



## **Durham Police and Crime Panel**

**20 October 2015**

### **Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012**

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### **Report of Colette Longbottom, Monitoring Officer of the Panel**

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#### **Purpose of the Report**

- 1 To advise the Panel of the outcome of a referral under the “Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 (“The Regulations”).

#### **Background**

- 2 On the 17<sup>th</sup> September 2013, the Panel considered a referral to it by “Operation Sacristy”. “Operation Sacristy” was a criminal investigation into alleged offences of corruption, fraud and misconduct in public office relating to senior members of the Cleveland Police and former Police Authority.
- 3 The Police and Crime Commissioner was the Deputy Chief Constable at the force until 2008 when he retired, being replaced by the now dismissed former Deputy.
- 4 The Panel decided to treat the referral as a conduct matter and having done so, it was necessary, under the regulations for the matter to be recorded and referred to the IPCC. The referral to the IPCC was made on the 17<sup>th</sup> September, the date of the Panel meeting.
- 5 On the 23 September 2014, the IPCC advised that it was to carry out an investigation and would keep the decision under review. Regular updates have been provided since then, in essence advising that an investigation was still proceeding. Letters in September, October and December advised that the investigation final report was with the legal department for review which involved the taking of counsel’s advice. On 22<sup>nd</sup> January, an update advised that the final report was with the case commissioner who would decide whether there should be a reference to the Department of Public Prosecutions. On 30<sup>th</sup> January 2015, the IPCC advised that the final report had been submitted to the CPS.

- 6 On the 19<sup>th</sup> February, a letter addressed to the Chairman of the Panel advised that the CPS had decided not to prosecute. The report was, however, subject to consultation about redactions and was not released until the 15<sup>th</sup> September 2015.
- 7 A link to the report is attached. Members will note that the investigation has found no evidence to justify criminal charges.  
  
<https://www.ipcc.gov.uk/news/ipcc-publishes-report-investigation-allegations-against-durham-pcc>
- 8 The Panel's role in terms of complaint handling has now reached its conclusion. Under the regulations, a complaint which is a conduct matter (as this was), or a serious complaint, are dealt with by the IPCC and not the Panel. The recommendation to the Panel is therefore to receive the report and agree that the outcome of the IPCC investigation be recorded.

### **Recommendations and reasons**

- 9 It is recommended that the Panel receives the report and agrees that the outcome of the IPCC referral be recorded.

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## **Appendix 1: Implications**

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**Finance – None specific within this report.**

**Staffing - None specific within this report.**

**Risk - None specific within this report.**

**Equality and Diversity / Public Sector Equality Duty - None specific within this report.**

**Accommodation - None specific within this report.**

**Crime and Disorder - None specific within this report.**

**Human Rights - None specific within this report.**

**Consultation - None specific within this report.**

**Procurement - None specific within this report.**

**Disability Issues - None specific within this report.**

**Legal Implications – Within the body of the report**