



BRIEFING PAPER

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Police complaints reform in 2016

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Summary

The next stage in the Government's 'radical reform' of policing in England and Wales is major changes to the police complaints system. Its proposals are aimed at improving police integrity and boosting low public confidence in procedures that have proved confusing, frustrating and ineffective. It wants to make the system fairer, easier to understand and more transparent.

The current police complaints system is detailed in the Library briefing paper [*Police complaints systems in the UK*](#).

A review conducted by the Home Office found the public and police officers alike had little faith in the current system. Complainants doubted grievances would be dealt with fairly or effectively. Police officers felt tied-up by vexatious complaints and unable to admit mistakes for fear of them being labelled as misconduct.

The Government's proposals amount to significant structural change. Directly elected Police and Crime Commissioners (PCCs) will come to the fore, determining how complaints are dealt with at a local level. They will have discretion to choose whether to record and determine complaints themselves, or to supervise how their local police force exercises such functions. PCCs will also hear appeals against the handling of complaints deemed suitable for local resolution.

The goal of a more 'complainant-focussed system' will see changes to the language used, with the abandonment of confusing terms and the extension of the definition of 'complaint' to cover not only the conduct of individual police officers but policing practices and service failure as well. All complaints will now be recorded.

To respond to criticisms that the police complaints system does not listen to communities or groups affected by particular trends or habits in policing, the Government promises to import the 'super-complaint' concept from the worlds of financial regulation and consumer affairs. NGOs and charities given super-complainant status will be empowered to lodge complaints as a means of raising systemic issues and ensuring all voices are heard.

Major change is planned for the Independent Police Complaints Commission. Whilst reforms to its structure are yet to be finalised, wholesale changes to allow it to conduct fully independent investigations may see it morph into an ombudsman-type body. To improve complainants' experience and confidence, the Government want to give it powers to commence its own investigations, to determine complaints and to recommend a wider range of remedial actions.

1. Background

Announcing a consultation on proposals to reform the police complaints and disciplinary system, the Home Secretary Theresa May said it marked the next stage in a programme of work aimed at ensuring the highest levels of integrity among police officers and staff.¹ She referred to a number of changes already made:

- The creation in December 2013 of the College of Policing's [Disapproved Register](#) of officers who have been dismissed from the service
- The College of Policing's new [Code of Ethics](#), published in July 2014
- The extra funds provided to the Independent Police Complaints Commission (IPCC) to enable it to investigate all serious and sensitive cases involving the police
- The expansion of the remit of HM Inspectorate of Constabulary to assess not only forces' efficiency and effectiveness but their legitimacy in the eyes of the public as well.

Such changes are part of an overhaul of policing structures the Government described as 'the most comprehensive programme of police reform in memory'.² This included the scrapping of national targets for the police, reforms to police pay and conditions, the introduction of directly elected Police and Crime Commissioners (PCCs), the establishment of the National Crime Agency, changes to the remit of HM Inspectorate of Constabulary and the increase in the resources of the IPCC.

In July 2014 the Government announced a threefold approach to improve standards of police integrity:

- A review of the whole police disciplinary system to be led by Major General (Retd.) Chip Chapman;³
- A consultation on proposals to strengthen protections for police whistle-blowers;⁴
- A review of the entire police complaints system, including the local role played by PCCs and the role, powers and funding of the IPCC.

This briefing paper summarises the proposed reforms to the police complaints system and to the IPCC.

¹ Home Office, [Improving police integrity: reforming the police complaints and disciplinary systems](#), December 2014, foreword

² Ibid, para 1.10

³ Chip Chapman, [An Independent Review of the Police Disciplinary System in England and Wales](#), October 2014

⁴ Home Office, [Consultation on changes to the Police Disciplinary System: Holding disciplinary and appeal hearings in public, introducing legally-qualified chairs in disciplinary hearings, protecting whistleblowers and changes to chief officer compensation payments](#), November 2014

2. The current system

The current police complaints system in England and Wales is detailed in the Library briefing paper [Police complaints systems in the UK](#).

