



**Lancashire  
Constabulary**  
police and communities together

**FROM : Detective Superintendent Pete Simm, Head of PSD**

**REPORT TO: Strategic Scrutiny Meeting**

**DATE: 5 June 2018**

**AGENDA ITEM:**

**SUBJECT: Public Complaints Timeliness and Appeals and Sexual Misconduct**

1. Background

1.1. Cases and Allegations

1.2. There have been 742 public Complaint Cases recorded in 2017/18 (Apr 17 – Mar 18). This equates to a reduction of 32% (n=241) compared to 2016/17.

1.3. 1598 public Complaint Allegations have been recorded over the same period which is a reduction of 18% (n=287).

1.4. The most common type of Complaint Allegation continues to be “Other Neglect or Failure in Duty” (33% n=533) which often relates to a general dissatisfaction with police being unable to meet public expectations. This was followed by “Incivility, Impoliteness and Intolerance” (13% n=207).

2. Timeliness

2.1. 83% of Complaint Cases are recorded on the system within the 10 day recording target. This is comparable to the most recently published national performance but a reduction on 2016/17. Recent months indicate that processes are improving and showing an effect with 88% of cases recorded in 10 days during April 2018.

- 2.2. There has been an improvement in the time taken to resolve allegations that are “Locally Resolved” which has reduced from 99 days on average in 2016/17 to 78 days on average this year. The average time to resolve allegations which are “Investigated” remains unchanged at 147 days.
- 2.3. There is a continued focus on the identification of legacy cases within the monthly performance meeting and the data set that is provided for this meeting has been redesigned in order to drive activity around key performance themes within PSD and support ongoing work around the FMS (Force Management Statement) required by HMICFRS<sup>1</sup>.

### 3. Service Recovery

- 3.1. In the 2017/18 period there has been a strong focus on ‘Service Recovery’ which is focused on resolving issues raised by members of the public prior to escalation into a formal complaint. A dedicated team are now engaged in this process which appears to be proving highly effective.
- 3.2. 431 cases have been ‘Service Recovered’ in 2017/18. It is possible that these cases may have escalated to a formal complaint if early intervention had not occurred, which would have potentially led to further work within PSD and Divisions that could have taken up resources over a period of weeks / months. There was found to be a strong inverse correlation between Service Recovery cases and Complaint Cases which supports this notion.

### 4. Outcomes

- 4.1. 57% (n=950) of Complaint Allegations finalised in the 2017/18 period were done so by way of “Local Resolution”, 26% (n=426) were “Investigated”. Only 25 of the 1658 finalised allegations have been “Upheld” which equates to 1.5%.

#### 4.2. Appeals

- 4.3. 120 appeals have been received within 2017/18. 51 appeals have been resolved, 8 of which have been Upheld which equates to 16%.
- 4.4. There is an opportunity to improve performance in this area, particularly with regards to progressing and resolving live cases.

### 5. Aoristic Analysis

- 5.1. Analysis has been conducted to assess demand on PSD and Constabulary resources from Public Complaints, Miscellaneous Cases, Misconduct and Appeals.

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<sup>1</sup> Her Majesty’s Inspectorate of Constabulary and Fire & Rescue Services.

- 5.2. It has been established that although the number of ongoing Complaint Cases and Allegations has seen some substantial reductions in the past 6 months there are still around 550 ongoing Complaint Cases and 800 ongoing Complaint Allegations active at this present time (May 2018).
- 5.3. In recent months there has been an increase in the number of active Appeal Cases and plans are in place to ensure this area of business receives sufficient resourcing.

## 6. Operation Manilla

- 6.1. Dedicated staff have been assigned to the management of complaints received in relation to Operation Manilla (fracking). In 2017/18 there were 146 Complaint Allegations received which accounts for 11% of all Complaint Allegations received in Lancashire.
- 6.2. Of the 126 Allegations which have been finalised 49% (n=62) were “Locally Resolved” and 44% (n=52) were investigated – indicating a greater level of intrusion in the assessment of complaints surrounding police activity at the fracking site.
- 6.3. There have been 3 Upheld allegation so far and 8 appeals received in 2017/18.
- 6.4. Activity at the site has settled somewhat in recent months and this is echoed with a reduced number of Public Complaints being received. It appears likely that this will result in a reduced number of complaints going forward although activity at the site will determine the police response and could therefore impact on complaints – particularly over summer months when weather is more favourable.

## 7. Repeat Complainants

- 7.1. 3 particular complainants have lodged a total of 90 Complaint Allegations linked to 16 Complaint Cases recorded in the 2017/18 period so far. This accounts for 6% of all allegations recorded in Lancashire.

## 8. Early action and prevention

- 8.1. In addition to CPD events, training inputs and key messages a number of other projects are ongoing focussed on engaging with staff and improving knowledge and understanding of the standards of professional behaviour, policies and procedures with a view to intervene early and prevent staff from unintentionally breaching standards and policy. These include dilemma of the month and lessons learned.
- 8.2. Dilemma of the month – feedback from staff suggested that more information was needed regarding practical information and advice from PSD about the standards of professional behaviour. We decided that it would be useful for us to explain common situations which may lead to PSD involvement and focus on those which we are currently seeing as repeat issues. Dilemma of the month provides a fictional scenario for staff to consider and is presented in the form of an interactive blog. The posed dilemma is then supported with

relevant guidance and advice. There have been two thus far, the first one focussed on systems misuse and the second on internal appropriate behaviour and supervisory responsibilities. The dilemmas have been well received and have produced some interesting debate.

- 8.3. Lessons learned – a process for debriefing key investigations has been implemented to identify best practice and lessons to be learned. These are broken down into operational and organisational lessons. Thus far three debriefs have taken place and lessons learned documents are being finalised. We are in the process of assessing how best to disseminate this information across the organisation.

## 9. Sexual Misconduct

- 9.1. Work continues within PSD to identify and respond to incidents of Sexual Misconduct. In February 2018 PC Ihsan Ali was sentenced to 2 years imprisonment after being found guilty of 4 counts of Misconduct in a Public Office after he developed relationships with four female victims of crime that he met through the course of his duties.

## 10. Significant Court Results

- 10.1. Former PC Nigel Mungur has been made the subject of a Proceeds of Crime Order to the value of £367,000 following his conviction last year in a matter that revealed he had been selling road traffic collision data to a third party at a personal injury firm. The recipient of the data who wasn't employed by the Constabulary received a similar order valued at £115,000.

