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EX 01



IOPO IPC

Ymddiwrdd yr Heddlu
Independent Office
for Police Conduct
Independent Office
for Police Conduct

Swyddfa Annibynnol
Ymddygiad yr Heddlu

Our reference number: 2018/099011

Force reference number: MI/10/18

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Web/Gwefan www.policeconduct.gov.uk

[Redacted]

This summary police "conduct assessment" was carried out at the instruction of Lesley Longstone the head of the IPCC after Hampshire Police failed to carry one out. It related to now confirmed very serious child safeguarding failings by Hampshire Police for failing to record and investigate a child sex offender twice over a 2 year period. This led to 17 sex offences being committed, offences against children they could have easily stopped.

22 March 2018

YET, goes on to state "no conduct issues" have been identified. This exoneration was achieved by evidence being withheld by Mr. Trencher and the PSD that proved this assessment to be a lie and fabrication.

Dear [Redacted]

As you are aware Hampshire Police carried out a conduct assessment in relation to the matters you raised with them regarding Mr Tyrone Mark.

As previously agreed please find enclosed a summary of the conduct assessment completed by Hampshire Police. A copy has also been forwarded to the Children's Commissioner Anne Longfield.

Yours sincerely

Clara Harriott
Senior Assessment Manager
Independent Office for Police Conduct

Summary of Conduct Assessment

Background to conduct assessment

In December 2012 a referral was made by Arnewood School, Hampshire to the Hampshire County Council's Local Authority Designated Officer (LADO) regarding Mr Tyrone Mark, a teacher at the school regarding his relationship with a pupil. The LADO referred the matter to Hampshire Constabulary's Central Referral Unit (CRU). As both Mr Mark and the pupil resided in Dorset, the matter was referred to Dorset Police who decided that a single agency referral was appropriate and could be conducted by the school.

LIE

In March 2013, Mr Mark resigned his position after disciplinary proceedings were commenced by the school. In October 2013 additional materials regarding Mr Mark were obtained by the school, and Hampshire Constabulary were contacted for advice. Hampshire Constabulary advised that no action was required by themselves, and that the material could be dealt with by the single agency and the Disclosure and Barring Service (DBS). Mr Mark was barred from teaching indefinitely by the National College for Teaching and Leadership (NCTL) in July 2014. Following the NCTL decision, the school wrote to parents informing them of the outcome. After considering advice from the LADO, the school handed all the material they had to Hampshire Constabulary.

In December 2014 a criminal investigation was commenced by Hampshire Constabulary. Mr Mark was subsequently charged with 17 offences of possessing indecent images of children which had been downloaded from the internet. Mr Mark was sentenced to six month's imprisonment in February 2016.

██████████ whose son was a pupil at the school, made a number of complaints regarding Hampshire Constabularies' decision not to investigate the offences when referred in 2012, a failure to record the occurrence in accordance with Home Office Counting Rules, and that police inactivity led to the 17 offences being committed against children. Mr ██████████ complaints were assessed in accordance with the Police Reform Act 2002, and a series of non-recording letters were sent to ██████████ on the basis that he was not a person whose son was subject of the investigation, or was adversely affected by the investigation. ██████████ appealed these non-recording decisions to the IPCC, who did not uphold his appeals. ██████████ subsequently wrote to the Children's Commissioner, and the Children's Commissioner wrote to the IPCC highlighting ██████████ concerns. The IPCC then wrote to Hampshire Constabulary directing that a conduct assessment be completed in accordance with Section 6.4 of the IPCC Manual of Guidance.

Conduct assessment conclusions

Hampshire Constabulary identified the following concerns in their conduct assessment:

This is Hampshire Constabulary breaking the law in a very fundamental way.

- The referral from the LADO in December 2012 and subsequent contact with Dorset was not recorded on the force's Record Management System (RMS)
- The further referral in October 2013 and interaction with the LADO following the return of items belonging to Mr Mark by a colleague was not recorded on RMS.
- Procedure for the referral by the LADO in December 2012 required an initial police investigation by Hampshire Police to establish the nature of the relationship between teacher and pupil.
- Local and national safeguarding procedures required the full facts of a case to be established prior to concluding whether a position of trust allegation should be single agency and if a criminal investigation is required.

Dorset police officially acknowledged this was not so. But this evidence was suppressed by Roger Trencher and the PSD ...

The conduct assessment notes that the decision in December 2012 to refer the matter to Dorset Police was in accordance with Hampshire Constabulary's local procedure, as all parties directly involved resided in Dorset. ... So they could tell this lie of course.

Concerning conduct issues, no individual officers have been identified within the report. It is also noted that the issues identified relate to the recording of information within the force's systems or are matters regarding adherence to procedure. As such, the conduct assessment notes that the identified issues are procedural in nature. It is also noted that steps have been taken to ensure that all contacts regarding LADO referrals are recorded on RMS. Officer's broke the law and endangered children. But nothing to answer for.

The conduct assessment further notes that the procedural issues concerning Hampshire Constabulary's handling of Mr Mark appear to be isolated occurrences, and audits of similar position of trust cases from the period do not raise concerns with Hampshire Constabulary's recording of referrals or the decisions made regarding them. On the basis that the identified concerns are procedural in nature, they appear to be isolated occurrences, no officers have been identified and actions have been taken to rectify the procedural concerns in future, there does not appear to be an indication of any conduct matters.

From: Campbell, Keith (5108) [<mailto:Keith.Campbell@Dorset.PNN.Police.uk>]

Sent: 29 October 2014 17:37

To: [REDACTED]

Subject: Review of Dorset Police Response 2014-626 NOT PROTECTIVELY MARKED

Just part of the evidence proving the conduct assessment to be a lie. Suppressed by the Force Solicitor Roger Trencher and the PSD who were explicitly asked to forward it on to Lesley Longstone and Jennifer Izekor but deliberately failed to do as easily proved by correspondence. Dorset Police confirmed they did not deal with the case and were not sent the evidence as the conduct assessment dishonestly leads you to believe.

This matter was discussed with the Head of our Professional Standards Department, Superintendent Peter Windle and I have been nominated to respond due to my involvement and responsibility in the matter.

Supt Windle is of the opinion that it might assist you if I make the comments in my previous communication more explicit, and I do so below:

Dorset Police did receive some information that was appropriate in the circumstances but this was purely for our reference and is not suitable for disclosure. Dorset Police was not involved in any investigation of the matter. We did not receive any file of related material; indeed our knowledge that such a file exists comes from information supplied by you. We have double checked this and make the assertion with confidence.

Our knowledge of the detail of what happened in response to this matter is minimal but it is possible that this was dealt with by the school and Hampshire County Council staff, since the local authority has primacy in welfare and education issues related to children and young persons. The information that we received originated from HCC.

To conclude, we can only reiterate that this matter was not dealt with by Dorset Police and we received no file of any sort from the school or any other involved party.

Please see the notice below which outlines your right to complain to the Information Commissioner's Office about this matter.

If you are not satisfied with our response in relation to your request for information then you have the right to refer this to the Information Commissioner who will consider your complaint. You can contact the Commissioner at: -

**Information Commissioner's Office,
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire,
SK9 5AF.**

As you can see this exposes the lie in the assessment. The case and evidence was not transferred to Dorset Police for investigation or follow up at all, and not recorded by them. Hampshire Constabulary blocked evidence to cover up and protect officers for "looking the other way" for 2 years.

E-mail mail@ico.gsi.gov.uk

Yours sincerely

This is just SOME of the suppressed evidence

**Keith Campbell
Freedom of Information Manager**

Our ref: CH.14.07.26

22 July 2014

Lies to parents - no police investigation had taken place. It appears someone at Hampshire Constabulary was given false information to the school and Hampshire County Council that a police investigation had taken place when it had not. The alternative is they made it up.

Dear

Re: Misconduct hearing of former member of staff

We are writing to you because last week a former member of our teaching staff, Mr Mark, was the subject of a professional misconduct hearing and has been permanently prohibited from teaching.

Mr Mark had his contract terminated by the school in March 2013, following allegations that he formed an inappropriate relationship with a student outside of school.

I would like to reassure you that the police investigated these matters and found no criminal activity had taken place.

Acting upon legal advice, this has been the first opportunity we have had to comment publicly on the matter.

We take the safety of your children extremely seriously.

From the outset when these allegations were made known to us Mr Mark was immediately suspended and we worked closely with both the local authority and the police. We have taken substantial professional advice and followed national child protection guidelines throughout.

Given our concerns, it was only right that we referred the matter to the attention of the Disclosure and Barring Service, the government body which replaces the Criminal Records Bureau and Independent Safeguarding Authority.

Some months after Mr Mark had his employment terminated by the school it emerged that he had documents and files in his home containing his personal thoughts on students.

We were shocked and disgusted by Mr Mark's actions. The very serious nature of the national panel's findings reflects this and we fully support the decision taken to prohibit him from teaching following our referral.

There is no evidence that Mr Mark formed inappropriate relationships with any other student.

To protect the identity of the student involved we are unable to go into any further detail.

We respectfully ask that your children and others refrain from using social media speculation on this matter to protect the identity and feelings of the student

Mr Mark was a very experienced teacher, a colleague for many years; we feel that the trust we placed in him has been betrayed.

If any parent/carer has any concerns following this news the Headteacher will be happy to talk to you when the school is back in session in September but we must stress that we cannot go into the details of this particular case for the reasons outlined above.

Yours sincerely

C C Hummerstone
Headteacher

Elizabeth Cook
Chairman

Subject: FW: From office of Rt Hon Desmond Swayne TD MP

The Head of Children's Services
Mr. John Coughlan.

From: MOIRA SWAYNE [<mailto:swaynem@hotmail.co.uk>]

Sent: 15 February 2015 10:46

To: [REDACTED]

Subject: From office of Rt Hon Desmond Swayne TD MP

He was putting forward false misleading information too. Was he misled by someone at Hampshire Police?? Or just careless or worse??

Dear [REDACTED]

Please find below the body of the emailed letter sent by John Coughlan to Mr Swayne on 26th January.

----->

Date 26th January 2015

Dear Mr Swayne

I am very sorry for the delay in responding to your letter. I had asked our legal advisers to consider the position, and there was some delay at their end for which they apologise.

Hampshire County Council did not conduct an investigation into the allegations made against Mark Tyrone. When it was approached by the Arnewood Academy in December 2012, enquiries including contact with the Police led officers to conclude, appropriately, that the matter should be investigated internally by the Academy. I remain confident with that conclusion.

Wow he was committing child sex offences when Coughlan wrote this.

It follows that there is no local authority investigation file, as such, to be disclosed to the Police, but we would of course co-operate fully with any request from the Police for any material which we hold, to the extent that we are required or permitted to do so.

I trust that this answers your question, but please do let me know if I can assist further.

Best wishes

John Coughlan
Deputy Chief Executive & Director of Children's Services
Hampshire County Council
3rd Floor, Elizabeth II Court North
Winchester
Hampshire SO23 8UG
Tel: 01962 846516

Rt Hon Desmond Swayne TD MP

House of Commons
London SW1A 0AA
0207 219 4886

www.desmondswayne.com

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EX 02



OFFICIAL

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Sent via email:

[REDACTED]

**Dorset Police
Professional Standards Department**

Force Headquarters
Winfrith, Dorchester
Dorset DT2 8DZ

Your ref:
Our ref: CO/00554/22

Phone: 101 Ext. 3808

E-mail: complaints&misconduct@dorset.pnn.police.uk

Date: 20 September 2022

Dear [REDACTED]

COMPLAINT AGAINST POLICE

I have made further enquiries as a result of our correspondence, and I hope this clarifies your Points.

You asked if the DS was involved in the decision making about how Mr Mark should be dealt with which are points 4 and 5 below.

The officer has explained that he liaised with the LADO knowing that Hampshire Police had said they would not deal with the case. He recalls that he felt that the matter was for Hampshire to investigate as the concerns appear to have arisen from the school and were reported as inappropriate communication between teacher and child. At the time he had no information to suggest there were offences in Dorset and it would be for the LADO to co-ordinate the investigation. He remembers that it was the LADO's preferred option that the matter be dealt with by the Education Authority. The information available to him from the referral and speaking to the LADO did not suggest offences had been committed in Dorset, he felt Hampshire Police should investigate and informed the LADO of his view.

In relation to your points below I can confirm from my enquires that they are correct.

1. No file or any evidence on the Tyrone Mark case was sent to Dorset Police at anytime.
2. No crime was recorded under the HOCR.
3. Dorset Police did not investigate.
4. Dorset Police did not make any decisions on the case.
5. Dorset Police did not decide the case should be handled on a single agency basis.
6. The case was not transferred to Dorset Police by Hampshire Police.

I hope that I have provided clarity for the further points you raised.

Yours sincerely

[REDACTED]

[REDACTED]

Complaints & Misconduct Unit

EX 03



Never investigated despite Dorset Head of PSD confirming need for investigation

Chief Constable Amanda Pearson MSt (*Cantab*)
www.dorset.police.uk

OFFICIAL

[Redacted]

Sent via email:

[Redacted]

**Dorset Police
Professional Standards Department**

Force Headquarters
Winfrith, Dorchester
Dorset DT2 8DZ

Your ref:
Our ref: CO/00554/22
PK.3808.RGH

Phone: 101 Ext. 3808

E-mail: complaints&misconduct@dorset.pnn.police.uk

27 April 2023

Dear [Redacted]

COMPLAINT AGAINST POLICE

I am the Head of Professional Standards and have been kept updated on your dealings with the office via Mr Watkinson.

I fully appreciate your frustration, and indeed given my role as Head of Professional Standards, if I had any jurisdiction in this case, I would absolutely direct an investigation. Unfortunately, this is clearly a matter for the Hampshire Force, and so I asked Deputy Chief Constable De Reya to pass this to her equivalent Deputy Chief Constable in Hampshire, which was completed. Neither our Chief Constable nor Deputy have any authority over Hampshire Police.

If you remain dissatisfied you can write to the Chief Constable in Hampshire direct, and/or write to the IOPC (Independent Office for Police Conduct) who oversee all police forces.

If you wish to make a formal complaint, then we will of course ensure it is appropriately recorded and handled in accordance with regulations.

Yours sincerely

[Redacted Signature]

[Redacted]
Detective Superintendent
Head of Professional Standards Department

EX 04

[REDACTED]

From: public.access@hampshire.pnn.police.uk
Sent: 21 August 2014 13:05
To: [REDACTED]
Subject: RE: FOI Appeal

Mr [REDACTED]

Yes that is correct.