The *Police Reform Act 2002* replaced the discredited Police Complaints Authority (PCA) with the Independent Police Complaints Commission (IPCC). The IPCC has a statutory duty to ensure public confidence in the complaints system is established and maintained.⁵

One key difference between the PCA and the IPCC is that the new body enjoys an investigatory capacity in its own right. Whilst the IPCC has increased the number of complaints it investigates, this remains only a tiny fraction of all complaints lodged. The vast majority of complaints are still investigated by the police force concerned.

Around a third of complaints will be dealt with by 'local resolution' – an informal procedure which might, for example, result in an explanation or apology.

Around half of complaints will be the subject of an investigation. Most of these investigations into complaints are conducted by the relevant force. Some of the more serious allegations may be investigated by a different force. The IPCC investigate only the most serious complaints itself. These investigations may be carried out by police forces under IPCC supervision or management.

The IPCC can also direct a police force that is investigating a complaint to refer the case to it.

The IPCC hears appeals against the findings of investigations into more serious complaints; chief officers hear other appeals against the findings of other investigations. The IPCC also hear appeals against decisions not to record a complaint, or against the results of local resolution.

There is no further right of appeal to the IPCC's decision, or to chief officers' decisions on those appeals which they hear. If a complainant remained unsatisfied and wanted to pursue the matter, they would have to seek redress through judicial review, and would need legal advice.

Complaints can be lodged in a variety of ways - with the relevant police force, with the local Police and Crime Commissioner (PCCs), with an MP or community group⁶ or with the IPCC itself.⁷

Aside from complaints about chief officers, there is currently no central role in the police complaints system for PCCs.

⁵ *Police Reform Act 2002* section 10

⁶ A complaint may be lodged on another's behalf, but the legislation requires that written consent be secured.

⁷ Complaints lodged with the IPCC will be sent to the 'appropriate authority' for a decision on the appropriate response. In most cases this will be the relevant police force itself.

3. The need for reform

Launching the consultation, the Government referred to ‘many high profile police failures that have called into question police practices and the integrity of some police officers’.⁸ It specifically identified the findings of the [Hillsborough independent panel](#),⁹ the [review by Mark Ellison QC](#)¹⁰ into the police investigation into the murder of Stephen Lawrence, the [findings of Operation Herne](#)¹¹ into allegations that undercover officers were deployed against the Lawrence family, and HM Inspector of Constabulary reports into the [misuse of stop and search powers](#) as evidencing the need for reform.

3.1 Home office review of police complaints system

This review of the entire police complaints system was an internal review conducted by the Home Office. Its findings are set out in Chapter 2 of the Government consultation [Improving police integrity: reforming the police complaints and disciplinary systems](#). Amongst the review findings were the following:

- Elements of the police complaints system do not work efficiently or effectively.
- Few of those involved with the system have confidence in its ability to operate effectively. Large numbers of members of the public do not believe that the system will respond to their complaints fairly or effectively.
- Complaints take too long to resolve, either by local resolution or following the outcome of an investigation by either the police or the IPCC.
- Those working in the system feel they spend too long dealing with persistent and vexatious complaints, limiting the amount of time they can devote to other, more legitimate complaints.
- Police officers feel unable to admit to a mistake without fear of being subject to disciplinary proceedings.

Despite complaints against police in England and Wales reaching a record high for the second year running¹² the Home Office found that most people dissatisfied with the police choose not to complain.¹³

⁸ Home Office, [Improving police integrity: reforming the police complaints and disciplinary systems](#), December 2014, para 1.4

⁹ ‘The Report of the Hillsborough Independent Panel’, 12 September 2012, HC 581

¹⁰ The Stephen Lawrence Independent Review, ‘Possible corruption and the role of undercover policing in the Stephen Lawrence case’, 6 March 2014, HC 1094

¹¹ Derbyshire Constabulary, ‘Operation Herne Report 2: Allegations of Peter Francis’, March 2014

¹² ‘Police complaints reach record high in England and Wales’, *BBC News*, 7 October 2015

