

## **Witness statement from Deborah Glass, Deputy Chair, Independent Police Complaints Commission to the Leveson Inquiry into the culture, practices and ethics of the press**

### **1: Who you are and a brief summary of your career history**

1. I am Deputy Chair of the Independent Police Complaints Commission (IPCC). I also carry overall responsibility within the IPCC for the Metropolitan Police Service (MPS) and the City of London Police.
2. Together with my fellow IPCC Commissioners I can never have worked for the police service, although with that in common we come from a broad range of backgrounds. My own is predominantly in financial services regulation. I qualified as a lawyer in Melbourne, Australia and practised there before working for a US investment bank in Switzerland. I joined the Hong Kong Securities and Futures Commission at its inception in 1989, becoming Senior Director, and upon moving to London in 1998, became Chief Executive of the Investment Management Regulatory Organisation until the completion of its merger with the Financial Services Authority.
3. I then served as a member of the Police Complaints Authority (PCA) from 2001 to 2004. In 2004 I was appointed to the IPCC which replaced the PCA and in 2008 was appointed Deputy Chair. I am the Commission lead on operational matters as well as key national policy issues including police use of firearms, counter-terrorism and corruption.
4. Like all operational IPCC Commissioners, I am responsible for overseeing individual IPCC investigations and the promotion of public confidence in the complaints system (known as guardianship). In the case of the MPS, I also allocate responsibility for cases to other Commissioners.

### **2: A description of the Independent Police Complaints Commission covering its origins, status, history, organisation, remit, authority and powers**

#### **An introduction to the IPCC and its remit**

5. The IPCC was established by the Police Reform Act 2002<sup>1</sup> (PRA) and became operational in April 2004. Its primary statutory purpose is to secure and maintain public confidence in the police complaints system

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<sup>1</sup> [www.legislation.gov.uk/ukpga/2002/30/contents](http://www.legislation.gov.uk/ukpga/2002/30/contents)

in England and Wales. In addition to this statutory responsibility, part of its guardianship role involves an obligation to measure, monitor and where necessary, seek to improve the current system. The IPCC is independent – by law, Commissioners cannot have worked for the police service in any capacity. The IPCC makes its decisions independently of the police, Government, complainants, and interest groups.

6. The IPCC is overseen by a Board of ten full-time Commissioners who have responsibility among other things for overseeing individual investigations, and two non-executive Commissioners. All are appointed by the Home Secretary. In 2011/12 the IPCC received a delegated budget of £34.3 million. As at 31 July 2011, it had 423 staff. Approximately 150 of these were responsible for investigations with a further 150 responsible for dealing with direct complaints and appeals.
7. The IPCC's remit has since 2004 been extended to include serious complaints and conduct matters relating to staff at the Serious Organised Crime Agency (SOCA), Her Majesty's Revenue and Customs (HMRC) and the UK Border Agency (UKBA).

#### **The background to the creation of the IPCC**

8. The IPCC was created following both public and political concern about the lack of an independent system to deal with complaints and conduct matters within the police service.
9. Questions about police accountability, as well as independent scrutiny of police complaints and police corruption, go back to the dawn of policing. However the first independent body set up to scrutinise such matters in the United Kingdom was the Police Complaints Board, established in 1977 following corruption scandals within the Metropolitan Police in the 1970s. The Board had limited powers (and no power to investigate) and was replaced in 1985 by the Police Complaints Authority, which followed Lord Scarman's inquiry into the Brixton riots in 1981 and the Police and Criminal Evidence Act 2004.
10. While the powers of the PCA were somewhat greater than its predecessor it also had no power to investigate, as well as very limited resources, and public concerns continued, particularly around instances of deaths and allegations of police brutality within custody and the policing of black communities. The Stephen Lawrence inquiry in 1999 called for the establishment of an independent body with independent investigators, and in April 2000, the human rights organisation Liberty issued a study called "*An Independent Police Complaints Commission.*" In May 2000 the government carried out a consultation on a new complaints system. It set out the emerging framework in December 2000 in "*Complaints against the Police – Framework for a New System.*" These consultations culminated in the Police Reform Act 2002 which established the IPCC.