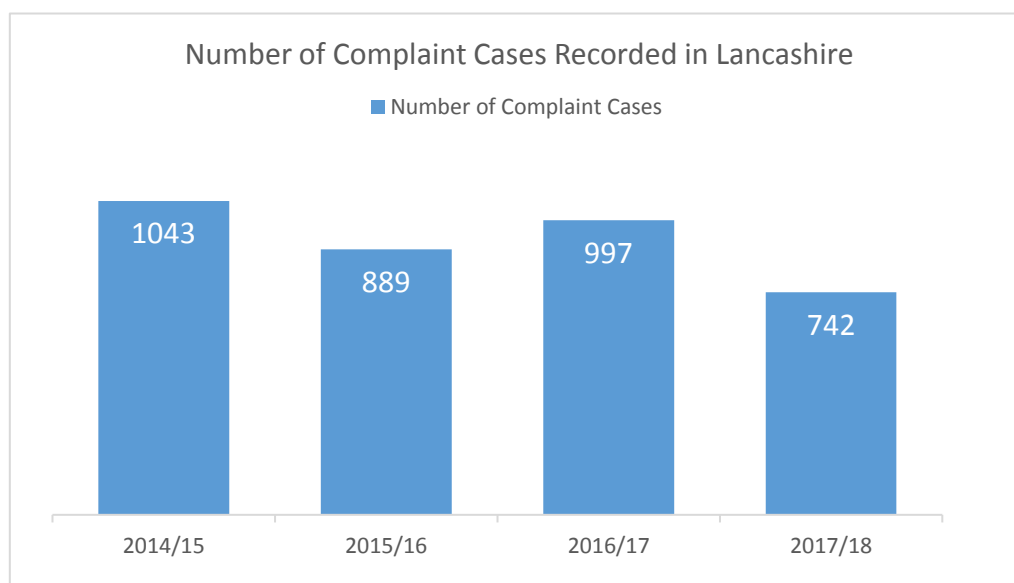
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## 11. Complaint Cases Recorded

- 11.1. There have been 742 Complaint Cases recorded within Lancashire Constabulary between April 17 and March 18. This equates to a 32% reduction in cases when compared against the previous year (n=241). Data over the past 4 years indicates a moderately strong downward trend<sup>2</sup>. However it is difficult to anticipate whether further reductions can be achieved over the coming year; owing to the varied nature of public complaints.

Fig 1. Complaint Cases recorded in Lancashire in the past 4 years.



- 11.2. Unfortunately the IOPC data for the 2017/18 period which allows for comparison against the Most Similar Force group is not yet available (as of 14/05/18); although previous analysis indicates that performance across the group is not particularly consistent in the area of recorded complaint cases.

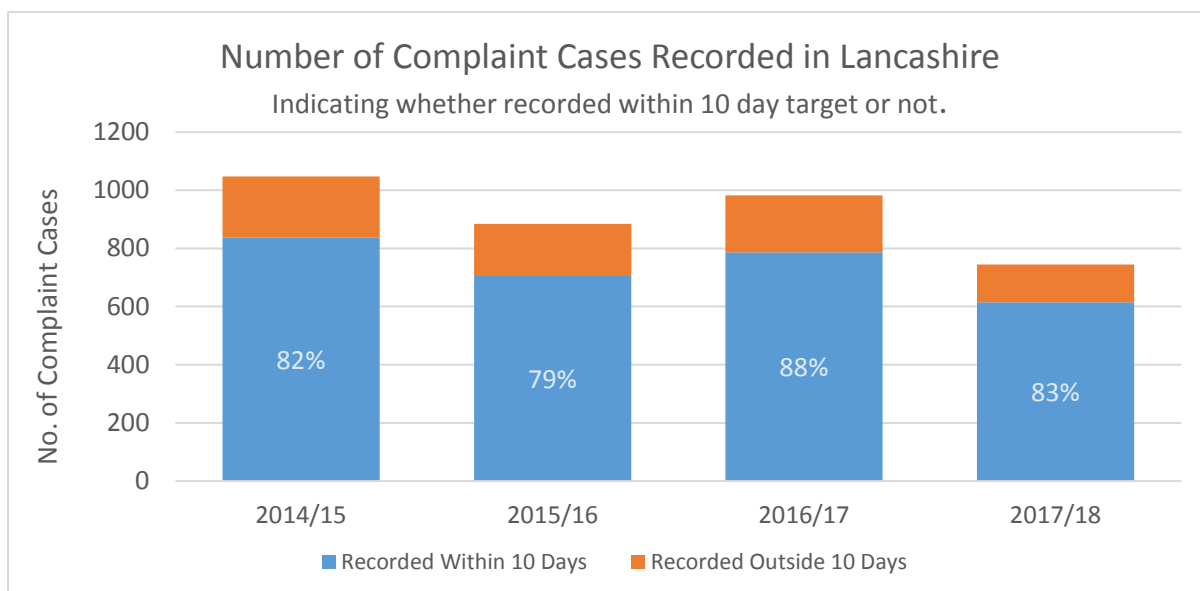
## 12. Complaint Cases Recorded Timeliness

- 12.1. 83% of Complaint Cases Recorded between April 2017 and March 2018 were done so within ten days of being received. This is a slight reduction on performance when compared to the 88% seen in 2016/17 although is consistent with results over the past few years. Staff shortages, capacity issues and initial fact finding prior to recording have previously been cited as reasons that have impacted on timeliness of recording and these issues may still be at play in recent months. There is certainly an opportunity for timeliness of recording to improve and there is recent data to indicate that a change in process is having the desired effect with 10 day recording at 86% and 88% in March and April 2018 respectively.

<sup>2</sup> The correlation co-efficient (strength of trend) is calculated as  $r^2 = -0.63$  which indicates a fairly strong downward trend in the data.

12.2. It is worth noting that the national average for number of cases recorded within 10 days for the period of April 2017 – December 2017 was 82%<sup>3</sup>.

Fig 2. Graph to show the number of Complaint Cases recorded per year. Each bar also represents how many cases were recorded inside the 10 day target.