¹³ Home Office, [Improving police integrity: reforming the police complaints and disciplinary systems](#), December 2014, para 2.12

3.2 Criticism of the IPCC

An *Independent* editorial in March 2014 reviewed the IPCC's first ten years:

In its 10 years of existence, the police watchdog has failed miserably to live up to even to the most meagre expectations. Scandals in the police – the Met above all – have continued unabated, from the worrying number of unexplained deaths in police custody to highly questionable shootings of Azelle Rodney and Mark Duggan, the “plebgate” affair and the attempt to “smear” the family of Stephen Lawrence. Too often, little seems to be done to hold the miscreants behind these acts to account because the body charged with this task, the Independent Police Complaints Commission, is underfunded, toothless and even unwilling to act.¹⁴

The IPCC has attracted criticism from a wide range of people:

- According to a *BBC News* article, police officers protest the ‘inordinate amount of time to get a decision’ and highlight the impact of anxiety and stress on officers’ careers and livelihoods whilst they wait for the IPCC findings.¹⁵
- Inquest, representing bereaved families, identified an inability to ‘sustain the learning’ and a tendency to ‘slip back into its old ways’.¹⁶
- The Home Affairs Select Committee found it overloaded with cases and ‘woefully under-equipped’,¹⁷ leaving the public ‘frustrated and faithless’.
- Ian Lavery MP dismissed as ‘a nonsense and a whitewash’ the IPCC’s decision in June 2015 [not to start a formal investigation into allegations of criminal wrongdoing by police at Orgreave in 1984](#).¹⁸

In her evidence to the Home Affairs Select Committee Dame Anne Owers, chairperson of the IPCC, acknowledged criticisms levied by police officers but asserted the ‘important thing’ is that the IPCC is ‘accurate, objective, credible and independent’.¹⁹ She spoke of a desire to have a ‘proper conversation’ with the families and communities affected by deaths following police contact.²⁰ She called for more resources for the IPCC, reminding the committee that the IPCC sits at the ‘top of the pyramid’ in the police complaints system and a lack of

¹⁴ [‘Reform of the ineffectual IPCC is long overdue’](#), *the Independent*, 16 March 2014

¹⁵ [‘Why the IPCC needs to win over its doubters’](#), *BBC News*, 14 July 2015

¹⁶ *Ibid*

¹⁷ Home Affairs Committee, [Independent Police Complaints Commission](#), 1 February 2013, HC 494 2012-13

¹⁸ [‘IPCC will not investigate Orgreave police action during miners’ strike’](#), *the Guardian*, 12 June 2015

¹⁹ Home Affairs Committee, *Independent Police Complaints Commission*, 18 July 2012, HC 494, [Q78](#)

²⁰ *Ibid*, [Q83](#)

public confidence caused by all that is not well at the bottom end needed to be addressed.²¹

In relation to Orgreave, the IPCC [explained its decision](#) arguing that the passage of time meant allegations of assault and misconduct could not now be pursued. It stated that detailed analysis had not revealed any other issues in relation to individual officers which could now be investigated.

²¹ Ibid, [Q51](#)

4. Reforming the police complaints system

In summary, the Government proposes the following changes to the way complaints are handled:

- A much greater role for Police and Crime Commissioners (PCCs), giving them the option of taking on responsibility for ‘triaging’ complaints, local resolution and responsibility for hearing appeals currently dealt with by chief constables;
- Tasking HM Inspectorate of Constabulary (HMIC) with inspecting the efficiency and effectiveness of handling of complaints should the proposed structural changes be implemented locally by PCCs;
- Changing the language to make it easier for the public to understand, including widening the definition of ‘complaint’;
- Requiring all complaints be recorded;
- Improving the way police deal with complaints from victims of crime;
- Introducing of a new system of super-complaints so harmful trends, patterns and habits in policing can be identified and allowing the collective voice of groups of people adversely affected to be heard.

