

## Complaints about the police

This factsheet looks at how you can complain about the police and when you can complain. It also looks at what you can do if you're not happy with the outcome of your complaint. This information is for adults affected by mental illness in England. It's also for their loved ones and carers and anyone interested in this subject.

### *Key points:*

- There are different reasons you may want to complain about the police.
- You should complain as soon as you can. The police may not investigate something that happened more than 12 months ago.
- You should complain directly to the police first.
- You can appeal if you are not happy with how the police dealt with your complaint.
- You may be able to get support to make a complaint about the police.

### **This factsheet covers:**

1. Why might I want to complain?
2. What information should I write in my complaint?
3. Who do I complain to?
4. What happens when I complain?
5. What is the time limit for complaining about the police?
6. What happens after the police investigate my complaint?
7. What if I am unhappy with how the police handled my complaint?
8. When does the Independent Office for Police Conduct (IOPC) investigate a complaint?
9. Can anyone help me to complain?
10. How do I complain about a loved one's experience?

## 1. Why might I want to complain?

You can complain if you are not happy about things like:

- the service the police have given you,
- the behaviour of police officers or members of police staff, or
- how the service is run.

You may feel that police officers or police staff:<sup>1</sup>

- treated you badly,
- did not act in line with your rights,
- did not follow correct policies and procedures,
- discriminated against you or treated you unfairly because of your mental health, or
- their actions have had a negative effect on you, even if it was not directed towards you.

You can find more information about '**Discrimination and mental health – The Equality Act 2010**' at [www.rethink.org](http://www.rethink.org). Or call our General Enquiries team on 0121 522 7007 and ask them to send you a copy of our factsheet.

The Standards of Professional Behaviour explain how police officers should act. They should:<sup>2</sup>

- be honest and not abuse their powers,
- act with self-control and tolerance and treat you with respect,
- respect your rights,
- treat you fairly and not discriminate,
- only use the right amount of force when they need to, and
- treat your information with respect and only access it or share it, in line with their job

### Anna's story

- Anna has a mental illness and was arrested by the police.
- She told the police officer at the station that she had a mental illness.
- Anna knew that she had a right to have an appropriate adult.
- But the police did not arrange this for her.
- Anna made a complaint.

## **How do I complain about my solicitor, NHS staff or my appropriate adult?**

You may meet other professionals whilst at a police station. But they will have different complaints policies that you need to follow.

### Solicitor

You can read more about how to complain about a solicitor in our '**Legal advice – How to get help from a solicitor**' factsheet' at [www.rethink.org](http://www.rethink.org). Or call our General Enquiries team on 0121 522 7007 and ask them to send you a copy of our factsheet.

### NHS staff

You may come into contact with NHS staff if:

- you have a mental health assessment in the police station, or
- you are taken to hospital.

You can read more about how to complain about a solicitor in our '**Complaining about the NHS or social services**' factsheet' at [www.rethink.org](http://www.rethink.org). Or call our General Enquiries team on 0121 522 7007 and ask them to send you a copy of our factsheet.

### Appropriate Adult

If you have a mental illness, you might get an appropriate adult (AA) if you are arrested. To get an AA, the police station staff have to think that you are 'vulnerable'<sup>3</sup>. If you have difficulty understanding what is happening or you have challenges communicating, you will be classed as vulnerable.<sup>4,5</sup>

Your AA is there to make sure you understand what is happening, why it is happening. And that the police treat you fairly.<sup>6</sup> Your AA might be a carer friend or relative but could also be:<sup>7</sup>

- a care coordinator or community psychiatric nurse,
- a social worker,
- a trained appropriate adult, or
- someone who is over 18 who is not employed by the police.

An appropriate adult cannot be a police officer, or someone employed by the police.<sup>8</sup>

You will need to make a complaint to the agency where the AA is from.

You can find more information about:

- Appropriate adult – At the police station
- Police stations – what happens if I am arrested?

at [www.rethink.org](http://www.rethink.org). Or call our General Enquiries team on 0121 522 7007 and ask them to send you a copy of our factsheet.

