



**Mark Burns-Williamson OBE**  
Police and Crime Commissioner for West Yorkshire  
Ploughland House  
62 George Street  
Wakefield WF1 1DL



Office of the  
**Police & Crime  
Commissioner**  
West Yorkshire

My Reference: OPCC/MBW/jr

Your Reference:

25 July 2014

Cindy Butts  
Commissioner  
Independent Police Complaints Commission  
1<sup>st</sup> Floor, Oakland House  
Washway Road  
Sale  
M33 6FS

Dear Cindy

## **IPCC REPORT – POLICE HANDLING OF ALLEGATIONS OF DISCRIMINATION**

Thank you for providing me with a copy of the IPCC report into police handling of allegations of discrimination.

As you know, I understand the importance of having an effective framework for complaints and I have made clear commitments in this respect, particularly in commissioning the Crawford Review in 2013 which touches on some of the issues raised in the IPCC report and its recommendations.

Some of the cases reported by the IPCC are disturbing and the conduct described has no place in a mature, responsible and tolerant society let alone in the police service.

I am clear that the emphasis must be on putting things right. The vast majority of people raising complaints about police conduct do not want the individual to be sacked and they are not chasing financial compensation – they want to be heard and heeded and they want things to change.

I do not believe that the current system places enough importance on changing things quickly and effectively. The IPCC also recognises that the current police complaints system is too complex; it is well established and heavily resourced; it applies equally across all forces and has the backing of legislation. However it is also a rule-bound system that often puts definition ahead of determination, process before purpose and administrative compliance above the people and the issues involved.

I have concerns that, because this report was presented as applying equally across the forces involved without identifying specific performance, a misleading picture could be given. 202 cases from the three forces were reviewed, including 170 complaints. This

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sample of complaints included only 38 which related to West Yorkshire – that is only 22% of the overall sample.

The report found that in nearly one in five cases complainants were not directly contacted, and in only a third of cases was contact meaningful. Of the 38 complaint cases relating to West Yorkshire I have been assured that direct contact was made or attempted in every case and in some cases a number of methods were used (23 letters/emails were issued, 12 people were contacted by phone and 3 people had face to face contact).

A further example can be found in the recommendation relating to local resolution where it was found that local resolution was used inappropriately in 42% of the cases sampled. In West Yorkshire, however, during the review there was only one case that involved local resolution.

Turning to the specific recommendations:-

- I have already requested that West Yorkshire Police record greater detail about complainants' characteristics - only that way can I, and the communities I represent, make an accurate assessment of the proportionality, appropriateness and fairness of the police response.
- Meaningful contact with the complainant is essential to putting things right; so too is keeping an eye on the issue and the outcome, not whether the complaint itself was subsequently withdrawn.
- In her review of complaints and conduct handling Catherine Crawford pointed out very clearly the importance of clear and personalised decision letters, not just for cases involving allegations of discrimination but in all cases.
- In terms of induction training, I am pleased to say that West Yorkshire Police run a week-long training course for officers and staff joining the Professional Standards Department and that my office is involved in delivering a session on that course. I agree that, as with any form of professional competence, induction training is only the beginning and there is a need for continuing professional development. Lessons that can be learned from specific cases involving complaints and conduct matters are monitored through my Good Governance Group and fed back to the Force and also to the Independent Audit Committee but I agree there also needs to be greater emphasis on training, updates in changes to legislation and practice.
- Another of the Crawford recommendations is recognition of the innovative work my office has undertaken around advocacy and mediation of disputes and that it should be taken forward to make the system more accessible. I intend this to be applied to all complaints matters, not just those from groups that might face discrimination. This work will continue to be led by my office

This report was into allegations of discrimination across all the 'protected characteristics' in law such as age, disability, gender and sexual orientation. But it is worth remembering that discrimination involves treating someone less favourably as a result of an irrelevant feature or perception – on this basis *all* such discrimination should be eradicated. This requires a much more innovative approach than the adversarial system of police complaints currently allows. We need more involvement by the aggrieved

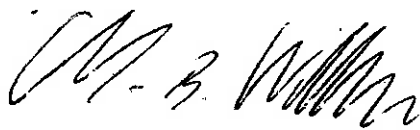


person (which is one of the fundamental requirements of an effective police complaints process set out by the European Court of Human Rights), more flexibility in the options available, more information about what is going on and far less emphasis on getting the right forms and letters issued in the mandatory time period. Unfortunately the IPCC seem to spend too much of their time and growing resources focusing on the bureaucracy of the system rather than the underlying issues raised by the complainant.

As the Crawford Review recognised, my office is uniquely placed in terms of knowledge, capability and experience to take forward the improvements that I have identified within the complaints system but I also need Government to help.

Finally, I was pleased to see in the acknowledgements that the IPCC recognise the Force's willingness to learn and will work closely with the Chief Constable to ensure that the Force incorporates the relevant issues from this report into the progress they are already making around the handling of complaints and conduct matters.

Yours sincerely



Mark Burns-Williamson  
Police and Crime Commissioner for West Yorkshire





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8 August 2014

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M33 6FS

Dear

**IPCC report on police handling of allegations of discrimination**

Thank you for your letter of 6<sup>th</sup> August regarding the above.

I will be addressing the matters raised in the letter with Dee Collins and then responding accordingly.

Your sincerely,

Mark Burns-Williamson  
Police and Crime Commissioner for West Yorkshire

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