

Ph (44) 01730829416

Mobile (44) 07717222459

E\_Mail [idris.francis@btinternet.com](mailto:idris.francis@btinternet.com)

Post Code GU32 1LD

Sunny Bank,  
Church Lane,  
West Meon,  
Petersfield,  
Hampshire, UK

22 April 2017

**Your proposal to disapply my complaint against the Chief Constable**

**Richard Andrews**

Office of the Police and  
Crime Commissioner for Hampshire.

**Dear Mr. Andrews,**

As your letter of 18th April is less than clear it might be helpful if I start with some facts:

1/ In mid 2011 the then Roads Minister instructed all camera partnerships and police forces to publish data for their fixed speed cameras. The declared purpose of that step was to allow others, including members of the public, to assess that data and form their own opinions about the effectiveness of cameras.

2/ Hampshire Police finally complied with that instruction some 4 to 5 years later, between October 2015 (when I was told it was not yet available) and March 2017 (when I happened to see it on the web site).

3/ With the benefit of many thousands of hours spent obtaining and analysing similar data, I was able to convert the data from the needlessly unhelpful format in which it was published into graphs showing what actually happened at those 30 sites. For your convenience I attach the same Power Point file of graphs I copied to the Chief Constable.

4/ As you will see, Hampshire Police's own shows that slight injuries/collisions at sites fell no faster than elsewhere and fatal/serious injuries/collisions actually rose significantly, in stark contrast to continuing falls elsewhere.

5/ Faced with these results, **doing nothing was not an option** because like everyone else I owe a duty of care to others and in this context, especially to other road users. Incidentally, that legal position was confirmed only a few years ago by the High Court rejection of an appeal against a jail sentence on a young lady who had put her sister, unconscious after taking drugs, to bed rather than summon help and so risk prosecution. The sister died and the young lady was (rightly) convicted of manslaughter not because of what she did but because of what she failed to do.

6/ Of the options open to me, including contacting the media, my MP, to the Department of Transport, or indeed holding a public meeting in Winchester on the subject, the most appropriate, at least initially, seemed to me to be to write to the Chief Constable to make her aware of this evidence, in the hope that she would act on it.

7/ As you know, I received not even an acknowledgement let alone a substantive reply to the first or second copies of my email. When I sent a third copy I did, as you know, receive a reply of sorts in an email dated 28th March from Amanda Gomer, apparently on behalf of the Chief Constable, stating:

*"I hereby acknowledge receipt and can confirm this is the first time your correspondence has been received by the Chief Constables office.*

*I would like to confirm that the Chief Constable will not be responding personally to your correspondence and I have been advised to highlight that if you wish to make a formal complaint please so do via the correct channels of the Professional Standards Department at Hampshire Constabulary. I understand your Freedom of Information request has been acknowledged appropriately."*

8/ I make again the following points about that email:

I know my first email was received by the postmaster at Hampshire Police because I received an acknowledgement of the FoI request it included that same morning. Ms. Gomer was therefore either mistaken or misinformed when she claimed 13 days later that it had been received for the first time that day – unless Hampshire Police have a serious internal communication problem that needs to be sorted out.

I should make it clear in relation to point 1 of your letter that had that email stated that, "*the Chief Constable will not be responding **personally** to your correspondence but **someone else will***" I would not have needed to file this complaint. That it did not, and that no one else **has** contacted me surely confirms that the Chief Constable intends to ignore the information, providing *prima facie* evidence of misconduct and breach of duty of care.

A reply refusing a response cannot sensibly be described as a response.

I was already aware, and your letter confirms, that complaints against a Chief Constable should be sent to the PCC not to the Professional Standards Department. Accordingly, Ms. Gomer's advice on how to complain was clearly wrong, given that my complaint could (at that stage at least) only have been against the Chief Constable, not other officers with whom I had no contact.

Although I was quite sure about the point I checked with the Professional Standards Department who in an email dated 06 April replied,

*Dear Mr Francis*

*We have been passed your communication with Amanda.*

***If you wish to make a complaint about the Chief Constable, please make this in writing to the Office of the Police & Crime Commissioner.***

9/ Your letter includes this extraordinary paragraph,

*While you are not satisfied with the response you have received, lodging a formal complaint against the Chief Constable may be considered an abuse of the procedures for dealing with complaints. This would be on the grounds that another form of redress is open to you for raising complaints of this nature, which is by making your complaint to the Professional Standards Department. It may also be considered a vexatious complaint on the grounds that you have been informed of the route you should take to lodge a complaint, yet you have chosen to formally complain against the Chief Constable instead.*

I comments as follows:

Anyone is legally entitled to file a complaint against any police officer and the procedure for doing so is clear. **I followed it to the letter.**

My complaint is clearly and explicitly against the Chief Constable, on the basis of her refusal to deal with the evidence I provided that Hampshire's fixed cameras results in more collisions than would otherwise occur. I have had no contact with other officers on this subject.

No other form of redress **is** open to me via the Professional Standards Department, unless and until I file further complaints against other officers within its remit.

You claim that I have *chosen to formally complain against the Chief Constable instead.*

**Instead of whom**, given that I have had no contact with any other officer?

There is no justification whatever for describing my complaint as **vexatious** or **oppressive**.

11/ Your choice of words *before a final decision to disapply **is taken*** instead of **is considered** appears to be a Freudian slip.

**Yours sincerely**

**Idris Francis**