## **2. What information should I write in my complaint?**

When you make a complaint, you should think about including the following things in your letter.

- Which police force are you complaining about?
- What problem are you complaining about?
- When did it happen?
- Where did it happen?
- Who was involved?
- Did anyone see what happened?
- What was said and done?
- Did you get hurt or any of your things get damaged?
- What effect has it had on your mental health?
- What do you want the outcome of complaint to be?

## **3. Who do I complain to?**

You should complain to the police station you want to complain about or where the member of staff in question works.

You can complain in the following ways.<sup>9</sup>

- In person at the police station.
- Use an online complaint form. You can complain on your local police website. The form to use is through the below link.  
[www.policeconduct.gov.uk/complaints/submit-a-complaint](http://www.policeconduct.gov.uk/complaints/submit-a-complaint)

- In writing by post to the police station you are complaining about. Or you can post it to the Independent Office for Police Conduct (IOPC). They can forward it to the right police station for you. The IOPC's address is below:

Independent Office for Police Conduct  
PO Box 473  
Sale  
M33 0BW

### **Who is the Independent Office for Police Conduct?**

The Independent Office for Police Conduct (IOPC) oversees the police complaints system in England and Wales. They also set the standards for how police should handle complaints. They are independent from the police.<sup>10</sup>

If you complain directly to the IOPC before contacting the police force you are complaining about, they will send your complaint to that police force. They will not read your complaint. The IOPC will not investigate your complaint at this stage.<sup>11</sup>

Let the IOPC know, if you are worried that you or someone you know will be harmed if you make a complaint against the police directly.<sup>12</sup>

[Top](#)

## **4. What happens when I complain?**

The police force will decide if they need to record your complaint. If your complaint needs to be recorded, the police should do this as soon as possible.<sup>13</sup>

There is no time limit on how long a police force will take to deal with your complaint. However, once the complaint is assigned to someone, they should tell you how long it is likely to take.<sup>14</sup>

Unless alternative arrangements are made, you should receive an update on the progress of your complaint at least once every 28 days.<sup>15</sup>

If they decide not to record your complaint, they should explain the reasons why. You can appeal if the police don't record your complaint, or don't write to you at all.<sup>16</sup>

### **How will the police deal with my recorded complaint?**

There are different ways that the police force can deal with your complaint. They should tell you how they are going to deal with it.

You could ask for a copy of their complaints procedure.

#### Local resolution<sup>17</sup>

This means the police will deal with your complaint at a local level. Local resolution is usually used for less serious complaints. Less serious complaints are usually complaints that won't end up in court.

The outcome of your complaint may be:

- an explanation,
- an apology, or
- satisfying you that appropriate action is being taken because of your complaint.

You will get a letter from the police to explain:

- the outcome of your complaint, and
- information about your right to appeal.

#### Local investigations<sup>18</sup>

If local resolution is not suitable for your complaint, a police investigator may carry out a local investigation.

This person should tell you:

- how they will investigate your complaint,
- how they will reach a decision, and
- what action they will take at the end of the investigation.

They should keep you updated on progress made throughout the investigation.

You will get a letter from the police to explain:

- the outcome of your complaint, and
- information about your right to appeal.

#### What if my complaint is about a death or serious injury?

Your local police force will refer your case straight to the IOPC if your complaint is about a death or serious injury.<sup>19</sup>

## **5. What is the time limit for complaining about the police?<sup>20</sup>**

There is no time limit for making a complaint about the police. But you should do it as quickly as possible after the incident happened. This is because complaints are harder to investigate if they are made a long time after the incident.

The police may decide not to deal your complaint if you make it more than 12 months after the incident.

If you make a late complaint you need to explain why it has taken you this long to complain. The police will need to think about your reason. They may investigate your complaint.

## **6. What happens after the police investigate my complaint?**

After the police have finished investigating your complaint, they will tell you what will happen next. They may:<sup>21</sup>

- apologise to you,
- change their policies or procedures,
- speak to the person you complained about to improve their performance,
- refer your complaint to the Independent Office for Police Conduct if they think something serious has happened, or
- refer your complaint to the Crown Prosecution Service if they believe that a member of staff has committed a crime.

