

Home Affairs Committee

Oral evidence: [Police conduct and complaints, HC 706](#)

Wednesday 17 March 2021

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Members present: Yvette Cooper (Chair); Ms Diane Abbott; Ruth Edwards; Laura Farris; Simon Fell; Andrew Gwynne; Adam Holloway; Dame Diana Johnson; Tim Loughton.

Questions 123 - 189

Witnesses

[I](#): Lady Brittan of Spennithorne; and Nick Glynn, Senior Program Officer, Open Society Foundations (OSF).

[II](#): Rose Dowling, Chief Executive, Leaders Unlocked; Amania Scott-Samuels, IOPC Youth Panel member and reverse mentor to Michael Lockwood, Director General of the IOPC; and Kardaya Rooprai, Chair, West Midlands Neighbourhood Watch Force Area Association.

Written evidence from witnesses:

[Evidence submitted by Lady Brittan of Spennithorne](#)



Examination of witnesses

Witnesses: Lady Brittan of Spennithorne and Nick Glynn.

Q123 **Chair:** Welcome to this evidence session of the Home Affairs Select Committee as part of our ongoing inquiry into the police complaints process. We are very grateful to have our witnesses here today, Lady Diana Brittan and Nick Glynn from the Open Society Foundations. We are very grateful to our witnesses for coming to talk to us this morning about their experiences. In particular, Lady Brittan, we know how difficult your experiences will have been with the complaints process and with the initial police investigations that took place as well, so we are very grateful to you for coming to talk to us today. Can I ask both of you, beginning with Lady Brittan, to give us your opening reflections on your experiences and on the police complaints process?

Lady Brittan of Spennithorne: Thank you to the Committee for asking me to give evidence today, although, quite honestly, if all things had been equal I would have preferred not to have been in this seat today. In order to help others and to ensure that the events that I lived through never happen again to anyone else, I wanted to come today to talk about what happened to me. I do not want anything for myself and, to be honest, it is too late for Leon.

Only twice in my 80 years have I been treated as a suspect, once when my home was being searched and the other time at the offices of the IOPC. These two occasions and the run-up to them and the events beforehand and the events afterwards have probably led to the enhancement of the difficulties that I have faced over the last seven years.

I believe very much in the need for good policing and I believe in the rule of law, as indeed did my husband. I tried to uphold the rule of law by being a magistrate for over 26 years. What I now hope for is to encourage you to take a long, hard look at the system that holds the police to account and to make sure that at the end of it all we have a system that is robust, independent, fair, and has the trust of the public.

Thank you for inviting me and I hope what I have to say will be useful.

Q124 **Chair:** Thank you very much, Lady Brittan, and I am so sorry that your experiences have been so difficult in this. Nick Glynn, can I ask you for your opening reflections?

Nick Glynn: Good morning. Thank you very much for the invitation and I very much support what Lady Brittan has just said.

I come to the Committee with a very different experience and not at that level of seriousness, of course, but I have experience of being investigated as a police officer and having complaints made against me. I have also managed investigations into police misconduct and run misconduct meetings and everything that surrounds that, including the



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support for officers who are being investigated. That is something that we may talk about later.

I have also made complaints against the police and have found that, on the couple of occasions that I have done it, to be a really tortuous process. If I am honest, my experience of it has made me reticent to do that again or even to recommend to anybody else to go through that process. I am talking here about matters that are not of great seriousness, as is the case with Lady Brittan, but just the ordinary run of the mill complaints against the police. I also hope that I can help the Committee to explore this further with some ideas that may make things better in the future.

Chair: Thank you very much. We want to explore these issues in more detail, beginning with questions from Tim Loughton.

Q125 **Tim Loughton:** With no disrespect to Mr Glynn, I want to concentrate on Lady Brittan. I am sure other colleagues will come back to Mr Glynn.

Lady Brittan, thank you very much for appearing in front of us. I know that this must be very difficult. It is really important that the full events come out and that they are learned from, as you have said. Do you think it is remarkable, first of all, that it was just six weeks after the death of your husband—who died six years ago—that your house was raided and you were treated as a suspect, as you have just said? It is five years this week, in fact, since the Operation Midland case of which he was part was closed down because there was nothing to it.

In your evidence to us, you have quoted Richard Henriques's report, saying, "police failed to do minimal checks of times and places ... misled the district judge ... seized property not covered by a warrant", and that the Kentia report, which is by the IOPC, "lacked rigour and could fairly be described as a whitewash".

In that very frank and, may I say, quite brave interview you gave in the *Mail*—and this story five years on has been on the front page of a leading newspaper for the space of 10 days last month—you said, "the police appear to have a culture, which is cover up and flick away", and, "Not a single person in this case has resigned, lost their job, been fired, demoted or disciplined. Nobody whatsoever. There has been a little bit of hand-wringing which does not amount to a row of beans. If, in a case like this, accountability does not involve firings or resignations at the point of responsibility, what then is accountability?" You describe the IOPC report as, "as good as a whitewash".

Do you think that you and your late husband and the other victims in this case have had justice six years on? Do you think that the IOPC is now fit for purpose and has remotely learned from those experiences? It is rather a long question, so feel free to range in your answer.

Lady Brittan of Spennithorne: It is very difficult, looking back on it, to think as the events unfolded how everything could have been different. The length of time that this has taken—because, of course, as far as I am



concerned my late husband was involved in two accusations—is an inordinately long time. I do begin to wonder why that was.

The failings of the police force I think are all there to be seen. The problem is that, of course, I perfectly understand that I have received apologies and I have received compensation and how you define justice is also very different. I feel that there is apology and there is apology. Okay, I perfectly accept that the commissioner came and offered me a very fulsome apology, but in the end there are issues at the back of all of this as far as the moral compass of the police is concerned, which I think have not been addressed. I do hope that the IOPC, in whatever iteration it turns out to be, can really look closely at the conduct of the police and decide what exactly constitutes misconduct or lack of moral compass, whatever you like. I just feel that all these years on, particularly for the family of Lord Bramall—because after all he has died—there has not been much justice.

Q126 Tim Loughton: Can I come back to the accountability point? After your interview in the *Mail*, Richard Henriques wrote a very frank open letter to the Home Secretary, which I believe she has just responded to and is going to have a meeting with Richard Henriques. If I can quote a couple of things out of it, he said in that interview, “The operation was conducted in a disordered and chaotic manner and was littered with mistakes, all of which could and should have been avoided by officers”, and that “a district judge was knowingly misled into issuing search warrants.” In fact, that district judge has since said that he was misled and that there are “reasonable grounds to suspect a criminal offence” has been committed—that is from the magistrate, the judge who issued those warrants at the time. Richard Henriques said: “There are reasonable grounds to believe that criminal acts have been committed” and, “Metropolitan Police officers gave false information to a district judge and thereby unlawfully obtained search warrants.”

Those are pretty damning accusations, yet nobody, as you say, has lost their job or been demoted. In fact, several of them have been promoted. The IOPC in its report back in October 2019 described the reports as having shortcomings in the handling of search warrant applications. It does not strike me that the IOPC has really acknowledged the magnitude of what went wrong or done anything about it. Richard Henriques also said, “So far as I know not one of my recommendations has either been accepted or rejected by the Metropolitan Police.” So, no accountability and no change, do you think that is fair?

Lady Brittan of Spennithorne: I am not sure that I can speak for the Metropolitan Police as to whether or not it has accepted or rejected any of the recommendations of Sir Richard.

I think that what he had to say in that article was very strong stuff. What I think happened is that at the end of that report is a single sentence about the conduct of the officers, which was prayed in aid all the way through the report as the officers being of good character and so on. I



understand from Sir Richard that that was not his task. The task that he had for that report was to talk about the shortcomings of the investigation without in any way apportioning blame. As I think he would say, “I gave them the benefit of the doubt”—that is, you are innocent until you are proved guilty—which I am afraid in the case of Lord Bramall and my husband and Harvey Proctor was not the case. It seems that the reversal of the burden of proof in our cases was very different from what happened, of course, in the IOPC report.

Q127 Tim Loughton: The only apology that I can see that you received from Superintendent Rodhouse at the time was an apology for not having mentioned to your late husband when he was still alive that Operation Vincente had been dropped and that no charges were going to be taken forward. From what I can see, that is the only thing he has actually apologised for, which seems to be a small part of his whole involvement in this very sorry process.

Finally, do you think that the IOPC has really learned and is fit for purpose? That is really what this inquiry is about. Has the IOPC learned from what has been described as one of the worst miscarriages of justice within the Met?

Lady Brittan of Spennithorne: No, I don’t believe it has. I am no expert on its inner thinking but there are many things that I think this report shows up: perhaps the lack of experience of the people who did the interviewing, the opacity of what constitutes misconduct. There are a number of things but I do not feel any greater confidence in the IOPC now than I did a year or 18 months ago when the report came out. I do not believe that it has moved on a great deal from some of the lessons of this extraordinary case. Of course, it was extraordinary and maybe out of the run of the mill, but that does not make it any more important for the people who are concerned and for the general public at home.

