

Ref: 1005709

Mr Ian Howgate

By email: request-306372-cac409de@whatdotheyknow.com

90 High Holborn
London WC1V 6BH

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3 February 2016

Dear Mr Howgate,

Re: Request for Information

Thank you for your email, received at the IPCC on 11 January 2016, regarding your new 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:

Thank you for the attached. This is helpful, however I believe that the IPCC holds further information either in the detailed processes and procedures on decision making, the training material or the heads of your decision makers which would be easy to provide and would go a lot further towards answering my question.

To help you understand what I am looking for please consider what you would do if a member of the public complained that their complaint had been categorised in any of the areas I have listed and yet had been handled under local resolution rather than referred to or retained by PSD. Please respond by providing an answer as to whether the category of complaint allocated by the local police force would a) immediately specify that this complaint had been misdirected, b) the complaint was plainly suitable for local resolution or c) it was unclear without further information whether the complaint was suitable for local resolution.

Obviously unless the IPCC hold information to allow them to make decisions of this nature they would not be able to do their jobs.

I can confirm that the IPCC does not hold any further information regarding your request.

Eligibility for Local Resolution is determined by whether the behaviour complained of would, if proven, justify disciplinary or criminal proceedings. It is not linked to particular categories of case. Even an allegation which on the face of it is of criminal activity e.g. perverting the course of justice, may be suitable for local resolution, if the facts would not, even if true, amount to the crime that is being alleged (see the example in Focus issue 3, available on our website). Conversely an allegation of

e.g. incivility, which on its own might be thought suitable for local resolution, could merit a disciplinary investigation if there were a pattern of such behaviour.

Obviously some allegations such as assault or sexual assault are by definition more likely than not to fall into the category of not suitable for local resolution.

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

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 dark ink, appearing to be 'DK', followed by a stylized signature.

David Knight
Director of Operations
Independent Police Complaints Commission