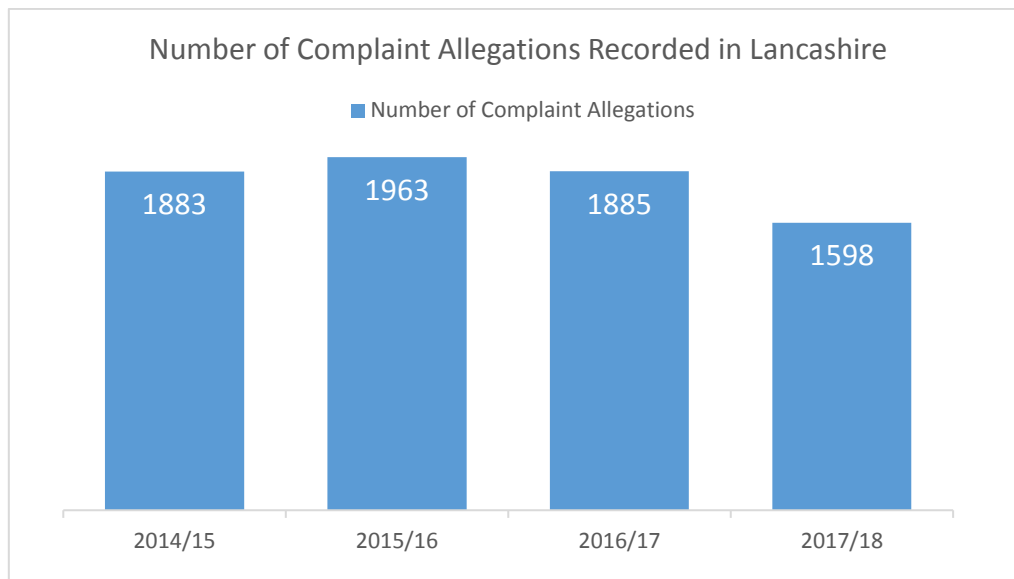


<sup>3</sup> IOPC Performance Data for Lancashire. Q3 -2017/18. The full end of year statistical bulletin from the IOPC is not currently available as of 14/05/18.

### 13. Complaint Allegations Recorded

- 13.1. Between 2014 and 2017 there was little change in the number of Complaint Allegations recorded within Lancashire. However the data below shows that in the 2017/18 period there was a substantial reduction of -287 recorded allegations (-18%) compared to the previous year.

Fig 3. Number of Complaint Allegations recorded in Lancashire over the past 4 years.



- 13.2. A change in process leading to a focus on Service Recovery has resulted in the reduction in both recorded complaint cases and allegations as evidenced above.
- 13.3. The most common complaint allegation category continues to be “Other Neglect or Failure In Duty” which accounts for one third of complaint allegations (33% n=533). This complaint category can encompass a wide range of issues and often represents a general dissatisfaction with police being unable to meet expectations of the general public which presents an issue in terms of analysis. This allegation category will be separated into a number of separate categories next year which may assist in the analysis.
- 13.4. The next most common allegation category was “Incivility, Impoliteness and Intolerance” with 207 recorded over the current year to date (13% of all allegations).
- 13.5. A full list of Recorded Allegations by Category is featured in the appendices of this document.



## 14. Finalised Complaint Allegations

- 14.1. The table below shows the outcome of Complaint Allegations finalised within Lancashire for 2016/17 and 2017/18.
- 14.2. The proportion of Local Resolutions has reduced slightly although not significantly. The proportion of complaints subject to investigation has remained relatively stable at 26%.
- 14.3. The Constabulary remains confident that the assessment and decision around the route taken when assessing each Complaint Allegation is objective and based on the circumstances of each case.

Fig 4. Outcome of Complaint Allegations finalised in 2016/17 compared to 2017/18.

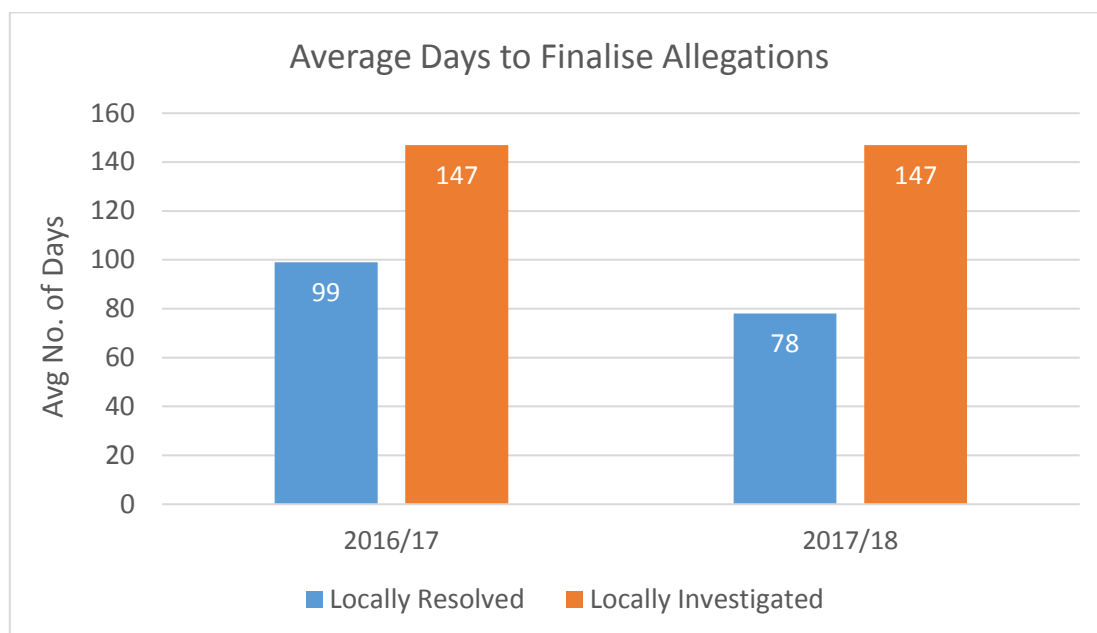
Outcome	2016/17		2017/18	
	No.	%	No.	%
Local Resolution	1157	63%	950	57%
Investigation	437	24%	426	26%
Disapplication	63	3%	118	7%
Withdrawn	141	8%	103	6%
Discontinuance	14	1%	35	2%
Other	27	2%	26	2%
<b>TOTAL</b>	<b>1839</b>	<b>100.0</b>	<b>1658</b>	<b>100.0</b>

- 14.4. IOPC data for the period of April to December 2017<sup>4</sup> indicates that on a national level 44% of Allegations are Investigated and 42% are Locally Resolved. Whereas across the MSF 34% of Allegations are Investigated and 48% are Locally Resolved.
- 14.5. There are clearly differences from one force area to another and Lancashire continues to show higher than average numbers of Local Resolutions along with fewer Investigations, however as stated above this may well be the correct method of resolving matters based on an assessment of alleged conduct.