4.1 A greater role for Police and Crime Commissioners

The Government proposal to give PCCs such an enhanced role was borne out of a perceived need for greater independence in the police complaints system. The Home Office cited statistics showing 35% of people lack confidence in the ability of the police to deal with their complaint fairly²² and 78% of people are not satisfied with how their complaint is handled.²³

Structural changes to police complaints systems

The Government proposes to give PCCs the following responsibilities:

- Receiving and recording a complaint;
- Assessing and allocating a complaint either for
 - local resolution
 - local investigation
 - national investigation by the IPCCtaking account of the mandatory referral criteria;
- Acting as a single point of contact and communication for the complainant, throughout the processing of the complaint;

²² IPCC, [Public Confidence in the Police Complaints System](#), 2014, p22

²³ Crime Survey for England and Wales, 2012/13

- Resolving those complaints that are appropriate for local resolution.

Significantly, the Government promises the legislation will be *enabling*, leaving it up to the PCCs themselves as to whether they take on these functions or leave them where they lie currently with police forces. So in determining how to structure the complaints system locally, PCCs will therefore be able to adopt one of these three models:

	Model 1	Model 2	Model 3
Receiving and recording a complaint	POLICE	PCCs	PCCs
Assessing and allocating a complaint	POLICE	PCCs	PCCs
Acting as single point of contact and communication	POLICE	POLICE	PCCs
Resolving complaints through local resolution	POLICE	POLICE	PCCs/ POLICE

Models of the complaints system that may be introduced locally. Source: Home Office, *Improving police integrity: reforming the police complaints and disciplinary systems*, March 2015

The Government is putting much stock in the fact that PCCs are directly elected. The link with the ballot box has led the Government to conclude that PCCs are best placed to assess how police complaints should be dealt with in their areas. The exercise of this discretion by democratically accountable officials, acting independently of police forces, will, the Government believes, improve public confidence in the complaints system.

Local resolution

The proposal to give PCCs responsibility for local resolution of complaints troubled a large number of those who responded to the Home Office consultation.²⁴ They stressed that for local resolution to be effective and earn public confidence, the police who provided the service must have the chance to contribute.

In its response the Government accepted the importance of policing’s ‘customer service element’ and how it impacts on the resolution of complaints. Whilst noting that police forces deal with many complaints quickly and effectively outside of formal complaints procedures, the Government maintained that in some cases local resolution need not involve police forces at all and could be achieved by PCCs. The Government envisages scenarios in which PCCs will recommend to a police force how it should resolve a complaint. So as not to undermine the operation independence of chief constables, the forces will not have

²⁴ Home Office, [Improving police integrity: reforming the police complaints and disciplinary systems - Summary of consultation responses and next steps](#), March 2015, para 2.11

to follow the PCC recommendation. However the Government expects forces to cooperate with PCCs to accomplish a satisfactory outcome.

Appeals

To further increase the police complaints system's independence from police forces, the Government proposes that PCCs hear appeals against the handling of complaints in certain cases. Such cases would be those where complaints were deemed suitable for local resolution and that local resolution was handled by the police.

This is one function that the Government will not allow PCCs to leave with police forces. In contrast to the flexibility PCCs will enjoy when determining how to structure the police complaints system in their respective areas, they will have to either take on the appellate role themselves or find another arrangement equally independent of the police.²⁵

4.2 HMIC inspections

The Government acknowledged the concerns of some PCCs that allowing inspection by HMIC would undermine their democratic accountability to their electorates. Whilst there will be no direct inspection by HMIC of PCCs, HMIC will continue to monitor the efficiency and effectiveness of the handling of complaints - whether PCCs opt to address complaints themselves or leave the responsibility with police forces.

4.3 Changing the language

Responses to the Government's consultation disclosed almost universal agreement amongst stakeholders on the need to simplify the language used. Many saw confidence in the police complaints system further undermined by the difficulty in understanding key terms.

