

<b>For Information</b>	
<b>Public/Non Public*</b>	<b>Public</b>
<b>Report to:</b>	<b>Audit and Scrutiny Panel</b>
<b>Date of Meeting:</b>	<b>30<sup>th</sup> May 2018</b>
<b>Report of:</b>	<b>Chief Constable</b>
<b>Report Author:</b>	<b>Supt Leona Scurr</b>
<b>E-mail:</b>	<b>Leona.scurr@nottinghamshire.pnn.police.uk</b>
<b>Other Contacts:</b>	
<b>Agenda Item:</b>	<b>15</b>

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

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

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

- 1.1 To inform the PCC in respect of the complaint and conduct matters which have been referred by Nottinghamshire Police to the Independent Office for Police Conduct (IOPC) during the relevant period 1<sup>st</sup> August 2017 to 31<sup>st</sup> March 2018, together with relevant recommendations and actions.

### **2. Recommendations**

- 2.1 That the panel receive assurance from the processes in place relating to IOPC investigations as detailed within the report

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

- 3.1 To provide the PCC with relevant information and oversight in respect of cases that Nottinghamshire Police refers to the IOPC.

### **4. Summary of Key Points**

- 4.1 Death or serious injury matters (DSI) are not necessarily linked to a public complaint or any identified misconduct. The full definition of a DSI can be found in s.29 Police Reform Act 2002. On receipt of a DSI referral the IOPC will determine the mode of investigation; usually an independent IOPC investigation or referred back to Force to investigate. The data summary below outlines those DSI matters referred to the IPCC during the relevant period:

Case Recorded	Case Finalised	Incident Summary	IOPC Decision
28/03/2018	29/03/2018	dog bite 2	force deal
12/03/2018		death following recent police contact	independent
19/02/2018		death following recent police contact	force deal
05/02/2018		Injuries identified while in custody	independent
30/01/2018	28/03/2018	police pursuit	force deal
22/01/2018	26/01/2018	injury on arrest	force deal
19/01/2018		attempt suicide	force deal
08/01/2018		death in custody	independent
28/12/2017	15/03/2018	RTC following pursuit	force deal
24/12/2017		Dog Bite	force deal
20/12/2017		Injury in custody	independent
19/12/2017	19/12/2017	Injury identified in custody	force deal
01/11/2017	03/11/2017	Injury on arrest	force deal
26/10/2017	07/02/2018	Injury in custody	force deal
24/10/2017	02/11/2017	dog bite	force deal
17/10/2017	23/10/2017	death following police contact	force deal
09/10/2017		death following police contact	force deal
25/09/2017	10/01/2018	injury in custody	force deal
14/09/2017	30/11/2017	police pursuit	force deal
31/08/2017	14/03/2018	death following police contact	independent
07/08/2017	03/04/2018	death following police contact	force deal

4.2 A recent review from the IOPC Oversight and Scrutiny Team revealed Nottinghamshire Police continues to maintain a good application of the IOPC Statutory Guidance having due regard to compliance with voluntary and mandatory referrals. The number of referrals has increased in the same reporting period last year. This was seen as a positive increase and numbers were now as expected demonstrating transparency.

4.3 In addition the Police must refer to the IOPC complaints and recordable conduct matters that include allegations of conduct which constitutes:

- Serious assaults
- Serious sexual offences
- Serious corruption
- Criminal offence or behaviour aggravated by discrimination
- Relevant offence (where the sentence is fixed by law or 7yrs on first conviction)

4.4 Abuse of position of trust for sexual gain is now a serious corruption category. Nottinghamshire PSD has completed an internal media campaign and delivered training to all staff on this subject of maintaining professional boundaries with the public. All new officer and staff recruits receive this training.

- 4.5 Of the IOPC independent investigations completed in the reporting period one piece of individual learning has been delivered to a custody sergeant with respect to observation levels of detained persons. No conduct was identified as part of this particular investigation.
- 4.6 An IOPC independent investigation completed within reporting period formed part of an Article 2 ECHR coronial inquest. There was no conduct or learning identified for officers. The Coroner did make a regulation 28 Prevention of Death Order to the Force and Partners which the Force has responded to. The matters of concern HMC has highlighted are as follows:
- The lack of a co-ordinated discharge from in-patient psychiatric care into the community, in particular the failure of appropriate professionals from hospital and community to liaise and for family to be informed as a pre-requisite for discharge;
  - The inability to pre-arrange attendance of an ambulance when police officers exercise a s.135 (1) Mental Health Act 1983 warrant;
  - The lack of formality to the 'briefing' or risk assessment exercise before officers enter premises with a view to exercising a s.135 (1) Mental Health Act 1983 warrant.

## **5. Financial Implications and Budget Provision**

- 5.1 There are no specific financial implications in respect of this report. The Directorate is aware of its responsibilities in relation to 'Spending Money Wisely' and the information within this report exemplifies approaches to manage resources effectively.

## **6. Human Resources Implications**

- 6.1 PSD resources are under constant review, ensuring that the department has both the capacity and capability to meet demand.

## **7. Equality Implications**

- 7.1 No specific implications

## **8. Risk Management**

- 8.1 It is essential the public have confidence in the service Nottinghamshire Police provide.
- 8.2 Organisational learning is a whole organisation responsibility which helps to mitigate risk. Professional Standards Directorate contributes to risk management through the sharing of learning and encouragement of change across the organisation where appropriate.

<b>9. Policy Implications and links to the Police and Crime Plan Priorities</b>
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- 9.1 IOPC investigations ensure that the public can have confidence in the independence, accountability and integrity, of the most serious of cases, most notably Death or Serious Injury.
- 9.2 It is the responsibility of the force to ensure mandatory and voluntary referrals are made in a timely fashion and that appropriate support is given to IOPC investigators.

<b>10. Changes in Legislation or other Legal Considerations</b>
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- 10.1 None

<b>11. Details of outcome of consultation</b>
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- 11.1 None

<b>12. Appendices</b>
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- 12.1 None