<sup>4</sup> Year end data for the 2017/18 period is not currently available (as of 14/05/18).

## 15. Timeliness to finalise Complaint Allegations

Fig 5. Average days to finalise Complaints in Lancashire by resolution type (Locally Resolved or Investigated). Comparing 2016/17 against 2017/18.



15.1. A comparison has been made between the time taken to finalise allegations (Locally Resolved and Investigated) in 2016/17 and 2017/18. The average time to resolve allegations by way of Local Resolution has reduced substantially (by 21 days on average) whereas Investigation remain unchanged.

15.2. Recently published IOPC data indicates that the national average for finalising Local Resolutions is 71 days and Investigations stand at 173 days. The Most Similar Force group indicates an average time of 63 days for Local Resolutions and 154 days for Investigations<sup>5</sup>.

<sup>5</sup> Data refers to the period of Apr 17 – Dec 17 as the end of year IOPC data is not currently available.

15.3. Reducing the number of ‘legacy allegations’ which have been classed as ‘live’ on the PSD database for long periods of time continues to be a priority for the department and such cases are discussed on a monthly basis. It is hoped that by continuing to finalise these long standing cases the average number of days will eventually be reduced further.

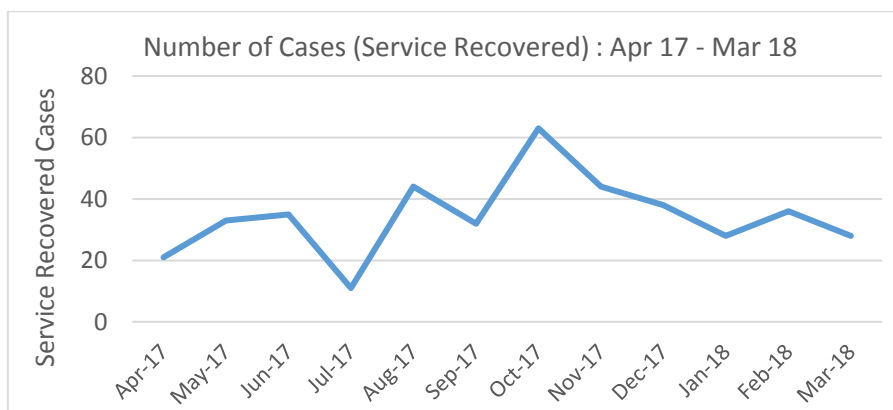
Fig 6. Timeliness to finalise ‘Investigated’, ‘Locally Resolved’ and Total allegations by number of days. For all allegations finalised in 2017/18.

Days to Finalise Locally Resolved Allegations (Days)	Investigated		Locally Resolved		Total	
	No.	%	No.	%	No.	%
0 to 56	115	28	519	55	634	47
57 to 99	99	24	157	17	256	19
100 to 199	83	20	184	19	267	20
200 to 299	61	15	42	4	103	8
300 to 364	14	3	2	0	16	1
365+	41	10	46	5	87	6

16. Service Recovery

16.1. The initial stage of the complaints handling process within PSD has recently been reviewed and streamlined in order to maximise the possibility of ‘service recovery’. This involves early contact with complainants by a dedicated team within PSD in order to establish further details about the matters in question. The complainant’s desired outcome is also discussed in order for PSD to work towards providing a conclusion that works for both the Constabulary and the complainant prior to the recording of a formal complaint. This focus has continued in recent months and the number of Service Recovery cases are shown by month on the chart below.

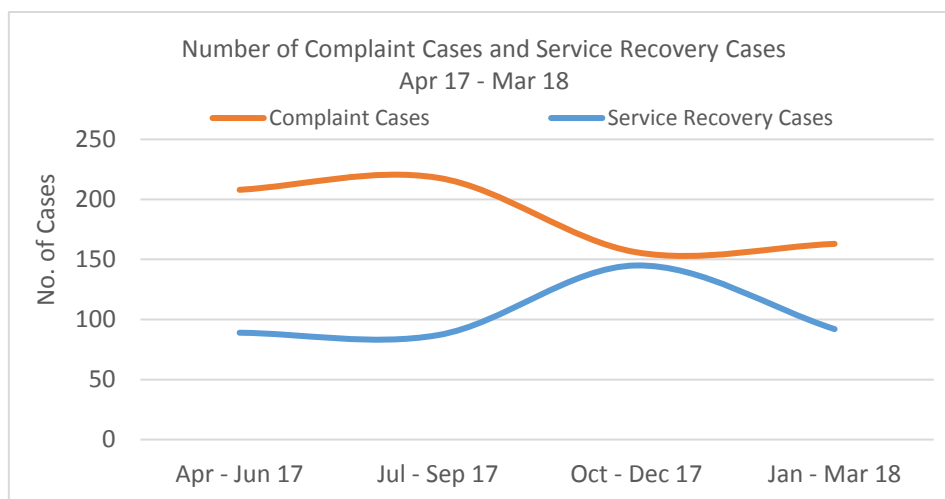
Fig 7. Service Recovery cases (recorded within the Miscellaneous Case category) 2017/18.



16.2. 431 Service Recovery cases were recorded in 2017/18. It is likely that assigning staff to resolving issues reported by members of the public at the earliest opportunity has had a

direct impact on the previously reported reductions in both Complaint Cases and Allegations. Further to this there are benefits for both the complainant who are able to have matters resolved in a proportionate and efficient manner, and for the Constabulary who have to spend less time dealing with complaints in the future which could have been effectively addressed at an earlier opportunity through Service Recovery. This is evident on the chart below which shows the strong inverse correlation between Complaint Cases and Service Recovery<sup>6</sup>.

Fig 8. Service Recovery cases compared to Complaint Cases by quarter in 2017/18.