### **The IPCC's powers and responsibilities**

11. The IPCC has, for the first time in the history of policing in England and Wales, the power to carry out independent investigations into the police, and its investigators have the powers of a constable when carrying out investigations. Its statutory powers and responsibilities are set out in the PRA, which also:
  - sets out the processes underpinning the police complaints system, including the ways in which recorded complaints are dealt with;
  - gives the IPCC a duty to establish and maintain public confidence in the police complaints system
12. The PRA did not, however, establish a system in which all investigations are carried out by the IPCC. Four modes of investigation (independent, managed, supervised and local) are set out in the PRA, in addition to three rights of appeal (against the police decision not to record a complaint, against the process of local resolution and against the outcome of a supervised or local investigation) and other mechanisms, such as local resolution, dispensation and discontinuance, by which complaints and conduct matters can be dealt with.
13. Although the IPCC has responsibility for the police complaints system overall, we investigate a very small proportion of cases ourselves, usually only the most serious complaints and allegations of misconduct against the police in England and Wales. Each police force has its own Professional Standards Department (PSD) who deal with the vast majority of complaints and conduct matters against police officers and police staff. Complainants have a right of appeal to the IPCC if they are not satisfied with the way the police have dealt with their complaint. The bulk of the resource within the system is within the police themselves - this is not always well understood and there is a widespread public misconception (see further in 5 below) that the IPCC investigates all complaints itself.

### **3: The steps which the IPCC takes, in general terms, to discharge its regulatory function**

#### **Direct complaints**

14. Members of the public can make a complaint about the police to the IPCC. The IPCC is required to forward them to the appropriate authority, usually the relevant police force, to record (and in order for it

to be dealt with); if the police do not record the complaint, a complainant has a right of appeal to the IPCC.

15. Since this provision was introduced in 2004, the number of complaints made directly to the IPCC increased each year until 2010/11 when 12,750 direct complaints were received. Our research shows that most people would prefer to have their complaint dealt with locally, and the IPCC through its Statutory Guidance<sup>2</sup> is seeking to make it easier for members of the public to make their complaint direct to the police and have it dealt with locally.

### Referrals

16. Once complaints are recorded, the force has to decide whether the complaint needs to be referred to the IPCC. Mandatory referral criteria are set out in legislation and include:
  - any complaint where there is an allegation that the conduct complained of has resulted in death or serious injury (DSI)
  - serious assault by a person serving with the police
  - serious sexual assault by a person serving with the police
  - serious corruption<sup>3</sup> (see below)
  - criminal offence or behaviour that is liable to lead to a disciplinary sanction and that, in either case, is aggravated by discriminatory behaviour

The IPCC received 2,401 referrals in 2010/11.

17. In relation to corruption, the IPCC definition of serious corruption links some referable allegations to certain criminal offences and includes thresholds seeking to elevate the referral to the more serious end of the spectrum of improper behaviour. A wider discussion on definitions of corruption is included in the IPCC's report "*Corruption in the Police Service in England and Wales – part one*" at Appendix 2.

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<sup>2</sup> The IPCC's statutory guidance to police forces is issued under Section 22 of the Police Reform Act. The current guidance was issued in April 2010 and is attached as Appendix 1.

<sup>3</sup> IPCC Statutory Guidance 2010 defines serious corruption as including:

- any attempt to pervert the course of justice or other conduct likely seriously to harm the administration of justice, in particular the criminal justice system
- payments or other benefits or favours received in connection with the performance or duties amounting to an offence in relation to which a magistrates' court would be likely to decline jurisdiction
- corrupt controller, handler or informer relationships
- provision of confidential information in return for payment or other benefits or favours where the conduct goes beyond a possible prosecution for an offence under section 55 of the Data Protection Act 1998
- extraction and supply of seized controlled drugs, firearms or other material
- attempts or conspiracies to do any of the above

### IPCC investigations

18. As noted above, the IPCC investigates the most serious complaints and allegations of misconduct against the police in England and Wales. It also investigates many DSI referrals (where a person has died or received serious injuries when in police detention or where death/serious injury follows contact with the police who may have caused or contributed to it).
19. Once a complaint or incident has been referred to the IPCC, it will make a 'mode of investigation' decision to determine how it should be dealt with. The options are:
  - *Independent investigation* carried out by IPCC investigators and overseen by an IPCC Commissioner. IPCC investigators have all the powers of the police for the purposes of the carrying out of criminal investigation and all purposes connected with it.
  - *Managed investigation* carried out by police PSD under the direction and control of an IPCC investigator.
  - *Supervised investigation* carried out by police PSD under their own direction and control. The IPCC sets the terms of reference and may impose on any police investigator any reasonable requirements as to the conduct of the investigation as appear to be necessary. Complainants have the right of appeal to the IPCC following a supervised investigation.
  - *Local investigation* carried out entirely by the police. Complainants have the right of appeal to the IPCC following a local investigation.

