

## Police and Crime Commissioner for Surrey – Decision Making Record

**Report Title:** Funding of Legal Representation  
**Decision number:** 017/2018  
**Author and Job Role:** Alison Bolton, Chief Executive  
**Protective Marking:** OFFICIAL

### Executive Summary:

Under the provisions of paragraph 14, schedule 1 of the Police Reform and Social Responsibility Act 2011, a Police and Crime Commissioner may provide funding to police officers and staff for defence or other proceedings against them in connection with their official duties, provided it would facilitate or be conducive to the maintenance of an efficient and effective police force. This replicates the Police Authority's powers under Section 111 (1) of the Local Government Act 1972 and section 6 of the Police Act 1996. Home Office circular 010/2017 provides guidance as to when it is appropriate to provide support for the legal costs of officers involved in litigation as a result of their actions in the course of their duties

On 26<sup>th</sup> March 2018, the PCC received a request to consider funding legal representation for an officer who will be involved in a future Coroner's inquest. In accordance with the OPCC's policy, the PCC has given consideration as to whether the officer has acted reasonably and in good faith and has concluded that is the case. He has also considered whether there is a conflict between the position of the officer in question and that of Surrey Police. On this occasion, he believes that there could be deemed to be a potential conflict which would merit separate legal representation for the officer. In line with his fiduciary duties, the PCC will ensure that he has early sight of likely costs in order to assess their reasonableness.

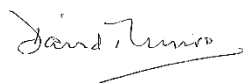
### Recommendation

- That the PCC agrees to fund separate legal representation for the officer in question
- That the officer's legal representatives be required to provide the PCC with an early estimate of likely costs so that this may be kept under review.

### Police and Crime Commissioner Approval

I approve the recommendation(s):

Signature:



Date: 4<sup>th</sup> July 2018

All decisions must be added to the decision register.

## **Areas of consideration**

### **Consultation**

The PCC has considered representations from the Officer's legal representatives, Surrey Police's legal representatives and Surrey Police's Professional Standards Department.

### **Financial implications**

Costs will be kept under review and will be required to be within parameters set out in the OPCC's policy.

### **Legal**

None required.

### **Risks**

None arising.

### **Equality and diversity**

None arising.