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BUILDING A SAFE, JUST
AND TOLERANT SOCIETY

Complaints Against the Police in England & Wales

An Overview

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Summary

- History
- Drivers for Change
- Where we are now.....IPCC

- a brief history...

- ❑ 1830s - the Metropolitan Police London
- ❑ Statutory recognition of importance of complaints & accountability - 1962 Royal Commission & Police Act 1964
- ❑ But rejected need for an external body
- ❑ 1970s - criticism “Police investigating police”
- ❑ 1976 Police Complaints Board established - lay body
- ❑ Discontent - public inquiry - calls for a more independent element
- ❑ 1985 PCB abolished = the Police Complaints Authority

The Current System

- Police & Criminal Evidence Act 1984 (PACE) created the Police Complaints Authority
- “Inquire, report and recommend” - Lord Scarman
- Full-time body with a supervisory role
- Independent of the police service
- Supervises most serious complaints

Wider system

- Informal resolution
- Focus on value of complaints - lessons

The Current System (cont.)

Police

- Responsible for recording complaint
- All complaints dealt with by police - home or external force
- Responsible for informally resolving less serious complaints
- Voluntary referrals of non complaints
- Code of Conduct

PCA

- Supervision of serious complaints
- Review all completed investigations
- Grant dispensations
- Disciplinary recommendations
- Inform complainant of outcome
- Reporting on system

Statistics..

- c25,000 Individual Complaints (1/3 -IR, 1/3 disp., 1/3 inv.)
- c5,000 actual investigations
- 28% Failures in Duty, 26% Assaults, 23% Others, 15% Oppressive Behaviour, 5% Malpractice, 3% Racially Discriminatory Behaviour.
- c900 complaints substantiated (1/2 failure in duty, 1/4 oppressive behaviour)
- Plus internal conduct.

Catalysts for change

- Cause Celebre
- Police Service
- PCA response
- Parliamentary Committee
- Stephen Lawrence Inquiry
- Public demanding change

Catalysts for change (cont.)

- *Stephen Lawrence case*
- Public inquiry
- Macpherson report
- 70 recommendations investigation & prosecution of racially motivated crime - huge impact on Government policy
- Recommendations 10&58 - independent investigation of serious complaints/greater disclosure
- Government accepted principle of independent investigation

The consultation process

- ❑ New Government recognised need for change
- ❑ Government commissioned feasibility study for a new system
- ❑ Civil liberties pressure group *Liberty* published report calling for a new body
- ❑ Public consultation exercise
- ❑ December 2000 Government published framework for change
- ❑ Police Reform Act passed by Parliament in 2002
- ❑ Further consultation on implementation & secondary legislation

Key objectives of the new system

- Public confidence
- Speedy resolutions
- Accountability
- More complainant involvement in system
- Improved communications with complainants
- Improved collection of data leading to improvements in police service
- Avoidance of blame culture & more openness
- More independence

Key Changes

- ❑ Creation of Independent Police Complaints Commission (IPCC)
- ❑ Investigative capability
- ❑ Increased guardianship role of the system
- ❑ Rights of appeal to complainant
- ❑ Greater openness and disclosure
- ❑ Expansion of local resolution
- ❑ Changes to disciplinary procedures