The IPCC started 164 independent investigations, 71 managed and 74 supervised investigations in 2010/11.

### Appeals to the IPCC

20. A complainant has the right to appeal to the IPCC about the way their complaint has been handled locally by a police force. An appeal can be made against the failure to record a complaint, the outcome of a local or supervised investigation, or the local resolution process.
21. The number of appeals made to the IPCC has increased each year since 2004. During 2010/11 6,307 appeals were received. The majority of appeals received are about the outcome of a local investigation.
22. In dealing with appeals, the IPCC can make directions including that complaints be recorded or re-investigated.

**Referral to the Crown Prosecution Service (CPS) and recommending/  
directing misconduct proceedings**

23. At the end of the investigative process in independent and managed investigations, the IPCC has the power to refer the matter to the CPS to consider whether criminal proceedings should follow. The IPCC has a similar power in relation to local and supervised investigations where the complainant has appealed to the IPCC.
24. The IPCC also has a similar power to recommend and direct misconduct proceedings. The IPCC has no powers in relation to the conduct of proceedings themselves, and a misconduct panel (of whom all or a majority are police officers) make findings as to misconduct and decide on appropriate sanctions.

**IPCC's guardianship role**

25. Our guardianship function has four strands:

*Setting, monitoring, and reviewing standards for the operation of the police complaints system*

26. This work includes:
- producing Statutory Guidance – guidance for police and police authorities on dealing with complaints
  - implementing a performance framework, which measures and reports on the performance of the IPCC and police forces individually, providing information about the entire police complaints system against a range of indicators
  - our Right First Time Campaign to deliver improvements in complaints handling, leading to better customer service and enhanced complaint satisfaction

*Promoting confidence in the police complaints system as a whole among both the public and the police*

27. Commissioners have a key responsibility for promoting confidence in the complaints system. As well as meeting regularly with local forces and police authorities, Commissioners and staff liaise with a number of national and local organisations representing complainants, as well as police staff associations, which represent the interests of police officers and staff.

*Ensuring the accessibility of the complaints system*

28. This responsibility is shared between the IPCC, police forces, and police authorities. The IPCC aims to ensure that the complaints system is accessible to all members of the public and that it considers the

needs of young people, vulnerable adults, BME groups, and those with specific language or disability needs.

*Promoting policing excellence by drawing out and feeding back learning arising from the IPCC's work*

29. One of our most important functions involves promoting excellence in policing by drawing out and feeding back learning from our work. The IPCC established a Learning the Lessons Committee in 2006 comprising the key police organisations, along with Her Majesty's Inspectorate of Constabulary (HMIC) and Home Office officials. Its purpose was to review and identify from investigations, evidence of systemic failures and the lessons to be learned for the police service nationally.
30. Since 2007, we have issued regular Learning the Lessons bulletins summarising what went wrong in particular cases, making recommendations for changes for the future and / or identifying areas of good practice which should be adopted by others. We also report publicly on the outcome of our investigations and make local and national recommendations as appropriate.

**4: The IPCC's experience in regulating the media, in particular in relation to phone hacking, computer hacking, 'blagging', bribery and/or corruption**

31. As set out above, the IPCC's role is to oversee the system for complaints against the police in England and Wales. It does not have any remit to regulate the media. However, the IPCC's work in relation to police complaints has involved investigating cases where the police's dealings with the media have been a factor, in particular, where there have been allegations that information was leaked by police to the media.
32. Such complaints would not necessarily meet the criteria for referral so the IPCC does not have a complete picture of how often such allegations are made and with what result. Complaints are, however, sometimes referred voluntarily given the prominence of the complainant or media profile generated by the story.
33. I attach details of some cases in a confidential Annex. In each of these cases there had been an undoubted leak of confidential information in which it was not possible to identify who had been responsible. I comment further on this below.
34. In the course of one of these investigations the IPCC asked the MPS to address what might be done to prevent such leaks in future. The report noted that:

*"Prevention is the primary goal. The outcome of such leaks is recognised as damaging to the reputation of the service, hurtful to those affected by such leaks and further, the legal implications are serious, whereby the judicial process may be affected."*

Recommendations from the investigation included:

