

Supplementary written evidence submitted by the Home Office (PCO0087)

1. Thank you for your letter of 1 November regarding written evidence the Committee has received about the way some vulnerable individuals with autism have been treated by the police, and their ensuing experience of the police complaints process. Your letter also raised a number of questions in relation to the system of police super-complaints.
2. Police officers have a duty to act to keep people safe and often need to make difficult decisions in complex situations. To assist decision-making, training on mental ill health and autism is already integrated throughout the initial police learning programme which all new recruits – police constables, special constables, and police community support officers – must complete.
3. Many police forces have developed additional training programmes including joint training with partner agencies, as well as various autism alert card schemes, apps, and the creation of easy-read “widget-based” sheets (using icons or pictographs) to aid communication in custody suites. The police also have access to other guidance such as the English National Autistic Society’s guide on the Criminal Justice System.
4. If a person is dissatisfied with the service they have received, easy access to the police complaints system is vital to ensure the police are responsive and accountable. Individuals can submit a complaint themselves through a variety of channels or, with their permission, another person may make a complaint on their behalf. The Independent Office for Police Conduct (IOPC) produce Statutory Guidance for forces on complaints handling which makes clear the importance of accessibility as well as the duty under the Equality Act 2010 to make reasonable adjustments to ensure that a disabled person does not suffer any substantial disadvantage when accessing a service. It is important that those dealing with complaints recognise the particular vulnerabilities of individuals with autism.
5. In addition to the framework for individual police complaints, in 2018 the Government introduced a system of police super-complaints. This provides for bodies designated by the Secretary of State to raise concerns about systemic issues in policing that appear to be significantly harming the interests of the public.
6. The Government wants the super-complaint system to be as accessible as possible to those who wish to improve the policing system in the public interest. At the same time it is important to ensure that any designated body meets certain standards - such as ensuring it has appropriate arrangements in place for the safe storage and handling of data, and the organisational capability to put together reasoned, well-evidenced, submissions about systemic matters.

7. A public consultation in 2017, which you mention in your letter, helped shape the criteria that a designated body must meet. The aim is to achieve a balance between providing maximum access to the system, whilst recognising the need for those designated to meet the responsibilities involved. To support a diverse range of applications for designated status, the Home Office published "Guidance for bodies seeking designation as a super-complainant".
8. Sixteen bodies, representing a diverse range of interests, applied for designated status, albeit no specialist organisations representing individuals with disabilities, including autism, applied.
9. All sixteen bodies were duly designated in 2018 as they were considered to have met all the eligibility criteria set out in regulations. While these sixteen bodies do not cover every representative interest, I would point out that does not exclude others from the super complaints system. One of the required criteria for designated body status is that the body would collaborate effectively with non-designated organisations and, where appropriate, make a complaint on the basis of the matters raised with it by a non-designated body.
10. The introduction of the super-complaints system in November 2018 was a significant innovation in the framework of police accountability, and the super-complaints submitted to date have helped shine a light on important matters in policing including the police use of protective measures in cases of violence against women and girls, and the police response to victims of modern slavery.
11. The first three super-complaint reports, produced jointly by Her Majesty's
12. Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS), the IOPC and the College of Policing, have been published within the past year and as the system continues to bed-in further it will be subject to review as part of the post-legislative scrutiny of the Policing and Crime Act 2017. That will consider whether additional steps should be taken to broaden-out further the range of designated bodies.
13. More widely, I would add that the super-complaint system is not the only mechanism for advocacy groups to raise matters about systemic matters in policing. Each year HMICFRS consult on proposals for its annual police inspection programme, before seeking Home Secretary approval. I expect it to publish its proposals for 2022/23 early in the New Year on which members of the public and voluntary and charitable organisations may comment.

Home Secretary

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