Tim Loughton: Thank you, Lady Brittan.

Q128 Laura Farris: Lady Brittan, my questions are also about the Henriques review. One of the themes that runs through his review is the strong criticism he has of the police’s willingness to believe Nick’s evidence at face value. Just to give you one example of that, he refers to an interview that was given in 2014. Sorry, I have lost the spot, but it was where they said, having just conducted a few interviews with Nick and I believe his mother and one or two other people, that they unequivocally believe Nick, he had shown great courage in coming forward, we need others to come forward, you will be believed, you will be supported.

What Richard Henriques said about this is that, of course, that is completely misconceived, completely the wrong approach to testing evidence. There were already significant anomalies, witnesses named who it transpired did not even exist, accounts of being removed from school by drivers without parental consent, without that even being reviewed or assessed as to whether that was a credible or likely thing to have happened. Of course, when this evidence was eventually tested, the



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case completely collapsed and Carl Beech is now serving 18 years in prison.

When you were first contacted by the police, did you already believe that a decision had effectively been reached about guilt on the issue? Did you feel that there was any prospect of fairness in the way the matter was being dealt with?

Lady Brittan of Spennithorne: I suppose if I were to be frank, at that particular period of my life—because remember this is way back at the end of 2014, early 2015—my husband was critically ill in hospital. It is a very difficult thing that a husband and wife, in hospital, have to talk about. He was so clear that his conscience was clear that we did not talk about it.

I managed the death, the funeral, all the things that I had to do, and then, of course, the first thing I really got to know about all of this was when officers knocked on my door at 8 o'clock in the morning on, I think, 5 March, and I was shocked beyond belief because I had no idea what it was about. Of course, I had half followed some of the stuff that had been in the press, but when you are at that stage of your life dealing with somebody who is very ill, I put it out of my head. It was only later when I realised that the presumption of innocence had not been given to these men. I then also realised, reading the Henriques report, that all sorts of things had happened that perhaps should not have happened if the policing had been a little bit less—put it this way—in favour of the person who was doing the complaining.

Q129 **Laura Farris:** Given your experience of governmental public office and as a magistrate, what reflections do you have all these years later of a police inquiry that is more analogous to a witch hunt than a fact-finding exercise?

Lady Brittan of Spennithorne: What reflections do I have? I suppose, as I said at the very beginning, I rather wish it had never happened. I find it quite extraordinary, when you look at the unfolding of the events, in a funny way that anyone could have believed any of it at the very beginning. If you look perhaps at those who are accused, they were busy people at the top of their tree, yet they were accused of finding time to have two hours off every afternoon doing what they should not be doing.

On reflection, I come to the view that none of the things that should have been done in order to try to test the evidence the other way were done. I have no basis for knowing whether that was true or not but that is how it seemed, that none of the counter evidence was ever looked at. That, of course, also applied to the allegation of Operation Vincente, where if there had been any sort of real follow-up I think my husband would have been totally cleared very much quicker. As it was, I had to learn about the fact that the police would never have proceeded by reading it in a newspaper.

Q130 **Laura Farris:** My final question is to you and Mr Glynn. You talked about



having received apologies and that there has been no system of contact, but have you had any sort of guarantees or undertakings that the system of investigation as it might apply in another but equally serious context would be different in the future? Do you know that the Henriques review has resulted in systemic change to the way that this type of thing would be investigated, or is it just your understanding that there is a sort of intention that it will not happen again?

Lady Brittan of Spennithorne: If I may answer first, as far as I know—because I have been in contact with the Metropolitan Police or they have been in contact with me—there clearly is a lot of work being done on search warrants. Perhaps of all the things that went horribly wrong in that particular inquiry, it was the application for search warrants. In my view at the time, because I have signed search warrants in the past, it was a fishing expedition and that is not what you are allowed to do with search warrants. So, I think there is a lot of work on that. What I don't know, because it has not really been made public or clear to me, is whether there is any movement on anything else.

Q131 **Laura Farris:** Thank you. Mr Glynn, can I ask the same question to you? What evidence do you have that issues that you have raised have resulted in operational changes to the way a high profile, perhaps sensitive matter where there is a bit of pressure on the police, would be dealt with fairly?

Nick Glynn: The first point I would make is about the word "sorry". I think that it is the hardest word for the police, and that they are reluctant in many cases, regardless of the seriousness of the incident, to actually say "sorry". I raised a complaint a couple of years ago and it was not a serious matter in the grand scheme of things, but it was misconduct. I got an apology from the police force concerned, but they were weasel words in terms of the apology. It was an apology but it did not say "sorry". I think that there is a real reluctance in policing to actually say "sorry". For many complaints, that is what the complainant wants and they will be satisfied with just an apology and nothing more on some occasions.

Then when you deal with more serious matters, there is a conflict in policing. On the one hand, the police campaign for punishment that fits the crime, for proper sentences for people who assault the police, and rightly so, but on the other hand there is a reluctance for them to accept that sometimes those principles have to be applied to the police officers themselves. The example that we have just heard is an example of that where criminal offences by police officers have been committed, according to the evidence, and nothing has been done as a result of that. That undermines public confidence in policing and it undermines public confidence in the complaints system. It is one of the things that discourages people from complaining in the first place.

Q132 **Ruth Edwards:** My first questions are to Lady Brittan. Lady Brittan, thank you so much for coming to give evidence to us today. I appreciate



that it must be a very difficult conversation for you to have.

Sir Richard Henriques has accused the IOPC of condoning police criminality. Do you agree with him and can you tell us more about your experience in dealing with them? I was quite disturbed to read in your written evidence to us that you raised a number of complaints about former police officers being involved in conversations with you, which turned into statements, which turned into complaints, and that you felt that you had been tricked into making further complaints that you had not wanted to make. I am interested in hearing more about your experience with them.

Lady Brittan of Spennithorne: I had two sets of experiences with the IOPC. The first one was the one you have just talked about, which is when two people came to my house to question me about the events as they had taken place. Of course, when I look back on what the exact remit was, it was more about the obtaining of the search warrants rather than the execution of them. I talked, so to speak, obiter, all sorts of things around what I was asked, about my experiences of how the search actually took place, how, for instance, the rules of the Police and Criminal Evidence Act or the recommendations were not followed, and what I felt about it. In fact, remember, I had two searches. The house that I own up in Yorkshire was searched and the one here in London was searched. That was experience number one.

As a result of all of that, I was shown a statement but without any real explanation of what it was meant to be about. That statement then turned into complaints, which I had never made. Then, as a result of all of that, I got some very shirty letters saying, "You are abusing your powers because you are bringing a complaint out of time." All of that was just very bad customer care.

Come to the second occasion, which was in the offices, quite honestly I took with me a friend of mine because it was a very long report. We were treated under such areas of suspicion in the room. There was no table. The two people who had interviewed us were in the room at the same time as the two of us were looking through this report. They could not answer questions. We could not leave the room. We had to put our mobile phones out on display so we could not photograph anything, as if we would. Everything that we asked about, we were told, "No, you can't ask that," or, "We can't tell you because of data protection," and so forth.

That was a very strange experience and, at the end of it all, with very little time and in very cramped and airless conditions, we were given 48 hours to make comments on a substantive report for me. At the same time, none of the questions we asked about what misconduct is were ever answered, and neither answered later.

Q133 **Ruth Edwards:** I am quite struck by some of the conclusions that were reached about the IOPC's investigation, not investigating the senior officers for gross and criminal misconduct, not interviewing the officers,



failure to review relevant documents. Tim Loughton read out a whole list earlier. I do not understand how one can possibly do a review into something without undertaking that basic investigation. Why do you think the IOPC has been so reluctant to do its job properly in this case?

Lady Brittan of Spennithorne: I wish I knew the answer to that, but I don't think I do. I find it baffling that in these circumstances the two senior officers did not appear to have been interviewed. As I understand it, from the remaining three, I think one was talked to. There are a whole lot of issues that it raises to me and I just cannot make up my mind whether or not they felt that there was a conclusion that they wanted to come to and they found the ways to do it or whether it was very rigorous. I don't know because I never got to know who was doing the decision making. Nobody from that one interview until the time the report was published ever talked to me personally about what had happened. I wish I knew.

Q134 **Ruth Edwards:** It sounds to me, and obviously please correct me if I am wrong, that for you it was a very opaque process. What would it take to restore your confidence in the IOPC and the Metropolitan Police? Do you agree with Richard Henriques that we need an investigation by an independent police force?

Lady Brittan of Spennithorne: On the latter point, I think it would be very nice if there were to be such a thing but, of course, it is a question of who will do it. As I understand it, the Metropolitan Police itself has to ask to be investigated.

Remind me again, I have completely forgotten the first half of your question.

Q135 **Ruth Edwards:** I was saying that from the way you have described your experience it was a very opaque process.