## 17. Appeals Received

17.1. The vast majority of appeals received by Lancashire Constabulary relate to Local Resolutions. Over the 2017/18 period so far 84% of appeals recorded were in relation to LR's. This remains directly comparable to the data from 2016/17.

Fig 9. Appeals received by category during 2017/18.

Recorded Appeals	Number of Appeals	% of Appeals
Appeals against Local Resolution	101	84%
Appeals against Disapplication	17	14%
Appeals against Discontinuance	2	2%
<b>Total no. of Appeals</b>	<b>120</b>	<b>100%</b>

## 18. Appeal Outcomes

<sup>6</sup> A strong correlation of  $r^2 = -0.7$ . As Complaint Cases have reduced Service Recovery has increased.

- 18.1. 8 of the 51 appeals finalised in 2017/18 were Upheld which equates to 16%. The proportion of appeals Upheld has seen wide variation over recent times, possibly as a consequence of each appeal relating to a different set of circumstances.

Fig 10. Appeals completed including % Upheld comparing 2016/17 to 2017/18

Appeal Outcomes	2016/17			2017/18		
	Completed	Upheld	%	Completed	Upheld	%
Investigation	4	1	25	0	0	0
Local Resolution	133	41	31	41	8	20
Disapplication	21	0	0	9	0	0
Discontinuance	0	0	0	1	0	0
<b>TOTAL</b>	<b>158</b>	<b>42</b>	<b>27</b>	<b>51</b>	<b>8</b>	<b>16</b>

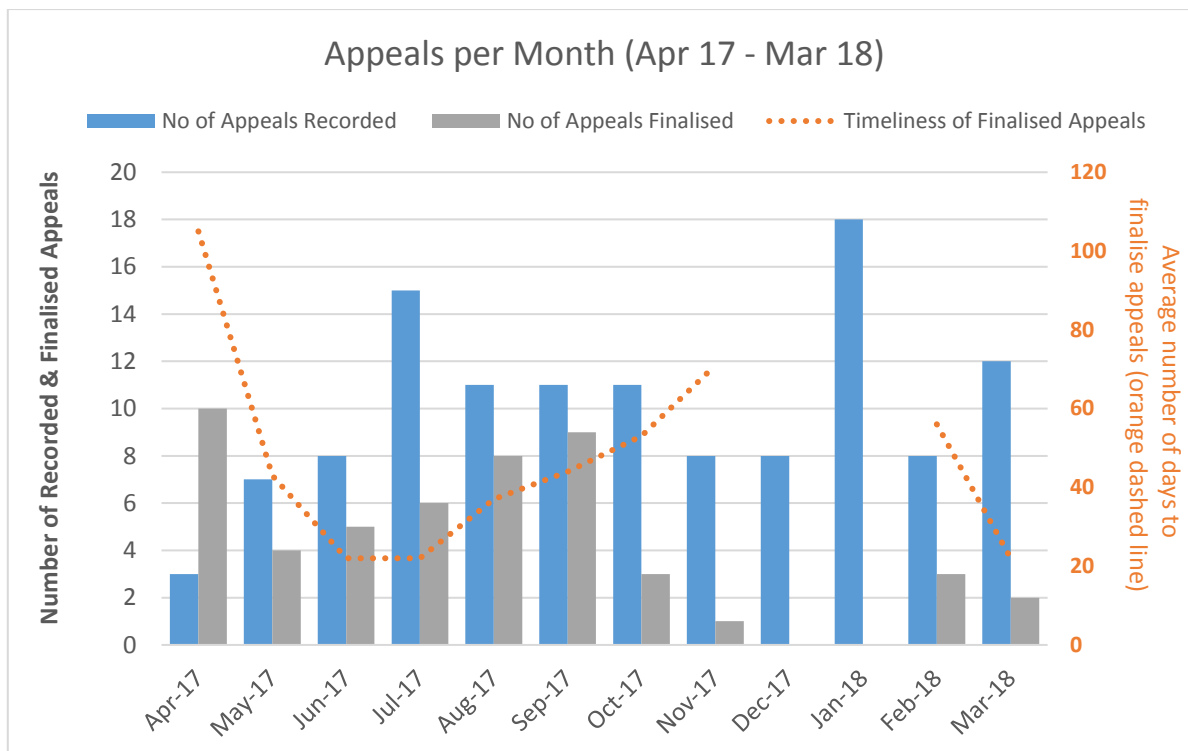
## 19. Appeals Recorded & Timeliness

- 19.1. The graph below shows the number of Appeals recorded and finalised in Lancashire by month over the 2017/18 period. Although there is some variation from one period to the next the average over the period below is around 10 appeals recorded per month.

- 19.2. Alongside the number of appeals recorded and finalised the graph shows the average number of days to finalise appeals against the right axis. No appeals were finalised in December 2017 and January 2018.

- 19.3. Recent months have highlighted that there is an opportunity to improve on the handling of appeals (particularly with regards finalisation) and steps are being taken to address this through provision of staff coverage.

