

Official



To: Acting Police & Crime Commissioner

From: Aly Flowers, Senior Policy Officer

Date: 13th December 2019

APPOINTMENT OF LEGALLY QUALIFIED CHAIRS FOR POLICE MISCONDUCT HEARINGS

1. Purpose

1.1 The purpose of this report is to provide the Acting Police and Crime Commissioner (the "Commissioner") with the details of the recruitment process to appoint Legally Qualified Chairs (LQCs) to serve on Police Misconduct Panels.

2. Recommendation

2.1 The Commissioner is recommended to:

- endorse the steps taken in the recruitment and selection process to identify candidates for appointment as LQCs;
- approve the appointment of the 24 LQCs;
- approve the day-to-day maintenance of the list of nominations by Cambridgeshire Office of the Police and Crime Commissioner (OPCC).

2.2 The Commissioner is asked to sign a Decision Notice CPCC 2019-021 to reappoint nine LQCS and appoint 15 new LQCs.

3. BACKGROUND

3.1 With effect from 1 January 2016, Police and Crime Commissioners (PCCs) were required to nominate persons to serve as LQCs of Police Misconduct Panels under the Police (Conduct) Regulations 2012.

3.2 The LQCs sit on misconduct panels with a member of a police force, of at least the rank of superintendent, and an Independent Member selected by the appropriate authority. The appropriate authority for these purposes would be the relevant Chief Constable.

- 3.3 Whilst the responsibility to appoint the LQCs is an individual one for PCCs, the Eastern Region Offices of PCCs recognised that there were economies of scale to be achieved in undertaking a regional recruitment and appointment exercise. Accordingly the Eastern Region PCCs proceeded to recruit and appoint a panel of 17 legally qualified chairs for the Region (see Decision CPCC 2015-014).
- 3.4 The appointments were made for a four year term with effect from 1 January 2016 with the option at the discretion of the PCCs for the term to be extended for a further four year period. The first four year period expires on 31 December 2019. Further the size of the Eastern Regional Panel has now, with attrition, reduced to 13 members.
- 3.5 Officers from each of the six Offices of PCCs in the Region have been meeting regularly as the Member Misconduct Oversight Panel (MMOP) to coordinate and operate all aspects of the administration of LQCs and Independent Members. The MMOP have been planning activity to ensure that sufficient LQCs are available for misconduct panels from 1 January 2020.

4. ACTION BY MEMBER MISCONDUCT OVERSIGHT PANEL

- 4.1 At its July 2019 meeting, the MMOP considered data which showed that since 1 January 2016 LQCs had sat on 90 cases across the Region.
- 4.2 Feedback from Professional Standards Departments indicated that, owing to the other professional engagements of LQCs, it was not always easy to select and appoint a chair to a misconduct hearing. Noting also the rate of attrition from first appointment, the MMOP considered that the Panel size needed to increase from the current figure of 13 to between 20 to 25.
- 4.3 The MMOP determined to take an approach whereby it would consider re-appointing existing LQCs for second terms and then, on top of that, launch a recruitment exercise to select and appoint a group of new LQCs in order to reach the 20-25 figure.

5. RE-APPOINTMENT OF LEGALLY QUALIFIED CHAIRS

- 5.1 During 2018 all current LQCs were advised that in considering re-appointment for the four year period from 1 January 2020 the factors that would be taken into account in deciding whether to extend the current terms of appointment would include amongst other things, number of sittings, number of sittings declined and training attended.
- 5.2 During 2019 LQCs were asked whether they wished to be re-appointed. In July 2019, the MMOP determined that nine of the existing 13 LQCs should be recommended for re-appointment for a four year terms, these being:

- John Bassett
- Monica Daley-Campbell
- Siobhan Goodrich
- Trevor Jones*
- Alexandra Robson
- Colin Chapman
- Neil Dalton
- Harry Ireland
- Peter Nicholls

** Subject to new training being completed or evidence of further sittings outside the Region in view of the limited number of sitting undertaken at that point.*

6. RECRUITMENT OF FURTHER LEGALLY QUALIFIED CHAIRS

- 6.1 The recruitment advert was published via the Judicial Appointments Commission, the Centre for Public Appointments, the Association of Police and Crime Commissioners, Regional PCC websites, through circulation to APACE Chief Executives, and existing LQCs nationally through the National Association of Legally Qualified Chairs. The advert was published from 12 August 2019 with a closing date for applications of 8 September 2019.
- 6.2 102 completed applications were received. Three officer representatives from the Regional OPCCs (Cambridgeshire, Hertfordshire and Suffolk) shortlisted these for interview by considering and discussing the applicants against the essential and desirable criteria. The candidates selected were those that were considered to best meet the criteria.
- 6.3 32 candidates were shortlisted for interview. The interview panel comprised Gavin Miles, Deputy Chief Executive, Hertfordshire OPCC; Gwen Faulkner, Assistant HR Director, Cambridgeshire Constabulary; and Christopher Jackson, Chief Executive, Suffolk OPCC.
- 6.4 At the conclusion of the interviews, the interview panel selected 15 candidates for recommendation of appointment. These candidates were those judged by the panel to best meet the qualities and abilities required for the role.
- 6.5 The names of the candidates recommended by the interview panel for appointment are given below.

- Andrew Clemes
- Lyndsey De Mestre
- Andrew Hearn
- Marcus Joyce
- Karimulla Khan*
- Geoff Payne*
- Navneet Sher
- David Tyme*
- Francesca Del Mese*
- Stephen Gowland*
- Jane Jones*
- James Keeley*
- Sharmistha Michaels
- Collette Rawnsley
- Darren Snow

** These candidates are already existing legally qualified chairs serving elsewhere than within the Eastern Region.*

- 6.6 References for all the recommended candidates have been taken up and have been found to be satisfactory. In accordance with National Police Chiefs' Council policy, no vetting is required.
- 6.7 The MMOP takes the view that unless there are exceptional circumstances all new candidates should attend training before their period of service as LQCs commences. Whilst some of the new candidates are existing LQCs, the changes to the complaints and misconduct system anticipated to commence from 1 February 2020, and which

will impact on the discharge of LQC duties, mean that there will be clear benefit to them being trained before they commence their duties, whether or not they have previously served as LQCs.

Aly Flowers
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