

CONDUCT COMPLAINTS: MEMBER DIP SAMPLING OF COMPLETED CASE FILES

BACKGROUND

1. The Police Authority, through this Committee, has an important role in the monitoring and oversight of complaints against the Force. To complement the Chief Constable's report that this Committee receives on complaints received over the last quarter, at its meeting on 31 August 2004, the Audit & Strategy Committee approved a programme of Members' dip sampling completed case files for complaints relating to conduct matters (minute 79 refers). A programme of dip sampling has been developed to allow Members to understand further the complaints processes as they are operated in Humberside and to check this against the Force's policy and procedure.
2. This report sets out the key issues arising from the dip sampling visits to Professional Standards Branch (PSB) between February and April 2006.

COMPLETED VISITING MEMBER RECORD SHEETS

3. The forms completed by Members following the visits made are held by the Secretariat, along with those from previous visits.
4. The issues arising from the visits in February to April are set out below. Members may wish to note the issues in any future visits they undertake:-
 - i. A Member queried the need to record all complaints. The Head of PSB responded: "The complaints system is governed by the Police Reform Act 2002. We must record complaints notwithstanding they might be ill-founded. The investigation and method of dealing with such complaints will then show if the complaint is ill-founded".
 - ii. Another Member found that the tear-off part of the Audio Tape Seal was not detached notifying the Record Office when the tape should be destroyed. Any consequences of this oversight were limited as the Records Office have a programme of automatically destroying tapes after 3 years in any case.
 - iii. On discovering that an associated witness form had not been signed or dated, the Head of PSB noted that this appeared to be an isolated omission.
 - iv. One Member queried the amount of paperwork associated with a complaint that could not be proceeded with because the complainant

did not respond. The Head of PSB explained that, as above at (i) with potentially ill-founded complaints, the procedures have to be followed even if the complainant will not assist. Ultimately in such situations, an application is made to the IPCC to dispense with the complaint.

- v. In answer to another query regarding dispensation, the Head of PSB set out the regulations governing dispensations. He clarified that he can only dispense with a complaint himself where the subject of the complaint was sub judice and following the conclusion of the criminal proceedings, providing reasonable efforts have been made to pursue the complaint. In all other cases, an application needs to be made to the IPCC for dispensing with a complaint.

FUTURE VISITS TO PSB

- 5. The findings from the May and June visits will be reported to the next meeting of this Committee. A further programme of dip sampling for 2006/2007 will then be developed after the AGM.

RECOMMENDATIONS

- 6. It is recommended that:
 - (i) Members discuss the issues arising from the February to April dip sampling visits at paragraph 4 and take account of these issues in future dip sampling visits.
 - (ii) A further programme of conduct complaint dip sampling for all Audit and Strategy Committee Members be drawn up following the AGM.

J Bates
Director of Performance and Resources

Contact Officer: Jo Smith Telephone: (01482) 317002

Background documents: Secretariat File 2.2.9