

# NAAN | Information

## Complaining about unfair treatment

April 2018

## Introduction

NAAN is often contacted regarding the mistreatment of people who were eligible for an appropriate adult when they were detained or voluntarily interviewed by police. As we are unable to provide advice to individuals, this guide provides information on how to complain and where to find help.

## Making a complaint against the police

### Ways to complain

There are several ways you can make a complaint about the police.

#### 1. Contact the police force involved

You can find the contact details for individual police forces on their website or in the 'Making a complaint' section of this website - <https://www.policeconduct.gov.uk/complaints-and-appeals/make-complaint>

#### 2. Go to your local police station

Ask to see the duty officer and make your complaint in person

#### 3. Contact the Independent Office for Police Conduct

You can do this by phone, email, post, twitter or text relay. You can also download or fill out a complaint form online at <https://www.policeconduct.gov.uk/complaints-and-appeals/make-complaint>

### Independent Office for Police Conduct (IOPC)

Most complaints are investigated by the local police force. Formerly known as The Independent Police Complaints Commission, the IOPC will investigate more serious complaints. All complaints raised with the IPCC must also be recorded by the relevant police force.

The IOPC has produced a guide to making a complaint against the police. The guide is available in 'Easy Read'. You can find out more about making a complaint at <https://www.policeconduct.gov.uk/complaints-and-appeals/make-complaint>.

You can also contact the IOPC in the following ways: -

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

Tel: 0300 020 0096

E-mail: [enquiries@policeconduct.gov.uk](mailto:enquiries@policeconduct.gov.uk)

Twitter: [http://www.twitter.com/iopc\\_enquiries](http://www.twitter.com/iopc_enquiries)  
Text Relay: 18001 0207 166 3000

## Getting help to make your complaint

### **Citizens Advice Bureaux (CAB)**

CABs are often able to provide advocacy and sometimes limited legal support when helping individuals.

If you would like to make a complaint against the police you can do this via your local CAB.

To find your local CAB visit [www.citizensadvice.org.uk/index/getadvice](http://www.citizensadvice.org.uk/index/getadvice)

### **Liberty**

Liberty campaigns on human rights including police complaints.

Advice line: 0845 123 2307 or 020 3145 0461

Liberty  
21 Tabard Street  
London  
SE1 4LA

Find out more at [www.liberty-human-rights.org.uk/get-advice](http://www.liberty-human-rights.org.uk/get-advice) or [www.yourrights.org.uk](http://www.yourrights.org.uk)

### **Police Action Centre**

Provides a free, confidential and independent advice service on legal rights to members of the public if they wish to pursue an action against the police.

Email: [info@policeactioncentre.org.uk](mailto:info@policeactioncentre.org.uk)

Telephone: 07815 052 803

(Monday to Friday from 9.30am to 5.30pm; Saturday from 1.00pm to 4.00pm)

Police Action Centre  
The Bungalow  
16 Knighton Road  
Leicester  
LE2 3HH

Find out more at [www.policeactioncentre.org.uk](http://www.policeactioncentre.org.uk)

## **Police monitoring groups**

Police monitoring groups are campaigning organisations that aim to increase public awareness of police work and improve police policies. To find out whether you have a local group, contact your local authority (council).

## **Member of Parliament**

Your MP can also make a complaint on your behalf. To find out who your local elected representatives are click here [www.writetothem.com](http://www.writetothem.com)

## **Law Centres**

Law centres offer free advice and representation.

Find your local law centre at <http://www.lawcentres.org.uk/i-am-looking-for-advice>

Law Centres Network  
Floor 1, Tavis House  
1-6 Tavistock Square  
London  
WC1H 9NA

## Suing the police

If you wish to sue the police, you should talk to a specialist solicitor. We have provided some examples of such solicitors below. NAAN has no links with any of these firms and cannot recommend them.

### Solicitors

#### **Bhatt Murphy Solicitors**

“We specialise in representing those who have suffered ill-treatment or abuse of power at the hands of the police and other detaining authorities. The firm is committed to achieving access to justice for those who do not qualify for public funding and we can discuss flexible payment options with you if your means make you ineligible for public funding. In certain very limited circumstances we may be able to offer you a ‘no win, no fee’ arrangement”.

<http://www.bhattmurphy.co.uk/bhatt-murphy-14.html>

## Bindmans

“Bindmans is recognised as a leader in the complex and demanding area of mental health law and is known for its absolute commitment to human rights. Bindmans has a reputation for excellence in the complex and constantly changing field of actions against the police and other detaining authorities in the criminal justice system. Our Police Misconduct Department is consistently ranked as leaders in the field; famed for cutting-edge work that has helped to hold the police to account and to protect individual liberties and freedoms for over 30 years. Depending on the type of case, Bindmans can offer a range of funding options - from ‘no win, no fee’ to fixed fees, to legal aid and legal expenses insurance.”

