



IOPC Stakeholder meeting

Operation Avana reinvestigation

Introduction

Following on from the meeting held in Barking on March 21st, these notes aim to provide stakeholders with a concise understanding of the Independent Office for Police Conduct (IOPC) re-investigation into the failings of the Metropolitan Police Service (MPS) regarding the Stephen Port murders.

We would like to reiterate our apology on behalf of the IPCC who conducted the initial investigation. It is not good enough that families 10 years on are still fighting for justice, and they deserve better. The meeting held aimed to show how the IOPC are working on the reinvestigation in an improved way and to highlight the difference from the initial IPCC investigation. We understand why there is a lack of trust towards the IOPC, and we want to do better by working closer with LGBTQ+ communities.

We have tried to include as many questions that were asked at the meeting and provide the answers as much possible within the notes however, if you feel we have missed anything out please do contact us on londonengage@policeconduct.gov.uk. If you wish to discuss any of the matters further or would like to arrange a follow up meeting, please do not hesitate to contact us.

It is important to acknowledge that the police complaints landscape, like most processes governed by legislation, is complex and has many stages which can be both confusing and difficult to understand. We are trying to make this information more accessible and sharing in a way that may help those working within and alongside the complaints system.

Background

The Metropolitan Police Service (MPS) initially made a voluntary referral in October 2015, after it identified concerns regarding the initial investigations into the deaths of Anthony Walgate, Gabriel Kovari, Daniel Whitworth, and Jack Taylor in Barking, East London. We completed our investigation in August 2018 and shared our findings with the families of the victims, MPS and with HM Coroner.

However, at an inquest, which concluded in late 2021, the jury found that investigative failures by the MPS probably contributed to the deaths of three of the

men. New evidence, previously unknown to us, including verbal evidence and in documentary form by the MPS, was presented by officers who had been subject to the IOPC investigation.

Following a substantial period of consideration which also identified flaws in our initial investigation, the IOPC took the decision to re-investigate the way the force initially handled the deaths of the four men. This decision was made on 23 June 2022.

During the original investigation, a Community Reference Group (CRG) was formed, and were active during the initial investigation, the inquest and the process for assessing reinvestigation. Members of the CRG and other key stakeholders were notified on 23 June 2022 of the decision to re investigate this case which was then passed to the IOPC Directorate of Major Investigations (DMI) to progress.

Meeting Q&A

Initial IPCC investigation (Op Wasabi)

What were the failures of the initial investigation (Op Wasabi)?

We are aware that our approach to investigating discrimination in our initial investigation was not working and have invested further resources in this area. This is evidenced by embedding the IOPC Pride network within the investigation, and ensuring we have a depth of knowledge around investigating discrimination cases. We also faced challenges in interview in obtaining full accounts from officers. However, we now have further evidence provided by officers during the inquest and have a more robust interview planning process. The Directorate for Major Investigations (DMI) also did not exist at that time, we are now better equipped with better resources and support available.

What are the key differences of the reinvestigation (Op Avana) and the investigation (Op Wasabi)?

- Use of evidence from the inquest.
- Diverse reinvestigation team with expertise in discrimination, assisting in improved interview planning processes.
- A more collaborative approach, bringing together investigators with wider experience.
- Internal review for process improvements.
- Enhanced victim/family involvement, ensuring their voice is central to the reinvestigation.
- Use of Directorate of Major investigations (DMI) resources.
- Improved Case Management System.

IOPC reinvestigation (Op Avana)

Are officers under investigation suspended? If not, what is their status?

We don't have the authority to suspend officers; this decision lies with the Appropriate Authority (MPS). However, we can advocate for suspension/removal of front-line duties if deemed necessary.

We have contacted the MPS for clarification on the officers' status and awaiting a response. We will ensure families are updated first. It is understood however that officers under investigation will not be working on similar cases.

Why has the reinvestigation taken so long?

There is a significant amount of material to review, such as all the material for each individual murder investigation, the original IPCC investigation, and the inquest transcripts. This extensive material review, alongside the complexity of the case and adherence to legal requirements have contributed to the duration.

Ensuring a thorough and robust investigation is crucial. We also need to ensure we have the right people who have a depth of knowledge around interview processes, the roles of officers and their required officers to identify any material flaws.

Did the inquest provide further evidence for reinvestigation?

Yes, as officers were required to provide statements to the coroner, some in written format. Evidence given under oath was conversational, where there is a questioning process. This provided additional information that hadn't been in the written statements.

Do forces have to accept IOPC recommendations?

A force may challenge a recommendation and do not have to accept them; however, a force would be required to provide a rationale and further consultation would take place. Community voice and scrutiny are an essential part in this process as it would damage public confidence if a force does not provide a good reason for not accepting a recommendation.

For example, between 1 April and 30 November 2023, **we issued 104 learning recommendations. 91% were accepted.**

Please see our [Impact Report - 2022/23 | Independent Office for Police Conduct \(IOPC\)](#) for further information.

Can officers under investigation respond with 'no comment' in interview?

Yes, officers – like members of the public in criminal cases - have the right to remain silent. However, in cases such as this as more evidence comes to light during inquest, we are able to probe further and conduct more detailed interviews. The inclusion of our Pride network also assists in how our interview questioning is framed, so we are able to identify material flaws such as microaggressions and use of language by officers.

The IOPC recognise and share the frustrations of the public around challenges to obtain officer accounts at interview and are advocating for fundamental reforms around duty of candour.

An officer's right to silence can delay proceedings and risks not providing the public accountability.

Will recommendations in the report look at wider concerns around lack of knowledge, or culture within the MPS?

There will be consultation around key themes. For example, around Chemsex, where we will consult with experts. There is a wider issue around discrimination. Should we see homophobia/systemic homophobia we will not shy away from stating that and this would form a key foundation of the reinvestigation. It will then be reliant on the force to look at what can be done to improve its officers and wider culture.

Can you still interview officers who have left the force?

This depends when the officer left the force, and whether they are captured by the '[Former officer regulations](#)'. It is also dependent on the level of misconduct identified, for example if it is at gross misconduct. If the level of misconduct is criminal, then the full range of powers around investigation are available.

What are the next steps in the reinvestigation process?

The next stage is interviewing officers, which will take place throughout April and May. The interviews also raise the potential for further actions to arise. We will then review the family complaint statements to identify potential themes. The final stage is compiling the investigation report. We anticipate completion of the reinvestigation by the end of summer Unless further actions are identified.

When can we see the report?

A publication decision is made at the earliest point after external proceedings and panel determinations. The level of detail and type of information we publish will depend on a wide range of factors. These include the level of public interest there is in publishing certain information, the rights of individuals named in investigation reports and the need to provide clear and accessible information. Any publication of a report will also take place after the families have read the report. Please see our publication policy for further information:

[Policy on the publication of final investigation reports and report summaries | Independent Office for Police Conduct \(IOPC\)](#)

How can you improve advocacy services to support families/complainants to the IOPC?

We recognise the power imbalance in play when complaining to the police, and the challenges of navigating what is a bureaucratic system and strongly believe there should be better support available to families/complainants.

While the IOPC maintains independence, efforts are underway to advocate for enhanced advocacy services through engagements with the Home Office and collaboration with stakeholder groups, as we recognise the gap in provision.

For more information

For more information about who we are and what we do please visit our [website](#).

If you have any questions or would like more information, or would like to discuss engagement opportunities please contact our Stakeholder Engagement team by email to:

londonengage@policeconduct.gov.uk

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We welcome telephone calls in Welsh

Rydym yn croesawu galwadau ffôn yn y Gymraeg



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