Lady Brittan of Spennithorne: The process to me at the time, and this was in September or October 2019, seemed to be unbelievably opaque. As I said to you, we asked for a definition of misconduct/gross misconduct. We asked whether or not gross incompetence was gross misconduct. We asked whether the failure to do something that should absolutely have been done, which is in this case, was gross misconduct. We asked whether or not the ruination of somebody's reputation should be taken into account. To none of those questions did we ever get an answer.

I would say that there was no understanding about whether there was a standard procedure, so all of this opacity meant that you had no idea what anyone could expect of an organisation like the IOPC when they made a complaint. As our other speaker has said, it discourages people from making complaints if the system is so opaque that you really do not know what you are going to get out of it and what you are going to put yourself through.



Q136 **Ruth Edwards:** Thank you very much. Finally, Mr Glynn, you described making complaints against the police as a tortuous process. Could you explain this to us? What was so tortuous about it in your experience?

Nick Glynn: I did 30 years in the police, so I know the system and even for me the opaqueness that has just been talked about was there in the language that is used. The format of communications is in code. It is in police code with abbreviations and with things that the public simply do not understand.

One of my experiences when I made a complaint for being stopped by the police was that I completed the complaints process online, tried to submit it online and the “submit” button did not work. I then did it by e-mail. I reported that to the police. They did not fix that link for six weeks. I gave all my contact details and asked to be communicated with by e-mail. They sent a letter to my neighbour. I contacted them and said, “You have sent it to the wrong address. I reiterate my correct address”. They again sent two further letters with confidential information about my complaint to my neighbour.

That attention to detail in the police—and, indeed, the IOPC because I was in touch with the IOPC then as well subsequently—is shrouded in the system. They will get no awards from the plain English society. There is a real need to look at that, not to simplify for the sake of simplifying but to make those processes more accessible to everybody because that helps everybody to understand what is going on and to be confident that this complex process is something they can understand and follow, I think that is probably the most important point.

Q137 **Dame Diana Johnson:** Thank you, Lady Brittan, for talking to the Committee this morning and sharing your experiences.

I want to ask about timeliness. We have had a lot of written evidence about the problem with timeliness with the IOPC, in particular with delays in starting investigations after a complaint has been made and delays in communicating with complainants about the progress of investigations. From your experience, could you say something about how you found the timeliness of what you went through?

Lady Brittan of Spennithorne: The difficulty with these long gaps between events is that, first, you forget about them and, secondly, you do not want to remember them, which is perhaps the other side of the coin.

In my case, the so-called interview or the statement came in about November 2017. The whole of Operation Midland had kicked off in December 2014 and then had been discontinued in, I think, March or April 2016. It was, already from then, over a year later. That was 2017. Then in the autumn of 2019—two years later to that—after the conviction of Carl Beech, I got a phone call one day, very shortly afterwards, saying, “You might like to hear that we have cleared the remaining police officers,” about which I must say I felt very upset at the time.



All this lack of timeliness prolongs the agony. Finally, when I read the report, it was with disbelief when I had also read the unredacted Henriques report, which of course is full of very strong stuff. Timeliness is one thing and the content is another.

Q138 Dame Diana Johnson: Were you able to communicate with the IOPC? Was there somebody you could talk to, to say, “What is happening? Where are we? What is going on at the moment?”? Was that possible?

Lady Brittan of Spennithorne: To be fair to the investigator who came to my house, with whom I have no quarrel, from time to time she would send an email saying, “Sorry about the delay. We will come back to you when we can.” Then there was a mysterious figure at the IOPC called the “Decision Maker”—capital D, capital M—and clearly the Decision Maker was the person who would make the decisions.

However, in the meantime there was no real opportunity to say anything much more. I had one letter, I think, from somebody else at the IOPC, which I found also rather upsetting. That was the one that really said, “We are considering all your complaints,” to which I wrote back and said, “These are not my complaints, I never made them. Please will you stop batting them backwards and forwards between yourselves and the Metropolitan Police?” There was all that stuff to deal with, and it was bad enough trying to deal with all the other bits of fallout.

I felt the lines of communication were opaque. I said I felt quite sorry for the person who did have to communicate with me from time to time, who was just the lead investigator.

Q139 Dame Diana Johnson: There was never any proper explanation about why things were taking so long?

Lady Brittan of Spennithorne: Not really, there was a little bit in the end. Of course, the trial of Mr Beech did in fact delay things. However, there was not a real feeling that there was any sense of urgency about this particular case, which was pretty high profile by then.

Q140 Dame Diana Johnson: Thank you very much. Can I ask Mr Glynn a question? Obviously the IOPC is now supposed to deal with complaints within 12 months and has set itself a standard of, I think, dealing with 85% within 12 months. There is no sanction, is there? If it does not complete within 12 months, it has to produce a statement explaining when it aims to conclude the investigation.

I wonder, Mr Glynn, whether you think there ought to be a sanction or a fixed time limit for how long the IOPC can spend on an investigation.

Nick Glynn: I think for all parties involved that timeliness is in everybody’s interest. Regular updates are in everybody’s interest. In 2021 they are absolutely doable with text messages, emails and all the other means of communication we have. The police have no excuse not to keep complainants updated.



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You are right, that guidance does not have any teeth and so it is just a letter at the end of 12 months. It needs some teeth and that is for the benefit of complainants, of victims, of police officers and everybody else involved. The Police Superintendents' Association, when it gives evidence, has hinted it supports that. I think everybody is on board with that as an idea and a good reform.

Q141 Andrew Gwynne: I thank Lady Brittan and Nick Glynn for giving evidence to the Committee today. It is so important to hear your experiences.

In written evidence, the IOPC told the Committee that it exists to provide, "robust independent oversight of the police", which "is essential for trust in policing". Nick Glynn, to what extent do you think the IOPC is fulfilling its oversight and investigation role in relation to police conduct and complaints?

Nick Glynn: It is in a difficult position in terms of the key word, which is "independent". Listening to the evidence from the police earlier in this session, the IOPC are not viewed as the best investigators. They were pretty critical of the way in which the IOPC operates. Maybe that is not such a bad thing, in that I do not think there should be a cosy relationship between the IOPC and the police service in any case.

As far as the IOPC is concerned, yes, how independent is it? The fact there is a significant amount of police officers or ex-police officers, retired police officers, within it calls into question its independence. I note that there is the recommendation of independent chairs, which is to be welcomed and goes some way towards creating that healthy separation between the two organisations. There are still questions about who those chairs are, how they are selected, who selects them and how long they are in place for. Improvements around that would give more confidence that it is independent of the police.

I think the real challenge is that a truly independent office for police conduct would have no police in it, would have no ex-police in it, and I guess the police in that case would say, "In that case you will not have the best investigators". I am not so sure that is the case because there are good investigators in other parts of industry.

From the days of the IPCC and before that, progress has been made. When we look internationally we are maybe doing better than some, but there is still a way to go in terms of confidence from the public that it is independent.

Q142 Andrew Gwynne: Thank you. Lady Brittan, it will be interesting to hear your views on that question. Also, as somebody who has worked within regulatory bodies—I think you were, at one time, the deputy chair of the Human Fertilisation and Embryology Authority—what do you think should be the key attributes of an effective public regulatory body?



Lady Brittan of Spennithorne: Regulators—as opposed to being an overseer, which perhaps is maybe what the IOPC is thought of as being—have to have teeth. That does not mean to say they use their teeth all the time. When I was doing this extraordinarily difficult area of medical oversight, you can imagine the doctors absolutely hated it. We did have to pluck up the courage on one occasion when I was there to actually produce a sanction. In our particular case it was a sanction to close a clinic, or at least not to exactly close a clinic but to not allow the person who was running it to continue running it.

I agree with everything that has been said. I think the organisation, the IOPC, has to be seen to be independent but also has to be seen to be robust and has to have all those other attributes of being good with communication with the public and it has to have public confidence.

In the end, I think it cannot rely too much on learning points. I must say, most regulators do not do too much on learning points, or not in my time. It has to be able to say, “We have teeth that we can use.” If you do not have teeth, what is to stop the organisation that you are regulating going on as it always has gone on, because nobody really will ever hold it to account?

Q143 **Andrew Gwynne:** What kind of powers do you think it should have that it does not have, or should use that it is not using?

Lady Brittan of Spennithorne: I am no expert in this area but I think it would be useful to look at what other regulatory bodies do. For instance, many professions, as you know, have a conduct body. Doctors do. If you are a businessman, maybe it is the Financial Conduct Authority but probably it is the law. Solicitors and lawyers do. Where is the equivalent for the police force, which you could argue has greater powers than all of these other bodies?

I do not know how you would do it. You would probably look at the ombudsman model, and you might look at any international models that there are as to whether anyone else tackles this particular question any better. I would look at a number of things, including what we have in the UK. There may not be any crossover but at least it would be useful to have a look at it.

Q144 **Andrew Gwynne:** Thank you. Concerns have been expressed to this Committee about the way in which information on complaint investigations has been released to the media by the IOPC and police forces, which causes distress to individuals who are being investigated and also to those who have made the complaint, as well as impacting on public trust in the system.