Widening the definition of complaint

The definition of complaint will be widened to make it clearer to the public what it is they can complain about.²⁶

Presently, [Section 12](#) of the *Police Reform Act 2002* defines a complaint as 'any complaint about the conduct of a person serving with the police'. The Home Office identified three problems caused by this definition:²⁷

- Some complainants felt restricted in the types of issues they could raise as a complaint
- Some complainants believed they could complain only when they knew the identity of a particular officer

²⁵ Ibid, para 2.42

²⁶ Ibid, para 2.66

²⁷ Home Office, [Improving police integrity: reforming the police complaints and disciplinary systems](#), December 2014, para 2.40

- Some complainants felt that the definition of a complaint prevented a swift resolution of their issue - eg where a complainant simply wanted an apology or meeting with an officer, this could not be achieved as officers were concerned it would constitute an admission of misconduct

The Government has yet to settle on a new definition, but has promised to extend the scope of complaints to encompass policing practice and service failure, as well as the conduct of individual police officers.

Simplifying terms

The key terms 'discontinuance' and 'disapplication' have proven particularly problematic:

- An investigation into a complaint is discontinued when certain limited circumstances²⁸ permit it to be brought to an end
- Disapplication is when - in certain limited circumstances - a recorded complaint does not have to be dealt with under the Police Reform Act 2002

The Government will legislate to replace both terms with the description 'no further action', which it hopes will be clearer for complainants and the public.

4.4 Recording all complaints

Another source of confusion and disquiet identified by the Home Office review is the current practice of officers deciding whether or not to formally record a complaint. The review found some complainants could not understand why some complaints were not recorded - and suspected non-recording was a means by which their complaint could be ignored - whilst the success of a large number of appeals against non-recording decisions suggested officers did not fully grasp how decisions about recording should be taken.²⁹

The Government has decided to remove this stage of the police complaints process and proposes that all complaints be recorded.

4.5 Complaints from victims of crime

Those respondents to the consultation who felt there is room for improvement in how the police complaints system handles complaints lodged by victims submitted that victims ought to be treated sensitively, and given clear explanations and reasonable expectations about the complaints process.

The Government highlighted the overlap between these and other suggestions and those of the Victims' Commissioner in her report [A](#)

²⁸ See information at pages 70-71 of the IPCC's statutory guidance to police forces

²⁹ Home Office, [Improving police integrity: reforming the police complaints and disciplinary systems](#), December 2014, para 2.41

[*Review of Complaints and Resolution for Victims of Crime*](#)³⁰ The Government asserted it supported her recommendations and promised to work to improve victims' experience of the complaints system.

4.6 Super-complaints

One of the more innovative reforms to the police complaints system is the importation of the 'super-complaint' concept from the financial services sector.

Box 1: Super-complaints

Super-complaints provide for greater consumer protection by allowing a select group of watchdog organisations, such as *Which?* and the Citizens Advice Bureau, to raise concerns about damaging practices or detrimental trends.

Such groups are designated by the Secretary of State as having super-complainant status. Because of their interest in the rights of consumers, they are deemed to have the necessary perspective to complain about systemic problems, rather than solely bringing specific, discrete complaints.

Section 11 (1) of the *Enterprise Act 2002* defines a super-complaint in the context of market regulation as a complaint submitted by a designated consumer body that 'any feature, or combination of features, of a market in the UK for goods or services is, or appears to be, significantly harming the interests of consumers'.

The Government sees introducing super-complaints into policing as a means of achieving two ends:³¹

- Allowing advocacy groups and charities to bring complaints allows the complaints system to address systemic issues - trends or patterns of behaviour that may otherwise go unnoticed or neglected
- Recognising that some people lack the confidence to bring a complaint themselves, permitting organisations to raise their concerns offers the public a choice as to how they bring complaints

The number of groups granted super-complainant status will likely be small. The Government acknowledged that further work needed to be done to determine which organisations should have this power.³²

³⁰ Victims' Commissioner, [*A Review of Complaints and Resolution for Victims of Crime*](#), January 2015

³¹ Home Office, [*Improving police integrity: reforming the police complaints and disciplinary systems - Summary of consultation responses and next steps*](#), March 2015, para 2.91

³² *Ibid*, para 2.92

5. Reform of the IPCC

In light of the above proposals and to secure public confidence in the police complaints system, the Government also aims to reform the IPCC.