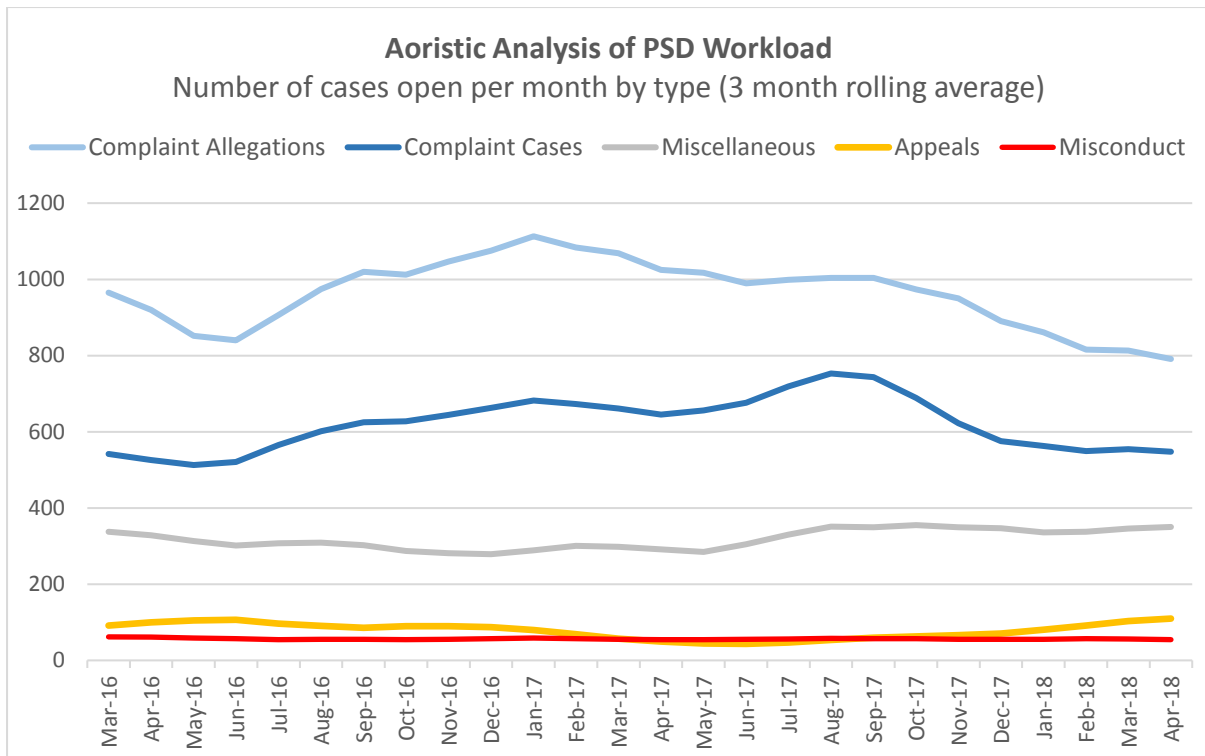
Fig 11. Graph to show the number of Appeals recorded per quarter in Lancashire, alongside the timeliness of Appeals finalised in each month.



20. Aoristic Analysis

20.1. Aoristic analysis is a method of quantifying ongoing workload on a monthly basis. This is achieved by considering how many cases / allegations were 'live' as of the 1<sup>st</sup> day of each month. Any cases / allegations which are opened and closed within the month are also factored into the data to arrive at the figures presented in the charts below which are featured for the first time within this assessment produced for the Strategic Scrutiny meeting.

Fig 12. Graph to show the number of live cases by type on a 3 month rolling average from March 2016 to April 2018.



20.2. The chart above highlights the work undertaken by PSD and the Constabulary as a whole in relation to Public Complaints & Misconduct. As of April 2018 there were approximately 800 ‘live’ Complaint Allegations and 550 Complaint Cases. Further to this approximately 375 ongoing Miscellaneous cases exist which can involve various themes and issues and may be subject to further investigation depending on the circumstances. There are far fewer ongoing Misconduct Cases and Public Complaint Appeals however these types of cases can present their own challenges.

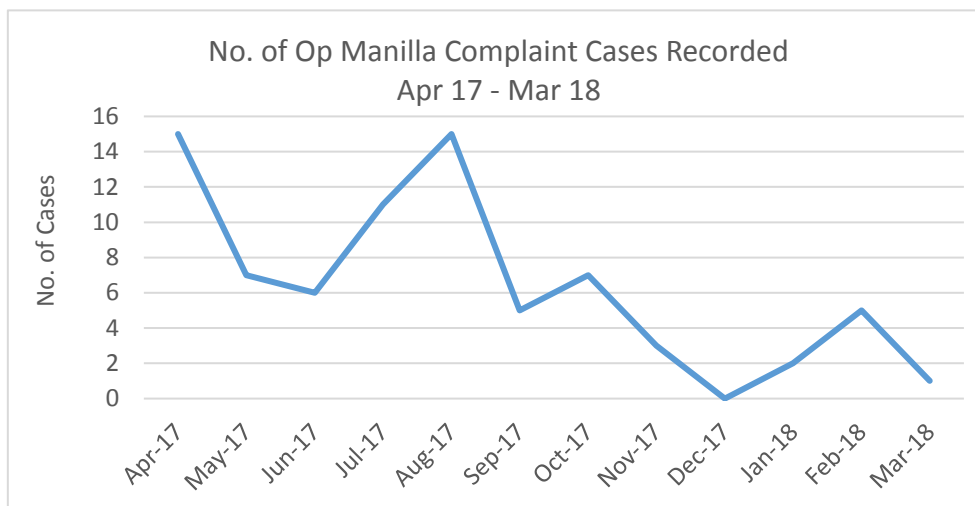
20.3. The previously mentioned reductions in the number of Public Complaint Cases and Allegations are clearly shown on the chart above. This change began towards the end of Summer 2017 and has continued up until present date. Multiple factors are likely to have impacted upon this change including an increased level of Service Recovery, finalisation of ‘legacy complaints’, improved efficiency within PSD processes, a reduction in the number of Operation Manilla (fracking complaints) and a reduction in new issues from Repeat Complainants.

20.4. The number of Miscellaneous cases has increased somewhat and includes Service Recovery cases as mentioned previously in the report.

20.5. It is also noted that the number of ongoing Appeal cases has been increasing in recent months which supports the notion that further improvements to timeliness may be possible in this area of business.

## 21. Operation Manilla

Fig 13. The number of Complaint Cases linked to Operation Manilla (fracking) in 2017/18.



- 21.1. Operation Manilla is the Constabulary’s response to the protest situation surrounding the fracking site currently being developed by Cuadrilla on Preston New Road, Little Plumpton (nr Blackpool).
- 21.2. Alongside the general monthly performance data discussed within PSD a further document has also been developed in recent months to monitor performance issues around complaints connected to ‘fracking’.
- 21.3. Between April 2017 and March 2018 there have been 77 recorded Complaint Cases linked to 146 Complaint Allegations which are connected to Operation Manilla. This accounts for 11% of all Complaint Cases and 9% of all Complaint Allegations in Lancashire over the same period which shows what a significant impact the ‘fracking’ situation has had on public complaints.
- 21.4. The most common Complaint Allegation category was “Other Assault” with 42 allegations recorded (29%). “Incivility” was the second most common allegation category with 18 allegations recorded (12%).
- 21.5. Of the 126 Complaint Allegations which have been finalised 49% (n=62) were Locally Resolved and 44% Investigated (n=55).
- 21.6. Only 3 of the 55 allegations investigated have been Upheld and there have been 8 appeals (6 Constabulary handled and 2 IOPC).