Jason

Jason Russell | Senior Manager for Public Access

Joint Information Management Unit | Hampshire Constabulary & Thames Valley Police

Telephone 01962 871014 | Internal 79 1228

Address Police Headquarters, West Hill, Winchester, SO22 5DB

Information Management Helpdesk:

Hampshire: information.management@hampshire.pnn.police.uk / 01962 871541 (internal 79 2128)

Thames Valley: information.management@thamesvalley.pnn.police.uk / 01865 846329 (internal 700 6329)

From: [REDACTED]
Sent: 21 August 2014 12:57
To: PUBLIC ACCESS Mailbox
Subject: RE: FOI Appeal

Dear Mr. Russell,

Sorry, just one more thing if I may. I presume from that response Hampshire Constabulary have no incident or crime number recorded for this?

Regards

From: public.access@hampshire.pnn.police.uk [<mailto:public.access@hampshire.pnn.police.uk>]
Sent: 21 August 2014 09:34
To: [REDACTED]
Subject: FOI Appeal

[REDACTED]

I refer to your latest email below and your request for a review of Hampshire Constabulary's response to your FOI request.

I can confirm that I have now concluded my review and I have decided that we are in a position to respond to your request without using the neither confirm nor deny exemption under Section 40.

As a result, I can now state that Hampshire Constabulary hold no information in respect of your request. However, if you contact Dorset Police they should be in a position to respond.

If you wish to discuss further, please do not hesitate to contact me.

Jason Russell | Senior Manager for Public Access

Joint Information Management Unit | Hampshire Constabulary & Thames Valley Police

Telephone 01962 871014 | Internal 79 1228
Address Police Headquarters, West Hill, Winchester, SO22 5DB

Information Management Helpdesk:
Hampshire: information.management@hampshire.pnn.police.uk / 01962 871541 (internal 79 2128)
Thames Valley: information.management@thamesvalley.pnn.police.uk / 01865 846329 (internal 700 6329)

From: [REDACTED]
Sent: 05 August 2014 13:55
To: PUBLIC ACCESS Mailbox
Subject: RE: Freedom of Information Request HC/1369/14

Attachments: news article.pdf; Mark__Tyrone_-_Web_Decision_-_9951029.pdf
HC/1369/14

Dear Information Team,

Additional attachments for Mr. Russell when he reviews this request. News article and public NCTL decision. Confirmation it is already in the public domain there was a police investigation into this named individual in the press. Confirmation and reassurances now sought from the Constabulary. And files containing abusive material on children exists also in the public domain as per the attached NCTL decision and press coverage. The CPS has been direct about this and told us they do not hold this information, surely the police should be forthright too.

Thank you.

[REDACTED]

This electronic message contains information from Hampshire Constabulary which may be legally privileged and confidential. Any opinions expressed may be those of the individual and not necessarily the Hampshire Constabulary.

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EX 05

Lying in a pre-action response letter is a serious matter. Dorset Police's evidence has never been investigated at anytime and Mr. Silson will not provide the disclosure under court rules which would bare that out. The lies are as clear as day. Where are the investigation reports then ??

PLEXUS

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Our ref: TQS-GAL.022- 35

Your ref:

Date: 02 July 2023

E: tom.silson@plexuslaw.co.uk

T: 0161 245 7973

Sent by email only [REDACTED]

Dear Sir

[REDACTED]

We refer to the above matter in which we act on behalf of the Defendant.

We have now had the chance to consider your Judicial review Pre-Action letter dated 14.06.23 together with the preceding emails requesting a formal response.

To the points raised in your JR Pre-Action letter dated 14.06.23, the Defendant responds as follows (for the avoidance of doubt we have adopted the same numbering as you have used: -

1. As clearly stated in the letter of Chief Inspector David Winter, Hampshire consider your most recent complaint concerns substantially the same conduct and/or issue as has been investigated before – essentially, your allegation that there was no “investigation” following receipt of alleged ‘evidence’ from Dorset Police.

LIE 1

Hampshire do not accept your suggestion that you have disclosed anything that warrants a new investigation as there is no fresh indication that any person serving with Hampshire has committed a criminal offence or behaved in a way which would justify bringing disciplinary proceedings.

LIE 2

Finally, Hampshire are confident that your previous complaints have been investigated and handled accordingly and we note that on occasion where you have been dissatisfied with those responses, you have requested a review from the IOPC.

At the time of writing, the IOPC have not found any fault against Hampshire and, therefore, its decision to categorise your latest complaint as repetitious, remains valid.

2. On receipt of your initial complaint, it was recorded and allocated a reference number CO/1380/23. DCC Hutson received the matters from Dorset Police and referred them into the Professional Standards Department.

Plexus Law

City Tower | Piccadilly Plaza | Manchester | M1 4BT

DX 744610 Manchester 72 | T: 0161 245 7900 | F: 0161 245 7901 | www.plexuslaw.co.uk

Having considered the letter dated 27.04.23, Hampshire does not accept your submission as to what alleged involvement DCC Hutson had 'in matters' (non-admitted). Hampshire has clearly set out what evidence has been considered and why it believes the complaint to be repetitious.

3. Hampshire respectfully avers that it has complied and followed due process in its complaints procedure. It is also aware that Judicial Review is a last resort.
4. This requires no formal response.
5. All complaint investigations are handled in an impartial manner and C/Insp Winter has taken the view that this was not an investigation. It is therefore his approach that the highlighted section – *“investigator must not work, directly, or indirectly, under the management of the person being investigated”*, is not relevant in this matter. There is no investigation into the actions of DCC Hutson and so no conflict arose.

C/Insp Winter has explained in his letter what the actions were of DCC Hutson in terms of passing the letter from Dorset Police to him. C/Insp Winter is aware of all of the circumstances around this matter and understands the history of it. He also understands that Dorset Police were unaware of all the historical actions that Hampshire and the Isle of Wight Police had undertaken to deal with this matter and it is of no surprise to him that D/Supt Kessell wrote the letter in the way he did. D/Supt Kessell's response may have been different had he been fully aware of the background to this matter.

In your additional correspondence, you also raise a number of objections to Hampshire's process and handling of this situation. As previously indicated, Hampshire does not accept your assertions and relies on its previous responses.

To assist, however, Hampshire wishes to clarify the following: -

- Hampshire have accepted in the Op Whyte report, dated 23rd February 2014 (and previously supplied to you) that there was a gap in the processes for this type of issue. Changes were made to close the gap that existed.
- Hampshire are not clear as to what Dorset's 'evidence' is as you suggest. Dorset have not completed any investigation and so did not collect any evidence. The Dorset Police letter to you states that:

“On 11th December 2012 the Hampshire LADO sent an email to Hampshire Police's Public Protection Unit (PPU) summarising the issue. In the body of the email it was noted, “there is no evidence to suggest that it is sexual, although the nature of the gifts and cards could be seen as grooming”

The same day the email was forwarded by Hampshire Police to Dorset Police's Safeguarding Referral Unit (SRU) with the annotation that both teacher and pupil reside in the Dorset Police area.

- There is nothing to suggest that a file of evidence was ever sent to Dorset Police, it appears that the email was the notification from which the force then created a crime reference number for and which contains the actions that show the following.

- The matter was recorded under reference number C:12:C:52198 linked to a form CP01 and classified as a “None Crime CP:01 Child protection non-crime in line with crime recording standards at that time. A CP 01 was a proforma document that was submitted to local child services if there was any contact with a child.
- It is the Investigating Officers (IO) understanding that Crime reference number would be created to attach the CP 01 and for actions/enquires to be recorded on the record.
- It was recorded that concerns had been raised due to inappropriate communication between the teacher and pupil, however, there had been no suggestion of sex or attempts to have sex.
- It was further noted, *“I have contacted Hants CRU. It is unclear where these offences have occurred. Having read their referral (email) it appears that the offender and the victim’s parents are colleagues. So, it suggests to me these offences have happened in Hants.”.*

This is entirely consistent with what Hampshire have provided you. Hampshire are not aware of Dorset providing it with any evidence.

- Dorset Police have recorded what was referred to them but then taken no further action. With all due respect, Hampshire’s position is that any comment by D.Supt Kessell is made without the full understanding or sight of the work that had already been undertaken by Hampshire and previously shared with you.
- Hampshire shared information with Dorset who did not identify anything that they should deal with. It was passed back to Hampshire and it decided that the LADO could deal with it through the Education process.
- The IOPC are aware of this matter as previously stated to you. Hampshire have provided background papers to the IOPC regarding the conduct assessment. It has had correspondence with the IOPC and it has shared this with them. Hampshire believes it has referred all relevant matters to the IOPC.
- Upon further review of the letters from Dorset Police, Hampshire respectfully aver that they match the details already been provided to you - in terms of the handling of the case and the conduct assessment. Hampshire cannot identify where there is anything new to consider. Hampshire do not believe that the Dorset investigation shows that it produced a false report as you appear to allege.
- Your complaint regarding Mr Trencher is still ongoing – complaint reference number CO/484/19. But for the avoidance of doubt, Hampshire maintain the position of the conduct assessment completed by Mr Franks.
- As previously explained to you, Hampshire have taken the learning identified following the Conduct Assessment and it has improved and changed its processes. It has also set out previously when it is required to record crimes that are related to the complaints process. It has shared its view of the interpretation of the Home Office Counting Rules and the National

Crime Recording Standards with you and makes no further comments/submissions on this point.

- For the avoidance of any doubt, Mr Trencher has nothing to do with this matter. All instructions are provided by C/Insp David Winter.

Hampshire now feel it has exhausted reasonable correspondence with you.

It believes the points you have raised, and its responses thereafter, are becoming entrenched and are merely repeating the same accusations and rebuttals.

Hampshire does not wish to enter into further protracted correspondence on this issue and considers that if you remain unsatisfied with the above response, it is entirely your decision whether you wish to proceed with Judicial Review.

Should any claim be issued, however, Hampshire will file Grounds to Object and seek its costs of doing so from you direct.

Yours faithfully

A handwritten signature in black ink, appearing to be 'D. Winter', with a long horizontal stroke extending to the right.

Plexus Law

This document is classified as CONFIDENTIAL

EX 06

[REDACTED]

From: [REDACTED]
Sent: 10 November 2023 15:25
To: 'Esther Myers Robinson'
Subject: RE: IOPC Ref: 2023/185488 Force Ref: CO/1483/22

Thank you for your email and introduction.

I presume your review will cover the linked appeals too? They are all interrelated and show a pattern of Hampshire Police avoiding substantive evidence by falsely stating the evidence provided by Dorset Police and myself has been previously investigated when it categorically has not. As you will see it is a widespread deception "pedalled" by numerous individuals in their PSD including the Head David Winter. I have repeatedly asked for a copy of the "investigation reports" which would have been sent to me as the complainant but never were as all my complaints were arbitrarily rejected out of hand. All relate to their disastrous handling of a child sexual abuse case and then Hampshire PSD producing a false "conduct assessment" into the handling of the case to pass the buck, as proven by Dorset Police's blocked evidence. Bottom line is they are lying about Dorset Police's evidence (and mine) having been investigated to reject all complaints and evidence about the false police report as repetitive and an abuse of process. Hence the damning evidence provided to Hampshire Police has never seen the light of day. Dorset Police's evidence says it all, my work does not have to be taken.

I would ask your report unequivocally point out the matter of the false conduct assessment report produced by Hampshire's PSD into the handling of the Tyrone Mark sexual abuse case and Dorset Police's evidence has never been investigated but needs to be. If it has why can they not provide any "investigation" reports. That in of itself which I am sure you will verify proves the lies. If you can be very specific about that I would appreciate it as it goes to the crux of the matter.

Thank you

[REDACTED]

From: Esther Myers Robinson [mailto:Esther.MyersRobinson@policeconduct.gov.uk]
Sent: 10 November 2023 14:55
To: [REDACTED]
Subject: IOPC Ref: 2023/185488 Force Ref: CO/1483/22

IOPC Ref: 2023/185488
Force Ref: CO/1483/22

Dear [REDACTED]

I am a Casework Manager for the IOPC. I am writing to introduce myself to you and to let you know that I have been allocated to assess your review application following the handling of your complaint by the Hampshire constabulary.

I have today started reading through the background papers that are associated with your case. My role in the review process is to decide whether the outcome of the complaint handling was reasonable and proportionate.

I aim to complete my review as soon as possible, and I will keep you informed of the progress of your case with regular updates where necessary. Please note that once my review is complete, I am not permitted to change my decision.

Sometimes people like to have advanced notice of when the decision letter will be sent so they can get a friend or family-member to support them when the letter arrives. If you would like that, please let me know.

Please note, I will send the decision letter using a secure email system called Egress. This ensures the email cannot be read by anyone else. I will send it to this email address unless you tell me not to. Please let me know if this is unsuitable, or if you prefer to have the outcome sent to you via post.

Yours sincerely

Esther Myers Robinson
Casework Manager
Independent Office for Police Conduct

PO BOX 694

Wakefield

WF1 9NU

Tel: 01924 811 609

www.policeconduct.gov.uk

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We welcome correspondence in Welsh. We will respond to you in Welsh and this will not lead to delay.

Rydym yn croesawu gohebiaeth yn y Gymraeg. Byddwn yn ymateb i chi yn y Gymraeg ac ni fydd hyn yn arwain at oedi.

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Gall y neges hon a'i chynnwys gynnwys gwybodaeth gyfrinachol, freintiedig neu hawlfraint. Fe'u bwriedir at ddefnydd y derbynydd arfaethedig yn unig. Os derbynioch y neges hon mewn camgymeriad, mae'n rhaid i chi beidio â datgelu, copïo, dosbarthu na chymryd unrhyw gamau sy'n dibynnu ar y cynnwys. Yn hytrach, rhowch wybod i'r anfonwr ac yna dilëwch ef yn barhaol. Mae unrhyw farn neu safbwyntiau a fynegir yn y cyfathrebiad hwn yn eiddo i'r awdur yn unig ac nid ydynt o reidrwydd yn cynrychioli barn yr IOPC. Dim ond staff penodedig sydd wedi'u hawdurdodi i wneud cytundebau rhwymol ar ran yr IOPC trwy e-bost. Nid yw'r IOPC yn derbyn unrhyw gyfrifoldeb am gytundebau anawdurdodedig y daethpwyd iddynt â gweithwyr neu asiantau eraill. Ni all yr IOPC warantu diogelwch yr e-bost hwn nac unrhyw atodiadau. Tra bod negeseuon e-bost yn cael eu sganio'n rheolaidd, ni all yr IOPC gymryd unrhyw gyfrifoldeb am unrhyw firus y gellir ei drosglwyddo â'r rhyngwyd. Mae systemau cyfathrebu'r IOPC yn cael eu monitro i'r graddau a ganiateir gan y gyfraith. O ganlyniad, gall unrhyw e-bost a/neu atodiadau gael eu darllen gan staff monitro.