- *"a restriction in the number of personnel... who have direct knowledge access to sensitive information;*
- *a clearer 'inclusion' policy which is implemented across all agencies and in a more rigorous manner;*
- *a tighter audit trail of the information passed/disclosed to individuals;*
- *a recognition that an individual's communication data may be subject of future examination in the event of a leak."*

35. The MPS also introduced a new media policy to re-enforce and re-emphasise the guidance, including that:

*"the MPS will not tolerate any officer or member of police staff who deliberately discloses information to the media that impacts negatively on the reputation of the MPS or where information is disclosed for personal gain or contrary to the media handling policy set out by a Commander or a Senior Investigating Officer (SIO). where deliberate or reckless breaches of this policy are identified disciplinary or criminal action will be taken by the Directorate of Professional Standards"*

36. Evidence should be sought from the MPS as to the extent to which such policies and guidance have been successful.

#### **Leak of information by IPCC staff member**

37. The IPCC has also experienced illegal disclosure of information to the media. On 22 July 2005, Jean Charles de Menezes was shot dead by members of the MPS specialist firearms unit. He had been mistaken for a terrorist who was involved in the failed attempt to bomb the London transport system on 21 July 2005. Mr de Menezes was entirely innocent of any crime and his death sparked international attention on the IPCC investigation.
38. On 16 August 2005, ITN broadcast exclusive details of the IPCC investigation, including copies of photographs of Mr de Menezes's body lying on the floor of the underground train, details of statements of police officers involved and details of the post mortem report. Some of this material was held exclusively by the IPCC.
39. An internal investigation quickly established that a junior member of the major incident room staff at the London office of the IPCC had printed



the material. The employee was suspended and the matter subsequently reported to the police.

40. The investigation established that the IPCC staff member had in fact shared a home with a friend who was dating a reporter. During a social function the IPCC employee had agreed to provide information regarding the fatal shooting of Mr de Menezes.

#### Phone hacking

41. In July 2011 the IPCC received a number of referrals from both the MPS and the Metropolitan Police Authority touching on the relationship between the police and the media following the revelations of phone hacking by News of the World journalists and payments to police officers. As a result of these, the IPCC is conducting the following investigations:

- a supervised investigation into allegations that unidentified MPS officers were paid by News of the World. The level of IPCC involvement will be reviewed as and when officers are identified.
- an independent investigation into the relationship between Mr Neil Wallis and the MPS's Director of Public Affairs, focusing on the circumstances under which the contract for senior level media advice and support contract was awarded to Chamy Media
- an independent investigation into allegations that former Assistant Commissioner John Yates secured employment for the daughter of Neil Wallis

42. I also considered referrals from the MPA relating to the conduct of the former MPS Commissioner, Sir Paul Stephenson, former Assistant Commissioner Andy Hayman and former Deputy Assistant Commissioner Peter Clarke. I concluded that the conduct of these three officers did not amount to recordable conduct. My full decision is attached at Appendix 3.

43. In addition to the MPA/MPS referrals, the IPCC also received referrals from other police forces regarding alleged disclosures to newspapers and payments to officers. These include:

- a referral from Surrey Police on 4 August 2011 about information they received alleging that a Surrey officer gave information to the News of the World in relation to the investigation into Milly Dowler's murder in 2002. This is the subject of an independent investigation.
- A referral from the MPS that an officer on Operation Weeting, the current MPS investigation into phone hacking, leaked

information to a newspaper. This is the subject of a managed investigation.

44. All of the investigations listed in this section are ongoing, and it would be inappropriate to comment on them further in this report. The findings of these investigations will however be made public in due course.

#### **Observations about the IPCC's experience investigating allegations involving the police and the media**

45. The common theme of leak investigations into the police service is that sensitive information is known to a number of people, not only within the police, and is likely to have been passed on to journalists verbally. Without either an audit trail, the co-operation of the journalists themselves, or independent evidence that is rarely available, such investigations are often doomed to be inconclusive, to the undeniable frustration of the victims of leaks.
46. While leaks themselves can be extremely damaging – to a police operation or to the reputation of individuals who are never charged with a criminal offence – the role of the media, which is not a matter for the IPCC, must also be questioned.
47. No-one is in doubt that paying police officers for information is wrong, both legally and morally, for both police and journalists. The Police Standards of Professional Behaviour are clear about the duty of confidentiality: *"Police officers treat information with respect and access or disclose it only in the proper course of police duties."*<sup>4</sup> Thus whether or not money changes hands, disclosure of sensitive information by a police officer is a potential misconduct offence and could result in dismissal.
48. From the media's standpoint, however, the standards are less clear. Is it acceptable to receive confidential information from the police, if not for money? What about other forms of personal advantage? Is there a rightful distinction between information that might lead to exposure of wrongdoing in the public interest, and exposure simply for news value – and who judges the public interest in these circumstances?
49. The moral dilemma is undoubtedly compounded by the fact that journalists cannot, it appears, be compelled to reveal their sources – whether or not the source is a whistleblower or a peddler of salacious gossip.

