

By email

Dave Thompson QPM
Chief Constable
West Midlands Police

21 December 2018

Dear David,

COMPLAINTS AND MISCONDUCT FILE REVIEW 2018

I write to give you a summary of the review of complaints and misconduct files that we carried out in your force on 13 August 2018. Thank you for the assistance and information your staff gave my inspectors.

Information and updates to complainants

2. During our [2017 legitimacy inspection](#) we assessed whether forces had complied with the legislation¹ that requires them to give complainants regular updates on the progress of their complaint investigation at least every four weeks. We found that your force had only provided the required updates in five of the 24 cases we assessed.
3. Being a witness or the subject of an allegation can be very stressful. So, we looked for the same level of updates to be given to staff involved in internal misconduct matters. In 2017 we found that your force had provided updates in only three of the 14 cases we assessed.
4. During our review in August, we were very pleased to find that this had improved. We found your force had given updates to complainants in 27 of the 30 complaint cases we assessed. And your force had given updates to witnesses and those who had been the subject of internal misconduct allegations in 13 of the 15 cases we assessed.

¹ Section 20 of the Police Reform Act 2002 and Regulation 12 of the Police (Complaints and Misconduct) Regulations 2012

Discrimination

5. In 2017, we reviewed how forces handled allegations of discrimination. As part of this, we checked whether forces had complied with their legal obligation² to refer serious complaints or misconduct cases that were aggravated (because they contained an allegation of discrimination) to IPCC (now the IOPC).

6. In your force, we found that only two of the four complaint cases alleging discrimination that needed to be referred to the IOPC had been referred, and that only one of the four internal misconduct cases had been referred.

7. We found in August that no complaints alleging discrimination needed to be referred, but two internal misconduct cases alleging discrimination should have been referred. Only one of these cases had been referred.

8. As the numbers were very small, we also considered the non-discrimination cases we had assessed. These showed one complaint case and three internal misconduct cases that needed to be referred. We were pleased to see your force had correctly referred all these cases.

Next steps

9. We expect to conduct another review of your complaint and misconduct cases in future integrated PEEL inspections.

Yours sincerely,



Wendy Williams

Her Majesty's Inspector of Constabulary

² Paragraph 4(1)(b) and 13(1)(b) Sched 3 PRA 2002, regulations 4(1) and 7(4) Police (Complaints and Misconduct) Regs 2012, paragraph 8.18 IPCC Statutory Guidance and paragraph 2.96 Home Office Guidance June 18