EX 07

From: [REDACTED]
Sent: 20 December 2023 19:02
To: 'Esther Myers Robinson'
Subject: RE: IOPC Ref: 2023/185488 Force Ref: CO/1483/22

Dear Ms. Myers-Robinson,

Thank you for your email.

Understood. To re-iterate the focus of my appeal for you: It can never be reasonable and proportionate to say something and evidence has been investigated when it has not and never have any regard to the evidence provided. Nor reject a complaint as repetitious when it has never been investigated nor the evidence ever answered or acknowledged in any way (including new evidence) without checking that out first. Your report I believe should of course conclude (or not) that there is/was no investigation outcome report into Dorset Police's evidence (and mine) showing the factual discrepancies in Hampshire Police's report into its handling of the Tyrone Mark child sexual abuse case. This fact in of itself proves the complaint (it was not repetitious based on it being investigated). This is easy enough for you to ascertain as it would have been for the police complaint handler before calling the complaint repetitious and forming the opinion it had already been investigated. Why was no checking done? This point is highly substantive of course in reaching a correct decision on this appeal. Misinformation was evidently put forward by Ms. Stokel-Walker. Was it a lie or just careless, I believe it was the former. All it would have taken was some very cursory and basic checking on her part to ascertain and she was fully conversant with the case.

Then of course ignoring evidence and making up reasons to reject a complaint the details of which she was very involved with can never be reasonable and proportionate, it is plainly dishonest. Particularly when it is as convincing as this evidence is from Dorset Police Officers. And not investigating and answering authoritative evidence that the police have produced a false report into the handling of a child sexual abuse case by untruly maintaining it was repetitious would never be seen as "proportionate" and "reasonable" by a court of law either. To the contrary it would be seen as "Wednesbury unreasonable". That is no one with adequate knowledge of the law using common sense could ever arrive at that conclusion. You must surely agree. You have seen the evidence.

Also the complaint handler would have most of what I provided to you. Certainly that which was substantive to the complaint as explained. Eg: the Dorset Police's evidence, the false report, representations from me it was never investigated, and Ms. Stokel-Walker being wrong saying it was investigated (which would have made it repetitious under your guidance). Hence it was flatly wrong to classify the complaint as repetitious as well. As you have seen I have not been reluctant to forward what I consider related documents and the evidence.

These are the substantive points and the complaint handler was looking at.

As to the other evidence I have sent in, not going directly to the above. I do understand you will not be ruling on that but I believe this further background information provided to the IOPC is highly germane in reference to you making an informed mode of investigation decision. As such it should be taken into account and considered in this context. This complaint should have been referred in but was not as it relates and is linked to a "serious corruption" complaint. This was my original complaint into the false assessment report produced by Hampshire Police's PSD. They are inextricably linked. It should have been referred in as should the underpinning complaint, neither was. I too would have made Hampshire Police's PSD complaint handler aware of this too if I recollect correctly.

To manage expectations and with respect I would challenge in the High Court anything that does not find my complaint into the false conduct assessment to not have been investigated by Hampshire Police, but should have been and it was wrong to call it investigated and repetitious given Dorset Police's new evidence (and old). These are entirely germane issues that I hope you will take on board. Also this complaint is related to a very serious corruption complaint (a false police report into the handling of a child sexual abuse case). As it is linked it should have been referred in of course. Hence that too is very relevant and I would request an answer too.

In a nutshell:

- 1) Was it truthful as put forward by Ms. Stokel-Walker my complaint and evidence I had supplied had been investigated and the complaint was therefore repetitious? Well NO it was not true.
- 2) Is it proportionate to reject a complaint on misinformation when it relates to and is underpinned by authoritative and convincing evidence of serious police corruption (a false police report into the handling of a child sexual abuse case)? Well NO.
- 3) Should it have been referring in for a MOI? Well YES.
- 4) Are PSD complaint handlers subject to the police code of ethics or do they have a license to be untruthful to help bury evidence? Ms. Stokel-Walker was personally aware of the evidence of course as the record shows.

Sincerely

From: Esther Myers Robinson [mailto:Esther.MyersRobinson@policeconduct.gov.uk]
Sent: 20 December 2023 16:18
To: [REDACTED]
Subject: RE: IOPC Ref: 2023/185488 Force Ref: CO/1483/22

IOPC Ref: 2023/185488

Dear [REDACTED]

Thank you for your emails which I have attached to the case.

It is important that I am clear and honest with you so you are fully aware of my remit in terms of the complaint I am currently reviewing.

I must advise that I can only consider information that is relevant to this complaint and has been considered by the complaint handler in question.

I appreciate that you may wish to and have provided further documents and information, however, I will only be able to consider those which are relevant to this specific complaint and have been considered by the complaint handler.

My role is to review the handling of this complaint and assess whether that handling is reasonable and proportionate.

Yours sincerely

Esther Myers Robinson
Casework Manager
Independent Office for Police Conduct

PO BOX 694

Wakefield

WF1 9NU

Tel: 01924 811 609

www.policeconduct.gov.uk

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From: [REDACTED]
Sent: 19 December 2023 15:37
To: Esther Myers Robinson <Esther.MyersRobinson@policeconduct.gov.uk>
Subject: RE: IOPC Ref: 2023/185488 Force Ref: CO/1483/22

[Caution: This email originated from outside of the IOPC. Please protect our business by not opening any links or attachments unless you trust the origin of this email.]

RE: IOPC Ref: 2023/185488 Force Ref: CO/1483/22

Dear Ms. Myers-Robinson,

So here's what the evidence I have submitted to date establishes:

1. Hampshire Police produced a false conduct assessment into the handling of a child sexual abuse case. As substantiated by evidence provided by Dorset Police officers.
2. In affect falsely blaming Dorset Police for serious legal failings relating to the handling of that child sexual abuse case.
3. Dorset Police has provided evidence (more than once) which confirms the assessment report to be false in substantive ways.
4. Hampshire Police withheld vital evidence from Dorset Police if we are to believe they passed the case to Dorset Police as stated in the report (ie: sex dossier's on kids, DfE banning order etc).
5. Hampshire Police have repeatedly lied that the complaint about the false conduct assessment report and related evidence has been investigated to avoid answering the evidence (at just about every level).
6. Hampshire Police have spent public money to have a solicitor lie for them about the complaint and Dorset Police evidence being investigated when it has not.
- 7) Hampshire Police have ignored the mandatory criteria on referring this complaint in to the IOPC as per the statutory guidance .

That's very serious corruption. I am sure your outcome report will correct me if I'm wrong as to any of these points.

Sincerely
[REDACTED]

We welcome correspondence in Welsh. We will respond to you in Welsh and this will not lead to delay.

Rydym yn croesawu gohebiaeth yn y Gymraeg. Byddwn yn ymateb i chi yn y Gymraeg ac ni fydd hyn yn arwain at oedi.

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EX 08

[REDACTED]

From: [REDACTED]
Sent: 07 January 2024 12:37
To: 'Esther Myers Robinson'
Subject: RE: IOPC Ref: 2023/185488 Force Ref: CO/1483/22 (JR points)
Attachments: 20.09.22 Letter to [REDACTED].pdf; Dorset complaint acknowledgemnt to [REDACTED].pdf; false conduct assessment into child sexual abuse safeguarding failings by hampshire police.pdf; contact dorset police instead.pdf

RE: IOPC Ref: 2023/185488 Force Ref: CO/1483/22

To manage expectations. Judicial Review

Dear Ms. Myers-Robinson,

Please bare this important legal points in mind if you will. They indicate what I would have judicially reviewed if necessary (but hope I do not have too) .

- 1) A complaint cannot be rejected as vexatious and/or abuse of process if it is substantiated by substantive authoritative 3rd party evidence that has never been evaluated or answered in any way shape and form (attached again for absolute clarity). (Statutory Guidance).
- 2) A complaint cannot be repetitious if has never been investigated before, and there is new evidence (from Dorset Police) which has never been answered or even acknowledged through the complaints process. (Statutory Guidance).
- 3) This complaint review cannot reach an informed decision without ascertaining the underpinning facts relating to my complaint about Ms. Stokel-Walker providing serious misinformation to reject t my complaint about the false police conduct report sent to me into the handling of the Tyrone Mark child sexual abuse case. (Law : relevant consideration and reasonableness).
- 4) This IOPC review must answer whether her response was justified and a lawful one based on the facts and evidence. That is the IOPC must provide a definitive answer to the question whether the evidence provided to Hampshire Police and her personally has ever been answered and/or investigated or not, and If so it must produce the investigation report/s to substantiate it which should have been sent to me but were not. This is the only way to justify the lawfulness of Ms. Stokel-Walkers response (or not). The IOPC must confirm if there has been any investigation into the false report and my compliant or not. It cannot begin to answer this review without first ascertaining that. (Relevant consideration and reasonableness).
- 5) A complaint about an individual providing misinformation which prevents a serious police complaint being lawfully dealt without cannot be decided without the IOPC validating the underpinning facts and evidence that shows the response to invalid. That is the complaint was not vexatious, an abuse of process and repetitious under law and common sense and should not have received the response as penned by Ms. Stokel-Walker. It was based on sound yet ignored evidence.
- 6) There are no proper legal grounds for the IOPC to fail to review the facts and evidence referred to above. In fact guidance mandates it by stating complaints must be dealt with "holistically" and are therefore not just a procedural exercise without any regard to the underpinning facts and evidence.
- 7) This review had it been processed in the order received would have benefitted from access to all the facts and evidence and would not have been so restricted. (Procedural).
- 8) The IOPC must not ignore the fact this complaint should have been "referred in" but was not. That is a further serious legal failing. (Statutory Guidance).
- 9) If the IOPC thinks the evidence provided does not indicate the need for investigation it must reference it explicitly and clearly in its review and explain why not.

Of course there would be more, but these are the paramount legal points I would like you to be aware of. Evidence is everything.

Sincerely
[REDACTED]

From: [REDACTED]

Sent: 21 December 2023 18:19

To: 'Esther Myers Robinson'

Subject: FW: Your Complaint to Hampshire Constabulary (CO/01483/22) Update 18-11-22

To remove any doubt, here is the confirmation you need the complaint handler was sent the evidence in case they have not provided this to you. All in front t of him. But not even mentioned. That's illegal too.

----->

From: [REDACTED]

Sent: 05 December 2022 11:50

To: 'Clark, Andrew (18538)'

Subject: RE: Your Complaint to Hampshire Constabulary (CO/01483/22) Update 18-11-22

Dear Andy,

Don't think I sent you this but it is probative in relation to this complaint. It is a Dorset Police's investigation outcome further independently corroborating my complaint about the false report into the handling of the Mark Tyrone child sexual abuse case as routinely rejected by Rachel. As you can see Scott Chilton's force accepted the complaint (soon to be the new boss at Hampshire) and produced a damning report on it (from Hampshire's point of view that is). This new evidence was also sent in to the PSD, but Rachel Stokel-walker true to form again ignored it and rejected the complaint yet again. This new evidence did not even get a look in her latest rejection letter (not even mentioned), which further proves the arbitrary manner in which she deals with serious complaints and supporting evidence. Notwithstanding you will know a complaint must be revisited in the advent of new convincing and compelling evidence, what she not taught that?

Regards

[REDACTED]

From: Clark, Andrew (18538) [mailto:andrew.clark2@hampshire.police.uk]

Sent: 18 November 2022 10:42

To: [REDACTED]

Subject: Your Complaint to Hampshire Constabulary (CO/01483/22) Update 18-11-22

Dear [REDACTED]

I hope you are keeping well.

I am emailing you to confirm that I am still looking into the points you made in your complaint reference CO/01483/22.

I will keep you informed of any progress and will provide a further update within 28 days.

Kind Regards

Andy Clark

PSDI 18538 A Clark

Professional Standards Investigator

Hampshire Constabulary Complaint Resolution Unit

Fareham Police Station, Quay Street



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OFFICIAL

Dorset Police
Professional Standards Department
Force Headquarters
Winfrith, Dorchester
Dorset DT2 8DZ

Your ref:
Our ref: CO/00554/22

Sent via email:

Phone: 101 Ext. 3808

E-mail: complaints&misconduct@dorset.pnn.police.uk

Date: 20 September 2022

Dear [REDACTED]

COMPLAINT AGAINST POLICE

I have made further enquiries as a result of our correspondence, and I hope this clarifies your Points.

You asked if the DS was involved in the decision making about how Mr Mark should be dealt with which are points 4 and 5 below.

The officer has explained that he liaised with the LADO knowing that Hampshire Police had said they would not deal with the case. He recalls that he felt that the matter was for Hampshire to investigate as the concerns appear to have arisen from the school and were reported as inappropriate communication between teacher and child. At the time he had no information to suggest there were offences in Dorset and it would be for the LADO to co-ordinate the investigation. He remembers that it was the LADO's preferred option that the matter be dealt with by the Education Authority. The information available to him from the referral and speaking to the LADO did not suggest offences had been committed in Dorset, he felt Hampshire Police should investigate and informed the LADO of his view.

In relation to your points below I can confirm from my enquiries that they are correct.

1. No file or any evidence on the Tyrone Mark case was sent to Dorset Police at anytime.
2. No crime was recorded under the HOCR.
3. Dorset Police did not investigate.
4. Dorset Police did not make any decisions on the case.
5. Dorset Police did not decide the case should be handled on a single agency basis.
6. The case was not transferred to Dorset Police by Hampshire Police.

I hope that I have provided clarity for the further points you raised.

Yours sincerely

[REDACTED]

[REDACTED]
Complaints & Misconduct Unit

[REDACTED]

From: public.access@hampshire.pnn.police.uk
Sent: 21 August 2014 13:05
To: [REDACTED]
Subject: RE: FOI Appeal

[REDACTED]

Yes that is correct.

Jason

Jason Russell | Senior Manager for Public Access

Joint Information Management Unit | Hampshire Constabulary & Thames Valley Police

Telephone 01962 871014 | Internal 79 1228

Address Police Headquarters, West Hill, Winchester, SO22 5DB

Information Management Helpdesk:

Hampshire: information.management@hampshire.pnn.police.uk / 01962 871541 (internal 79 2128)

Thames Valley: information.management@thamesvalley.pnn.police.uk / 01865 846329 (internal 700 6329)

From: [REDACTED]
Sent: 21 August 2014 12:57
To: PUBLIC ACCESS Mailbox
Subject: RE: FOI Appeal

Dear Mr. Russell,

Sorry, just one more thing if I may. I presume from that response Hampshire Constabulary have no incident or crime number recorded for this?