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<sup>4</sup> Police Standards of Professional Behaviour

**5: Views on the strengths and weaknesses of the IPCC and, in particular, your views on the steps which might be taken to improve the regulatory framework and effort**

**Strengths and weaknesses of the IPCC**

***Independence***

50. The IPCC's key strength is its independence. Independence is the foundation upon which our values and processes are built and one of our core values. Our responsibility is to ensure fair and independent searches for the truth, free of influence from the Government, police, complainants or pressure groups. Independence is underpinned by our Commissioners who cannot have worked for the police, who carry overall responsibility for investigations and the wider work of the IPCC.
51. As a result of high levels of public concern about instances of deaths and police brutality within custody and the policing of black communities, the IPCC has focused its resources on independently investigating deaths and very serious injuries involving the police<sup>5</sup>. Recent events have emphasised the need for IPCC's independent oversight. In August 2011 alone, we began independent investigations into the fatal shooting of Mark Duggan in Tottenham, the circumstances surrounding the death of Dale Burns following his arrest in Cumbria and the circumstances surrounding incidents in which one man became seriously ill in British Transport Police custody and another died following his arrest in Lancashire.
52. We recognise however that we work in a challenging and adversarial environment, and our independence is frequently questioned by those who do not like our decisions.

***Flexibility***

53. Our wide remit and the fact that we can decide which cases we investigate ourselves are also advantages. To some degree we can decide whether to focus our resources on different themes, drawing on our experience and also by taking account of public concerns. In the past these have included
- people detained under Section 136 of the Mental Health Act 1983;
  - domestic violence cases (where it is alleged that the police have failed to protect the victim despite prior knowledge of the threat);
  - road traffic incidents (where it is alleged the police have caused or failed to prevent the incident); and

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<sup>5</sup> Of the independent investigations commenced in 2010/11, 52% related to a death. In 2009/10, 53% related to a death and in 2008/09, 54% related to a death.

- use of stop and search powers (where it is perceived their use is unfair or disproportionate).

### ***Learning the Lessons***

54. Since its inception, the IPCC has been keen to ensure that the police learn lessons from investigations and complaints so that the public can have confidence that incidents will not recur and policing is improved. As described earlier, our Learning the Lessons bulletins are well received and widely disseminated.
55. By using the IPCC's small research capacity, our investigations and guardianship function, systemic issues have been identified to assist the police service to learn and improve. We pride ourselves on being an evidence based organisation not just in our investigations but also in the learning we disseminate. Our research function makes a vital contribution to improving public confidence in the police complaints system by driving up standards of policing. We have published reports on police related road traffic incidents, police custody and mental health, deaths in police custody and deaths following police contact.

### ***Feedback***

56. One of the most important ways in which we continue to gauge the effectiveness of our work is through feedback from the public in general and our service users in particular. Our public confidence survey is an important way of assessing the opinions of the general public. The results of the 2011 survey are attached at Appendix 4. We recognise however that confidence is still lowest among ethnic minority respondents, who are also more likely to think that the IPCC is part of the police.
57. In response to these findings, we continue to build relationships with community groups and other voluntary organisations – for example, those dealing with issues such as domestic violence and mental health. We take all available opportunities within our capacity to explain how the police complaints system works and listen to people's comments on the system. We are also working to communicate in different ways, for example by using social media channels such as Twitter and YouTube, which help us to reach a wider audience directly.

### ***Resources and resilience***

58. As outlined in my response to Question 2, the IPCC is a small organisation with limited resources. We have 423 staff and our budget for 2011/2 is £34.3 million. It is likely to reduce to £30.7M by the end of the Comprehensive Spending Review. This represents a fall of at least 21% when inflation is taken into account and is in line with the settlement for police forces. We have already taken steps to improve our efficiency to maximise the use of our limited resources. In 2008, we

initiated a change programme to improve operational delivery, which has delivered substantial savings and organisational efficiencies, including savings on senior management posts that were redirected to pay for more front-line staff.