<http://www.bindmans.com/what-we-do/view/police-misconduct>

<http://www.bindmans.com/funding-your-case>

## Stephensons Solicitors

“Our actions against the police and public bodies solicitors are part of a department which is nationally recognised as leaders in the field of human rights law. Our solicitors make compensation claims and undertake public law challenges on issues concerning human rights law and decisions by public authorities. Our specialist human rights and civil liberties team are pleased to be able to offer a fixed price legal review service should you wish to launch an action against the police or another public body/authority. Alternatively we are able to offer fixed price 30 or 60 minute appointments with specialist solicitors.”

[http://www.stephensons.co.uk/site/individuals/public\\_law\\_civil\\_liberties/police\\_complaints/discompliant](http://www.stephensons.co.uk/site/individuals/public_law_civil_liberties/police_complaints/discompliant)

[http://www.stephensons.co.uk/site/legal\\_fixed\\_fees/ff\\_personal/human\\_rights\\_ff/](http://www.stephensons.co.uk/site/legal_fixed_fees/ff_personal/human_rights_ff/)

## Legal Aid

You may be able to obtain ‘legal aid’ to help with legal costs. This depends on how much you earn, your savings, and what sort of legal help you are looking for.

Check if you can get legal aid [www.gov.uk/check-legal-aid](http://www.gov.uk/check-legal-aid)

## Free legal advice

LawWorks is an independent charity with a mission to support, promote and encourage a commitment to ‘pro bono’ across the solicitors’ profession. Pro bono means solicitors give their time for free.

The charity enables access to justice for individuals in need of advice, who are not eligible for legal aid but cannot afford a lawyer.

Find out more at [www.lawworks.org.uk](http://www.lawworks.org.uk)

## Making a complaint against an appropriate adult scheme

Under [National Standard 4.20](#), all members of NAAN are expected to have a complaints policy.

Find the email address for your scheme at [appropriateadult.org.uk/index.php/about-us/naan-map](http://appropriateadult.org.uk/index.php/about-us/naan-map)

Not all schemes are members of NAAN. If no scheme is shown on the map you should: -

- Contact your [local youth offending team](#) if the complaint relates to someone under 18 years old
- Contact your local adult social services if the person complaining is a mentally vulnerable adult

## Making a complaint about your legal advice

### Complaints about poor service

Put your complaint in writing to the lawyer or law firm concerned. Keep copies of everything you send and everything you receive back.

If you are not happy with the outcome, you can then complain to the Legal Services Ombudsman. They have the power to make a company or individual pay you compensation for poor service.

If you need help to make your complaint, contact your local Citizens Advice Bureau.

Find out more at [www.legalombudsman.org.uk/helping-the-public](http://www.legalombudsman.org.uk/helping-the-public)

### Failure to comply with professional regulations

If you think your solicitor broke one of the Solicitors Regulation Authority's principles, you can report the solicitor to them.

The principles include things like; acting with integrity, providing a proper standard of service and not allowing their independence to be compromised. The full list is at <http://www.sra.org.uk/consumers/sra-regulate/sra-regulate.page#principles>.

The SRA cannot award compensation and does to deal with complaints about poor service.

Find out how to report your solicitor to the SRA at <http://www.sra.org.uk/consumers/problems/report-solicitor.page#how-report-sra>

## Criminal Records

### Living with a criminal record

The charity Unlock provides information and advice for people living with convictions. If you are facing difficulties as a result a criminal record you may find their Information Hub and other websites helpful.

Find out more at [hub.unlock.org.uk](http://hub.unlock.org.uk)

### Deleting a criminal record

If you can prove that the arrest was unlawful or that no offence existed, you may be able ask the police to remove a criminal record using their 'Exceptional Case Procedure'.

The only other option is to appeal against the conviction. This can normally only be done within a short time after the conviction. You should seek legal advice to do this.

You can find a solicitor via:

- The Law Society online database - <http://solicitors.lawsociety.org.uk/>
- The Ministry of Justice online tool - <http://find-legal-advice.justice.gov.uk/>

Find out more about deleting a criminal record at [hub.unlock.org.uk/knowledgebase/retention-deletion-police-records/](http://hub.unlock.org.uk/knowledgebase/retention-deletion-police-records/)