What are your assessments of the way in which information about IOPC investigations is provided to the media? What impact has this had on you and on other individuals under investigation? What needs to change?



Lady Brittan of Spennithorne: I suppose that if I were to look at the effect of the press releases from the IOPC and what is leaked out via the police or whatever you like to call it, I have to say that all the press coverage that came in 2014 when my husband was still alive and then subsequently, what I had to deal with after his death, and all of that had a far greater impact on me than perhaps the press releases as released by the IOPC. Therefore I suppose I cannot really compare the two of them, because one was the trashing of a reputation and the other one was merely saying that those who might have trashed the reputation are themselves blameless.

Andrew Gwynne: Yes, absolutely. Thank you.

Q145 **Simon Fell:** Mr Glynn, a couple of questions for you, please. We have heard through the evidence that has been drawn out in this session a number of concerns around public trust and confidence in the complaint system and the discipline system for the police as well, despite reform after reform over the years.

From your experience of working policing and making a police complaint as a member of the public, why do you think public trust and confidence in the system continues to be an issue? What are the underlying problems there?

Nick Glynn: Referring back to the independence and the police marking their own homework, which is one of the things that really makes people concerned that there is an independent investigation and that they will be taken seriously. Also, people's experience—again, what we have already talked about—of the communication not being timely and not being in language that people can understand.

I will go back to the point about media that was just made. One of the features of particular incidents where they are shown on social media, public order matters, is that there is a tendency for the police to want to quickly support their officers by saying what happened was lawful: "The officers did a great job". They are too quick to do that in many cases because they are doing that before there has been a proper investigation or a look at all the evidence. That puts people in a position where, "Why on earth would I complain if the police are already saying everything that the police did there was lawful? A complaint is therefore pointless".

In the age of social media, while it is important that the police communicate about these things, they should be more careful about what they say and definitely be careful about making blanket statements that justify all police actions before any review of all police actions has taken place.

Q146 **Simon Fell:** Thank you. Obviously for officers under investigation they are in an unenviable position. What is your view of the welfare support that they receive when they are in that position? Do you think they get a sufficient level of support or do you think the system needs changing there as well?



Nick Glynn: I think it is patchy and that is not a good thing. There are too many examples of police officers under investigation for long periods of time not being given the right kind of support. Sometimes officers under investigation are ostracised; their colleagues feel like they should not communicate with them because they are under investigation. That results in isolation, in mental health problems and worse. I think police forces can do a lot more to ensure that they look after officers under investigation throughout that time period.

This goes back to the timeliness point that we have already made, which says, "Let us try and keep those time periods to a reasonable minimum", bearing in mind having proper investigations and gathering evidence does take time. A better balance can be struck there that will be reassuring for officers and also for the public that when investigations are taking place the right measures are there for all involved.

Q147 **Simon Fell:** Do you think they are learning their lesson on this? Do you think they are making improvements in this space or are we just seeing the same problems repeated time and again?

Nick Glynn: I think we are seeing some of the same problems. The suicide rate in policing is concerning and the mental health impacts as well, so I do not think those lessons have been well learned yet. The police would benefit from independent research, studies, which look at this and come up with robust recommendations that have some teeth, like we have said, so those recommendations are enacted.

Chair: Thank you. A quick follow-up question from Tim Loughton and then some further questions from me.

Q148 **Tim Loughton:** Chair, thank you very much. Can I pick up on two things that Andrew Gwynne and Dame Diana raised earlier? First, Lady Brittan, with you. I have seen you have made a comment about the structure of the IOPC board. I am getting, from all the comments you have made, that really you are saying that structurally and operationally—I think Mr Glynn would agree here—the IOPC is not fit for purpose and as a result the police are not being put under proper scrutiny.

You have mentioned that the director general of the IOPC also chairs the board of the IOPC, which is full of non-executive directors. That is quite an unusual structure. Effectively he is chairing the body that will be scrutinising the workings of his body. It is a bit like police marking their own homework, as Mr Glynn has just mentioned. Do you think that structure needs to be changed?

Lady Brittan of Spennithorne: The reason I made that comment, of course, was because in my past history of 'Quango-land'—after all, this is a non-governmental body fully funded by the Home Office—I have always thought that you need a separation. In every body that I have served on—from the Equal Opportunities Commission to the Community Fund, which was a slightly different construct—there was a board, board members, and there was the staff. The one thing that is much more



difficult if you have the unseparated structure, and I do not think it happens in business either, is who then holds the chairman—that is, the chief executive—to account? It seems to me in this area in particular, when public trust is so important and the public have particular views about what they would want out of the scrutinising of the conduct matters of the police, you need to have a very strong, independent, chair. That is my view on it. That is why I find this construct, which I think has changed in this last iteration, so weird.

Q149 Tim Loughton: In the business world it is a much frowned-upon practice to have 'double hatting' of a chairman and chief executive on the same board. Do you want to comment on that, Mr Glynn?

Can I also pick you up on the timeliness issue there? Obviously, with the Operation Midland case the IOPC was instructed to investigate five officers. The first two of which, Rodhouse and McDonald, were not even questioned and they were completely exonerated before any issues had been raised. Secondly, and this is the important bit, Detective Inspector Alison Hepworth and Detective Sergeant Eric Sword declined to answer questions—they just gave a written submission so they could not be cross-examined at all—because they had retired and therefore were untouchable. It has been a complaint about the IOPC in the past that some of these investigations can be dragged out because by the time they come to their conclusions officers have retired and therefore no penalties can be held against them.

Another reason we are looking at the IOPC and the complaints is that officers have had these investigations hanging over them for too long, which was not fair to the officers.

Which do you think is the greater evil, police officers stringing it out so they can then get immunity because they have left the force, or overhanging possible investigations on continuing serving officers? In this case only one officer was actually questioned and no action was taken against her either.

Nick Glynn: I think this is a matter of trust and confidence in policing and in the complaints system. Surely the overriding important factor is justice, justice being done and being seen to be done. Therefore it is in the interests of the public that sanctions are possible and there should not be a way for police officers, or anybody else, to circumvent that. That is what seems to have happened in this case, but it has happened in many others. People shake their heads and say, "How can that be in modern society? How can that continue?" That is a loophole that should be closed.

Q150 Chair: Thank you. Some final questions from me. I will ask you both about the skills issues that need to be involved.

Nick Glynn, in your experience of both operating the complaints process and applying, do you think there is a skills gap in terms of the conduct of investigations in the complaints process?



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Nick Glynn: I do not think there is necessarily a skills gap in terms of investigating, because the police are very good at that. It is a matter of emphasis and it is a matter of: is this a search for the truth or is it a search for evidence? I think sometimes those two things are confused and the emphasis goes on finding evidence rather than the truth.

Q151 **Chair:** In the IOPC?

Nick Glynn: Maybe the same is true of the IOPC, that that is what they seek.

Q152 **Chair:** Lady Brittan, can I particularly ask you about the legal experience of those involved in Operation Kentia? I was struck by your evidence raising concerns about public law errors, about lack of experience in the IOPC investigators and, in particular, the points that both you and Richard Henriques raised about the level of legal knowledge or experience of those conducting the investigations from the IOPC, particularly into this issue of search warrants. I understand you did specifically ask for there to be a competent and qualified lawyer reviewing those search warrant issues. Were those concerns ever addressed for you?

Lady Brittan of Spennithorne: Not that I was ever told about publicly. The obtaining of a search warrant is probably one of the most intrusive things you can do to any human being or any member of the public, to have their property searched. Therefore in the obtaining of search warrants there is quite a bit of case law and one of them is whether or not it is lawful to have a "fishing expedition". There are all sorts of things.

I did not feel, now that I know what I know, that the experience of the investigators into how those search warrants were obtained—and I do not know whether the district judge was sufficiently interrogated and questioned—I just do not know at all. In Richard Henriques's first report, even his redacted report, he said that was the most serious thing that they had done, to mislead a district judge.

Therefore, because it is such a serious matter, you have to have the very best legal knowledge to understand what the tests are, how you come to that conclusion and how they did it. Then, when you are at the IOPC, you have to be very rigorous because it is possible that the law may have been broken. Nobody is above the law. That is why I felt that the investigations probably fell down.

Q153 **Chair:** If that is one of both your and Richard Henriques's concerns about the IOPC conclusions, the issue about the search warrants and what was legally appropriate, would you not have expected the IOPC to at least attempt to reassure you that they had looked into those legal aspects fully? Did they not do so?

Lady Brittan of Spennithorne: No, I wish they had. On a very quick re-reading of its conclusions, it is nothing but, "No evidence to show this, no evidence to show that, no evidence to show the other." I did not think that it was rigorous enough. As I said, it is the greatest invasion of your



privacy. In fact, in the end it is a trespass on your property. This makes search warrants such an important part of the legal process. Therefore, in this case, I did not feel that particular aspect—and the terrible consequences of what a search does to the people concerned and, indeed, to the subsequent press coverage—was taken into account at all.

