington in her place.

We are pleased that PSD have developed a formal mechanism for sharing learning from complaints feedback throughout the constabulary.

PSD developed a guide to the definitions & acronyms used to help us better understand the language used within complaints files and the government guidance.

At the request of Superintendent Mark Edgington 3 panel members undertook training on PSD severity assessments. The means we can provide a lay input into the assessments which consider whether police officer behaviour (if proven) would amount to gross misconduct, misconduct, Practice Requiring Improvement, dealt with under the Performance Regulations, or no further action.

Due to lack of capacity within the OPCC team, we regretfully agreed to cancel the June meeting.

In September we restarted face to face meetings, also offering online attendance as an option, which works well.

This year we reviewed 78 complaint files. We also requested that 2 complaints were fully re-reviewed, including one which was also an incident reviewed by the Independent Scrutiny of Police Powers Panel in 2022. We were satisfied with the outcome of both of these re-reviews.

March 2023

The theme was **Discrimination**, 24 complaints were reviewed. In several cases good practice was identified. However, one Stop & Search case was passed back for re review as there were concerns relating to possible racial profiling. The report was received at the September meeting.

Examples of positive panel comments:

“The final report was extremely thorough and well written. It provided the complainant with a most detailed explanation of what happened and why.”

“Very thorough and clear actions by the Investigating Officer, persistent in trying to communicate with the complainant (email, SMS, phone calls etc.) and reasonable adjustments to ensure the final report was in a form he could access it and get support to understand if needed.”

Examples of responses from PSD as a result of panel comments on complaints reviewed:

“I agree that the finding of service level acceptable does not seem to tally with the apology and learning we have offered. “

“The information provided to the complainant could have been clearer and provided them with a lawful basis which would have answered their question / alleviated concerns at the earliest opportunity.”

Our guest speakers were from the Independent Office of Police Conduct (IOPC). Sian Beynon, the Interim Stakeholder Engagement Officer and her colleagues delivered a presentation about the discrimination work that is being carried within the IOPC.

September 2023

Face to face meeting restarted! and also the first meeting with our new members.

The theme was **Handling of or Damage to Property**, an area identified as a concern following our review of cases involving young people last year, 24 complaints were reviewed. A re-review was requested for 1 discrimination case, where the panel was concerned that a case had not been reported to the IOPC. This was reported back at the December meeting.

Examples of positive panel comments:

‘Resolved under Early Intervention – sum reimbursed and complainant happy. Credit to the Investigating Officer for dealing with the matter swiftly, decisively and with empathy. In particular, by deciding not to send the matter to Legal Services and to deal with it themselves because they recognised the situation was unjust and wanted to restore public confidence. Very impressive.’

Examples of responses from PSD as a result of panel comments on complaints reviewed:

"I agree, I believe that the complaint response could have shown more empathy and rather than a simple cut and paste, it could have been worded differently. Additionally, I think that an arrangement could have been made for the Sergeant to contact the complainant, or her representative, upon his return from rest days as agreed. This will be fed back to the complaint handler."

"I will take the feedback onboard, and we will look at amending the final letter to read better and condense the wording."

PSD Re-Review - Stop & Search Complaint Case

Chief Inspector Vicki Hayward-Melen, ASC Response Directorate fed back on the-review of the Stop & Search complaint from March. She stated that this was a reasonable stop but the softer skills and sense of procedural justice that we expect of officers conducting stop searches was missing. She would expect more cultural and emotional intelligence to be demonstrated by the officer. Chief Inspector Hayward-Melen commented that this is a perfect example of how Black people feel overpoliced, although nothing is 'technically' wrong with the stop. Action to be taken: Chief Inspector Hayward-Melen concluded that this was a matter of individual learning for the officer involved as opposed to conduct and as a result of this review she will speak directly with the officer. The panel were satisfied with this.

Our guest speakers were Chief Inspector Vicki Hayward-Melen, ASC Response Directorate who provided a briefing on Stop & Search and Richard Vise, ASC Delivery Manager – Estates & Facilities - Property Lead, who talked about changes to improve the management of property.

December 2023

The theme was **Discreditable Conduct**, 24 complaints were reviewed.

Examples of positive panel comments:

"Apology for officer's lack of empathy and explanation that his supervisor has spoken to him with words of advice. Good that this was communicated by phone as well as the report."

In an example of good practice, a complaint which didn't fall under the Regulations (and hence need not be treated as a complaint) was treated as a complaint to achieve a better, more transparent outcome.

"While being considered as a complaint the matter was additionally referred to the head of the relevant department to ensure the learning from the mistakes made in this case was adopted."

Examples of responses from PSD as a result of panel comments on complaints reviewed:

"In this case we accept the complaint handler did not take the opportunity to explain the processes fully in the template that is used to write the final letter to the complainant. As a consequence, the letter sent out at the conclusion of the complaint could have contained greater detail that would have reassured the complainant. Feedback will be provided to the complaint handler "

“We will take the feedback provided and pass it on to the local manager [who investigated the complaint] to consider”

PSD Re-Review - Discrimination Complaint Case

PSD fed back on the re-review of the discrimination case, where the panel was concerned that it had not been reported to the IOPC. PSD reported that the case had, in fact been reported to the IOPC but it had not been linked to the complaint file. The IOPC had no concerns. PSD noted that:

“There was some learning identified during the investigation for an officer concerning their powers of entry”.

Our guest speaker was Inspector Frazer Davey, Professional Standards Department who gave an overview of the training for constabulary staff on Discreditable Conduct.

Comments Chief Constable, Sarah Crew



‘We place huge value on the work of the ISPCP. Legitimacy is at the core of policing and this group of volunteers, who represent the community we serve, give up their time to scrutinise how we handle complaints made against the police. This provides an additional opportunity for us to take this feedback celebrate best practise, but also learn and improve our services and response where required.’

Further information about the Independent Scrutiny of Police Complaints Panel (ISPCP)

Further information about the ISPCP can be viewed through the following link:

[Independent Scrutiny of Police Complaints Panel | OPCC for Avon and Somerset \(avonandsomerset-pcc.gov.uk\)](https://www.avonandsomerset-pcc.gov.uk)

Get in touch

Avon and Somerset Police and Crime Commissioner
Avon and Somerset Police Headquarters
Valley Road
Portishead
Bristol
BS20 8JJ

www.avonandsomerset-pcc.gov.uk

Or you can contact the office by telephone on 01278 646188

You can find us on social media here:



Rebecca Maye

Scrutiny & Assurance Manager

Office of the Avon & Somerset Police and Crime Commissioner

Rebecca.maye@avonandsomerset.police.uk