Regards

[REDACTED]

From: public.access@hampshire.pnn.police.uk [<mailto:public.access@hampshire.pnn.police.uk>]
Sent: 21 August 2014 09:34
To: [REDACTED]
Subject: FOI Appeal

[REDACTED]

I refer to your latest email below and your request for a review of Hampshire Constabulary's response to your FOI request.

I can confirm that I have now concluded my review and I have decided that we are in a position to respond to your request without using the neither confirm nor deny exemption under Section 40.

As a result, I can now state that Hampshire Constabulary hold no information in respect of your request. However, if you contact Dorset Police they should be in a position to respond.

If you wish to discuss further, please do not hesitate to contact me.

Jason Russell | Senior Manager for Public Access

Joint Information Management Unit | Hampshire Constabulary & Thames Valley Police

Telephone 01962 871014 | Internal 79 1228
Address Police Headquarters, West Hill, Winchester, SO22 5DB

Information Management Helpdesk:
Hampshire: information.management@hampshire.pnn.police.uk / 01962 871541 (internal 79 2128)
Thames Valley: information.management@thamesvalley.pnn.police.uk / 01865 846329 (internal 700 6329)

From: [REDACTED]
Sent: 05 August 2014 13:55
To: PUBLIC ACCESS Mailbox
Subject: RE: Freedom of Information Request HC/1369/14

Attachments: news article.pdf; Mark__Tyrone_-_Web_Decision_-_9951029.pdf
HC/1369/14

Dear Information Team,

Additional attachments for Mr. Russell when he reviews this request. News article and public NCTL decision. Confirmation it is already in the public domain there was a police investigation into this named individual in the press. Confirmation and reassurances now sought from the Constabulary. And files containing abusive material on children exists also in the public domain as per the attached NCTL decision and press coverage. The CPS has been direct about this and told us they do not hold this information, surely the police should be forthright too.

Thank you.

[REDACTED]

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OFFICIAL

[REDACTED]

Sent via email:

[REDACTED]

Dorset Police
Professional Standards Department
Force Headquarters
Winfrith, Dorchester
Dorset DT2 8DZ

Our ref: CO/00554/22
TJW/3808/AW

Phone: 101 Ext. 3808

E-mail: complaints&misconduct@dorset.pnn.police.uk

Date: 25 July 2022

Dear [REDACTED]

COMPLAINT AGAINST POLICE

I write in response to your recent correspondence to the IOPC with your complaint against police.

Your complaint has been formally recorded within the provisions of Part 2 of the Police Reform Act 2002.

My role in dealing with your complaint is to decide how the matter should be dealt with.

Based on the information contained within your correspondence, I have determined that this matter should be investigated by a member of the Complaints & Misconduct Unit. I shall arrange for the Investigating Officer, from this office, to contact you and endeavour to resolve your complaint.

For more information about the complaints process, please see the Independent Office for Police Conduct website (www.policeconduct.gov.uk). If you do not have access to the internet, the IOPC can provide you with leaflets (0300 020 0096).

Yours sincerely

[REDACTED]

[REDACTED]

Joint Head of Complaints & Misconduct Unit



IOPO

Ymddiwrdd yr Heddlu
Independent Office
for Police Conduct
Independent Office
for Police Conduct

Swyddfa Annibynnol
Ymddygiad yr Heddlu

Our reference number: 2018/099011

Force reference number: MI/10/18

PO Box 473
Sale M33 0BW

PO Box 473
Blwch Post 473

Sale M33 0BW
Blwch Post 473

Tel/Ffôn 0300 020 0096

Text relay/Cyfnewid Testun 18001 0207 166 3000

Email/E-bost enquiries@policeconduct.gov.uk

Web/Gwefan www.policeconduct.gov.uk

Web/Gwefan www.policeconduct.gov.uk



This summary police "conduct assessment" was carried out at the instruction of Lesley Longstone the head of the IPCC after Hampshire Police failed to carry one out. It related to now confirmed very serious child safeguarding failings by Hampshire Police for failing to record and investigate a child sex offender twice over a 2 year period. This led to 17 sex offences being committed, offences against children they could have easily stopped.

22 March 2018

YET, goes on to state "no conduct issues" have been identified. This exoneration was achieved by evidence being withheld by Mr. Trencher and the PSD that proved this assessment to be a lie and fabrication.

Dear

As you are aware Hampshire Police carried out a conduct assessment in relation to the matters you raised with them regarding Mr Tyrone Mark.

As previously agreed please find enclosed a summary of the conduct assessment completed by Hampshire Police. A copy has also been forwarded to the Children's Commissioner Anne Longfield.

Yours sincerely

Clara Harriott
Senior Assessment Manager
Independent Office for Police Conduct

Summary of Conduct Assessment

Background to conduct assessment

In December 2012 a referral was made by Arnewood School, Hampshire to the Hampshire County Council's Local Authority Designated Officer (LADO) regarding Mr Tyrone Mark, a teacher at the school regarding his relationship with a pupil. The LADO referred the matter to Hampshire Constabulary's Central Referral Unit (CRU). As both Mr Mark and the pupil resided in Dorset, the matter was referred to Dorset Police who decided that a single agency referral was appropriate and could be conducted by the school.

LIE

In March 2013, Mr Mark resigned his position after disciplinary proceedings were commenced by the school. In October 2013 additional materials regarding Mr Mark were obtained by the school, and Hampshire Constabulary were contacted for advice. Hampshire Constabulary advised that no action was required by themselves, and that the material could be dealt with by the single agency and the Disclosure and Barring Service (DBS). Mr Mark was barred from teaching indefinitely by the National College for Teaching and Leadership (NCTL) in July 2014. Following the NCTL decision, the school wrote to parents informing them of the outcome. After considering advice from the LADO, the school handed all the material they had to Hampshire Constabulary.

In December 2014 a criminal investigation was commenced by Hampshire Constabulary. Mr Mark was subsequently charged with 17 offences of possessing indecent images of children which had been downloaded from the internet. Mr Mark was sentenced to six month's imprisonment in February 2016.

██████████ whose son was a pupil at the school, made a number of complaints regarding Hampshire Constabularies' decision not to investigate the offences when referred in 2012, a failure to record the occurrence in accordance with Home Office Counting Rules, and that police inactivity led to the 17 offences being committed against children. Mr ██████████ complaints were assessed in accordance with the Police Reform Act 2002, and a series of non-recording letters were sent to ██████████ on the basis that he was not a person whose son was subject of the investigation, or was adversely affected by the investigation. ██████████ appealed these non-recording decisions to the IPCC, who did not uphold his appeals. ██████████ subsequently wrote to the Children's Commissioner, and the Children's Commissioner wrote to the IPCC highlighting ██████████ concerns. The IPCC then wrote to Hampshire Constabulary directing that a conduct assessment be completed in accordance with Section 6.4 of the IPCC Manual of Guidance.

Conduct assessment conclusions

Hampshire Constabulary identified the following concerns in their conduct assessment:

This is Hampshire Constabulary breaking the law in a very fundamental way.

- The referral from the LADO in December 2012 and subsequent contact with Dorset was not recorded on the force's Record Management System (RMS)
- The further referral in October 2013 and interaction with the LADO following the return of items belonging to Mr Mark by a colleague was not recorded on RMS.
- Procedure for the referral by the LADO in December 2012 required an initial police investigation by Hampshire Police to establish the nature of the relationship between teacher and pupil.
- Local and national safeguarding procedures required the full facts of a case to be established prior to concluding whether a position of trust allegation should be single agency and if a criminal investigation is required.

Dorset police officially acknowledged this was not so. But this evidence was suppressed by Roger Trencher and the PSD ...

The conduct assessment notes that the decision in December 2012 to refer the matter to Dorset Police was in accordance with Hampshire Constabulary's local procedure, as all parties directly involved resided in Dorset. ... So they could tell this lie of course.

Concerning conduct issues, no individual officers have been identified within the report. It is also noted that the issues identified relate to the recording of information within the force's systems or are matters regarding adherence to procedure. As such, the conduct assessment notes that the identified issues are procedural in nature. It is also noted that steps have been taken to ensure that all contacts regarding LADO referrals are recorded on RMS. Officer's broke the law and endangered children. But nothing to answer for.

The conduct assessment further notes that the procedural issues concerning Hampshire Constabulary's handling of Mr Mark appear to be isolated occurrences, and audits of similar position of trust cases from the period do not raise concerns with Hampshire Constabulary's recording of referrals or the decisions made regarding them. On the basis that the identified concerns are procedural in nature, they appear to be isolated occurrences, no officers have been identified and actions have been taken to rectify the procedural concerns in future, there does not appear to be an indication of any conduct matters.

From: Campbell, Keith (5108) [<mailto:Keith.Campbell@Dorset.PNN.Police.uk>]

Sent: 29 October 2014 17:37

To: [REDACTED]

Subject: Review of Dorset Police Response 2014-626 NOT PROTECTIVELY MARKED

Dear [REDACTED],

Just part of the evidence proving the conduct assessment to be a lie. Suppressed by the Force Solicitor Roger Trencher and the PSD who were explicitly asked to forward it on to Lesley Longstone and Jennifer Izekor but deliberately failed to do as easily proved by correspondence. Dorset Police confirmed they did not deal with the case and were not sent the evidence as the conduct assessment dishonestly leads you to believe.

This matter was discussed with the Head of our Professional Standards Department, Superintendent Peter Windle and I have been nominated to respond due to my involvement and responsibility in the matter.

Supt Windle is of the opinion that it might assist you if I make the comments in my previous communication more explicit, and I do so below:

Dorset Police did receive some information that was appropriate in the circumstances but this was purely for our reference and is not suitable for disclosure. Dorset Police was not involved in any investigation of the matter. We did not receive any file of related material; indeed our knowledge that such a file exists comes from information supplied by you. We have double checked this and make the assertion with confidence.

Our knowledge of the detail of what happened in response to this matter is minimal but it is possible that this was dealt with by the school and Hampshire County Council staff, since the local authority has primacy in welfare and education issues related to children and young persons. The information that we received originated from HCC.

To conclude, we can only reiterate that this matter was not dealt with by Dorset Police and we received no file of any sort from the school or any other involved party.

Please see the notice below which outlines your right to complain to the Information Commissioner's Office about this matter.

If you are not satisfied with our response in relation to your request for information then you have the right to refer this to the Information Commissioner who will consider your complaint. You can contact the Commissioner at: -

**Information Commissioner's Office,
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire,
SK9 5AF.**

As you can see this exposes the lie in the assessment. The case and evidence was not transferred to Dorset Police for investigation or follow up at all, and not recorded by them. Hampshire Constabulary blocked evidence to cover up and protect officers for "looking the other way" for 2 years.

E-mail mail@ico.gsi.gov.uk

Yours sincerely

This is just SOME of the suppressed evidence

**Keith Campbell
Freedom of Information Manager**

Our ref: CH.14.07.26

22 July 2014

Lies to parents - no police investigation had taken place. It appears someone at Hampshire Constabulary was given false information to the school and Hampshire County Council that a police investigation had taken place when it had not. The alternative is they made it up.

Dear

Re: Misconduct hearing of former member of staff

We are writing to you because last week a former member of our teaching staff, Mr Mark, was the subject of a professional misconduct hearing and has been permanently prohibited from teaching.

Mr Mark had his contract terminated by the school in March 2013, following allegations that he formed an inappropriate relationship with a student outside of school.

I would like to reassure you that the police investigated these matters and found no criminal activity had taken place.

Acting upon legal advice, this has been the first opportunity we have had to comment publicly on the matter.

We take the safety of your children extremely seriously.

From the outset when these allegations were made known to us Mr Mark was immediately suspended and we worked closely with both the local authority and the police. We have taken substantial professional advice and followed national child protection guidelines throughout.

Given our concerns, it was only right that we referred the matter to the attention of the Disclosure and Barring Service, the government body which replaces the Criminal Records Bureau and Independent Safeguarding Authority.

Some months after Mr Mark had his employment terminated by the school it emerged that he had documents and files in his home containing his personal thoughts on students.

We were shocked and disgusted by Mr Mark's actions. The very serious nature of the national panel's findings reflects this and we fully support the decision taken to prohibit him from teaching following our referral.

There is no evidence that Mr Mark formed inappropriate relationships with any other student.

To protect the identity of the student involved we are unable to go into any further detail.

We respectfully ask that your children and others refrain from using social media speculation on this matter to protect the identity and feelings of the student

Mr Mark was a very experienced teacher, a colleague for many years; we feel that the trust we placed in him has been betrayed.

If any parent/carer has any concerns following this news the Headteacher will be happy to talk to you when the school is back in session in September but we must stress that we cannot go into the details of this particular case for the reasons outlined above.

Yours sincerely

C C Hummerstone
Headteacher

Elizabeth Cook
Chairman

Subject: FW: From office of Rt Hon Desmond Swayne TD MP

The Head of Children's Services
Mr. John Coughlan.

From: MOIRA SWAYNE [<mailto:swaynem@hotmail.co.uk>]

Sent: 15 February 2015 10:46

To: [REDACTED]

Subject: From office of Rt Hon Desmond Swayne TD MP

He was putting forward false misleading information too. Was he misled by someone at Hampshire Police?? Or just careless or worse??

Dear [REDACTED]

Please find below the body of the emailed letter sent by John Coughlan to Mr Swayne on 26th January.

----->

Date 26th January 2015

Dear Mr Swayne

I am very sorry for the delay in responding to your letter. I had asked our legal advisers to consider the position, and there was some delay at their end for which they apologise.

Hampshire County Council did not conduct an investigation into the allegations made against Mark Tyrone. When it was approached by the Arnewood Academy in December 2012, enquiries including contact with the Police led officers to conclude, appropriately, that the matter should be investigated internally by the Academy. I remain confident with that conclusion.

Wow he was committing child sex offences when Coughlan wrote this.

It follows that there is no local authority investigation file, as such, to be disclosed to the Police, but we would of course co-operate fully with any request from the Police for any material which we hold, to the extent that we are required or permitted to do so.

I trust that this answers your question, but please do let me know if I can assist further.