Q154 **Chair:** In terms of the conclusions that then follow, I think you said at the beginning that one of the things you wanted to see happen was to make sure that this kind of thing could not happen to other people. Do you have confidence that IOPC recommendations, or other complaint process recommendations, are then implemented by the police and you see the kinds of changes that you need?

Lady Brittan of Spennithorne: What I do not know is what they have done between when the report came out and now. What I would certainly like to see is a system that is robust, independent and has public confidence. In our society the rule of law is terribly important. Therefore not only does the rule of law have to be upheld but it also has to have a scrutiny mechanism that allows the general public to be satisfied that any misconduct that might take place is efficiently and swiftly dealt with.

Q155 **Chair:** This is a question to Nick Glynn as well. Is there any improvement you would like to see to the system to ensure that if recommendations are made after a complaint investigation, they are actually implemented in practice?

Lady Brittan of Spennithorne: Certainly. It is very difficult to think about what could be done, but whatever is done should be well communicated and also be seen to be effective. A lot of this is all about effectiveness. When I said I do not want this to happen to anyone else, I do not, right the way up and down the country. I was lucky enough that I had a bit of resource to be able to look into it a bit, but plenty of other people are not perhaps in the more fortunate position that I was in.

Q156 **Chair:** Nick Glynn, what is your sense of any change that you would make to ensure that conclusions are implemented?

Nick Glynn: It needs to be a situation where recommendations result in action, and that leaders in policing are held to account for the implementation of those recommendations. When we look back over history, recommendations are repeated and repeated through time, therefore they have obviously not been implemented with teeth. That is what is required.

Q157 **Chair:** Mr Glynn, in your experience, again from both sides of the complaints process, did you have any sense that there were concerns around race disparities, for example, in the way in which the complaints process operated?

Nick Glynn: There are, and there is academic research done by Patrick Williams that shows that police officers from black and Asian backgrounds are more likely to be investigated and more likely to go through a



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misconduct process. I was very concerned when I heard the Police Federation's evidence given to you previously where they admitted that that was the case. They said that people get nervous around race and policing and, therefore, they make sure that complaints made by people from black and Asian backgrounds and, indeed, complaints about black and Asian police officers, are investigated. That sounds to me like unfavourable treatment and unlawful discrimination.

I have my own experience of that, and there is plenty of experience of it, including the feature where when police officers come towards the end of their service there seems to be a focus on investigations into them to take their pensions away from them. I would like to see more research into that issue, and also, as we have just said, some teeth in terms of the recommendations that are made, because there should be an absolute fairness and equality as far as those investigations are concerned.

Q158 **Chair:** Any issues around the IOPC on that?

Nick Glynn: I am not aware of any, to be honest.

Q159 **Chair:** Lady Brittan, sorry, do you want to come in on that point as well?

Lady Brittan of Spennithorne: No, I want to make a completely different point, which is essentially something that was sent to me by the former commissioner about people in the public eye. In a meeting in February 2016, where he wanted to apologise for them not telling my husband, so on and so forth, he then said that the real problem was that people in the public eye were treated worse than anyone who was not. It is a different sort of discrimination, and it is not at all the same as what we have been talking about. I understand that. But I would like to just make that point—and you in Parliament know it just as well as anyone else does—about how difficult it is to be in the public eye.

Q160 **Chair:** Thank you. I have a final question for both of you about what the top priorities should be now for changing things. If you could make a change in the complaints process overnight, what would be the one change that you would make, given your experiences? Nick Glynn?

Nick Glynn: I would probably talk about outcomes and about the punishment fitting the crime, and having some teeth around that, to ensure that lessons genuinely are learned and that there are consequences where misconduct has been seen. I do not feel that we are there yet. That is my point.

Q161 **Chair:** Thank you. Lady Brittan, given the appalling things that went wrong for you in Operation Midland and the complaints process you then had to go through, what would you change overnight if you could?

Lady Brittan of Spennithorne: I would change some of those that have been already mentioned, but I would also want to have clarity, so that anybody, any member of the public, anyone, would know exactly what the complaints process was going to consist of. I would ask for clarity, I



would ask for increased confidence by the general public in the system and in the organisation that oversees it, and I would make sure that there were sufficiently skilled investigators to deal with whatever it was that came their way.

Chair: Thank you very much. Thank you both for your evidence. We really appreciate your time this morning. Thank you. We are going to move on to our second panel. We thank Lady Brittan and Nick Glynn for their time.

Examination of witnesses

Witnesses: Rose Dowling, Amania Scott-Samuels and Kardaya Rooprai.

Q162 **Chair:** We move on now to our second panel. We have Rose Dowling from Leaders Unlocked, Amania Scott-Samuels, who is an IOPC Youth Panel member, and Kardaya Rooprai, the Chair of the West Midlands Neighbourhood Watch Force Area Association. Thank you very much for joining us and for being with us to talk about the complaints process in IOPC today. I will ask each of you in turn what your experience of working with either the IOPC or the police complaints process has been, if you could briefly tell us, beginning with Rose Dowling.

Rose Dowling: Good morning, Chair and Committee; thanks for having me. I run an organisation called Leaders Unlocked. We are a social enterprise; we work across the UK supporting young adults to have a stronger voice in society on the issues that affect them. In 2018 we were commissioned by the IOPC to establish the first ever IOPC youth panel comprised of young adults across England and Wales, aged 16 to 25, who would be involved in helping the IOPC become more responsive to the needs of young people, and also to give young people a voice on the police complaints system.

Amania Scott-Samuels: Thank you. I am Amania, and I have been on the youth panel that Rose mentioned since 2018. In my experience, generally the IOPC has been very welcoming of our input. They have been very responsive to our scrutiny and open to our challenge. There is obviously work to be done, but they seem to be listening, from a young person's perspective.

Kardaya Rooprai: Hi. I am Kardaya Rooprai from the West Midlands Neighbourhood Watch Force Area Association. To give you an idea, we oversee the neighbourhood watches across the whole of the west midlands and then engage with the national charity, Neighbourhood Watch Network. Basically, we engage with the general public and communities absolutely everywhere, and we work closely with partners and other stakeholders, including the police. What we have found over the years is that the process that we have had to go through when working with complaints is overly complex. We question a lot whether



there is real independence, and some of the points that your previous witnesses have made as well about things not being timely. We see that on a regular basis. Later on I suppose you will ask more questions, but there are things that we see year after year, over many years, and even some of the police officers we work with have identified some of these issues.

Q163 Chair: Just while you are raising that, what would you say the key issues are? If you say the same kinds of issues are raised again and again, what are they?

Kardaya Rooprai: The timeliness issue is a really big issue. There is also an issue around there being no personal accountability and responsibility with officers. Listening to your previous witnesses, Nick mentioned that if an officer leaves the force or takes retirement there is no recourse. We did not come to know that until a couple of years ago. We see that happen quite often. Things are just shifted away.

Even having read a lot of the written witness statements that you received, there seems to be some organisational cultural issues as well, almost to an extent where there is not the transparency that should be there. There is a massive question about independence—for example, forces having to self-refer to the IOPC. We have worked with the IOPC, and the reality is it has finite resources and it can only look into a certain number of issues each year.

I am also a part of an IAG, and this became so much of a concern in the west midlands that we have made it a standing agenda item to ask about complaints, because since the beginning of last year when Covid hit the country there has been a massive increase in the number complaints hitting the police force. If we are there to represent communities and the general public, we need to make sure we know what is happening, what is coming out. It is in the public's interest to know that.

Chair: Thank you. I was about to bring Diane Abbott in, but we have some system thing going on. Diane, can you hear me now? No? I will go to Tim Loughton.

Q164 Tim Loughton: Thank you, Chair. Can you hear me? I am working. Good. I am very interested that the IOPC told us it is working to improve confidence in the complaints system, particularly among groups that have a low level of trust in police operations generally, and that will particularly refer to younger people and those from BAME communities. We know all the figures around the disproportionate numbers of people from those groups who come in front of the police for whatever reason. I will go to Amania first. What does active engagement with young people look like, and how has the IOPC been doing that? How are you representative of young people? How did you come to be on this panel? How can you justify yourselves as the voice of genuine concerns of the wider group of younger people? Amania, I will come to you first, and then perhaps Rose might like to comment afterwards.



Amania Scott-Samuels: Thank you for that question. I will start with the last question, to justify why I am here. I am born and raised in Brixton. I was literally raised on what they called the frontline in the 1980s. I have intergenerational experience of police misconduct, and I also witnessed many friends and many family members being privy to police misconduct or police brutality. That is what drove me to increase police accountability and be a representative of members of my community. Many of us on the youth panel have had experiences like that. Many of us have had formal contact with the criminal justice system, but there are also many of us who are interested in joining the police. We have a number of students who are studying criminology, as I did, or policing studies as well. We are representative because we represent both sides of the policing accountability argument. It is not necessarily a personal investment, but many of us are from communities that are affected by the police.

