



THE POLICE & CRIME COMMISSIONER FOR CLEVELAND

DECISION RECORD FORM

REQUEST: Appropriate Authority Decision - Former Chief Constable Sean Price

Title: Appropriate Authority Decision - Police Reform Act 2002 Schedule 3 Part 2 Paragraph 14

Executive Summary: On 31 March 2016 I arranged for the referral of certain conduct matters relating to the former Chief Constable, Sean Price, to the Independent Police Complaints Commission. I did so in view of the exceptional circumstances of the case within the meaning of paragraph 13 of Schedule 3 to the Police Reform Act 2002. My reasoning is more fully set out in my Decision Record Form 65-2016.

The IPCC is empowered by law to determine whether a matter of this kind should be investigated – and if so, whether the IPCC should oversee an investigation or deal with the investigation itself.

In this case the IPCC has determined that the matter need not be investigated further and have referred the matter back to me to conclude.

I share the concern of the IPCC that Chief Constable Price did not record this allegation at the time it was drawn to his attention in 2006.

I have satisfied myself that were such an allegation be made today, the matter would be recorded and the complainant interviewed - in accordance with the force strategy that places the interests and needs of victims at the forefront.

I have taken account of the findings of the IPCC that there were no adverse consequences as a result of Chief Constable Price's actions, that there was no deliberate cover up and that it would not be in the public interest to pursue the matter further.

I am also aware that officers working on the Operation Sacristy inquiry into former Chief Constable Price were aware of this matter and no disciplinary charges were brought in relation to it.

I also place great weight on the fact that when the current leadership team first became aware of these allegations in 2014, the views of the complainant were sought. After consideration, it was made clear that the complainant did not wish the matter to be progressed further.

For these reasons I have decided to accept the IPCC's decision and will not be investigating the matter further though I reserve the right to reconsider this decision should any further information come to light in the future. I have notified Mr Price of my decision.

Although not part of my decision making, I am aware that the Chief Constable has adopted a similar course of action in relation to a member of police staff in respect of whom a referral was also made on 31 March 2016.

Decision:

1. to accept the IPCC's decision;
2. not to investigate the matter further
3. to reserve the right to reconsider this decision should any further information come to light in the future.
4. to notify Mr Price of my decision

OPCC Lead Officer: Simon Dennis

Contractor Details (if applicable):

Implications:

Has consideration been taken of the following:	Yes	No	
Financial	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Legal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Equality & Diversity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Human Rights	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Sustainability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Risk	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

(If yes please provide further details below)

Decision Required – Supporting Information

Financial Implications: (Must include comments of the PCC's Chief Finance Officer where the decision has financial implications)

The Chief Finance Officer is satisfied that based on the information provided to him that there are no financial implications arising from this decision.

Legal Implications: (Must include comments of the Monitoring Officer where the decision has legal implication)

The PCC has been provided with legal advice throughout the exercise of his decision making in this matter. To the extent that these matters are conventionally delegated to the Chief Executive & Monitoring Officer, the PCC has taken decisions personally in view of the exceptional circumstances applicable in this case.

The Chief Executive is satisfied that this report does not record a decision which would (or would be likely to) give rise to a contravention of the law.

Equality and Diversity Implications

None directly arise.

Human Rights Implications

None directly arise.

Sustainability Implications

None directly arise.

Risk Management Implications

None directly arise.

OFFICER APPROVAL

Monitoring Officer

I have been consulted about the decision and confirm that financial, legal, and equalities advice has been taken into account. I am satisfied that this is an appropriate request to be submitted to the Police and Crime Commissioner.

Signed



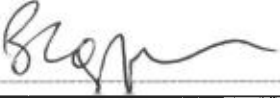
Date

20/2/17

Police and Crime Commissioner:

The above request HAS my approval.

Signed



Date

20/2/17