21.7. As anticipated in previous assessments, activity at the site has settled somewhat in recent weeks and therefore the number of Complaints against police has reduced. However, dedicated staff are in place to deal with such issues and performance data will continue to be considered on a regular basis. Depending on activity at the site there could be a further surge in activity over the summer months as seen in 2017 which should be actively monitored.

## 22. Early action and prevention

22.1. In addition to CPD events, training inputs and key messages a number of other projects are ongoing focussed on engaging with staff and improving knowledge and understanding of the standards of professional behaviour, policies and procedures with a view to intervene early and prevent staff from unintentionally breaching standards and policy. These include dilemma of the month and lessons learned.

22.2. Dilemma of the month – feedback from staff suggested that more information was needed regarding practical information and advice from PSD about the standards of professional behaviour. We decided that it would be useful for us to explain common situations which may lead to PSD involvement and focus on those which we are currently seeing as repeat issues. Dilemma of the month provides a fictional scenario for staff to consider and is presented in the form of an interactive blog. The posed dilemma is then supported with relevant guidance and advice. There have been two thus far, the first one focussed on systems misuse and the second on internal appropriate behaviour and supervisory responsibilities. The dilemmas have been well received and have produced some interesting debate.

22.3. Lessons learned – a process for debriefing key investigations has been implemented to identify best practice and lessons to be learned. These are broken down into operational and organisational lessons. Thus far three debriefs have taken place and lessons learned documents are being finalised. We are in the process of assessing how best to disseminate this information across the organisation.

## 23. Repeat Complainants

23.1. In Lancashire there are a small number of individuals who are identified as persistent complainants. They can have quite a substantial impact on the overall complaint figures recorded. Together the complainants are linked to 16 Complaint Cases connected to 90 Complaint Allegations recorded in the 2017/18 period which accounts for 6% of all recorded Complaint Allegations for the Constabulary.

## 24. Gifts and Gratuities Publication Data Analysis – May 2018

24.1. The current Gifts and Gratuities Policy was last reviewed in June 2016.

24.2. National headlines concerning issues of integrity within the Police Service continue to receive high levels of public interest. They highlight the significant reputational risk that

such issues can have for forces. In some cases this has resulted in detailed scrutiny of existing force arrangements, both by media organisations and by relevant audit and inspection bodies.

- 24.3. The acceptance of gifts, gratuities and hospitality can undermine personal and professional integrity and can in turn undermine public confidence in the police service. As a result, the Constabulary has reviewed its own guidelines for the acceptance of gifts, gratuities and hospitality from members of the public, businesses and from corporate bodies.
- 24.4. There is recognition that offers of a gift, gratuity or hospitality vary widely according to the circumstances, ranging from readily identifiable examples of criminality (such as a breach of the Bribery Act 2010) through to instances of entirely appropriate and reasonable extension of gratitude and common courtesy, which do not amount to the breach of integrity of any party.
- 24.5. All offers of gifts, gratuities or hospitality, irrespective of whether they are accepted or rejected by the recipient, will be recorded in a single corporate register.
- 24.6. The Gifts and Gratuities system is accessed via the force intranet. The system presents users with a template that asks specific questions relating to the nature of the gift, the reason for it being offered, the person or organization making the offer and the subsequent disposal of it. The data from the submission template is automatically uploaded to a central database hosted on the Force Sharepoint site.
- 24.7. The system owner of the Gifts and Gratuities Register and associated processes is the Head of Professional Standards.
- 24.8. On a monthly basis the Head of PSD reviews all submission to the Gifts and Gratuities Register to ensure that a consistent level of scrutiny and governance is applied and that where necessary individuals are challenged or held to account for the acceptance of offers. This process is also used to identify any recurring recipients or donors and also to identify any offers that may indicate a motive other than a legitimate and unsolicited appreciation for services provided.
- 24.9. In line with the Force Publication Scheme, the Gifts and Gratuities offered to members of the Constabulary are posted on the Force internet site for public information. The data is redacted to remove any personal information and provides various breakdowns of the information recorded on the Register.

<b>Gifts and Gratuities Publication Data - Apr 17 to Mar 18</b>
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<b>Rank</b>	<b>Accepted</b>	<b>Rejected</b>	<b>Total</b>
Chief Constable	5	12	17
Deputy Chief Constable		2	2
Assistant Chief Constable	2	1	3
Chief Superintendent	3	6	9
Superintendent	4		4
Head of Learning and Development	2		2
Inspector	6		6
Sergeant	9		9
Constable	66	1	67
PCSO	15	2	17
LC1 to LC14	16	2	18
<b>Grand Total</b>	<b>128</b>	<b>26</b>	<b>154</b>

<b>Category</b>	<b>Accepted</b>	<b>Rejected</b>	<b>Total</b>
Accommodation or travel	2		2
Entertainment or functions	6	6	12
Food and drink	89	13	102
Monetary	6	3	9
Object	12	1	13
Other	12	2	14
Service	1	1	2
<b>Grand Total</b>	<b>128</b>	<b>26</b>	<b>154</b>

Value	Accepted	Rejected	Total
No value	12	4	16
less than £5	34		34
£10 to £50	42	12	54
£100 to £500	4	2	6
£5 to £10	32	3	35
£50 to £100	2	4	6
£500 to £1000	1		1
Over £1000	1	1	2
<b>Grand Total</b>	<b>128</b>	<b>26</b>	<b>154</b>

Division	Accepted	Rejected	Total
West	43	6	49
East	26	1	27
South	30	1	31
Headquarters	29	18	47
<b>Grand Total</b>	<b>128</b>	<b>26</b>	<b>154</b>

Relationship	Accepted	Rejected	Total
Community related	42	12	54
Crime related	21		21
Friend or associate	13	9	22
Incident related	39	1	40
Supplier / service provider	13	4	17
<b>Grand Total</b>	<b>128</b>	<b>26</b>	<b>154</b>

## Sexual Misconduct & Significant Court Result

### Abuse of position for a sexual purpose

An AOPFSP Action plan commenced in the summer of 2016 and continues as a living document. The plan focusses on the key priorities of prevention, intelligence, enforcement and engagement.