In terms of engagement, I think that probably the most important thing when it comes to engagement, certainly with youth engagement, is to listen and be open to listening, be open to hearing what the problems are, and definitely not underestimating the importance of that listening phase. We have done our youth engagement with or on behalf of the IOPC. The majority of the time that we spend with young people is about listening, hearing, and validating their experiences with the police, because oftentimes that is the first and only time anyone has ever asked a young person what their experience with the police is. That is where you really see the long-lasting impact, the psychological impact, and the emotional impact of policing incidents. I think that is a big one.

Another big one is about meeting people where they are. There was a hot debate very early on in the youth panel about whether we should bring the young people we engage with to the IOPC's office on Canary Wharf. We reap the benefits of being there. We are now very known within the office. All the staff members know most of us by name. But in terms of engaging with young people, again, you have those highly traumatic experiences oftentimes with the police. Bringing them to Canary Wharf, getting what you want out of them and then putting them back where they came from, I do not think that would be considered good youth engagement. That is not what the IOPC have done. From what I can tell, they have supported us to go into communities, regionally and obviously at a very local level with marginalised or protected characteristic groups.

Q165 **Tim Loughton:** That is really interesting. You are saying that the other people on the youth panel are not all people who have come to it because they have had a negative experience or view of the police, but there are some people there as well who might want to go on to the police and view it more positively? You are nodding your head, so that is a yes.

How engaged have the senior people at the IOPC been with the youth panel? When is the last time Michael Lockwood, or any of the independent directors, went out with you and other youth panel members



in Brixton, Lambeth, or wherever, to meet groups of young people who have opinions or experience dealing with the police and making police complaints? Is it as engaged as that?

Amania Scott-Samuels: We mostly have senior stakeholder engagement team members with us. We have regional directors with us oftentimes. But the senior leadership team are more directly engaged with us, so they know all of us. I will not be able to comment on the senior leadership representation at all of the engagement events. We are pretty much always with a lead investigator, a regional director, or a senior stakeholder engagement officer.

Q166 **Tim Loughton:** Have you ever taken Michael Lockwood out to a youth group in Brixton, or an equivalent group of young people?

Amania Scott-Samuels: Not yet, no.

Q167 **Tim Loughton:** Has he ever asked to do that?

Amania Scott-Samuels: He has not asked to do it.

Q168 **Tim Loughton:** Do you think that would be a good thing for him to see?

Amania Scott-Samuels: Yes. I think that is something he would be up for. I do not think that he is shying away from it. Yes, that would be a great exercise for both of us, I reckon.

Q169 **Tim Loughton:** Rose, how do you come to select people for the youth panel? Do you think that the youth advisory panel is a good role model for how they should have other specialist groups as well, like for the BAME communities, who as a group have cause for complaint about engagement with the police disproportionately?

Rose Dowling: Thank you, Tim. To recruit and select the young people, we work proactively across England and Wales to connect with grassroots groups and professionals with trusted frontline relationships with young people. We put the opportunity out there really widely, and we encourage professionals who work directly with young people to support them to apply. We have a simple and accessible application form and a telephone interview, and through that we select a diverse and reflective group of young people. At the moment we have 40 active members across England and Wales. Out of that, almost 60% are from BAME communities—and not just one or the other: they represent the whole breadth and diversity of BAME communities.

We also have significant representation from LGBTQ+ young people, young people from the care system, and also, really importantly, I think, young people who have had prior contact with police and the justice system themselves. Almost 35% of youth panel members have had some prior contact directly with the police or the justice system, and a much larger percentage were affected through friends and family. We also have a cohort who want to go into policing. We have a very unique youth panel member who aspires to a career in professional standards, who is



probably the only young person I have ever met who aspires to that career. It is a real mishmash in terms of perspectives and entry points.

The second question you asked was whether the IOPC should have more panels. I think it is an interesting idea, and is potentially really valuable. There are two things I would say about it. First, it is an enormous commitment from a body like the IOPC to set up a panel like this, not just in terms of the financial resources required, but also in terms of the commitment to acting on the panel's recommendations and commitment to deploying senior time and the time of other staff members to support that mechanism to be meaningful. The second caveat, I would say, is it is quite easy to look at the BAME issues and disproportionality as being the key thing, but underneath that there are a lot of intersectionality issues. There are issues around people who have criminal records, people whose families have criminal histories, and other forms of marginalisation in society. It is important not to just fall back on one or two diversity categories and then miss a whole other load of life experiences that are really important.

Q170 Tim Loughton: Yes. It sounds like you have somebody on the youth panel who is after Mr Lockwood's job for a future career. Are the members of the youth panel entirely voluntary, or are they paid, or are their expenses paid? How does that work?

Rose Dowling: It is entirely voluntary. We do, of course, pay all their expenses, travel, food, and so on. Also, really importantly to us, we invest heavily in their personal development and progression. The youth panel is a truly transformative experience for young people taking part. We match them up with mentors in the IOPC. Amania is among six youth panel members who are currently reverse-mentoring the senior leadership team. We have other youth panel members who are engaged in mentoring relationships with other levels of staff in the organisation.

Q171 Tim Loughton: Yes. I do like the idea of Amania being reverse-mentor to Michael Lockwood. I would quite like to be a fly on the wall for that one. Finally, I will ask Mr Rooprai, do you think there should be further versions of the youth panel to involve BAME communities or other communities, or do you think it is well covered?

Kardaya Rooprai: I think it is well covered. It is really important, especially with volunteers, to make sure everybody is working collectively together, because if you start segregating with too many individual groups, what we see in the volunteer sector is we end up with work being repeated and so much mismatch, and you do not see any action at the end of it or objectives achieved. Then two or three years later you have the same conversation trying to address the same issues. Volunteers come and go. You have to work smarter in that way. A good example of what has happened in the west midlands is there are all these individual IAGs, for example, by each neighbourhood policing district, but then the IAGs were also broken down into ones to represent faith groups, for example. We just saw a repeat of all the work taking place with two



separate groups. They are two small groups. Why not just bring them together, because you are discussing the same issues and you are trying to get to the same place? It does not make sense. You can use those resources better.

Q172 Dame Diana Johnson: It has been really interesting listening to the involvement of the youth panel. Amania, I want to ask you a little bit more about the kinds of things that you have learned during your time on the panel. What are the key things you have learned? Also, how long are you on the panel for? Is it for a fixed period of time?

Amania Scott-Samuels: Thank you for the question. In terms of how long, we tend to have yearly reviews, so if we want to continue, Rose will check in with us. This usually comes at the end of a horizon scanning and a group exercise where we as a panel decide or brainstorm what we think the next phase should consider. I do not believe there is a limited amount of time. I think that the cut-off point is maybe 26 or 27, so they will probably kick me out sooner or later. But for now, as I said, I have been on the panel for three years so far.

In terms of what I have learned, I have learned a number of things. Obviously, I have learned how the complaints system works. I have learned a lot more about the importance of changing cultures within certain systems, particularly the criminal justice system. I have learned a few things about policing perspectives themselves. We had a very interesting piece of insight about how police officers have reported that they find stop and searches highly traumatic or fear-inducing for themselves, which goes a long way to explaining some of their behaviour. I have also just learned about what accountability means—how difficult it is to achieve when you are working against a system or an institution that does not necessarily even know how to do what I would consider the first stuff of that, which is taking responsibility.

Q173 Dame Diana Johnson: Okay. Thank you. That is very helpful. What advice would you give to a young person who wants to make a complaint? What would you say to them, and where do you think there could be improvements in how young people, or anybody, make a complaint? What things would you like to see changed?

Amania Scott-Samuels: My advice would be, obviously it is very difficult, but to complain as soon as possible, because we know that there are massive issues in terms of how long certain surveillance is kept. In my personal opinion, I would say that the system or the systems are against young people generally. Try to keep as much evidence as possible. If you can film it, film it. If you have witnesses around you, get them to make a statement. If it is a physical thing, obviously you want pictures of that type of stuff.

I am very big on psychological impact, so if you think it has had a psychological impact, I think it would be worth going and getting an evaluation. There is a big degree of stigma around mental health or



psychological impact with regards to young people, and not only young people, but also with ethnic minority background. I would say get as much evidence as possible, and collect it as soon as possible. If you do not feel comfortable doing it right off the bat, look for support. That is something that the youth panel has been very vocal about, that we think there should be more support and advocacy, or an advocate role for young people or other vulnerable populations that want to complain.

Generally, in terms of improvement, yes, I would say a greater acknowledgement of the psychological impact of policing incidents, and that goes on both sides. I think it is very traumatic for young people, it is going to change their perspective of policing, and it often happens very early on in a child's life, particularly for ethnic minority communities and black communities. At that age that literally can change your brain forever. But on the back of that, in the same light, those incidents can be very traumatic for police officers as well, and again, that is going to change their behaviour going forward. I think there should be a paper trail or a record kept of that type of stuff, particularly, as previous witnesses have said, because the same issues come up. Also, of course, better timeliness, because that is another communication of validation, and belief, and understanding of the impact of those incidents.