Best wishes

John Coughlan
Deputy Chief Executive & Director of Children's Services
Hampshire County Council
3rd Floor, Elizabeth II Court North
Winchester
Hampshire SO23 8UG
Tel: 01962 846516

Rt Hon Desmond Swayne TD MP

House of Commons
London SW1A 0AA
0207 219 4886

www.desmondswaynemp.com

UK Parliament Disclaimer:

This e-mail is confidential to the intended recipient. If you have received it in error, please notify the sender and delete it from your system. Any unauthorised use, disclosure, or copying is not permitted. This e-mail has been checked for viruses, but no liability is accepted for any damage caused by any virus transmitted by this e-mail.

EX 09

[REDACTED]

From: [REDACTED]
Sent: 08 January 2024 17:28
To: '!NorthCasework'
Subject: Your reference: 2022/170780 & 2022/177564 & 2023/188631 & 2023/191487 & 2023/192975 and related
Attachments: 20.09.22 Letter to [REDACTED].pdf; Dorset complaint acknowledgemnt to [REDACTED].pdf; false conduct assessment into child sexual abuse safegaurding failings by hampshire police.pdf; contact dorset police instead.pdf; 27.04.23 Letter to [REDACTED].pdf

Your reference: 2022/170780 & 2022/177564 & 2023/188631 & 2023/191487 & 2023/192975 and related

The strictly legal issues that need considering and answering to avoid the need for Judicial Review when it comes to dealing with these combined reviews is highlighted below.

For clarity as all my outstanding appeals are closely related; That is they are underpinned by Hampshire Police producing a false police report into the handling of a child sexual abuse case and then individuals within the PSD routinely lying about the evidence already been investigated. I would therefore ask they are all dealt with together and chronologically in the order received.

Dear Sirs,

Please bare these important legal points in mind if you will when dealing with the related and linked reviews/appeals as referenced above. They indicate the legal points that would be susceptible to judicial review if not answered and addressed for each of them.

- 1) No complaint can be rejected as vexatious and/or abuse of process if it is substantiated and underpinned by substantive authoritative 3rd party evidence that has never been evaluated or answered in any way shape and form (attached again for absolute clarity). (Reference: Statutory Guidance).
- 2) No complaint can be deemed repetitious if has never been investigated before, and there is new evidence (from Dorset Police) which has never been answered or even acknowledged through the complaints process. (Statutory Guidance).
- 3) A complaint review by the IOPC cannot reach an informed decision without ascertaining the underpinning facts relating to my complaint/s about Hampshire PSD producing a false police report into the handling of a child sexual abuse case. That is did Hampshire Police's PSD routinely provide serious misinformation to reject my complaint about the false report produced into the handling of the Tyrone Mark child sexual abuse case by calling it vexatious, an abuse of process, repetitive etc.? If the IOPC finds there are no investigation reports relating to the attached evidence Hampshire Police have clearly been lying at every turn and untruthful excuses were made up simply to avoid difficult evidence. (Law : relevant consideration and reasonableness).
- 4) Where the rejections reasonable and proportionate? It is never reasonable and proportionate to ignore evidence of the type attached (from Dorset Police) and then lie about it already being dealt with..
- 5) It can never be reasonable and proportionate to reject complaints on a false premise, ie: vexatious, abuse of process, repetitive etc., with absolutely no regard to the evidence. Particularly when it comes from an authoritative 3rd party (Dorset Police Officers) establishing Hampshire PSD produced a false police report into the handling of a child sexual abuse case .
- 6) This IOPC review must answer the evidence. That is the IOPC must provide a definitive answer to the question whether the evidence provided to individuals in Hampshire Police PSD (attached) has ever been answered and/or investigated or not. And If so it must produce the investigation report/s to substantiate it which should have been sent to me by Hampshire PSD but were not. This is the only way to justify the lawfulness of the PSD responses when rejecting this complaint. The IOPC must confirm if there has been any investigation into the false report and my compliant or not as Hampshire PSD maintains. It cannot begin to answer any review related to these matters without first ascertaining that. (Relevant consideration and reasonableness).

- 7) A complaint underpinned by an individual within Hampshire PSD (Stephen Franks) writing a false police report and subsequently various individuals in that same PSD then providing misinformation to prevent a serious police complaint about this being lawfully dealt without cannot be decided without the IOPC validating the underpinning facts and evidence that shows the various PSD's response to be invalid. That is the complaint was not vexatious, an abuse of process and repetitious under law and common sense and should not have received the responses that were issued. The complaint is based on sound yet ignored evidence (refer to attached again).
- 8) There are no proper legal grounds for the IOPC to fail to review the facts and evidence referred to above. In fact the statutory guidance mandates it by stating complaints must be dealt with "holistically" and are therefore not just a procedural exercise without any regard to the underpinning facts and evidence.
- 9) My reviews must be processed in the order received so decisions can benefit from access to all the facts and evidence relating to this matter chronologically. (Procedural).
- 10) The IOPC must not ignore the fact this complaint should have been "referred in" but was not. That is a further serious legal failing. (Statutory Guidance).
- 11) If the IOPC thinks the evidence provided does not indicate the need for investigation it must reference it explicitly and clearly in its review and explain why not.
- 12) Dorset Police thinks there should be an investigation. And, they are important witnesses to the facts under consideration. That is the report they have seen produced by Hampshire PSD is false based on the evidence they hold and have provided (and you have also now seen). I ask this too gets a mention in any outcome report particularly if the IOPC disagrees with Dorset Police on this.
- 13) Evidence is everything and must be weighed (statutory guidance).

Of course there would be more, but these are the paramount legal points I would like you to be aware of.

Sincerely

A black rectangular redaction box covering the signature area.



OFFICIAL

Dorset Police
Professional Standards Department
Force Headquarters
Winfrith, Dorchester
Dorset DT2 8DZ

Your ref:
Our ref: CO/00554/22

Sent via email:

Phone: 101 Ext. 3808

E-mail: complaints&misconduct@dorset.pnn.police.uk

Date: 20 September 2022

Dear [REDACTED]

COMPLAINT AGAINST POLICE

I have made further enquiries as a result of our correspondence, and I hope this clarifies your Points.

You asked if the DS was involved in the decision making about how Mr Mark should be dealt with which are points 4 and 5 below.

The officer has explained that he liaised with the LADO knowing that Hampshire Police had said they would not deal with the case. He recalls that he felt that the matter was for Hampshire to investigate as the concerns appear to have arisen from the school and were reported as inappropriate communication between teacher and child. At the time he had no information to suggest there were offences in Dorset and it would be for the LADO to co-ordinate the investigation. He remembers that it was the LADO's preferred option that the matter be dealt with by the Education Authority. The information available to him from the referral and speaking to the LADO did not suggest offences had been committed in Dorset, he felt Hampshire Police should investigate and informed the LADO of his view.

In relation to your points below I can confirm from my enquiries that they are correct.

1. No file or any evidence on the Tyrone Mark case was sent to Dorset Police at anytime.
2. No crime was recorded under the HOCR.
3. Dorset Police did not investigate.
4. Dorset Police did not make any decisions on the case.
5. Dorset Police did not decide the case should be handled on a single agency basis.
6. The case was not transferred to Dorset Police by Hampshire Police.

I hope that I have provided clarity for the further points you raised.

Yours sincerely

[REDACTED]

[REDACTED]
Complaints & Misconduct Unit



Never investigated despite Dorset Head of PSD confirming need for investigation

Chief Constable Amanda Pearson MSt (*Cantab*)
www.dorset.police.uk

OFFICIAL



Sent via email:



Dorset Police
Professional Standards Department

Force Headquarters
Winfrith, Dorchester
Dorset DT2 8DZ

Your ref:
Our ref: CO/00554/22
PK.3808.RGH

Phone: 101 Ext. 3808

E-mail: complaints&misconduct@dorset.pnn.police.uk

27 April 2023

Dear 

COMPLAINT AGAINST POLICE

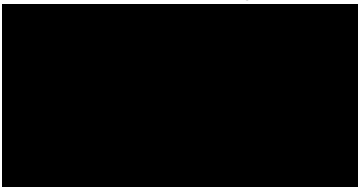
I am the Head of Professional Standards and have been kept updated on your dealings with the office via Mr Watkinson.

I fully appreciate your frustration, and indeed given my role as Head of Professional Standards, if I had any jurisdiction in this case, I would absolutely direct an investigation. Unfortunately, this is clearly a matter for the Hampshire Force, and so I asked Deputy Chief Constable De Reya to pass this to her equivalent Deputy Chief Constable in Hampshire, which was completed. Neither our Chief Constable nor Deputy have any authority over Hampshire Police.

If you remain dissatisfied you can write to the Chief Constable in Hampshire direct, and/or write to the IOPC (Independent Office for Police Conduct) who oversee all police forces.

If you wish to make a formal complaint, then we will of course ensure it is appropriately recorded and handled in accordance with regulations.

Yours sincerely




Detective Superintendent
Head of Professional Standards Department

[REDACTED]

From: public.access@hampshire.pnn.police.uk
Sent: 21 August 2014 13:05
To: [REDACTED]
Subject: RE: FOI Appeal

Mr [REDACTED]

Yes that is correct.

Jason

Jason Russell | Senior Manager for Public Access

Joint Information Management Unit | Hampshire Constabulary & Thames Valley Police

Telephone 01962 871014 | Internal 79 1228

Address Police Headquarters, West Hill, Winchester, SO22 5DB

Information Management Helpdesk:

Hampshire: information.management@hampshire.pnn.police.uk / 01962 871541 (internal 79 2128)

Thames Valley: information.management@thamesvalley.pnn.police.uk / 01865 846329 (internal 700 6329)

From: [REDACTED]
Sent: 21 August 2014 12:57
To: PUBLIC ACCESS Mailbox
Subject: RE: FOI Appeal

Dear Mr. Russell,

Sorry, just one more thing if I may. I presume from that response Hampshire Constabulary have no incident or crime number recorded for this?

Regards

From: public.access@hampshire.pnn.police.uk [<mailto:public.access@hampshire.pnn.police.uk>]
Sent: 21 August 2014 09:34
To: [REDACTED]
Subject: FOI Appeal

[REDACTED]

I refer to your latest email below and your request for a review of Hampshire Constabulary's response to your FOI request.

I can confirm that I have now concluded my review and I have decided that we are in a position to respond to your request without using the neither confirm nor deny exemption under Section 40.

As a result, I can now state that Hampshire Constabulary hold no information in respect of your request. However, if you contact Dorset Police they should be in a position to respond.

If you wish to discuss further, please do not hesitate to contact me.

Jason Russell | Senior Manager for Public Access

Joint Information Management Unit | Hampshire Constabulary & Thames Valley Police

Telephone 01962 871014 | Internal 79 1228
Address Police Headquarters, West Hill, Winchester, SO22 5DB

Information Management Helpdesk:
Hampshire: information.management@hampshire.pnn.police.uk / 01962 871541 (internal 79 2128)
Thames Valley: information.management@thamesvalley.pnn.police.uk / 01865 846329 (internal 700 6329)

From: [REDACTED]
Sent: 05 August 2014 13:55
To: PUBLIC ACCESS Mailbox
Subject: RE: Freedom of Information Request HC/1369/14

Attachments: news article.pdf; Mark__Tyrone_-_Web_Decision_-_9951029.pdf
HC/1369/14

Dear Information Team,

Additional attachments for Mr. Russell when he reviews this request. News article and public NCTL decision. Confirmation it is already in the public domain there was a police investigation into this named individual in the press. Confirmation and reassurances now sought from the Constabulary. And files containing abusive material on children exists also in the public domain as per the attached NCTL decision and press coverage. The CPS has been direct about this and told us they do not hold this information, surely the police should be forthright too.

Thank you.

[REDACTED]

This electronic message contains information from Hampshire Constabulary which may be legally privileged and confidential. Any opinions expressed may be those of the individual and not necessarily the Hampshire Constabulary.

The information is intended to be for the use of the individual(s) or entity named above. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of the information is prohibited. If you have received this electronic message in error, please notify us by telephone +44 (0) 845 045 45 45 or email to postmaster@hampshire.pnn.police.uk immediately. Please then delete this email and destroy any copies of it.

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OFFICIAL

[REDACTED]

Sent via email:

[REDACTED]

Dorset Police
Professional Standards Department

Force Headquarters
Winfrith, Dorchester
Dorset DT2 8DZ

Our ref: CO/00554/22
TJW/3808/AW

Phone: 101 Ext. 3808

E-mail: complaints&misconduct@dorset.pnn.police.uk

Date: 25 July 2022

Dear [REDACTED]

COMPLAINT AGAINST POLICE

I write in response to your recent correspondence to the IOPC with your complaint against police.

Your complaint has been formally recorded within the provisions of Part 2 of the Police Reform Act 2002.

My role in dealing with your complaint is to decide how the matter should be dealt with.

Based on the information contained within your correspondence, I have determined that this matter should be investigated by a member of the Complaints & Misconduct Unit. I shall arrange for the Investigating Officer, from this office, to contact you and endeavour to resolve your complaint.

For more information about the complaints process, please see the Independent Office for Police Conduct website (www.policeconduct.gov.uk). If you do not have access to the internet, the IOPC can provide you with leaflets (0300 020 0096).

Yours sincerely

[REDACTED]

[REDACTED]

Joint Head of Complaints & Misconduct Unit



IOPOIPC

Ymddiwrdd yr Heddlu
Independent Office
for Police Conduct
Independent Office
for Police Conduct

Swyddfa Annibynnol
Ymddygiad yr Heddlu

Our reference number: 2018/099011

Force reference number: MI/10/18

PO Box 473
Sale M33 0BW
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Sale M33 0BW
Blwch Post 473
Sale M33 0BW

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Text relay/Cyfnwid Testun 18001 0207 166 3000

Email/E-bost enquiries@policeconduct.gov.uk

Web/Gwefan www.policeconduct.gov.uk

Web/Gwefan www.policeconduct.gov.uk



This summary police "conduct assessment" was carried out at the instruction of Lesley Longstone the head of the IPCC after Hampshire Police failed to carry one out. It related to now confirmed very serious child safeguarding failings by Hampshire Police for failing to record and investigate a child sex offender twice over a 2 year period. This led to 17 sex offences being committed, offences against children they could have easily stopped.

22 March 2018

YET, goes on to state "no conduct issues" have been identified. This exoneration was achieved by evidence being withheld by Mr. Trencher and the PSD that proved this assessment to be a lie and fabrication.

Dear [Redacted]

As you are aware Hampshire Police carried out a conduct assessment in relation to the matters you raised with them regarding Mr Tyrone Mark.

As previously agreed please find enclosed a summary of the conduct assessment completed by Hampshire Police. A copy has also been forwarded to the Children's Commissioner Anne Longfield.

