

## APPENDIX 4

### Number of Allegations Finalised arising from Stop and Search November 2009 to October 2010

Borough of Incident	Allegation Result							Total	Section 60 Total
	Not Recorded	Local Resolution	Dispensation	Discontinuance	Withdrawn	Substantiated/Upheld	Unsubstantiated/Not Upheld		
Barking & Dagenham		2			1			3	0
Barnet	3	1			1		16	21	0
Bexley		7					1	8	0
Brent		14	4		2	10	10	40	0
Bromley		2				1	4	7	0
Camden		6	1	2	4		14	27	0
Croydon	1	6	1	2	1	1	10	22	0
Ealing		11					6	17	0
Enfield		7	2		1		7	17	1
Greenwich		2	2		2	1	6	13	0
Hackney		12					27	39	0
Hammersmith & Fulham		5	1		1		14	21	0
Haringey		10	3				21	34	0
Harrow		3	1		1		2	7	0
Havering		2			1		8	11	0
Heathrow Airport		4					5	9	0
Hillingdon	1				2		9	12	0
Hounslow		4	2				10	16	0
Islington		22			1		12	35	0
Kensington & Chelsea		7	3	2		1	19	32	0
Kingston Upon Thames							4	4	0
Lambeth	1	14	5	3	1	1	46	71	0
Lewisham		6			2	1	7	16	0
Merton	1	17					6	24	0
Newham	1	5			6	1	20	33	0
Outside MPS					1		7	8	0
Redbridge	1	2					14	17	0
Richmond Upon Thames							3	3	0
Southwark	3	16	5		9	3	23	59	0
Sutton		2					2	4	0
Tower Hamlets	2	5			2		43	52	0
Unknown Location			4				2	6	0
Waltham Forest	4	2	1		4		15	26	0
Wandsworth	2	6	7		1		19	35	0
Westminster	2	21	1		3		15	42	0
<b>Grand Total</b>	<b>22</b>	<b>223</b>	<b>43</b>	<b>9</b>	<b>47</b>	<b>20</b>	<b>427</b>	<b>791</b>	<b>1</b>

Key:

### Definitions of Allegation Results

'Not recorded' refers to instances where a force or police authority determines that an allegation should not be recorded. Instances where this may occur include:

- If the allegation is part of another complaint which they have already recorded.
- The complaint has been withdrawn by the person who made it.
- The allegation is about direction and control.
- The allegation has been made by someone serving with the police.
- The complaint is not covered by the Police Reform Act 2002.

Any person, whose complaint is not recorded by a force or police authority, has the right of appeal to the Independent Police Complaints Commission (IPCC).

'Dispensation' refers to instances where a force or police authority considers that no action should be taken about a complaint. There are established grounds upon which a dispensation to investigate may be granted. These include:

- Where more than 12 months have elapsed between the incident giving rise to the complaint and the making of the complaint, where there is no good reason for the delay or injustice would be caused.
- The matter is already the subject of a complaint.
- The complaint is anonymous.
- The complaint is vexatious, oppressive or otherwise an abuse of the procedures for dealing with complaints.
- The complaint is repetitious.
- It is not reasonably practicable to complete the investigation of the complaint.

A force or police authority must obtain IPCC agreement for a dispensation.

'Discontinuance' refers to instances where a force considers that it is no longer practical to continue with an investigation and is unable to conclude the investigation. There are established grounds upon which discontinuance may be granted. A force or police authority must obtain IPCC agreement for discontinuance.

'Withdrawn' refers to instances where the complainant or person acting on their behalf retracts the complaint.

'Local Resolution' refers to instances where the complainants has agreed for the allegation to resolved with the condition that certain steps/actions are followed, such as the officer apologising/receiving training. This can be done by the borough where the incident occurred/reported or by DPS.

'Substantiated' refers to instances where, following investigation, the investigating officer determines that there is a case to answer in relation to an allegation made concerning an officer's conduct.\*

'Unsubstantiated' refers to instances where, following investigation, the investigating officer determines that there not a case to answer in relation to an allegation made concerning an officer's conduct.\*

\* Any complaints recorded on or after 1st April 2010 that are subject to investigation are recorded under the classification of 'Upheld' or 'Not Upheld' at the conclusion of the investigation.

'Upheld' A complaint should be upheld where the investigation findings show that the service provided by or through the conduct of those serving with the police did not reach the standard a reasonable person could expect. The fact that a complaint has been upheld does not always mean that misconduct has occurred. The decision to uphold a complaint is always a judgement on the service provided to the complainant by the force as a whole and should not be seen as a judgement against the person subject of the complaint.

'Not Upheld' A complaint will not be upheld where the facts are clearly established and it is determined that the complainant's allegation did not occur.