59. The IPCC's work is demand-led. Our 150 investigations staff must be available to be deployed to incidents in any part of England and Wales, 24 hours per day, seven days a week. We have changed the way we handle referrals, how we allocate work and how we define the scope of our investigations, focussing on carrying out more independent investigations, recognising that these provide the greatest level of public confidence. In 2010/11, we increased the number of independent investigations by 52% as well as reducing the average time we take to complete them.
60. Our work on streamlining our systems and processes has allowed us to respond more flexibly and use our limited resources more effectively, although we have no spare capacity and our resilience is tested when major events occur within a short period such as the phone hacking scandal, the fatal shooting of Mark Duggan in Tottenham and the riots in England. Unlike the police service, we cannot seek "mutual aid" from a neighbouring force.

#### ***Expectations, perceptions and misunderstanding of our role***

61. Given the context in which the IPCC operates, it is not surprising that we receive criticism and challenge from both the public and the police. The PRA established a complex and, in parts, bureaucratic system for dealing with complaints, most of which, as explained earlier, are dealt with by the police themselves. We are a small organisation that generates significant headlines as a result of the high profile cases in which we are involved, and this also fuels the inaccurate perception that we deal with all cases. While we are working to address through our communication strategy, we have to be realistic about our ability to influence public perception.
62. We recognise that the police complaints system can and should be improved, and I set out our work on this further in this statement.

#### ***Timeliness and information***

63. Feedback from those involved in our investigations tells us that speeding up investigations and ensuring that they are proportionate to the matter under investigation are viewed as high priorities. We have been working hard to reduce the length of time taken to complete independent investigations. In 2010/11, the average investigation took 163 working days to complete – nearly eight weeks shorter than in the previous year. But for those affected, and in a media driven age, this is regarded by many as unacceptably long. Much of the timing in an investigation is outside the IPCC's control – some forensic or expert

evidence can take many months – and even with unlimited resources (which we plainly do not have) most of our investigations will take longer than the public would wish.

64. Another area for criticism is disclosure of information. We seek to keep all parties involved in our cases updated regularly and to make the findings of our investigations public. We have been criticised for not being able to publish investigation reports sooner but have also received criticism for issuing information too early or at all. We often have to balance competing interests.
65. When a serious incident such as a death occurs resulting in an IPCC investigation, it is understandable that the family and the public want answers as soon as possible about what happened. But many of the IPCC's cases result in inquests and court proceedings and it is vital that these are not prejudiced by release of information before these legal processes are complete. Thus the IPCC is frequently not able to publish its investigation report until after these proceedings have taken place and this can often be years after the original incident has occurred. This creates an understandable but misleading perception that the IPCC's investigation has taken this amount of time to complete.

#### ***Decisions on outcomes***

66. Another area where there can be misunderstandings is in relation to decisions on sanction imposed following an investigation. Many of the cases which the IPCC investigates have the potential to result in misconduct or criminal proceedings. The system whereby the IPCC investigates, the CPS makes decisions on prosecution, the police propose misconduct, the IPCC agrees or directs, a misconduct tribunal decides the outcome and, separately in the case of a death, a Coroner hears the evidence with a jury but does not apportion blame - is complicated and confusing. It frequently results in the IPCC being criticised for things which are not within its remit such as the outcome of a disciplinary process or a decision about whether to bring criminal charges.

#### ***Steps which might be taken to improve the regulatory framework***

67. In 2007 the IPCC carried out a Stock Take of the police complaints system, to establish whether it reflected the aspirations of Parliament and the public following the introduction of the Police Reform Act.
68. The IPCC's Advisory Board<sup>6</sup> of external stakeholders took a lead role in the work and identified a set of five shifts that they wanted to see in

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<sup>6</sup> The Advisory Board was made up of representatives of the following organisations: Association of Chief Police Officers, Association of Police Authorities, Citizens' Advice Bureau, HMIC, HMRC, Home Office, Inquest, MPA, MPS, National Black Police Association,

the police complaints system. These were designed to increase levels of public confidence in the value and effectiveness of the police complaints system.