Yours sincerely

Clara Harriott
Senior Assessment Manager
Independent Office for Police Conduct

Summary of Conduct Assessment

Background to conduct assessment

In December 2012 a referral was made by Arnewood School, Hampshire to the Hampshire County Council's Local Authority Designated Officer (LADO) regarding Mr Tyrone Mark, a teacher at the school regarding his relationship with a pupil. The LADO referred the matter to Hampshire Constabulary's Central Referral Unit (CRU). As both Mr Mark and the pupil resided in Dorset, the matter was referred to Dorset Police who decided that a single agency referral was appropriate and could be conducted by the school.

LIE

In March 2013, Mr Mark resigned his position after disciplinary proceedings were commenced by the school. In October 2013 additional materials regarding Mr Mark were obtained by the school, and Hampshire Constabulary were contacted for advice. Hampshire Constabulary advised that no action was required by themselves, and that the material could be dealt with by the single agency and the Disclosure and Barring Service (DBS). Mr Mark was barred from teaching indefinitely by the National College for Teaching and Leadership (NCTL) in July 2014. Following the NCTL decision, the school wrote to parents informing them of the outcome. After considering advice from the LADO, the school handed all the material they had to Hampshire Constabulary.

In December 2014 a criminal investigation was commenced by Hampshire Constabulary. Mr Mark was subsequently charged with 17 offences of possessing indecent images of children which had been downloaded from the internet. Mr Mark was sentenced to six month's imprisonment in February 2016.

██████████ whose son was a pupil at the school, made a number of complaints regarding Hampshire Constabularies' decision not to investigate the offences when referred in 2012, a failure to record the occurrence in accordance with Home Office Counting Rules, and that police inactivity led to the 17 offences being committed against children. Mr ██████████ complaints were assessed in accordance with the Police Reform Act 2002, and a series of non-recording letters were sent to ██████████ on the basis that he was not a person whose son was subject of the investigation, or was adversely affected by the investigation. ██████████ appealed these non-recording decisions to the IPCC, who did not uphold his appeals. ██████████ subsequently wrote to the Children's Commissioner, and the Children's Commissioner wrote to the IPCC highlighting ██████████ concerns. The IPCC then wrote to Hampshire Constabulary directing that a conduct assessment be completed in accordance with Section 6.4 of the IPCC Manual of Guidance.

Conduct assessment conclusions

Hampshire Constabulary identified the following concerns in their conduct assessment:

This is Hampshire Constabulary breaking the law in a very fundamental way.

- The referral from the LADO in December 2012 and subsequent contact with Dorset was not recorded on the force's Record Management System (RMS)
- The further referral in October 2013 and interaction with the LADO following the return of items belonging to Mr Mark by a colleague was not recorded on RMS.
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Dorset police officially acknowledged this was not so. But this evidence was suppressed by Roger Trencher and the PSD ...

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The conduct assessment further notes that the procedural issues concerning Hampshire Constabulary's handling of Mr Mark appear to be isolated occurrences, and audits of similar position of trust cases from the period do not raise concerns with Hampshire Constabulary's recording of referrals or the decisions made regarding them. On the basis that the identified concerns are procedural in nature, they appear to be isolated occurrences, no officers have been identified and actions have been taken to rectify the procedural concerns in future, there does not appear to be an indication of any conduct matters.

From: Campbell, Keith (5108) [<mailto:Keith.Campbell@Dorset.PNN.Police.uk>]

Sent: 29 October 2014 17:37

To: [REDACTED]

Subject: Review of Dorset Police Response 2014-626 NOT PROTECTIVELY MARKED

Dear [REDACTED]

Just part of the evidence proving the conduct assessment to be a lie. Suppressed by the Force Solicitor Roger Trencher and the PSD who were explicitly asked to forward it on to Lesley Longstone and Jennifer Izekor but deliberately failed to do as easily proved by correspondence. Dorset Police confirmed they did not deal with the case and were not sent the evidence as the conduct assessment dishonestly leads you to believe.

This matter was discussed with the Head of our Professional Standards Department, Superintendent Peter Windle and I have been nominated to respond due to my involvement and responsibility in the matter.

Supt Windle is of the opinion that it might assist you if I make the comments in my previous communication more explicit, and I do so below:

Dorset Police did receive some information that was appropriate in the circumstances but this was purely for our reference and is not suitable for disclosure. Dorset Police was not involved in any investigation of the matter. We did not receive any file of related material; indeed our knowledge that such a file exists comes from information supplied by you. We have double checked this and make the assertion with confidence.

Our knowledge of the detail of what happened in response to this matter is minimal but it is possible that this was dealt with by the school and Hampshire County Council staff, since the local authority has primacy in welfare and education issues related to children and young persons. The information that we received originated from HCC.

To conclude, we can only reiterate that this matter was not dealt with by Dorset Police and we received no file of any sort from the school or any other involved party.

Please see the notice below which outlines your right to complain to the Information Commissioner's Office about this matter.

If you are not satisfied with our response in relation to your request for information then you have the right to refer this to the Information Commissioner who will consider your complaint. You can contact the Commissioner at: -

**Information Commissioner's Office,
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire,
SK9 5AF.**

As you can see this exposes the lie in the assessment. The case and evidence was not transferred to Dorset Police for investigation or follow up at all, and not recorded by them. Hampshire Constabulary blocked evidence to cover up and protect officers for "looking the other way" for 2 years.

E-mail mail@ico.gsi.gov.uk

Yours sincerely

This is just SOME of the suppressed evidence

**Keith Campbell
Freedom of Information Manager**

Our ref: CH.14.07.26

22 July 2014

Lies to parents - no police investigation had taken place. It appears someone at Hampshire Constabulary was given false information to the school and Hampshire County Council that a police investigation had taken place when it had not. The alternative is they made it up.

Dear

Re: Misconduct hearing of former member of staff

We are writing to you because last week a former member of our teaching staff, Mr Mark, was the subject of a professional misconduct hearing and has been permanently prohibited from teaching.

Mr Mark had his contract terminated by the school in March 2013, following allegations that he formed an inappropriate relationship with a student outside of school.

I would like to reassure you that the police investigated these matters and found no criminal activity had taken place.

Acting upon legal advice, this has been the first opportunity we have had to comment publicly on the matter.

We take the safety of your children extremely seriously.

From the outset when these allegations were made known to us Mr Mark was immediately suspended and we worked closely with both the local authority and the police. We have taken substantial professional advice and followed national child protection guidelines throughout.

Given our concerns, it was only right that we referred the matter to the attention of the Disclosure and Barring Service, the government body which replaces the Criminal Records Bureau and Independent Safeguarding Authority.

Some months after Mr Mark had his employment terminated by the school it emerged that he had documents and files in his home containing his personal thoughts on students.

We were shocked and disgusted by Mr Mark's actions. The very serious nature of the national panel's findings reflects this and we fully support the decision taken to prohibit him from teaching following our referral.

There is no evidence that Mr Mark formed inappropriate relationships with any other student.

To protect the identity of the student involved we are unable to go into any further detail.

We respectfully ask that your children and others refrain from using social media speculation on this matter to protect the identity and feelings of the student

Mr Mark was a very experienced teacher, a colleague for many years; we feel that the trust we placed in him has been betrayed.

If any parent/carer has any concerns following this news the Headteacher will be happy to talk to you when the school is back in session in September but we must stress that we cannot go into the details of this particular case for the reasons outlined above.

Yours sincerely

C C Hummerstone
Headteacher

Elizabeth Cook
Chairman

Subject: FW: From office of Rt Hon Desmond Swayne TD MP

The Head of Children's Services
Mr. John Coughlan.

From: MOIRA SWAYNE [<mailto:swaynem@hotmail.co.uk>]

Sent: 15 February 2015 10:46

To: [REDACTED]

Subject: From office of Rt Hon Desmond Swayne TD MP

He was putting forward false misleading information too. Was he misled by someone at Hampshire Police?? Or just careless or worse??

Dear [REDACTED]

Please find below the body of the emailed letter sent by John Coughlan to Mr Swayne on 26th January.

----->

Date 26th January 2015

Dear Mr Swayne

I am very sorry for the delay in responding to your letter. I had asked our legal advisers to consider the position, and there was some delay at their end for which they apologise.

Hampshire County Council did not conduct an investigation into the allegations made against Mark Tyrone. When it was approached by the Arnewood Academy in December 2012, enquiries including contact with the Police led officers to conclude, appropriately, that the matter should be investigated internally by the Academy. I remain confident with that conclusion.

Wow he was committing child sex offences when Coughlan wrote this.

It follows that there is no local authority investigation file, as such, to be disclosed to the Police, but we would of course co-operate fully with any request from the Police for any material which we hold, to the extent that we are required or permitted to do so.

I trust that this answers your question, but please do let me know if I can assist further.

Best wishes

John Coughlan
Deputy Chief Executive & Director of Children's Services
Hampshire County Council
3rd Floor, Elizabeth II Court North
Winchester
Hampshire SO23 8UG
Tel: 01962 846516

Rt Hon Desmond Swayne TD MP

House of Commons
London SW1A 0AA
0207 219 4886

www.desmondswaynemp.com

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EX 10

Subject: FW: IOPC Review a 2023/192975 and related
Attachments: Lies in pre-action response from Mr Tom Silson.pdf; false conduct assessment into child sexual abuse safeguarding failings by hampshire police.pdf

From: [REDACTED]
Sent: 30 October 2023 12:20
To: '!NorthCasework'
Subject: IOPC Review a 2023/192975 and related

IOPC Review a 2023/192975

Your reference: 2022/170780 & 2022/177564 & 2023/188631 & 2023/191487
Force reference: CO/1332/22 & CO/2896/22 & CO/1380/23

Dear IOPC,

Please find below correspondence relating to these appeals/reviews. I am still awaiting a response from the Chief Officer regarding the identified lies in Mr. Tom Silson's pre-action response letter (attached). I will provide it when it comes. Notwithstanding the IOPC must confirm and clearly clarify in its review outcome response my complaint/s about the false conduct assessment into the Tyrone Mark case has/have never been investigated and there was additional new evidence provided. These are the important facts that establish each and every complaint under your review I made about the false report (also attached again) was dismissed on a false premise and the attached pre-action response letter contains substantive misinformation and untrue "facts".

The IOPC must confirm this in its outcome report to avoid High Court action given the ramifications for children's safeguarding if this very serious gross misconduct is allowed to go uncorrected at children's peril. Furthermore clearly given the history and people involved Hampshire Police's PSD cannot investigate this matter themselves. The PSD as a whole has been systemically complicit in attempting to pervert the course of justice to suppress Dorset Police's evidence as the facts and evidence show. If not the IOPC will be able to produce and identify the "investigation" reports that must exist if these individuals are not lying. It really comes down to just one, maybe two simple enquiries to the Chief Officer by the IOPC –

- a) "Where is/are the investigation reports answering [REDACTED] complaint about the false conduct assessment produced by Mr. Stephen Franks of the PSD into the Tyrone Mark child sexual abuse case";
- b) "And where has the evidence supplied by Dorset Police ever been answered".

Please make sure these points are answered. They form the crux of the complaint/s and can only lead to one conclusion.

[REDACTED]

[Redacted]

Subject: FW: IOPC Ref: 2023/185488 Force Ref: CO/1483/22

From: [Redacted]
Sent: 19 December 2023 10:59
To: 'Esther.MyersRobinson@policeconduct.gov.uk'
Subject: RE: IOPC Ref: 2023/185488 Force Ref: CO/1483/22

RE: IOPC Ref: 2023/185488 Force Ref: CO/1483/22

Got a letter from Dorset Police. They are too update me with their representations to Hampshire Police's PSD re false conduct assessment into the Tyrone Mark child sexual abuse case. Will update you when received. Albeit this should not affect the outcome, clearly Hampshire Police lied about these matters and Dorset Police's evidence already been investigated. If that is not so I am sure you will provide me with the investigation outcome report they never sent me as per the requirements of the IOPC statutory guidance. If it does not exist (very sure if doesn't) please state as much.

Regards

[Redacted]

Subject: FW: IOPC Ref: 2023/185488 Force Ref: CO/1483/22
Attachments: 1) failed request for investigation report.pdf; 2) Response from Mr Tom Silson - investigation report not provided.pdf

From: [REDACTED]
Sent: 13 December 2023 00:50
To: 'Esther.MyersRobinson@policeconduct.gov.uk'
Subject: RE: IOPC Ref: 2023/185488 Force Ref: CO/1483/22

RE: IOPC Ref: 2023/185488 Force Ref: CO/1483/22

More proof of orchestrated deception by Hampshire Constabulary.

You have now seen the evidence Hampshire Police have dishonestly confounded my right to the investigation report into my complaint contrary to the requirements of the statutory IOPC guidance and GDPR. They stated to the ICO it would prejudice JR proceedings if released to me. This was contrived. First it was I who issued a prospective legal challenge by way of issuing a pre-action letter to Hampshire Police. This was all about Hampshire Police not investigating my complaint and unlawfully blocking the scrutiny of evidence showing Hampshire Police's PSD had produced a false conduct assessment into its handling of the Tyrone Mark (Arnewood School Teacher) child sexual abuse case. On the other hand they also instructed Tom Silson a solicitor acting for the Chief Officer not to release it to me either. So on one hand they say it would prejudice proceedings to share it with me, and on the other they instruct the solicitor dealing with my prospective legal challenge not to provide it to me either. The reason for this is obvious, no such report exists but admitting as much would incriminate them. This deception furthers the conspiracy.

- 1) Note attachment 1. Mr. Silson is to revert on my request for the investigation report proving (or not) their defence about the matter and my complaint already having been investigated.
- 2) I am then told by him they will not communicate further with me and the report is not provided to me, attachment 2. Note last page.

So the Chief Officer's conveyed position is providing the info would jeopardise my prospective legal challenge to avoid supplying information under the GDPR, on the other when asked to provide the same info in the context of that prospective legal challenge, they deliberately fail to do so too. That using a solicitor to further this contrived deceit to avoid self incrimination as paid for by the tax payer. The reason they threw out my complaint is entirely purposefully contrived, there was no investigation into my complaint and the evidence was simply unlawfully swept under the carpet and never got so much as a mention or look in. They seem to have missed not providing an outcome report to a complainant (me) is a very serious failings under the IOPC guidance in of itself. But of course it is now obvious there is no such report and they have lied to avoid answering damning evidence about a false report into the handling of a child sexual abuse case. And it is very obvious given the facts as corroborated by the evidence it is no mistake or oversight on the part of Hampshire Police. Where's the report they are relying on??