Recent activity includes:

The conviction PC Ihsan Ali in January of four counts of misconduct in a public office for pursuing sexual relationships with domestic abuse victims. Ali was sentenced to 2 years for each count to run concurrently. He was dismissed from the Constabulary and we are in the process of pursuing pension forfeiture. A presentation of the investigation has been prepared for presentation to Ali's team and other colleagues to dispel myths and identify any risks to serving staff. The presentation will also be used as a basis for general presentations relating to AOPFSP and support a presentation at the national PSD conference. As a result of sharing lessons of this investigation on POLKA we have been invited to speak at the national conference in November.

Two further AOPFSP investigations have been instigated by the Integrity and anti-corruption Team and are currently being investigated independently by the IOPC. More recently a further AOPFSP has been identified and has resulted in the arrest of another police officer. He is currently on police bail and is suspended from duty.

An upsurge in the identification and investigation of AOPFSP is a result of some innovative proactive investigative tactics and an increase in awareness of this issue. This is as a result of a focus on internal communications regarding this matter both in training courses, key messages and supporting aide memoires.

In a bid to improve external awareness and reporting of this issue and to reassure partners key stakeholder briefings have taken place targeting organisations and individuals most likely to be supporting vulnerable groups, and therefore most likely to identify and report concerns. The possibility of a CPD for strategic partners is currently being explored.

The Constabulary continues to inform officers & staff of the importance of adhering to the Code of Ethics particularly with regard to issues surrounding Sexual Misconduct. In recent months Chief Constable Andy Rhodes has recorded a video message which has been made available to all employees through the Sherlock website and further to this line managers have been instructed to deliver "7 minute briefings" on the topic.

DCI Pauline Stables of the Integrity & Anti-Corruption Team has headed up a strategy to set out the Constabulary's response to such matters and this has received positive feedback in a recent HMICFRS report<sup>7</sup> as below.

*"Lancashire Constabulary's plan was another good example of a comprehensive set of actions that reassured us that the force is taking the matter seriously. Although not directly related to our recommendation, one aspect of this plan stands out: 20*

<sup>7</sup> HMICFRS (2017), Abuse of position for a sexual purpose. A review of forces' plans in response to our PEEL legitimacy 2016 national report recommendation. (Pg. 19).

*Lancashire has updated its notifiable association policy to include a requirement for employees to inform the force of any personal relationships formed as a result of meeting people during the course of their duties. This approach not only reinforces in the minds of officers and staff awareness of the need to think before attempting to form personal relationships, also, it allows the force to give guidance to individuals and demonstrates openness on the part of the officers or members of staff reporting such relationships. At the same time, it helps forces to take swift action should unreported relationships come to light.”*

Over the past 12 months there have been 3 significant court results in relation to sexual misconduct. The case of Jayson Lobo (ex-Police Constable) and that of Jack Baxter (ex-Special Constable) have been referred to in earlier assessments. In February 2018 PC Ihsan Ali went on trial at Preston Crown Court accused of four counts of Misconduct in Public Office relating to inappropriate relationships he had developed with 4 female victims of crime that he had met through the course of his duties. The investigation was conducted pro-actively by the Integrity and Anti-Corruption Team within Lancashire PSD. Despite numerous challenges from the defence who were suggesting that the criminal threshold had not been met (as no sexual activity had occurred between PC Ali and the females) the judge was content with the process and allowed the trial to continue. The jury took 1.5 hours to return the guilty verdict and PC Ali was sentenced to 2 years imprisonment later that same day.

This outcome is significant for Anti-Corruption investigations in the UK and is thought to be the first of its kind to secure a conviction at court despite no sexual activity occurring between PC Ali and the victims. The jury were satisfied that PC Ali's actions (pursuing relationships with the 4 females – including sexualised messages) constituted a breach of public trust to such a degree that he should be found guilty of Misconduct in a Public Office.

A further significant court result worthy of mention is the Proceeds of Crime case against former PC Nigel Mungur who was convicted and sentenced to 5 year in prison last year for the disclosure and sale of road traffic collision data to a business manager at a personal injury lawyers firm. On the 8<sup>TH</sup> of May 2018 Nigel Mungur was made the subject of a POCA order to the value of £367,772.50. John Helton (business manager) had appeared at court the previous week and was also made the subject of a POCA order valued at £115,000.

## Appendices

## Complaint Allegations Recorded by Category &amp; Division (April 17 – March 18)

	West	South	East	HQ Crime	HQ Contact Mgmt	HQ Ops	HQ	Unknown Division	No. of Allegations Recorded
Breach Code A PACE	0	2	0	0	0	0	0	0	2
Breach Code B PACE	5	5	8	0	0	0	0	0	18
Breach Code C PACE	7	4	11	0	0	14	0	4	40
Breach Code E PACE	0	0	1	0	0	0	0	0	1
Corrupt practice	6	4	2	0	0	0	1	0	13
Discriminatory Behaviour	10	10	11	0	0	3	2	0	36
General policing standards	10	2	0	0	0	0	0	0	12
Improper disclosure of information	8	15	7	2	0	0	4	2	38
Incivility, impoliteness and intolerance	72	53	47	1	12	15	6	1	207
Irregularity in evidence/perjury	9	2	3	0	0	2	0	2	18
Lack of fairness and impartiality	36	33	26	1	2	5	2	0	105
Mishandling of property	19	10	17	8	0	6	0	0	60
Operational management decisions	9	0	0	0	0	0	0	0	9
Operational policing policies	10	2	2	0	0	0	0	0	14
Oppressive conduct or harassment	23	36	24	9	0	4	1	0	97
Organisational decisions	4	1	1	0	0	0	0	1	7
Other	2	2	0	0	0	0	2	0	6
Other assault	78	24	19	0	0	20	1	0	142
Other irregularity in procedure	42	66	39	4	2	12	3	0	168
Other neglect or failure in duty	166	164	139	10	19	23	9	3	533
Other sexual conduct	0	3	0	0	0	0	0	0	3
Serious non-sexual assault	1	2	2	0	0	0	0	0	5
Sexual assault	1	3	1	0	0	1	0	0	6
Traffic irregularity	9	1	2	0	0	0	3	0	15
Unlawful/unnecessary arrest or detention	19	10	10	0	0	3	0	1	43
<b>Total</b>	<b>546</b>	<b>454</b>	<b>372</b>	<b>35</b>	<b>35</b>	<b>108</b>	<b>34</b>	<b>14</b>	<b>1598</b>