

Ref: 1005709

Mr Ian Howgate

By email: [request-306372-cac409de@whatdotheyknow.com](mailto:request-306372-cac409de@whatdotheyknow.com)

5 January 2011

Dear Mr Howgate,

## Re: Request for Information

Thank you for your email, received at the IPCC on 8 December 2015, regarding your request for information. I can confirm that this request has been processed in accordance with the Freedom of Information Act 2000 (FOIA). I note you have requested:

*As I understand it from your enquiries line, police forces are allowed to classify certain complaints for local resolution. Such complaints would involve subject matters that if proved could not lead to a misconduct or criminal case against the officer and hence as I understand them would primarily be instances of complaints against prescribed police process.*

*However in some instances a process may involved a judgement call by a police officer and this may result in a complaint and hence I assume in these cases the complaint about the result of the judgement call would not be eligible for local resolution unless covered by the statement below.*

*This said there may be other subject matters that are sufficiently minor so as that, if they were proved, could not lead to a misconduct or criminal case against the officer involved.*

*Our local police classify complaints under the following titles:*

*Serious non-sexual assault  
Sexual Assault  
Other Assault  
Oppressive Conduct or Harassment,  
Unlawful/Unnecessary arrest or detention,  
Discriminatory behaviour,  
Irregularity in evidence or perjury,  
Corrupt Practice,  
Mishandling of property,  
Breach of Code A PACE,  
Breach of Code B PACE,  
Breach of Code C PACE,*

*Breach of Code D PACE,  
Breach of Code E PACE,  
Lack of fairness or impartiality,  
Multiple or unspecified breach of PACE,  
Other neglect or failure of duty,  
Other irregularity in procedure,  
Incivility, impoliteness or intolerance,  
Traffic irregularity,  
Other,  
Improper disclosure of information,*

*With these in mind please supply me with whatever information would help me to better understand which types of subject for complaint (in particular clarifying which of those above) would be appropriate for handling under Local Resolution and without referral to the IPCC (which I understand has the same qualification criteria).*

*Please note that a repeat of the above statement regarding criminal and misconduct will not help me in this respect as this means little to me, however clarification of which of the above fall into potential local resolution outcomes would be a great assistance.*

I can confirm that the IPCC holds information relating to your request. The IPCC has published our Statutory Guidance and Section 5 contains detail about what can be addressed through Local Resolution. In addition, the IPCC also publishes Focus, which looks at particular areas of the complaints system in depth, using case studies. Issue 3 is dedicated to Local Resolution and issue 4 looks at decision making at the beginning of a complaint, including whether it is suitable for Local Resolution.

The referral criteria can be found in Section 8 of the Statutory Guidance – they do not align with suitability for Local Resolution.

You can locate the Statutory Guidance and Focus online at the following websites:

<http://www.ipcc.gov.uk/page/statutory-guidance>

<http://www.ipcc.gov.uk/page/focus>

If you have any queries or concerns about this letter please do not hesitate to contact me. Please remember to quote the reference number above in any future communications about this request.

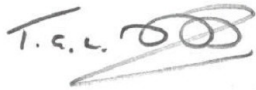
If you are not satisfied with this response you may request an independent internal review by our FOI appeals officer, who has had no involvement in dealing with your request. If you wish to complain about any aspect of this decision, please contact:

Senior Reviewer  
Independent Police Complaints Commission  
90 High Holborn  
London WC1V 6BH

All emails requesting a review should be sent **directly** to: [foi@ipcc.gsi.gov.uk](mailto:foi@ipcc.gsi.gov.uk)

Should you remain dissatisfied after this internal review, you will have a right of complaint to the Information Commissioner; however, I should point out that under section 50(2)(a) of the Freedom of Information Act, you are normally obliged to exhaust the IPCC's own internal complaint mechanism before complaining to the Information Commissioner.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'T. Walton' followed by a stylized flourish.

Thea Walton  
Head of Knowledge and Oversight  
**Independent Police Complaints Commission**