Sincerely
[REDACTED]

EX 11a

From: [REDACTED]
Sent: 31 January 2024 18:43
To: 'Keith Howell'; 'Esther Myers Robinson'
Subject: RE: Your NFA reviews involving Hampshire Constabulary
Attachments: 20.09.22 Letter to [REDACTED] (2).pdf; 27.04.23 Letter to [REDACTED].pdf; false conduct assessment into child sexual abuse safeguarding failings by hampshire police.pdf; contact dorset police instead.pdf

Dear Mr. Howell and Ms,

Thank you for your respective decisions. I would like to point out you have not specifically answered or addressed the new evidence from Dorset Police anywhere. You mention it in just one then do not answer it, or provide any comment on it at all. This appears to invalidate all of your decisions as it is a relevant consideration you have missed. And one which underpins everything. It can never be reasonable and proportionate for the IOPC and Hampshire Police not to take evidence into account when reaching its decisions. Dorset Police's evidence substantiates a very prima facie strong case of Hampshire Police producing a false conduct assessment into the handling of a child sexual abuse case. It gets no more serious than that. Can you perhaps answer this conundrum for me or point me to where you have considered this vital evidence in any of your reports? Evidence is everything but clearly has not been weighed by you, or if it has not been explained or answered in any of your outcomes albeit very reliable evidence from an authoritative third party (Dorset Police Officers). If you will please provide an explanation for this apparent omission if you will. I have attached the evidence again that appears not to have got a "look in". Is it perhaps not what it purports to be? As you can see the first 2 attached recent docs from Dorset Police prove the conduct assessment to be false. Can you please provide an explanation as to this omission if you will. I would ask for a speedy reply if I may as I have a limited time to file for JR, but would like to give you an opportunity to explain this before initiating proceedings.

Let me know.

Thank you
[REDACTED]

PS. A person cannot be vexatious under the guidance only a complaint as you know, the number of complaints I have made is therefore irrelevant. Every time I have been misled I am entitled to lodge a complaint. I could have filed a lot more. And I have already won two JR's against the IOPC to date. This would be the third.

From: Keith Howell [mailto:Keith.Howell@policeconduct.gov.uk]
Sent: 31 January 2024 17:35
To: [REDACTED]
Subject: Your NFA reviews involving Hampshire Constabulary



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We welcome correspondence in Welsh. We will respond to you in Welsh and this will not lead to delay.

Rydym yn croesawu gohebiaeth yn y Gymraeg. Byddwn yn ymateb i chi yn y Gymraeg ac ni fydd hyn yn arwain at oedi.

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Gall y neges hon a'i chynnwys gynnwys gwybodaeth gyfrinachol, freintiedig neu hawlfraint. Fe'u bwriedir at ddefnydd y derbynydd arfaethedig yn unig. Os derbynioch y neges hon mewn camgymeriad, mae'n rhaid i chi beidio â datgelu, copïo, dosbarthu na chymryd unrhyw gamau sy'n dibynnu ar y cynnwys. Yn hytrach, rhwch wybod i'r anfonwr ac yna dilêwch ef yn barhaol. Mae unrhyw farn neu safbwyntiau a fynegir yn y cyfathrebiad hwn yn eiddo i'r awdur yn unig ac nid ydynt o reidrwydd yn cynrychioli barn yr IOPC. Dim ond staff penodedig sydd wedi'u hawdurdodi i wneud cytundebau rhwymol ar ran yr IOPC trwy e-bost. Nid yw'r IOPC yn derbyn unrhyw gyfrifoldeb am gytundebau anawdurdodedig y daethpwyd iddynt â gweithwyr neu asiantau eraill. Ni all yr IOPC warantu diogelwch yr e-bost hwn nac unrhyw atodiadau. Tra bod negeseuon e-bost yn cael eu sganio'n rheolaidd, ni all yr IOPC gymryd unrhyw gyfrifoldeb am unrhyw firws y gellir ei drosglwyddo â'r rhyngwyd. Mae systemau cyfathrebu'r IOPC yn cael eu monitro i'r graddau a ganiateir gan y gyfraith. O ganlyniad, gall unrhyw e-bost a/neu atodiadau gael eu darllen gan staff monitro.



Never investigated

Chief Constable Scott Chilton MSt (*Cantab*)
www.dorset.police.uk

OFFICIAL



Sent via email:



Dorset Police
Professional Standards Department
Force Headquarters
Winfrith, Dorchester
Dorset DT2 8DZ

Your ref:
Our ref: CO/00554/22

Phone: 101 Ext. 3808

E-mail: complaints&misconduct@dorset.pnn.police.uk

Date: 20 September 2022

Dear

COMPLAINT AGAINST POLICE

I have made further enquiries as a result of our correspondence, and I hope this clarifies your Points.

You asked if the DS was involved in the decision making about how Mr Mark should be dealt with which are points 4 and 5 below.

The officer has explained that he liaised with the LADO knowing that Hampshire Police had said they would not deal with the case. He recalls that he felt that the matter was for Hampshire to investigate as the concerns appear to have arisen from the school and were reported as inappropriate communication between teacher and child. At the time he had no information to suggest there were offences in Dorset and it would be for the LADO to co-ordinate the investigation. He remembers that it was the LADO's preferred option that the matter be dealt with by the Education Authority. The information available to him from the referral and speaking to the LADO did not suggest offences had been committed in Dorset, he felt Hampshire Police should investigate and informed the LADO of his view.

In relation to your points below I can confirm from my enquires that they are correct.

1. No file or any evidence on the Tyrone Mark case was sent to Dorset Police at anytime.
2. No crime was recorded under the HOCR.
3. Dorset Police did not investigate.
4. Dorset Police did not make any decisions on the case.
5. Dorset Police did not decide the case should be handled on a single agency basis.
6. The case was not transferred to Dorset Police by Hampshire Police.

I hope that I have provided clarity for the further points you raised.

Yours sincerely



Complaints & Misconduct Unit



Never investigated despite Dorset Head of PSD confirming need for investigation

Chief Constable Amanda Pearson MSt (*Cantab*)
www.dorset.police.uk

OFFICIAL



Sent via email:



**Dorset Police
Professional Standards Department**

Force Headquarters
Winfrith, Dorchester
Dorset DT2 8DZ

Your ref:
Our ref: CO/00554/22
PK.3808.RGH

Phone: 101 Ext. 3808

E-mail: complaints&misconduct@dorset.pnn.police.uk

27 April 2023

Dear 

COMPLAINT AGAINST POLICE

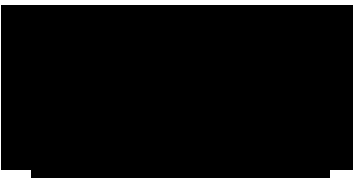
I am the Head of Professional Standards and have been kept updated on your dealings with the office via Mr Watkinson.

I fully appreciate your frustration, and indeed given my role as Head of Professional Standards, if I had any jurisdiction in this case, I would absolutely direct an investigation. Unfortunately, this is clearly a matter for the Hampshire Force, and so I asked Deputy Chief Constable De Reya to pass this to her equivalent Deputy Chief Constable in Hampshire, which was completed. Neither our Chief Constable nor Deputy have any authority over Hampshire Police.

If you remain dissatisfied you can write to the Chief Constable in Hampshire direct, and/or write to the IOPC (Independent Office for Police Conduct) who oversee all police forces.

If you wish to make a formal complaint, then we will of course ensure it is appropriately recorded and handled in accordance with regulations.

Yours sincerely




Detective Superintendent
Head of Professional Standards Department

[REDACTED]

From: public.access@hampshire.pnn.police.uk
Sent: 21 August 2014 13:05
To: [REDACTED]
Subject: RE: FOI Appeal

[REDACTED]

Yes that is correct.

Jason

Jason Russell | Senior Manager for Public Access

Joint Information Management Unit | Hampshire Constabulary & Thames Valley Police

Telephone 01962 871014 | Internal 79 1228

Address Police Headquarters, West Hill, Winchester, SO22 5DB

Information Management Helpdesk:

Hampshire: information.management@hampshire.pnn.police.uk / 01962 871541 (internal 79 2128)

Thames Valley: information.management@thamesvalley.pnn.police.uk / 01865 846329 (internal 700 6329)

From: [REDACTED]
Sent: 21 August 2014 12:57
To: PUBLIC ACCESS Mailbox
Subject: RE: FOI Appeal

Dear Mr. Russell,

Sorry, just one more thing if I may. I presume from that response Hampshire Constabulary have no incident or crime number recorded for this?

Regards

[REDACTED]

From: public.access@hampshire.pnn.police.uk [<mailto:public.access@hampshire.pnn.police.uk>]
Sent: 21 August 2014 09:34
To: [REDACTED]
Subject: FOI Appeal

[REDACTED]

I refer to your latest email below and your request for a review of Hampshire Constabulary's response to your FOI request.

I can confirm that I have now concluded my review and I have decided that we are in a position to respond to your request without using the neither confirm nor deny exemption under Section 40.

As a result, I can now state that Hampshire Constabulary hold no information in respect of your request. However, if you contact Dorset Police they should be in a position to respond.

If you wish to discuss further, please do not hesitate to contact me.

Jason Russell | Senior Manager for Public Access

Joint Information Management Unit | Hampshire Constabulary & Thames Valley Police

Telephone 01962 871014 | Internal 79 1228
Address Police Headquarters, West Hill, Winchester, SO22 5DB

Information Management Helpdesk:
Hampshire: information.management@hampshire.pnn.police.uk / 01962 871541 (internal 79 2128)
Thames Valley: information.management@thamesvalley.pnn.police.uk / 01865 846329 (internal 700 6329)

From: [REDACTED]
Sent: 05 August 2014 13:55
To: PUBLIC ACCESS Mailbox
Subject: RE: Freedom of Information Request HC/1369/14

Attachments: news article.pdf; Mark__Tyrone_-_Web_Decision_-_9951029.pdf
HC/1369/14

Dear Information Team,

Additional attachments for Mr. Russell when he reviews this request. News article and public NCTL decision. Confirmation it is already in the public domain there was a police investigation into this named individual in the press. Confirmation and reassurances now sought from the Constabulary. And files containing abusive material on children exists also in the public domain as per the attached NCTL decision and press coverage. The CPS has been direct about this and told us they do not hold this information, surely the police should be forthright too.

Thank you.

[REDACTED]

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OFFICIAL

[REDACTED]

Sent via email:

[REDACTED]

Dorset Police
Professional Standards Department
Force Headquarters
Winfrith, Dorchester
Dorset DT2 8DZ

Our ref: CO/00554/22
TJW/3808/AW

Phone: 101 Ext. 3808

E-mail: complaints&misconduct@dorset.pnn.police.uk

Date: 25 July 2022

Dear [REDACTED]

COMPLAINT AGAINST POLICE

I write in response to your recent correspondence to the IOPC with your complaint against police.

Your complaint has been formally recorded within the provisions of Part 2 of the Police Reform Act 2002.

My role in dealing with your complaint is to decide how the matter should be dealt with.

Based on the information contained within your correspondence, I have determined that this matter should be investigated by a member of the Complaints & Misconduct Unit. I shall arrange for the Investigating Officer, from this office, to contact you and endeavour to resolve your complaint.

For more information about the complaints process, please see the Independent Office for Police Conduct website (www.policeconduct.gov.uk). If you do not have access to the internet, the IOPC can provide you with leaflets (0300 020 0096).

Yours sincerely

[REDACTED]

[REDACTED]

Joint Head of Complaints & Misconduct Unit

EX 11B

From: [REDACTED]
Sent: 09 February 2024 20:22
To: 'Keith Howell'; 'Esther Myers Robinson'
Subject: RE: Your NFA reviews involving Hampshire Constabulary

TIME TRAVEL IS NOT POSSIBLE

Dear Mr. Howell and Ms Myers-Robinson,

In reference to Mr. Howells response below. Apologies, but to clarify again these complaints you decided were all about the false conduct assessment in 2016 produced by Hampshire Police into the handling of the Arnewood Teacher child sexual abuse case, nothing else. That is the focus. This allegation is fully corroborated by new 2023 evidence from Dorset Police Officers proving it to be so which has never been answered by anyone and still hasn't. I'm sorry but can you point me to exactly where in the below 2016 outcome extract you have provided as justification of your decisions it even remotely reference's anything about or answers the issue of Hampshire Police producing the false conduct assessment complained of? And references the evidence I provided in 2023 from Dorset Police? This is what I have been complaining about, nothing else. The basis of my new complaint/s did not form part of the review and the 2016 outcome you have provided below as justification of your various decisions, not could it have for the very obvious reason the new evidence provided was not available then. The evidence proving the report to be false post dates the 2016 report you have somehow tried to mistakenly fly as being relevant to this new 2023 evidence and my new complaint/s. My question again if I may try again: Where is the proof Dorset Police's 2023 evidence has been taken into account in reference to my allegation Hampshire Police's PSD produced a false report into the handling of the child sexual abuse case, which shows the 2023 supporting evidence I provided by Dorset Police Officers has ever been investigated or answered? What you have provided below does not answer the issue. It poses you with an impossible conundrum. Dorset Police's evidence only became available years after the report you are clutching at dated 2016 as justification of your recent decisions (the false report itself). Do you agree or disagree the new 2023 evidence I provided shows the 2016 report complained of to be false or not? That is the question that begs an answer. How can a report in 2016 have taken into account new evidence that only became available in 2023??? Your explanation only furthers your dilemma of not weighing relevant new evidence and taking relevant considerations into account. If one of you can let me know your answer to this huge conundrum it would be refreshing. But please be quick, I do intend filing in the High Court if I cannot obtain a rational and proper explanation that does not rely on time travel. So to re-iterate, where was the new 2023 evidence I provided you ever evaluated and answered? Please point me to it. It cannot be in what you reference below. Time travel is not available to Hampshire Police nor the IOPC. Even equally more bizarrely you are holding up the 2016 false report itself (proved false by Dorset Police's evidence produced in 2023) as proof it was not false. I do hope you can see that cannot stand in a sensible world.

