

Sussex Police and Crime Panel

20 January 2017

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 12 September 2016 to 10 January 2017

- 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, six 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 no correspondents 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 Four individuals contacted the Panel with allegations concerning operational Sussex Police matters. These are the responsibility of the Chief Constable, not the PCC, and therefore not within the remit of the Panel.
 - 2.5.2 One person contacted the Panel to report the possible commission of a crime. This individual was referred to Sussex Police.

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 An email was received raising issues which impacted on the reputation of Sussex Police. While these did not concern the actions and decisions of the Commissioner, the Chairman wrote to the Commissioner to understand her perspective. The issues related to the policy on gifts and hospitality, the handling of sensitive information, and the guidance given to police officers on what constitutes an inappropriate relationship. A response is expected imminently.

Serious Complaints

- 2.7 A serious complaint about the Commissioner was referred to the IPCC in August 2016 for investigation. The scope of the investigation is:
 - 2.7.1 "To investigate the pre-election actions of Katy Bourne (the PCC), specifically:
 - a) whether she knowingly posted a false declaration on social media stating she had not claimed expenses during her term in office, despite having previously claimed £385.50;
 - b) whether the purpose of her social media post was to influence the outcome of the Sussex Police and Crime Commissioner elections on 5 May 2016;
 - c) whether her social media post had any bearing on the result of the Sussex Police and Crime Commissioner elections on 5 May 2016."
 - 2.7.2 Following completion of the investigation, the IPCC will further "prepare a final report which indicates whether, in the opinion of the investigator, a criminal offence may have been committed by the relevant office holder (the PCC). On receipt of the final report, the (IPCC's) commissioner shall

determine whether the report should be sent to the Director of Public Prosecutions.”

2.7.3 The investigation is ongoing. The IPCC’s target range for this investigation is 3-6 months from the date of the original referral.

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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