69. The five shifts identified by the Board were:
- to fix the problem not just the culpability;
  - to move from a slow to a fast system;
  - to move to a more proportionate system;
  - to reduce the cost of the system; and
  - to instil a learning culture
70. A public consultation opened in June 2008 on ten proposals designed to improve the police complaints system by streamlining it and removing excess bureaucracy. The consultation document is attached at Appendix 5. Many of these required a change in the law but in late 2008 the IPCC began to implement those proposals from the Stock Take which could be dealt with without legislative change. We have now implemented all the changes that are within our power to change through revising our Statutory Guidance and through the Performance Framework.
71. Over the summer of 2010, staff and Commissioners discussed the Home Office consultation paper '*Policing in the 21st Century: Re-connecting the police and the people*'. We identified that a number of the Stock Take proposals for legislative change were consistent with the Government's aim to reduce bureaucracy and could be aligned with the Government's plans to introduce Police and Crime Commissioners. In February 2011, the House of Commons Public Bill Committee agreed a Government amendment to the Police Reform and Social Responsibility Bill introducing clauses that reflect a number of the Stock Take proposals.
72. While it does not fully reform the system, we anticipate that these changes in the law will enable the complaints system to be improved further.

***Work commissioned by the Home Secretary***

73. We are now undertaking further work to examine the adequacy of our powers and whether additional legislative change is needed.
74. The allegations about the police's relationships with the media which came to light as part of the publicity around phone hacking by the News of the World, has put police corruption and the measures in place to address it into the spotlight. On 13 July 2011, the Home Secretary commissioned the IPCC under Section 11 (2) of the PRA to report on our experience of investigating corruption in the police

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Police Action Lawyers Group (until June 2007), Police Federation of England and Wales, Police Superintendents' Association, Public & Commercial Services Union, UNISON.

service in England and Wales (Appendix 2). The second part of the report will be published by the end of the year.

75. The report explains that, because of its focus on deaths and serious injury, the IPCC in the first few years of its life predominantly relied on police forces to investigate allegations of corruption with the Commission providing limited oversight or direction. The Commission judged that it did not have the capacity or capability to carry out complex corruption investigations, particularly those which require the involvement of covert methods.
76. As already discussed, the IPCC is a relatively small organisation and only part of the police complaints system, albeit a vital part. Each police force has its own Professional Standards Department some of which have separate Integrity or Counter-Corruption Units. The sizes of these units are proportionate to the size of the force. The largest of these is the Directorate of Professional Standards within the MPS which is approximately the same size as the whole of the IPCC, which is responsible for covering policing across all of England and Wales. It is right to say, therefore, that the bulk of resource and expertise in investigating police corruption sits with police forces themselves.
77. Nevertheless, in 2009 the Commission took the decision that it would increase its oversight of corruption matters and would develop its capacity to provide greater oversight of such cases. Since then, the Commission has moved from supervision to management of more cases and has used its full powers to conduct independent investigations into a small number of high profile cases. Some examples of these cases are included in the IPCC's report to the Home Secretary.
78. The second report will provide further analysis of referrals and identify issues and lessons to be learned from corruption cases. It will also comment on the public's views of police corruption and its impact on wider confidence in policing. Where possible it will provide progress on the phone hacking related investigations.
79. In August 2011, the Home Secretary also commissioned work to examine whether the IPCC needs:
  - o greater powers, such as the power to question and compel police and civilian witnesses during investigations; and
  - o a bigger role in investigating allegations about institutional failings of forces.
80. This work is currently in train and will be included in our second report on our experience of investigating police corruption in England and Wales.



**Conclusion**

81. It will be clear from this statement that the IPCC is currently conducting work on several areas which might be of interest to this Inquiry. I would therefore be happy to provide an updated statement or attend to give oral evidence once this work is further advanced.
82. I believe that the facts stated in this witness statement are true.



Signed:  
**Deborah Glass, Deputy Chair, IPCC**

Dated: 16 September 2011

Appendices and confidential annex to accompany statement by IPCC Deputy Chair, Deborah Glass

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| <b>Appendix 1</b> | Statutory Guidance  |
| <b>Appendix 2</b> | Report to the Home Secretary: Corruption in the Police Service in England and Wales: Part 1 |
| <b>Appendix 3</b> | MPA referrals in regard to phone hacking  |
| <b>Appendix 4</b> | Public Confidence Survey 2011: Confidence in the Police complaints system                   |
| <b>Appendix 5</b> | Stock Take consultation: Building on experience   |

**Confidential annex:**

