

Police and Crime Commissioner for Surrey – Decision Making Record

Report Title: Extension of appointment of Independent Gross-misconduct Hearing Member
Decision number: 136/2016
Author and Job Role: Sam Meyer, Policy Officer
Protective Marking: Part One

Executive Summary:

The term of office for Independent Gross-misconduct Members who sit on the panels held by Surrey Police is due to expire at the end of the current Police and Crime Commissioner's term of office (11.59pm on Thursday, 11 May 2016). The Office has been informed that there is one gross-misconduct hearing currently being conducted, which, due to unforeseen circumstances, is now likely to be run beyond this time.

Background:

The Police Reform Act 2002 and the Police (conduct) Regulations 2004 provide that in certain circumstances, an Independent Member will sit on police misconduct panels.

There is no legal limit to the length of time Independent Members can serve.

The experience and continued appointment of this Independent Member is essential to the successful conclusion of this gross-misconduct hearing.

Recommendation:

The PCC is recommended to extend the appointment of the Independent Gross-misconduct Panel Member until August 2016 or until the end of this gross-misconduct hearing, whichever is the latter.

Police and Crime Commissioner Approval:

I approve the recommendation(s):

Signature: 

Date: 04/05/2016

All decisions must be added to the decision register.

Areas of consideration

Consultation

Consulted with Chief Executive of the Office of the Police and Crime Commissioner for Surrey.

Financial implications

No implications beyond already established costs.

Legal

The Police and Crime Commissioner is required to maintain a list of Independent Members to sit on police misconduct panels.

Risks

Failure to maintain a list of Independent Members to sit on police misconduct panels will mean the Police and Crime Commissioner is breaching his legal requirements.

Equality and diversity

An independent “public” representative on the misconduct panels plays an important role in countering any potential allegations that Surrey Police has not considered equality and diversity issues in hearing serious disciplinary cases.

Risks to human rights

An independent “public” representative on the misconduct panels plays an important role in countering any potential allegations that Surrey Police has not considered human rights in hearing serious disciplinary cases.