House of Commons
Home Affairs Committee


First Special Report of Session 2014–15

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Home Affairs Committee

The Home Affairs Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Home Office and its associated public bodies.

Current membership

Rt Hon Keith Vaz MP (Labour, Leicester East) (Chair)
Ian Austin MP (Labour, Dudley North)
Nicola Blackwood MP (Conservative, Oxford West and Abingdon)
James Clappison MP (Conservative, Hertsmere)
Michael Ellis MP (Conservative, Northampton North)
Paul Flynn MP (Labour, Newport West)
Lorraine Fullbrook MP (Conservative, South Ribble)
Dr Julian Huppert MP (Liberal Democrat, Cambridge)
Yasmin Qureshi MP (Labour, Bolton South East)
Mark Reckless MP (Conservative, Rochester and Strood)
Mr David Winnick MP (Labour, Walsall North)

The following Members were also members of the Committee during the Parliament.

Rt Hon Alun Michael (Labour & Co-operative, Cardiff South and Penarth)
Karl Turner MP (Labour, Kingston upon Hull East)
Steve McCabe MP (Labour, Birmingham Selly Oak)
Bridget Phillipson MP (Labour, Houghton and Sunderland South)
Chris Ruane MP (Labour, Vale of Clwyd)

Powers

The Committee is one of the departmental select committees, the powers of which are set out in House of Commons Standing Orders, principally in SO No 152. These are available on the Internet via www.parliament.uk

Publication

The Reports and evidence of the Committee are published by The Stationery Office by Order of the House. All publications of the Committee (including press notices) are on the Internet at www.parliament.uk/homeaffairscom

Committee staff

The current staff of the Committee are Tom Healey (Clerk), John-Paul Flaherty (Second Clerk), Dr Ruth Martin (Committee Specialist), Duma Langton (Committee Specialist), Andy Boyd (Senior Committee Assistant), Iwona Hankin (Committee Assistant) and Alex Paterson (Select Committee Media Officer).

Contacts

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Appendix: Government response

Letter from Rt Hon Theresa May MP, Home Secretary, 18 June 2014

I am writing to thank you for the report of the Home Affairs Select Committee on leadership and standards in the police and to address its recommendations. The report focuses specifically on the conduct of three representatives of the Police Federation of England and Wales who attended a meeting with Andrew Mitchell MP on 12 October 2012, and the subsequent Independent Police Complaints Commission (IPCC) investigation. I am sorry for the delay in responding.

The Government welcomes the report by the Committee and is grateful for its work on this issue. It is clear that this case has raised concern about police integrity and demonstrates that unless all officers operate to the highest standards of integrity, policing risks forfeiting public trust.

Government Response

1. We note that this case is another serious, high-profile example in which the IPCC has been unable, due to resource constraints, to conduct a managed or independent investigation in a timely manner, relying instead on a supervised investigation by one of the forces concerned. We urge the Government to ensure that the resourcing for the IPCC is robust and enables it to, in real terms, take on more independent investigations. We were glad to hear the Home Secretary’s commitment in a speech at the College of Policing to this. In this case, we consider the IPCC should ideally have conducted an independent investigation but this does not excuse either the conduct of the officers or the failure of the three forces to undertake the complaint investigation properly or in accordance with the applicable law. (Paragraph 9)

The Government is transferring resources from police forces to the IPCC, to enable the IPCC to deal with all serious and sensitive cases involving the police and put an end to the police investigating the police in serious cases. Expanding the IPCC will ensure a greater number of cases involving the police will be considered independently. On 18 December 2013, the Minister of State for Policing, Criminal Justice and Victims announced that in 2014-15, £18million will be transferred from the police settlement to build up the capacity and capability of the IPCC. Additionally, the Home Office is funding up to £800k to help with change costs in 2013/14 and a further £10 million in capital in 2014-15. The IPCC is operationally independent from the Home Office and, as such, the decisions with regards to the mode of an IPCC investigation are a matter for the IPCC.
2. We also recommend that the public interest test used by the IPCC in allocating resources includes a reference to cases where the wider reputation of the police service is at stake. (Paragraph 10)

Decisions about resource allocation for individual investigations are a matter for the IPCC.

3. The law is clear on the relative roles and responsibilities of the IPCC and forces in supervised investigations, and on the procedure for submitting reports to the IPCC and to Appropriate Authorities. However, given the difficulties which have arisen in this case we believe clearer guidance for Chief Constables should be produced to avoid a repeat of the current situation. (Paragraph 11)

The IPCC oversees the police complaints system in England and Wales and sets the standards by which the police should handle complaints. As part of this role, the IPCC produces statutory guidance which the Home Secretary must approve. If the IPCC believes that changes need to be made to the existing statutory guidance, the Government will consider making such changes.

4. We recommend that guidance be given by the Home Office to Police Forces about the need for correct and comprehensive note-taking of meetings that have a material impact on a complaint investigation or conclusion. (Paragraph 15)

This is a matter for statutory guidance produced by the IPCC. If the IPCC considers that changes to the guidance on meetings about complaints need to be made, the Government will consider making such changes.

5. We welcome the news that those contracted by police forces to carry out work on their behalf will be covered by the new Code of Ethics. We understand the College's reasoning in not seeking to apply the Code to contractors working on behalf of the Federation—there is the risk that attempting to over-extend its reach could undermine the value of the Code—but we recommend that the College give further consideration to whether or not a requirement could be placed on those working for the Federation to ensure that a reference to the Code is included in commercial contracts with those carrying out work on its behalf. Some of the criticism in this affair can be directed towards the publicity campaign orchestrated by Jon Gaunt and yet it is the reputation of the police and Police Federation which has been damaged. A requirement that the Police Federation sub-contractors abide by the Code of Ethics would reduce the possibility of such a damaging situation recurring in the future. (Paragraph 28)

As the body responsible for setting and maintaining standards in the police, the College of Policing has a key role to play in ensuring that all forces meet the highest standards of professional behaviour. The Code of Ethics will apply to all federated ranks and federated office holders. The Police Federation of England and Wales should expect its staff and anyone with whom it does business to be cognisant of the principles within the Code of Ethics.

Consistency in the standards of behaviour is essential for there to be public trust and confidence in the police and those who are employed by the police. The Government recognises the importance of parity between police officers and staff and private contractors. This is already being addressed by the power in the Anti-social Behaviour,
Crime and Policing Act 2014 for the IPCC to have oversight of private sector contractors providing services to police forces. The public has a right to expect those carrying out policing functions to be accountable for their actions and this provision will bring private sector contractors in line with those staff and officers who work directly for police forces.