Unfortunately, the police may not always have enough evidence to take any action. If you are not happy with the outcome of your complaint, you can apply for it to be reviewed.<sup>22</sup>

## **7. What if I am unhappy with how the police handled my complaint?**

You have the right to ask for a review of your complaint, if you are not satisfied with the outcome.<sup>23</sup> You can apply for a review if:<sup>24</sup>

- you disagree with how your complaint was investigated,
- the police force failed to record your complaint,
- you disagree with outcome of the local resolution process,
- you disagree with outcome of a local investigation process,

- the police force decided not to investigate your complaint,
- the police force stopped their investigation into your complaint,
- you did not get enough information to understand how the decision was reached, or
- you disagree with the action that the police are taking.

The police should tell you who can review your complaint when they contact you with the outcome of your complaint. This will be the Independent Office for Police Conduct (IOPC) or the chief officer of the police force.<sup>25</sup>

You need to send your completed review form and a copy of the decision letter from the police within 28 days. For example, if your decision letter is dated 1 April, you have to make sure that the IOPC receive your review by 28 April.<sup>26</sup> You can find a review form by using this link: [www.policeconduct.gov.uk/complaints/reviews-and-appeals/submit-a-review-appeal](http://www.policeconduct.gov.uk/complaints/reviews-and-appeals/submit-a-review-appeal)

You might not be happy with how your complaint was processed or the outcome. You can contact your Member of Parliament (MP) for help.<sup>27</sup>

You can find out who your local MP is and their contact details by using this link: <https://members.parliament.uk/FindYourMP>

### **How will the IOPC deal with my review?**

The IOPC will not investigate your complaint. They will look at how the police handled your complaint.<sup>28</sup>

The IOPC will send you their review decision in writing. They should clearly explain how they have come to that decision.<sup>29</sup>

The IOPC decision is final. You can only overturn IOPC decisions by applying for what's known as a judicial review.<sup>30</sup> This is a complicated area of law, so we recommend you get legal advice if you want to do this.

You can find more information about '**Legal advice - Getting help from a solicitor**' at [www.rethink.org](http://www.rethink.org). Or call our General Enquiries team on 0121 522 7007 and ask them to send you a copy of our factsheet.

For more information about the IOPC look at the section headed, "Who do I complain to?"

### **How will the chief officer of the police force deal with my appeal?**

If the chief officer is considering your appeal, they should send you a letter to let you know they have received your appeal.



The letter should tell you:<sup>31</sup>

- when you should hear about your appeal,
- what should happen during the appeals process, and
- who to contact if you have any queries.

## Useful Contacts

### **Independent Office for Police Conduct (IOPC)**

The IOPC oversees the police complaints system in England and Wales. They investigate the most serious matters, including deaths following police contact, and set the standards by which the police should handle complaints. They use learning from our work to influence changes in policing. They are independent and make decisions entirely independently of the police and government.

**Address:** PO Box 473, Sale M33 0BW

**Phone:** 0300 020 0096

**Email:** [enquiries@policeconduct.gov.uk](mailto:enquiries@policeconduct.gov.uk)

**Website:** [www.policeconduct.gov.uk](http://www.policeconduct.gov.uk)

### **Civil Legal Advice**

Civil Legal Advice can help you to find a solicitor who works under legal aid.

**Phone:** 0345 345 4 345

**Text:** 'legalaid' and your name to 80010

**Website:** [www.gov.uk/civil-legal-advice](http://www.gov.uk/civil-legal-advice)

### **Equality Advisory Support Service (EASS).**

EASS gives information and advice on discrimination.

**Textphone:** 0808 800 0084

**Telephone:** 0808 800 0082

**Address:** FREEPOST EASS HELPLINE FPN6521

**Email:** Online form [click here](#)

**Website:** [www.equalityadvisoryservice.com](http://www.equalityadvisoryservice.com)

### **The Criminal Injuries Compensation Authority**

This is a government organisation that can pay money to people who have been the victim of a violent crime.

