

Sussex Police and Crime Panel

23 September 2016

Complaints about the Police and Crime Commissioner

Report by The Clerk to Sussex Police and Crime Panel

Recommendations

That the Panel considers the complaints against the Commissioner since the last meeting, and any action that the Panel might take in respect of these.

1. Background

- 1.1 In accordance with the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2011, the Sussex Police & Crime Panel (PCP) is responsible for the initial handling of complaints against Sussex Police and Crime Commissioner (PCC).
- 1.2 At its meeting of 26 November 2012 the Panel decided to delegate its initial handling duties to the Clerk to Sussex Police and Crime Panel, and to consider a report of the complaints received, quarterly.
- 1.3 Serious complaints (those alleging criminal conduct) are referred automatically to the Independent Police Complaints Commission (IPCC). A sub-committee meets to consider complaints against the PCC requiring informal resolution (those considered "non-serious").

2. Correspondence Received from 21 June 2016 to 11 September 2016

- 2.1 The Panel takes the view that all correspondence raising issues with policing in Sussex should be recorded, whether or not the issues fall within the Panel's statutory remit.
- 2.2 During the subject period, four people contacted the Panel to raise issues, and all were recorded. The Clerk to the Panel considered this correspondence to determine if any matters raised fell within the remit of the Panel.

Complaints

- 2.3 During the subject period one correspondent raised issues which constituted a serious complaint, as defined by the Regulations (see 1.3).
- 2.4 One correspondent raised an issue which constituted a non-serious complaint, as defined by the Regulations (see 1.3).

Correspondence Recorded, but not Considered by the Clerk to be a Complaint within the Panel's Remit:

2.5 Concerning correspondence received and determined by the Clerk to the Panel not to be (within the terms of the Regulations) a complaint within the Panel's remit:

2.5.1 Two individuals contacted the Panel with allegations concerning operational Sussex Police matter. These are the responsibility of the Chief Constable, not the PCC, and therefore not within the remit of the Panel.

Correspondence Recorded, and Considered by the Clerk to be a Complaint within the Panel's Remit:

2.6 Concerning correspondence received and determined by the Clerk to the Panel to be (within the terms of the Regulations) a complaint within the Panel's remit:

2.6.1 One individual made a non-serious complaint about comments the PCC made on Twitter on 24 June 2016, following the result of the EU referendum. After viewing the archived webcast, the individual was satisfied by the account provided by the PCC when questioned on this issue by the Panel at its meeting on 4 July, and asked that the matter be taken no further.

2.6.2 Following advice received from Sussex Police, the Clerk to the Panel reconsidered an allegation that the Commissioner had allegedly breached the terms of the Police and Crime Commissioner Elections Order 2012, a criminal offence, by making a false public statement in respect of expense claims.

In accordance with duties under The Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012, the Clerk (on behalf of the Panel) referred the serious complaint to the IPCC on 9 August. The referral does not imply any view of the Panel as to the truth of the allegation.

The IPCC will decide whether or not the allegations need to be investigated, and will inform the Panel of its determination in due course.

3. Resource Implications and Value for Money

3.1 The cost of handling complaints is met from the funds provided by the Home Office for the operation and administration of Sussex Police and Crime Panel.

4. Risk Management Implications

4.1 It is important that residents can have confidence in the integrity of the system for handling complaints against the Sussex Police and Crime Commissioner and their Deputy (where one has been appointed).

5. Other Considerations – Equality – Crime Reduction – Human Rights

5.1 Not applicable

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