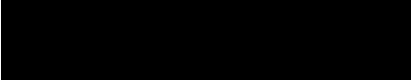


Sent via email to –  


PO Box 694  
Wakefield WF1 9NU  


13 December 2024

Dear Sir

IOPC response to the PFD issued by the coroner on the Operation Winterville investigation

I write in response to the Prevent Future Death report dated 25 October 2024, following the Inquest into the death of PC Martin Stubbs. We were saddened to learn of the officer's death and offer our condolences to his family and colleagues. We take the welfare of subject officers seriously and acknowledge the stress and worry that being under investigation brings. We are committed to continue to improve the timeliness of our investigations and that we will engage with forces to ensure that subjects receive the support they need.

The welfare of our service users is of the utmost importance to the IOPC. We encourage staff to take action and make the necessary referrals expeditiously, where they become aware of a risk of harm to service users. In relation to serving police officers under investigation, their welfare and wellbeing is a key consideration for our investigators. Decisions regarding investigative actions generally factor in the welfare of the subject officer. However, primary responsibility for welfare rests with the officer's force as they are best placed and equipped to provide the necessary support. As a matter of law, decisions on suspension are made by the officer's force<sup>1</sup> and forces generally, as was the case here, will appoint a welfare officer to support the officer under investigation.

Before addressing this in more detail, I have set out what guidance the IOPC already has in place for its staff on this topic, copies of which are included with this letter:

- The following pages from our staff Operations Manual<sup>2</sup>
  - o Aide memoire on threats of suicide and self harm
  - o Arrests and search warrants
  - o Concerns about suicide or self harm
  - o Considerations for the welfare and safeguarding of vulnerable police staff and subjects
  - o Considering family welfare
  - o Considering the needs of ethnic minority police officers and staff subjects
  - o Dealing with threats of suicide and self harm
  - o Force responsibilities
  - o Initial considerations
  - o Post investigation
  - o Serving a notice

<sup>1</sup> In accordance with Regulation 11(11) of the Police Conduct Regulations 2020 in independent and directed investigations, the IOPC is consulted on the decision to suspend an officer and subsequent decisions following reviews of the suspension.

<sup>2</sup> The Operations Manual is an internal site for IOPC staff. It contains all the guidance, templates and documents that are required to carry out our operational work

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- Support for IOPC staff
- Support organisations available for police staff and their families
- What to do if you have a safeguarding concern

- A welfare strategy template, the idea of which is to act as a prompt and an aide memoire for staff undertaking a welfare strategy. We are currently looking at including it (or a version of it) on the above page of the Operations Manual.

As an example, below are some extracts from the Operations Manual attachment (*Considerations for the welfare and safeguarding of vulnerable police staff and subjects*):

Under Health and Safety Regulations all employers have an obligation to support and safeguard their staff, in this case police forces. Section 2.1 of the Health & Safety at Work Act 1974 states:

*"It shall be the duty of every employer to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all his employees".*

The Home Office Guidance 2020 (Conduct, Efficiency and Effectiveness: Statutory Guidance on Professional Standards, Performance and Integrity in Policing) provides information regarding the force responsibilities. Sections 5.51 to 5.57 provide further information (pgs. 50 & 51) but the opening statement is:

*"5.51 It is the responsibility of Chief Constables to manage the welfare of officers and staff throughout their careers which includes during any investigation, performance concerns and misconduct proceedings. This is a duty of care and it remains the role of elected Police and Crime Commissioners to ensure they are held to account for this and other duties".*

Notwithstanding the information already available for staff, the IOPC are aware there is a need for more robust organisational guidance on this. This will cover what needs to be done when welfare concerns are brought to the IOPC's attention regarding any of our service users, to ensure that those who are best placed to deal with the concerns have all the information they need to properly discharge their duty. Our intention is therefore to strengthen the organisational guidance we already have in place.

In the interim, we have circulated an internal communication to all investigative staff, to signpost them to the internal guidance already available to them. We have also explained that this guidance will be reviewed and may be updated, to focus on the need to improve our processes in this area and make it clear what should be done where we come across material suggestive of risk. Staff have also been told to seek legal advice and / or advice from our Safeguarding Team if they are ever unsure. But in any event and in all circumstances, to provide as much detail as possible to those best placed to deal with the concern/s for welfare, and to follow up to obtain confirmation of exactly what has been said and done, and escalated appropriately if there are any concerns about this. A copy of the communication (dated 7 June 2024) has also been provided with this letter.

The investigation into the conduct of the subject officer was an extremely complex and sensitive investigation, which identified and produced complex various strands of lines of enquiry. Predominantly, the vast majority of enquires centred around the identification of adult and child witnesses (which produced over 40).

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To ensure the professionalism and integrity of the investigation, principles of achieving best evidence were adhered to. This generated significant pressures for the investigation, particularly around procedural methods, and availability of all those adversely affected in this investigation.

Significantly, aside from obtaining witness testimonies the investigation also required a proportionate, but detailed analysis of digital media platforms across not only Police systems but Local Authority ones which were accessed and utilised by the subject officer.

With only limited resources, the completion of all the lines of enquiry required careful and meticulous planning, prioritising those of a sensitive and urgent manner, particularly concentrating on the most vulnerable witnesses which was paramount throughout the investigation.

We have evidence that throughout the investigation the officer's welfare was discussed between ourselves and the force. We were aware that a welfare officer had been appointed and that he was receiving support from the Police Federation. However, as this was a directed investigation, all communication with the officer including the interviewing team was conducted by police officers not ourselves.

We take timeliness of our investigations very seriously. We continue to work hard to improve, because we know that a slow system does not benefit anyone. Over the past year we have completed 83% of independent investigations within 12 months and more than a third in six months, rising to 43% in the first six months of this year.

We are currently undergoing a radical Transformation Programme, which is focused on improving our operational delivery and the service we provide to the public, police and our stakeholders. It will drive an increase in our productivity so that we can do more high-quality, timely investigations and reviews, and make service-user improvements across the police complaints system. Having reviewed the timeline for this particular investigation, we are satisfied that there were clear reasons for the length of time the investigation took, albeit we are committed to improving our timeliness, as outlined above.

Yours sincerely



Regional Director North East

**Independent Office for Police Conduct**