

North Yorkshire Police and Crime Panel

Report of the Complaints Sub-Committee

The Panel met on Friday, 20 December 2013, to consider the complaint submitted by Mr H:

1. Alleging that the North Yorkshire Police and Crime Commissioner (the Commissioner) suppressed a complaint of misconduct against a former member of the Police Authority, (*hereby known as Complaint A*);
2. Alleging that the Commissioner influenced the Chief Constable to suppress a misconduct investigation, (*hereby known as Complaint B*);
3. That the Commissioner did not respond to Mr H's correspondence prior to Mr H lodging his complaint with the Independent Police and Complaints Commission (IPCC), (*hereby known as Complaint C*);

Present

Councillor Helen Flynn, Councillor Mick Griffiths (Chair) and Santokh Sidhu (Community Co-opted Member)

Officers: Ray Busby

The Panel considered:

- The evidence submitted by Mr H. and the Commissioner.
- Correspondence from the Independent Police Complaints Commission referring Mr H's complaint to the Panel on the basis the complaint need not be investigated (by the IPCC) because the Commissioner is not responsible for recording and/or investigating complaints against former Police Authority members; therefore, in the opinion of the IPCC as a matter of law there is no neglect of duty.

The Panel **CONCLUDED** that in respect of:

Complaint A above: this was not a matter within the remit of the Police and Crime Panel to consider. The Panel noted that this particular matter had been considered by the IPCC who had responded to Mr H.

Complaint B above: On the basis of the submission from the Commissioner stating that she has had no involvement in the matter, nor had she sought to suppress or cover up any allegation of misconduct, there was nothing for the Panel to consider further.

Complaint C above:

1. The Panel was disappointed not to find in the Commissioner's submission any evidence that would have reassured it (the Panel) that, prior to lodging his complaint with the IPCC, Mr H had received an appropriate response from the Office of the Commissioner to his correspondence.
2. The Panel was disappointed not to find in the Commissioner's submission any evidence that would have reassured it (the Panel) that the Commissioner had properly and fully explained, in response to any of his correspondence, the extent of her responsibilities in the matter as regards former Police Authority Members.
3. The Panel understands the Commissioner's rationale for not responding on every occasion to repetitive correspondence, i.e. that someone writes repeatedly on similar grounds, but the Panel does not accept that this is sufficient justification for initial correspondence to her office to go unanswered - as appears to be the case in the submission it had before it. Nor is the Panel persuaded from this view by the Commissioner's point that her office is not alone amongst public authorities in experiencing high volumes of communication from the complainant.

On the basis of above the Panel RESOLVED to:

1. Invite the Commissioner to revisit and reflect upon the current procedures and practices within her Office for handling complaints and correspondence, especially in those circumstances where an individual may repeatedly write in relation to a particular matter and a decision has not been taken that such correspondence is oppressive, vexatious or otherwise an abuse of process.
2. Request the Commissioner to apologise to Mr H for the apparent failure to respond to his correspondence, and for not explaining clearly, properly and fully the limits and extent of her responsibilities and power to deal with the concerns he raised.

COUNCILLOR MICK GRIFFITHS

20 December 2013