Q174 **Dame Diana Johnson:** That is very good. Thank you for that. Rose, do you want to come in on my original question about how long young people are on the panel for?

Rose Dowlin: Yes. We are not particularly fussy about booting people out. Ultimately, what we do is every year we refresh the group, and we invite the existing members to indicate if they would like to continue. For us, it really is about a journey of change, both for the individual young people, but also for the IOPC and the wider system. We see that as a long-term endeavour, and we really benefit from having young adults like Amania onboard, who have developed such strong expertise and insight over their time on the panel.

Q175 **Ruth Edwards:** You have a lot of experience in helping connect communities to the police. We have heard previous witnesses tell us just this morning that they found the police complaints process very opaque to deal with. I want to ask the panel: how does that align or contrast with your experience? We will go to Ms Dowling first.

Rose Dowling: Thank you for the question, but I'm terribly sorry: I do not feel it is one I can answer, because we do not work specifically with young people who are going through the complaints process, but more with young people in the wider community. I am better placed to answer questions about young people's perceptions more broadly, rather than their experiences of going through the system.

Q176 **Ruth Edwards:** Maybe let's start with that then, with you. In terms of young people's perceptions more broadly, do you think the young people you work with perceive the police as open? Do you think they understand



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how they can interact with them and can make a complaint if they have one?

Rose Dowlin: No, not at all. They perceive the police as being somewhat of an absolute power that is an unchecked power. They perceive the police to be, therefore, unaccountable, and for it to be very unlikely that there will be a strong point or a meaningful outcome from complaining, that they as a young person would be listened to and taken seriously in that. Most young people have never heard of the IOPC, are not aware of the police complaints process, are not aware of their rights, and even if they are informed about those things, would still feel very hesitant to complain.

Q177 **Ruth Edwards:** In your view, from working with these young people, what do you think are their reasons for viewing the police in that way?

Rose Dowlin: There is a combination of influences. First is what they experience on the streets and what their friends and families experience on the streets. Unless that changes, any policy or system change is going to be completely meaningless. Secondly, social media and wider influences that are acting on them. There is a lot to be celebrated in the Black Lives Matter movement. There is a lot of increased interest in this issue of police accountability. There is also a lot of activity on social media that influences young people's perceptions. Sometimes that can compound their lack of trust and make them less likely to believe that the police is going to be a service that is catering towards them.

Q178 **Ruth Edwards:** In terms of the balance of those factors, would you say it is more a case of influence from social media and of other people's experiences, or from their own experience that they personally had or from close members of family and friends?

Rose Dowling: I think it depends on the individual or their community context. If they are from a community like Amania's, then they would have a stronger influence from their own friends and family and the history of their community. If they are from somewhere else in England and Wales, where there is not that history, then it might be a stronger influence from their social media engagement.

Q179 **Ruth Edwards:** Thank you. Mr Rooprai, you have obviously done an awful lot of work to connect communities and police forces in your area. In your view, would you say—I do not know how much experience you have personally of the complaints process—you view the police as an opaque organisation, or do you think it is much easier to interact with them and to hold them to account if needed?

Kardaya Rooprai: It is very difficult. It is very difficult engaging with the process. It is very difficult working with the police forces. When I say "the process", I mean the police force involved, the IOPC and the PCC as well. The whole process, the whole system, everything you have to go through makes it very, very difficult. That is a lot of the feedback we get from communities.



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One of the things we are seeing a lot of is that it is destroying a lot of public trust and confidence in policing. That is also with volunteer groups. We have even seen situations where there have been volunteers or leads and if they voiced something that is not right with the policing neighbourhood unit, even against senior police officers, instead those volunteers—who have been around for 30 or 40 years or so, doing what they do really well—have then instead been discredited to make things go away and push things up. They are seen then as troublemakers.

Rather than try to improve the system, to have the engagement and have the conversation, there is too much of a case of trying to close it down and not engage.

Two years ago I was doing a piece of work with West Midlands Police where they approached me and said, “We have the Syrian refugee community that has come into the west midlands. We have been trying to go in and speak to them for the last two years. We can’t do it; can you come and help us?” I simply went along with one of the inspectors from one of the partnership teams, who was the force lead. It was a Saturday morning and it was a regular meeting that the Syrian refugees had at a community hub every couple of months. For me it was very easy because I do not wear a uniform, I am not a police officer. I represent an organisation that is completely independent. While we do work with the police and we do try to encourage working with the public, there are also times where we do have to address things like accountability and responsibility. Some of the things that the Syrian refugees shared with us that day were eye opening for the inspector who was with me. She said, “I didn’t realise it was quite like that”. I said, “You’re getting non-engagement because you are making it so difficult”.

The reality is, when you are going to engage with any community you have to do it on that community’s terms. They know themselves best. They know how they operate. They know how they live. They will outlast the police officers who are operating in that area, because police officers come and go but the community tends to stay. You only get long-term success and achieve things if you are working with them in the way that best fits their needs.

Q180 Ruth Edwards: Thank you. In your view, what value could the IOPC potentially bring in helping to improve public confidence in policing by demonstrating that police forces are accountable?

I think Ms Dowling has just said that many of the young people she works with have never heard of the IOPC. Is that the case with the communities you work with, with local residents? Do you think there could be a role for the IOPC here?

Kardaya Rooprai: I think there could be a role for the IOPC, but because of the way the whole process and the system works, and the various ways you are pointed to make complaints or you are deterred



from making complaints, the IOPC very rarely comes into the picture itself.

In my view, if the IOPC was a truly independent board, almost like a completely independent regulator, it would be seen to be more independent, it would be seen to have less joint connection with police forces and, in theory, should be more effective at the role that it plays. Then it also gives the public the confidence to know that there is an independent body that does actually exist and it is not just a case that police forces, for example, have to self-refer themselves to the IOPC. I remember speaking to one of the commissioners a couple of year ago and him explaining to me, "We will get something like 300-odd cases that we can look at in a year". When you consider that, compared with the number of complaints received, it is such a tiny amount and makes you question what is getting missed.

Q181 Ruth Edwards: Thank you. Ms Scott-Samuels, a final question to you. What is your experience of the police complaints process? Would you say it was opaque? Do you think there is a reluctance or do you think people are discouraged from making a complaint in the communities you work in?

Amania Scott-Samuels: I agree with what has been said so far. There is a big issue with the idea that discretion still ultimately lies with the police. First and foremost, you have to complain to the police. That was one of the first things that the youth panel criticised. If you are from my community, or many of the communities that the youth panel members are from, you do not want to walk into a police station, whether that is because you do not want to see the officer who has done something to you or whether it is going to have repercussions for you walking around your own community after that based on certain cultures and opinions of the police.

I also think it is not particularly user friendly. I know they have done some work on that in terms of the online form and things like that.

Yes, generally the overarching issue is about the belief in accountability, or rather the lack of. We see at the ground level, but also as far up as the most senior people, police refusing to admit when they have a problem, refusing to apologise if they are at fault, experiencing no repercussions.

If there are outcomes, I think there is a mismatch between the length of time that may have taken and what that outcome is relative to the impact it has had on individuals or a community.

Finally, as the previous witness said, it is the mismatch in definitions of what is serious and what goes to the IOPC. To your everyday community member, I do not think necessarily deaths in custody are the most serious thing because that is not what affects someone day to day. They are affected by being profiled on their way to work, or their children



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being stopped and searched every single day, or police being outside their schools.

I think that all contributes to why the police complaints system and the process of complaining seems pointless or there is not much faith that it will bring about any real, everyday and tangible change.

Q182 Ruth Edwards: Thank you. One very final question before the Chair pulls the rug from under my feet. You mentioned a reluctance to apologise. Nick Glynn, one of our witnesses earlier this morning, said he thought there was a huge reluctance within the police to say sorry. Do you think a change in that attitude, a willingness to say sorry on the occasions when they have got it wrong—because we appreciate they do a difficult job in difficult circumstances—would help?

Amania Scott-Samuels: On a very basic level, we teach children to apologise when they have been wrong. I think it is a demonstration of respect and it humanises both parties involved in those types of incidents. We have seen it, as I said, on the ground level when we, as the youth panel, came up with tips for stop and search. We had some officers say, “Yes, we are going to be carrying these tips in our back pocket,” and then we had some officers saying, “I’ll never apologise, even if I have made a stop and it’s not brought about anything”. Even when it has obviously been a wrongful stop, they vehemently opposed the idea of apologising. Then, as I said, you can have senior members of policing staff on the TV refusing to apologise for wrongdoing.

The public are not stupid. I do not think they are blind and I think they can see when there is fault and responsibility needs to be taken. Ultimately, if you do not say sorry, you do not have to accept consequences or experience any repercussions as a result of that.

Therefore, yes, I do think it would make a difference because it is human and respect at the end of the day.

Ruth Edwards: Thank you very much. Thank you, all of you.