**Telephone:** 0300 003 3601

**Address:** Alexander Bain House, Atlantic Quay, 15 York Street  
Glasgow, G2 8JQ

**Website:** [www.gov.uk/government/organisations/criminal-injuries-compensation-authority](http://www.gov.uk/government/organisations/criminal-injuries-compensation-authority)

### **The Law Society**

They have a database to help you find a solicitor.

**Website:** [www.lawsociety.org.uk/find-a-solicitor/](http://www.lawsociety.org.uk/find-a-solicitor/)

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<sup>2</sup> Schedule 2 The Police (Conduct) Regulations 2012. SI 21012/2632

<sup>3</sup> Home Office. *Code C Revised Code of Practice for the detention, treatment and questioning of persons by Police Officers*. London: TSO. July 2018, at para 3.5 (cii)  
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<sup>4</sup> Home Office. *Code C Revised Code of Practice for the detention, treatment and questioning of persons by Police Officers*. London: TSO. July 2018, at para 1.4.  
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<sup>5</sup> Home Office. *Code C Revised Code of Practice for the detention, treatment and questioning of persons by Police Officers*. London: TSO. July 2018, at para 1.13 (d).  
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<sup>10</sup> IOPC. *Our independence and governance*. [www.policeconduct.gov.uk/about-us/our-independence-and-governance](http://www.policeconduct.gov.uk/about-us/our-independence-and-governance) (accessed 31st January 2025).

<sup>11</sup> IOPC. *How do I make a complaint about the police: easy read*.

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<sup>14</sup> IOPC. *How long will my complaint take to deal with?* [www.policeconduct.gov.uk/complaints/guide-to-complaints-process](http://www.policeconduct.gov.uk/complaints/guide-to-complaints-process) (accessed 31st January 2025).

<sup>15</sup> IOPC. *How long will my complaint take to deal with?* [www.policeconduct.gov.uk/complaints/guide-to-complaints-process](http://www.policeconduct.gov.uk/complaints/guide-to-complaints-process) (accessed 31st January 2025).

<sup>16</sup> Independent Office for Police Conduct (IOPC). *Reviews and appeals*.

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<sup>22</sup> IOPC. *Reviews and appeals*. [www.policeconduct.gov.uk/complaints/reviews-and-appeals](http://www.policeconduct.gov.uk/complaints/reviews-and-appeals) (accessed 16th January 2025)

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<sup>32</sup> IOPC. *How to challenge our decisions*. <https://www.policeconduct.gov.uk/our-independence-and-governance/governance/our-service-standards/challenge-our-decisions>. (accessed 31st January 2025).

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This factsheet is available in large print.

**Rethink Mental Illness Advice and Information Service**

Phone: **0808 801 0525**

Monday to Friday 9:30am – 4pm excluding bank holidays.

**Webchat service available**

**Did this help?**

We'd love to know if this information helped you or if you found any issues with it. Drop us a line at:

[feedback@rethink.org](mailto:feedback@rethink.org)

**Or write to us at:**

Rethink Mental Illness,  
28 Albert Embankment,  
London, SE1 7GR.



We are the charity for people severely affected by mental illness, no matter what they're going through.

For further information on Rethink Mental Illness

Phone: **0121 522 7007**

Email: [info@rethink.org](mailto:info@rethink.org)



[rethink.org](https://rethink.org)

**Need more help?**

Go to [www.rethink.org](http://www.rethink.org) for information on Mental health conditions and symptoms, treatment and support, physical health and wellbeing, ethnic minorities and mental health, LGBT+ mental health, mental health laws and rights, work, studying, and mental health, police, courts, and prison, and advice for carers.

**Do not have access to the web?**

Call us on **0121 522 7007**. We are open Monday to Friday, 9am to 5pm, and we will send you the information you need in the post.

**Do you have accessibility tools for this information?**

You can find this information on our website at [www.rethink.org](http://www.rethink.org). There is an accessibility function on this webpage called **Recite**. On the desktop site, click on the icon in the top right-hand corner next to 'Donate.' On the mobile site, scroll right and click on the 'Turn on accessibility' icon.

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Patient Information Forum

