



RESEARCH FINDINGS

From Informal to Local Resolution: Assessing Changes to the Handling of Low-Level Police Complaints

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Section 85 of the Police and Criminal Evidence Act (1984) removed the need to investigate all complaints by introducing Informal Resolution (IR) as a means of quickly resolving those complaints against the police, which if proven would not result in criminal or disciplinary action against the officer(s) complained about. IR enabled the police to resolve complaints without lengthy investigations. The Police Reform Act 2002 (PRA 2002) laid out the legislative framework for the new Independent Police Complaints Commission (IPCC) and also introduced new measures affecting the Informal Resolution process that included renaming it Local Resolution.

Local Resolution

Like Informal Resolution, Local Resolution involves resolving complaints at a local level, rather than having them formally investigated by the police or the IPCC. Local Resolution can be used if:

- a chief officer considers the complaint suitable.
- the complaint would not result in criminal or disciplinary action if proven.
- the complainant gives his/her consent.

New measures affecting the process include:

- A witness or a third party affected by an officer's behaviour can now make a complaint.
- With the written consent of the complainant a third party can make a complaint on their behalf.
- The introduction of Complaint Access Points. These are places complainants can go to make a complaint without having to go directly to the police.
- Complainants have the right of appeal about the Local Resolution process.

The Research

The report presents the results of a survey of Professional Standards Departments (PSDs) in England and Wales. The survey carried out in mid 2005 was similar to a previous survey about the Informal Resolution process (Warburton et al., 2003). The 2005 survey quantified the extent of change from Informal to Local Resolution and the variation in the use of Local Resolution across forces in England and Wales.

Key findings:

- Half the forces used Divisional officers to provide support and advice to those conducting Local Resolution.
- The practice of ‘desktop resolution’ (where complaints are dealt with without being recorded) continues.
- Use of mediation remains limited.
- The appeals process was seen as having the potential to improve complainant satisfaction and internal monitoring.
- There was widespread agreement that the new system was simpler and more transparent, resulting in improved complainant satisfaction.
- Few forces felt that officer understanding or satisfaction with the process had improved.
- A number of forces would support mandatory Local Resolution for certain complaints, thus removing the complainant’s right to opt for a full investigation.

The IPCC guidance states that for Local Resolution to work, the police service needs to concentrate on the following areas:

- Building complainants’ confidence in the complaints system;

- Building particular communities’ confidence in the complaints system;
- Building police confidence;
- Looking at training needs;
- Using imaginative ways to resolve complaints.

The research findings, and subsequent action points, are framed around these five areas.

Building complainants’ confidence in the Local Resolution process

PSDs and successive oversight bodies have attempted to improve complainant confidence in the complaints system for a number of years, however, research has shown that despite reforms and initiatives, complainant satisfaction has remained low.

Since the introduction of Local Resolution several forces reported that they had implemented ‘complainant contracts’ to improve complainant satisfaction. Some forces reported using designated divisional officers to provide support and advice to officers conducting Local Resolution and others said they were attempting to improve divisional expertise by providing Local Resolution training for a selection of officers.

Action point

To gauge the relative merits of any new approach regional IPCC offices should encourage force PSDs to include an element of self-monitoring.

Building particular communities’ confidence

At the time of the survey, most forces had introduced measures to improve complainant access to the complaints system. In a number

of forces complaints against the police can now be made by a third party, as long as they have the written permission of the complainant. In other forces, independent organisations can now guide complainants through the process.

Action point

To engage hard to reach groups in the complaints system, forces should continue to work with community organisations, use a range of methods to resolve complaints and monitor their progress.

Using imaginative ways of settling complaints

A number of forces reported that they had introduced innovations since 2004. Three forces had introduced briefings with community groups to explain the Local Resolution process and another force was piloting the use of an independent organisation to assist complainants whose first language was not English, or who felt uncomfortable making a complaint at a police station. In a number of forces mediation meetings were being used. These meetings were perceived by PSDs to have the potential to improve the process for both complainants and officers by increasing transparency and awareness, and by providing an atmosphere conducive to learning.

Action point

To develop successful innovations, it is important to monitor their effectiveness, including how far they meet the needs of complainants and officers. PSDs should capture ideas and feedback and feed them into regional PSD and IPCC meetings.

Building police confidence and addressing training needs

Many forces highlighted the need to improve officer confidence in and training on the complaints process. Less than half felt the move from Informal to Local Resolution had benefited officers; most considered officer satisfaction to be poor. A contributing factor was seen to be the lack of communication between PSDs and officers subject to a complaint; improving this aspect was considered an important step towards improving officer confidence. Although over two-thirds of forces said they provided training for officers of all ranks, one third said the lack of suitably trained divisional staff was a problem.

Action point

To improve understanding and raise officers' confidence in the process, PCs could receive training on Local Resolution at briefing sessions or via the Police Federation. Supervisors should also be trained to manage the process. Support from local management and PSDs is essential for training to be successful.

Recommendations for the IPCC

Whilst it is impossible to monitor all Local Resolutions across 43 forces, the IPCC need a reliable and accurate data system capable of capturing the diversity of practice at a local level in order to provide effective oversight. This system should be periodically evaluated to ensure it is effective. Developing a system equivalent to the National Crime Recording Standard for the complaints system could be an option. The IPCC should address the continuing practice of 'desktop resolution'.

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The **Independent Police Complaints Commission** is the independent organisation with the job of making sure that complaints against the police are dealt with effectively. We set standards for the way the police handle complaints and, when something has gone wrong, we help the police learn lessons and improve the way they work. Find out more about us at www.ipcc.gov.uk

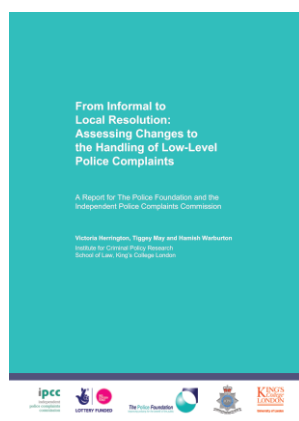
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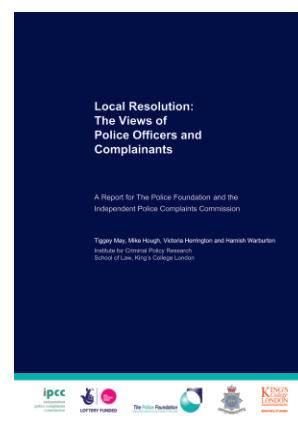
This is the second of three reports on the resolution of low level complaints against the police. This research was conducted on behalf of **The Police Foundation** and the **Independent Police Complaints Commission** and funded by the **Big Lottery Fund** and the **Independent Police Complaints Commission**.



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