In summary the Government proposes to

- Clarify its functions;
- Strengthen its powers;
- Reform its structure.

Such reforms are intended to bolster changes already underway, as the IPCC morphs into a larger, more investigation-focussed body. Moves to expand its capacity and capabilities are already well underway.

5.1 Clarifying IPCC functions

Changes to the police complaints system will necessitate changes to the IPCC's role. With PCCs to play a greater role and exercise a discretion in the referral of cases to the IPCC, the Government envisages a role for the IPCC overseeing PCC decisions and publishing performance data. The Government recognises it will need to develop a clear framework or information sharing between PCCs and the IPCC.³³

There is no expansion of the IPCC's own appellate role. With PCCs starting to exercise an appellate function, the Government sees a drop in the number of complaints generating appeals.³⁴

In light of the IPCC's ability to take on more investigations the Government consulted on the criteria for mandatory referrals of complaints by forces and PCCs to the IPCC. Responses suggested that no major change is necessary.³⁵ One amendment the Government does plan to make is to the criteria relating to police corruption, bringing it into line with the new definition of police corruption in the *Criminal Justice and Courts Act 2015*.³⁶

A major change will be the reduction in IPCC reliance on police forces in its investigations. The Government identified IPCC managed and supervised investigations³⁷ as a source of confusion for the public and complainants, who may question the degree of independence from police. The Government asserted that police involvement in IPCC investigations 'should be kept to an absolute minimum' and announced it would legislate to remove the option of managed and supervised

³³ Home Office, [Improving police integrity: reforming the police complaints and disciplinary systems - Summary of consultation responses and next steps](#), March 2015, para 5.6

³⁴ Ibid, para 5.7

³⁵ Ibid, para 5.13

³⁶ *Criminal Justice and Courts Act 2015*, [section 26](#)

³⁷ A managed investigation is one conducted by a police force under IPCC direction or control. A supervised investigation is one conducted by a police force acting within prescribed terms of reference set by the IPCC.

investigations.³⁸ For those cases in which the IPCC cannot conduct a thorough investigation without recourse to police help, the Government will continue to work with both the IPCC and police forces to develop a clear legislative framework on the extent that the police can play a role.³⁹

One further change to address perceptions of a lack of independence is a requirement that the IPCC investigate all disciplinary cases involving chief officers.

5.2 Strengthening IPCC powers

Four new powers will be introduced, each to improve public confidence in the IPCC and to minimise repeat complaints:

- A power of initiative
- A power, where possible, to uphold or not uphold a complaint
- A power to recommend a wider range of remedial actions
- A power to present cases at disciplinary hearings

Power of initiative

A fundamental problem identified by the IPCC itself and noted by the Government in its response to the consultation is that the IPCC is reliant on 'the organisations we oversee to enable us to look into matter that are of concern'.⁴⁰ Whilst the IPCC can direct that a police force refer a complaint to it, the Home Office review found that delays undermined public confidence. For the IPCC to respond swiftly new powers of initiative are needed, allowing the IPCC to commence an investigation on its own motion, bypassing the need for a referral.

The IPCC welcomed this statement, but held the view that any such power be limited to complaints of police misconduct rather than wider issues in police forces.

Bolstered by considerable levels of support for its proposal, the Government promised to legislate at the first available opportunity.

Determining complaints effectively

Not unreasonably, complainants expect an outcome to their complaint. Whether their complaint is upheld or not upheld, they expect a clear decision or determination one way or the other. The Home Office review found that in many cases this has not been possible due to a 2014 decision of the Court of Appeal, which indicated that IPCC powers did not extend to expressing conclusive findings as to whether an officer's conduct was reasonable and/or unlawful.⁴¹

³⁸ Home Office, [Improving police integrity: reforming the police complaints and disciplinary systems - Summary of consultation responses and next steps](#), March 2015, para 5.18

³⁹ Ibid, para 5.19

⁴⁰ Ibid, para 5.22

⁴¹ [Chief Constable of West Yorkshire v Independent Police Complaints Commission](#) [2014] EWCA Civ 1367, CA

The danger of prejudicing the outcome of future disciplinary hearings means that it will not always be possible to uphold or not uphold a complaint. However the Government reiterated its commitment to 'a more complainant-focussed system' and wants to find a way to allow the IPCC, PCCs and police forces to determine complaints in order to achieve a higher level of public satisfaction.