Chair: Mr Rooprai, I will come back to you after. I am going to bring in Laura Farris. By all means, do follow up on that answer in response to Laura’s questions as well.

Q183 Laura Farris: Thank you, Chair. It has been very interesting to hear you talking about the ways in which the IOPC has worked to engage different communities, I think quite fundamentally, with the police and what they do.

You may have answered this, so forgive me if I have not understood your answer correctly. I will come to Ms Scott-Samuels first, but it is the same question for every panel member. Have you seen a complaint that has been brought by somebody who you have had engagement with from beginning to end? If so, what was the outcome of that complaint and were you satisfied it was sufficiently dealt with?



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Amania Scott-Samuels: No, I have not seen any young person's complaint from beginning to end. We do have one youth panel member who joined as the result of making a complaint. Also, in one of our most recent engagements we have somebody who has felt compelled to complain following our engagement event. However, no, we have not seen the process from beginning to end.

Q184 **Laura Farris:** Ms Dowling, could you talk about your experience of seeing a complaint from beginning to end?

Rose Dowling: I would not be able to comment much on this. However, there is a member of the youth panel who has been involved for a number of years. There was an incident at her house where there was a very aggressive force of entry by the local police. It was a mistaken identity case. Her house was wrongly identified as being the target. She and her mother were treated appallingly, very aggressively. It was very frightening and was the middle of the night. She then pursued a complaint and received an apology letter from the head of the local police force. She felt that it was unsatisfactory because it did not acknowledge the severity and impact of the encounter for her and her mother.

I would not say I have seen a complaint process all the way through, no.

Q185 **Laura Farris:** Picking up on that, do you know if the complaint that she submitted to the IOPC is still ongoing, or has it resolved?

Rose Dowling: It was not through the IOPC; it was through the local police force. It has been resolved.

Kardaya Rooprai: We see snippets of complaints go through. A lot of communities and people get in contact with us when they have tried to complain or tried to push things through and not got very far.

On the whole, there are only a couple of cases I can think of, off the top of my head, where the victims have been satisfied to just let it go and not take things any further. The vast majority of the things that we see end up getting lost along the way. I have never seen one go up to the IOPC because of the whole self-referral system.

The way the process works in the west midlands is if you complain about officers it tends to go to a chief inspector who is looking after a neighbourhood borough. The only problem is, if you are complaining about that chief inspector it also goes to that chief inspector so it is pointless doing that. This is where, as some of the other witnesses have said before, you are going around and around in circles. It takes forever to get anywhere. Most of the time most of the victims say, "Forget it. I am not going to pursue this," because it ends up taking over people's lives. Because all you are ever doing is filling out forms and sending it off, waiting for a response, and some of the victims have said they have not had responses for six months or nine months. Then they have tried to chase it up.



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The other thing with some of the complaints we have seen is that, right at the beginning, if you are talking to somebody who is trying to make a complaint and they are being told, "Oh, you will get terms of reference", not everybody understands terms of reference. They just feel they are being treated badly or something has not been addressed and they just want somebody to address it and to deal with things. But then to go through this whole rigmarole, it takes over your life for a couple of years.

There are cases we are currently dealing with, and one of the things we are able to do is we send it up to the commanders and say to the commanders, "You need to deal with this," and then we try to push things on to PSD as well.

But ultimately it is also then down to the victim to follow it up and carry it on, but because the process is so difficult to follow it is difficult to see an end to it all.

Q186 Laura Farris: Can I pick you up on some of what you have just said? Would it be fair to say that there is a lack of a clear timetable, a lack of a clear reporting mechanism? I think you just suggested that people might find themselves reporting the complaint to the person that they are complaining about.

Kardaya Rooprai: That is very clear. You get zero timetable, basically. Having spoken to one of the IOPC commissioners previously, it was explained that basically they are supposed to set out a timetable but I have never seen a timetable. With all the complaints we have had to help with and deal with, we have never seen anything. It turns up as and when.

Q187 Laura Farris: In your experience, are people giving up on their complaints?

Kardaya Rooprai: Yes. Some people do not even bother now because a lot of them see it as, "It is the police, it will get covered up, nothing will get done, nothing will change, so just leave them to it," especially with the BAME communities, because there is already—as some of the other witnesses have said—some of the history with how things have happened previously. Then it gets to the point where it is like, "Let's forget it, we are not engaging". One of the things that me and my team try to do is say, "Look, they are there. You are not going to change police officers, so you have an opportunity to try to engage and try to force things forward but it only happens if you bring them up".

It does get difficult because sometimes you are dealing with police officers and some of them will say to you, "You have come forward trying to help a community here," and then some of them will quote GDPR to you: "Oh you are not allowed to represent." I have had GDPR training—do not even play that.

You will have all these little internal political games, and for people like myself and my team, and other community leaders that we deal with all



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across the country, it is disheartening because these people are coming to you for help. You should be able to help them. You see some serious things as well. When you cannot help them or follow it through, it sometimes makes you think, "Why am I doing this? If I cannot make that change, why am I doing it?" Me and my team as volunteers, we say that but, as somebody said to me the other day, "You have to just keep chipping away, chipping away," and then making small changes. The only problem is, for victims, the small changes take too long and some people die in the process without a resolution and things just pass by. For us, that is unacceptable.

Q188 Laura Farris: What kind of recommendations do you think the Home Affairs Select Committee could usefully make about the day-to-day complaints that you have described that get kicked into the long grass and corrode the confidence of the community that you speak for?

Kardaya Rooprai: I spoke to my board about this when we were preparing and some of the things we pulled together was around making sure there is a change in culture and also around some ethics. If a medical practitioner does something wrong, there are all these boards and they will get hit. You do not tend to see that kind of approach with the police.

Laura Farris: You see people closing ranks more than you would do when it is truly independent.

Kardaya Rooprai: Having some specific policy in place and some real guidance basically means that it helps even the officers who are doing the job right as well, to make sure that they are not falling foul of rules themselves to avoid complaints. It is also making sure, though, that there is consistent evolution with this because the Government have talked about a road map with Covid recently, and in the private sector we have road maps all the times. But we are not exactly sure where we are trying to get to right now. But we also do not know where we are. There is a saying that any road will get you there.

From my involvement in all of this over the last five years, there has been constant dithering. We are looking at the same issues, police officers command has changed, and you are having the same conversations. There has to be some real reform and real change. Also, there needs to be this change in attitude and belief about some of the unspoken views that are holding us back. With what has happened over the last couple of years, our public sector organisations, and even some of the private sector organisations, are starting to reflect too much of some of the attitudes and issues we have in society in general. The reality is there are public sector organisations that need to be completely separated because there needs to be this ethical and integrity guideline.

But also every year, we do this at the national charity for Neighbourhood Watch, where I am also a board member. We produce an impact report for the Home Office, which we just started last year, to show this is the



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real engagement we have and these are the people we deal with. It is almost like some kind of annual post-audit. If the IOPC had something like that, it would give the public an opportunity to try to restore some of that confidence.

Q189 Chair: Can I just put that to the panel, a similar question to Rose Dowling and Amania Scott-Samuels? Your experience has been mainly around the IOPC's processes but if you were thinking, Amania, from the point of view of your friends and people as well, and your experiences, what would you want to have changed in the local police force—in your case the Met's complaints process? For their complaints process to work well—not just the IOPC's process to work well—what would you want to change?

Amania Scott-Samuels: The Met is its own beast, so to speak. It is separate from other forces in the country. A big one is discrimination and, again, discretionary processes. If I wanted to complain about discrimination, that is going to go to the police force first, and if they say, "No, that was not discrimination," it does not go any further. That is fundamentally wrong.

When that police force is so unapproachable and when there is such little visibility with any repercussions that do happen, it is always going to be flawed. There are issues surrounding the fact that the Met are not made up of people from local areas anyway, which contributes to why they are so unapproachable. But generally there needs to be a change in the culture of being able to accept responsibility, being open to criticism, being open to listening with the historic issues. Then, if there are repercussions or changes in behaviour, which I am yet to see, those types of outcomes and changes need to be made visible because I do not think that we, as a public, specifically as young people, and a lot of people that spend a lot of time on different forms of media and mediums, see any real cultural or behavioural change.

Rose Dowling: Just building on Amania's point there in relation to police culture, one of the single biggest factors in determining whether a culture is going to be a high-performing and healthy one for an organisation is its attitude to feedback and its willingness to learn. Within policing, those things are questionable. In order to build trust and faith, the policing culture needs to be much more willing to accept feedback and learn and not fall back on defensive responses. There needs to be a real commitment to scrutiny, and not just scrutiny to tick a box but scrutiny in order to get to a better result. There needs to be much more visibility of outcomes, not just an apology letter but changes that have been made in order to change what happens on the street.

Chair: Can I thank all of you for your time this morning? We appreciate it. If you have any further thoughts of any further changes that you think we should be pushing for as part of our inquiry and report, do please send us any further written evidence as well, because we would welcome that. Thank you for your time this morning and that concludes our



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evidence session.