

Sitting on

Independent: “Not depending on others for one’s opinion or conduct; that is an independent in politics etc; unwilling to be under obligation to others.”

Oxford English Dictionary.

Independence is the defining characteristic of the IPCC (Independent Police Complaints Commission); it is the point of our existence; it is the lens through which we are most intensively scrutinised by police officers and the public alike.

The IPCC’s independence is crucial if we are to play our part in contributing to the trust between the police and public on which ‘policing by consent’ depends. Society, and so the police service, is faced with complex new challenges from anti-social behaviour at a neighbourhood level to the international threats of terrorism and organised crime.

Society trusts police officers with special powers and responsibilities to meet those challenges on our behalf. But that trust is not a blank cheque. There is a contract. The trust is given on the understanding that there is an effective system of accountability if that trust is abused. The IPCC is a key part of delivering that accountability.

Independence is not the same as popularity. Some of our most controversial decisions have been fiercely criticised by police and

complainant representatives alike. I do not claim we always get it right, and we try to listen carefully to the criticisms that are made, but in the end we do not depend on others for our opinion or conduct. I have been told the most the IPCC can hope for is a ‘grudging respect’. That will do me fine.

Our independence is not always comfortable for those on the receiving end. I have – as many readers of *Police* will know – been on the receiving end of protracted complaints myself. It is not a pleasant experience. Nevertheless, I am sure that one sign of greater confidence in the complaints system is the increased number of complaints.

We will be publishing complaint figures for 2004 to 2005 shortly and it is already clear that those figures are likely to show a significant rise in complaints. Of course, that is not a result of some massive outbreak of misconduct on behalf of police officers, but is a strong indicator of greater confidence in the complaints system.

It must be better that people who are dissatisfied with the service they get from the police, tell the police about it in belief that they will get a form of redress, rather than just share their resentment with friends and family. That is why we have tried to extend


knowledge of the complaints system to those communities where confidence is lowest. In Dewsbury we are running a pilot project to see how we can best reach young Muslim people. We want to play our part in helping these communities feel the police service is working for them, not against them.

Confidence in our independence needs to work both ways. It is just as important to the IPCC that police officers believe we are independent as it is for the public to feel we are. It seems to me that there are three tests that police officers could use to assess our independence.

Firstly, are the standards and processes we apply to our own conduct consistent with those we apply to police officers? I know that one concern police officers have is our independence means we are not subject to the same accountability we apply to others.

We are currently in the process of reviewing our own complaints procedure to ensure it matches evolving practice in the police system. We will consult our Advisory Board, which includes representation from the Police Federation.

However, I hope that where we have got it wrong we have been quick to acknowledge this and apologise. The most serious example occurred a few months after I spoke to the Police Federation conference last year when



Police officers will be treated fairly by the Independent Police Complaints Commission, writes Nick Hardwick, chairman of the police watchdog.

the fence?

Photography: David Lowe, Photonica

there was an unauthorised disclosure of material from the Stockwell enquiry. I repeat the apology I gave at the time. The incident has been referred to Leicestershire Police and their investigation is ongoing. We asked Bill Taylor to conduct a review of the incident and his report will be published once the legal processes allow. When we get it wrong we will try and put it right as openly and quickly as possible.

Secondly, one of the biggest criticisms I heard of the previous system from Police Federation members was the perception that they were dealt with more harshly than senior officers to whom investigators felt some sort of obligation.

I think we have demonstrated that we make no distinction between ranks. More than that, we have consistently tried to look beyond the role of frontline officers in adverse incidents. Too many of the fatal incidents we deal with involve people with mental or other health problems. The easy thing would be just to look at the police officers who dealt with the final stages of a tragedy, but we have worked with health watchdogs to turn the spotlight on the health services, so that police officers are not blamed for failures of health policy and so that some of these tragedies could be averted in future.

It is often this process of learning lessons that is the most controversial part of what we do. It sometimes seems harder for senior officers to accept that their training or polices are at fault rather than an individual frontline officer. We will say what needs to be said. We do not accept any obligation to them.

Thirdly, inevitably our independence will be most severely tested in the most critical incidents. Few raise greater issues than fatal shootings by police officers.

The IPCC has completed seven investigations into fatal shootings since it became operational. Most of the investigations were completed in less than six months. No charges have been brought in four of them; in the other three cases decisions are still awaited by the Crown Prosecution Service.

Last year I told the Police Federation Conference: "Our starting point therefore, will be to investigate the incident and not assume any individual is to blame. I do not believe that firearms officers, when there is no evidence they have done anything else but carry out their duties in accordance with their training and orders, should be made to feel like criminals. Our investigations will be a search for the truth. It may be, that as the investigation progresses, we will

need to focus on the performance or conduct of individuals and where we believe they are at fault we will be rigorous in holding them to account. But that will not be our starting point."

Let me be clear. If these investigations are indeed to be a search for the truth then the public expect that search to be rigorous. It has been put to me that in the United States, officers are generally treated as witnesses to a crime, but many feel that in this country they are always treated as a suspect even if officers have followed recommended guidelines. As witnesses, is exactly how we think police officers should be treated after these incidents, in just the same way as other significant witnesses.

I accept that people will challenge the IPCC's independent stance and hold us to account for our decisions. It is right that people do so and that we constantly strive to improve our own performance in response to valid criticism. But the police service and public alike should see our independence as a protection and as reassurance that the complaints system operates fairly and impartially. We will continue to strive to demonstrate it in everything we do.