A wider range of remedies

If a complaint is upheld, a complainant may reasonably expect some action to be taken as a result. The Government noted that the IPCC's current powers - recommending disciplinary proceedings or improvements to force practice - are limited and sought views on whether the IPCC's powers of remedy ought to be strengthened.

The IPCC suggested a number of possible remedial actions:⁴²

- an apology or explanation;
- the payment of modest financial remedy (in line with HM Treasury Guidelines on managing public money);
- that a complaint be referred to formal mediation; and
- that evidence of learning/service improvement be shared with a complainant.

Some opposed an increase in IPCC powers: some respondents were concerned that financial remedies may encourage complaints; others expressed the view that power to impose remedies would make the IPCC 'judge, jury and executioner'.⁴³

Whilst it has not yet finalised its position, the Government stated its intention to provide the IPCC with powers to recommend a wider range of actions. Two things are of note. Firstly, the power will still be to recommend, rather than impose, an action. Secondly, the Government appears to have been persuaded that powers should be limited to non-financial remedies.⁴⁴

Presenting cases

The Government proposes to give the IPCC power to present cases in disciplinary proceedings. Presently, where there is disagreement between the IPCC and a police force over whether disciplinary proceedings ought to be brought against an officer, the IPCC may compel the force to present a case. The proposal, based on the recommendation of Major General Chip Chapman,⁴⁵ was met with much support in the consultation responses and the Government promised to legislate as soon as practicable.

⁴² Home Office, [Improving police integrity: reforming the police complaints and disciplinary systems - Summary of consultation responses and next steps](#), March 2015, para 5.29

⁴³ Ibid, para 5.29

⁴⁴ Ibid, para 5.30

⁴⁵ Chip Chapman, [An Independent Review of the Police Disciplinary System in England and Wales](#), October 2014, recommendation 24

5.3 Reforming the IPCC structure

The IPCC has already moved to take on a significantly greater number of investigations. The Government's concern is that the IPCC's current structure was not designed to support the level of growth now expected of it and, in its present form, will preclude the changes necessary for it to operate effectively as a larger organisation.⁴⁶

The Government is content to allow the IPCC itself to take the lead in revising its structure and governance, but expects it to do so in accordance with the following principles:⁴⁷

- Good corporate governance, which will necessitate changes to its board;
- Visible independence, which means key decisions are made by individuals who have never worked for the police;
- Clear accountability, meaning effective and consistent decision making;
- Scalability, meaning its structure can accommodate investigation of ALL serious and sensitive cases;
- Relevance to wider system, so public confidence in the police complaints system as a whole is secured.

The Government invited the IPCC to present its proposals for structural reform by the end of June 2015.

5.4 The IPCC response

The IPCC set out its proposed changes to its structure and organisation in its [response to the Home Office Triennial Review](#). In its view the 'optimal model' would have the following features:

- The IPCC to be headed by a single Crown appointee, akin to an ombudsman. The ombudsman would be responsible for the organisation's governance, performance and decision making.
- The ombudsman to be supported by a deputy and regional ombudsmen exercising delegate powers throughout England and Wales.
- None of the above would have previously worked for the police.
- The ombudsman would be directly accountable to parliament, and scrutinised by an Audit and Risk Committee, thus ensuring actual and visible independence.

⁴⁶ Home Office, [Improving police integrity: reforming the police complaints and disciplinary systems - Summary of consultation responses and next steps](#), March 2015, para 5.35

⁴⁷ Ibid, paras 5.41 -5.42

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