I look forward to an answer. Reasons and explanations must be given. But to make it clear: CITING A 2016 REPORT AS COVERING NEW EVIDENCE PRESENTED YEARS LATER IN 2023 IS BEYOND IRRATIONAL and furthers the illegality. AND TO BE VERY CLEAR I AM NOT, NOR HAVE EVER CHALLENGED THE SUBSTANTIVE REVIEW OUTCOME YOU HANG YOUR HAT ON, THE FAILINGS IT HIGHLIGHTS ARE CONFIRMED AND TRUE. YOU HAVE ENTIRELY MISCONSTREWED MY COMPLAINTS. I was the one who made the 2016 review you refer to below happen. It had nothing to do with Hampshire Police lying in the report. THESE NEW COMPLAINTS YOU BOTH CONSIDERED ARE ALL ABOUT NEW 2023 EVIDENCE SINCE THE 2016 REPORT WAS ISSUED WHICH SHOWS CERTAIN SUBSTANTIVE STATEMENTS OF FACT IN THE REPORT WERE WHOLLY FALSE. I AM CHALLENGING THE VERACITY OF THE ASPECT THAT STATES DORSET MADE DECISIONS ON THE CASE ETC. THE NEW EVIDENCE PROVIDED BY DORSET POLICE IN 2023 SHOWS THAT TO BE A LIE. Further more you are holding up the false report complained of itself as evidence it is not false despite new evidence proving it to be just that. That is also far beyond irrational too.

Anyway I am sure you really know what I am talking about, can I therefore ask you provide me with a proper rational answer to the real issues I have raised? If I have not received one by end of day 14 Feb 2024 I will commence proceedings and add a failure to provide reasons and explanations to the legal challenge and

“Wednesbury” unreasonableness given you on relying on a 2016 report as justification new evidence in 2023 has been taken into account and hence is not relevant.

It is very important you provide me with what I ask for. When and where has the 2023 evidence I have provided ever been taken into account and answered? It cannot be in the false 2016 outcome itself which is showed as false can it?

I look forward to explanations and reasons and not time travel arguments. And Mr. Howell are you answering for Ms. Myers Robinson as well?

Thank you

From: Keith Howell [mailto:Keith.Howell@policeconduct.gov.uk]
Sent: 09 February 2024 17:18
To: [REDACTED]
Subject: RE: Your NFA reviews involving Hampshire Constabulary

Dear [REDACTED]

Thank you for your email. The IOPC has seen the material you have forwarded from Dorset Police. On one view it is consistent with the failures identified by Hampshire Police in its conduct review dated 22 November 2016:

The following failures by Hampshire Constabulary were identified: 1) The referral from the LADO in December 2012 and subsequent contact with Dorset were not recorded on RMS [I understand their Records Management System]. 2) The further referral in October 2013 and interaction with the LADO following the return of items belonging to Mr Mark by a colleague was not recorded on RMS. 3) The referral by the LADO in December 2012 ought to have resulted in an initial police investigation by Hampshire Police to establish the nature of the relationship between teacher and pupil. 4) That Hampshire Constabulary had not followed local and national safeguarding procedures by not establishing the full facts of a case prior to concluding whether a position of trust allegation should be single agency and if a criminal investigation is required. The report acknowledged that the decision in December 2012 to refer to Dorset Police on the basis that the teacher and pupil both resided in Dorset was in accordance with the Constabulary’s local procedure. It however recommended that all contacts regarding LADO referrals and decisions reached should be recorded on RMS including cross border cases.

The review stated that no individual officer has been identified for whom there was an indication they may have breached the standards of professional behaviour in a manner which justified disciplinary proceedings or committed an offences. The IPCC accepted that assessment in 2017 because there was and remains no realistic basis on which disciplinary proceedings could not be brought or any offence prosecuted against any identifiable officer. As set out in Annex A you have previously made complaints challenging that view but it was determined that you were not a qualifying complainant and that subsequent complaints against its authors and others involved in the handling of those complaints were an abuse of procedures for making complaints because they were a collateral attack on its conclusions. Those decisions have not been successfully challenged and so, in any event, this material has no direct bearing on the outcome of the review outcomes, which are in any event final.

Yours sincerely

Keith Howell
Assessment Analyst
Independent Office for Police Conduct
PO Box 473
Sale
M33 0BW

Tel: 0121 673 3814

www.policeconduct.gov.uk

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From: [REDACTED]
Sent: 31 January 2024 18:43
To: Keith Howell <Keith.Howell@policeconduct.gov.uk>; Esther Myers Robinson <Esther.MyersRobinson@policeconduct.gov.uk>
Subject: RE: Your NFA reviews involving Hampshire Constabulary

[Caution: This email originated from outside of the IOPC. Please protect our business by not opening any links or attachments unless you trust the origin of this email.]

Dear Mr. Howell and Ms,

Thank you for your respective decisions. I would like to point out you have not specifically answered or addressed the new evidence from Dorset Police anywhere. You mention it in just one then do not answer it, or provide any comment on it at all. This appears to invalidate all of your decisions as it is a relevant consideration you have missed. And one which underpins everything. It can never be reasonable and proportionate for the IOPC and Hampshire Police not to take evidence into account when reaching its decisions. Dorset Police's evidence substantiates a very prima facie strong case of Hampshire Police producing a false conduct assessment into the handling of a child sexual abuse case. It gets no more serious than that. Can you perhaps answer this conundrum for me or point me to where you have considered this vital evidence in any of your reports? Evidence is everything but clearly has not been weighed by you, or if it has not been explained or answered in any of your outcomes albeit very reliable evidence from an authoritative third party (Dorset Police Officers). If you will please provide an explanation for this apparent omission if you will. I have attached the evidence again that appears not to have got a "look in". Is it perhaps not what it purports to be? As you can see the first 2 attached recent docs from Dorset Police prove the conduct assessment to be false. Can you please provide an explanation as to this omission if you will. I would ask for a speedy reply if I may as I have a limited time to file for JR, but would like to give you an opportunity to explain this before initiating proceedings.

Let me know.

Thank you
[REDACTED]

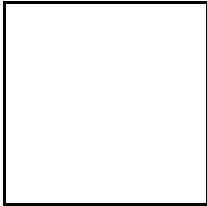
PS. A person cannot be vexatious under the guidance only a complaint as you know, the number of complaints I have made is therefore irrelevant. Every time I have been misled I am entitled to lodge a complaint. I could have filed a lot more. And I have already won two JR's against the IOPC to date. This would be the third.

From: Keith Howell [mailto:Keith.Howell@policeconduct.gov.uk]
Sent: 31 January 2024 17:35
To: [REDACTED]
Subject: Your NFA reviews involving Hampshire Constabulary



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Gall y neges hon a'i chynnwys gynnwys gwybodaeth gyfrinachol, freintiedig neu hawlfraint. Fe'u bwriedir at ddefnydd y derbynydd arfaethedig yn unig. Os derbynioch y neges hon mewn camgymeriad, mae'n rhaid i chi beidio â datgelu, copïo, dosbarthu na chymryd unrhyw gamau sy'n dibynnu ar y cynnwys. Yn hytrach, rhowch wybod i'r anfonwr ac yna dilêwch ef yn barhaol. Mae unrhyw farn neu safbwyntiau a fynegir yn y cyfathrebiad hwn yn eiddo i'r awdur yn unig ac nid ydynt o reidrwydd yn cynrychioli barn yr IOPC. Dim ond staff penodedig sydd wedi'u hawdurdodi i wneud cytundebau rhwymol ar ran yr IOPC trwy e-bost. Nid yw'r IOPC yn derbyn unrhyw gyfrifoldeb am gytundebau anawdurdodedig y daethpwyd iddynt â gweithwyr neu asiantau eraill. Ni all yr IOPC warantu diogelwch yr e-bost hwn nac unrhyw atodiadau. Tra bod negeseuon e-bost yn cael eu sganio'n rheolaidd, ni all yr IOPC gymryd unrhyw gyfrifoldeb am unrhyw firws y gellir ei drosglwyddo â'r rhyngwyd. Mae systemau cyfathrebu'r IOPC yn cael eu monitro i'r graddau a ganiateir gan y gyfraith. O ganlyniad, gall unrhyw e-bost a/neu atodiadau gael eu darllen gan staff monitro.

We welcome correspondence in Welsh. We will respond to you in Welsh and this will not lead to delay.

Rydym yn croesawu gohebiaeth yn y Gymraeg. Byddwn yn ymateb i chi yn y Gymraeg ac ni fydd hyn yn arwain at oedi.

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EX 12

[REDACTED]

From: [REDACTED]
Sent: 13 February 2024 10:58
To: '!NorthCasework'
Cc: 'enquiries@policeconduct.gov.uk'
Subject: Review Request - failure by Hampshire Police to provide complaint response.

Review Request - failure by Hampshire Police to provide complaint response.

13 Feb 2024

To: IOPC

[REDACTED]

Dear Sirs,

Under the statutory guidance police have to provide a response to a complaint. There are no legal exceptions to this strict requirement. Here Hampshire Police have ignored my complaint as submitted on 11 Dec 2023 and subsequent follow ups (see below). I have also submitted this complaint through the IOPC online complaint submission form and got not no response to that either. I now ask the IOPC hold them to the rules and provide a response.

Thank you

[REDACTED]

From: [REDACTED]
Sent: 10 January 2024 15:45
To: 'Professional Standards (Hampshire)'
Subject: Failure to provide complaint response.

Dear PSD,

I have still not received a response to my complaint sent in to your department on 11 Dec 2023. Please see my email below. It's a month since I sent this complaint in. If you check your statutory guidance a recording response is required as soon as possible. Where is it? I do insist it be recorded and responded too. When you do respond please send me a copy of the record too as per the statutory guidance (6.26, 6.32 and 6.34).

Thank you

[REDACTED]

From: [REDACTED]
Sent: 04 January 2024 17:59
To: 'Professional Standards (Hampshire)'
Cc: 'PUBLIC ACCESS Mailbox'
Subject: FW: New Complaint - failure under the IOPC guidance

Dear PSD,

Still have not received a response re my complaint below re Hampshire PSD not providing me with an investigation outcome report for a complaint of mine which Hampshire Constabulary maintains was investigated (according to Mr. David Winter and Ms. Stokel-Walker). See email below of 11 December 2023 and subsequent follow up emails.

Please chase it up.

Thank you

From: [REDACTED]
Sent: 11 December 2023 21:19
To: 'Professional Standards (Hampshire)'
Subject: New Complaint - failure under the IOPC guidance

Dear Sirs,

Given recent events, see my email to your information team below and supporting attachments, I would now like to raise a new complaint about Hampshire Police failing to provide a complainant with an investigation outcome report as is required by the IOPC statutory guidance. It is now very clear Hampshire Police is deliberately breaching this legal requirement under the guidance by purposefully avoiding doing so. It is the Forces stated official position an investigation into my complaint where I submitted evidence from Dorset Police Officers showing substantive factual discrepancies in a report produced by Hampshire Constabularies PSD (Stephen Franks) has been carried out. Yet I never received an outcome, nor confirmation an investigation was to be instigated.

This constitutes a massive failing as to my rights under the IOPC statutory guidance if indeed my complaint was investigated. You must now explain why I have never been provided with the investigation outcome report into my complaint about the false conduct assessment into the handling of the Tyrone Mark child sexual abuse complaint, or explain why no such investigation has ever been carried out and the reason for stating it has.

As a footnote I understand Dorset Police have now contacted Hampshire Police's PSD directly about this matter and their officers evidence I submitted to your department. You are of course fully appraised of matters and the evidence by way of their representations and mine over the course of time.

I look forward to an explanation and an apology regarding the identified breach to the guidance, and the investigation outcome report or an explanation as to why it does not exist given it is your position it does.

Thank you

EX 13

[REDACTED]

From: [REDACTED]
Sent: 23 January 2024 15:01
To: 'public.access@hampshire.police.uk'
Subject: 17226/W
Attachments: Dorset complaint acknowledgemnt to [REDACTED].pdf; 20.09.22 Letter to [REDACTED].pdf; false conduct assessment into child sexual abuse safeguarding failings by hampshire police.pdf; contact dorset police instead.pdf; The main evidence suppressors at Hampshire Police.pdf; Hampshire state case was recorded by Dorset Police....pdf

Re. Right of Access Review – 16927/O

Attention:

S Carr | Public Access Manager
Joint Information Management Unit | Hampshire & Isle of Wight Constabulary and Thames Valley Police

Dear Sir,

In reference to our prior email exchanges. Here is additional information which further and very specifically identifies my subject access request. The investigation report I seek is in relation to the matters identified in my complaint to the PSD of 26 September 2022 at 11:26. Refer to my email below and associated attachments sent in with it. The PSD rejected this complaint as “vexatious” and an “abuse of process” on the basis the substance of my complaint and the provided evidence had been investigated before. Well if that is true I have never been provided with a copy of an investigation report at anytime either then or since relating to the substance of this complaint as specifically underpinned by the provided evidence from Dorset Police (specifically attached as doc “20.09.22 Letter to [REDACTED]”). The complaint was about Hampshire Police’s PSD having previously produced a false conduct assessment into the handling of a child sexual abuse case. Given the PSD maintained then and still does this matter had already been investigated they surely must have sight of the requested document. As such it must be provided to me as it would constitute my information under the GDPR. If no such investigation outcome report exists I must be told it does not exist. It’s really a very simple request asking for a very easy to identify document. The PSD and Hampshire Police surely must keep records of investigation results? To re-iterate where is the investigation report into the substance of the complaint below addressing Dorset Police’s evidence showing the conduct assessment produced by your PSD to be untrue in substantive ways?

I now look forward to receiving the sought after investigation outcome report or confirmation no such investigation report exists into the matters raised in my email to the PSD of 26 September 2022. When was the evidence I provided from Dorset Police ever investigated? If you need a complaint number let me know and I will dig it out for you. But you now have a date and time the complaint was made and the PSD can easily identify a complaint reference number from that. And given they maintain (even now) this matter and evidence has been investigated they must have seen it. So it really should not be hard to say here it is (or isn’t.)

So to clarify:

- 1) Option one: Tell me no such report exists (the Dorset Police evidence I provided has never been investigated at anytime)
- 2) Or option 2, send me the report answering the evidence from Dorset Police I provided to the PSD with my complaint below.

To comply with the GDPR only option 1 or 2 will do.

Thank you
[REDACTED]

----->

From: [REDACTED]
Sent: 26 September 2022 11:26
To: 'Professional Standards (Hampshire)'
Subject: Complaint about Mr. Trencher and the PSD - brand new evidence

Complaint about Mr. Trencher and the PSD - brand new evidence provided by Dorset Police.

Dear PSD,

You should now re-evaluate your prior response to my complaints about Mr. Trencher and others in the PSD withholding evidence from those who should have had sight. And the PSD (Mr. Stephen Franks) producing a false report into child sexual abuse safeguarding failings in reference to the Tyrone Mark teacher case. As you are aware this complaint was rejected by you as "vexatious" with no regard to the evidence and was never investigated. Dorset Police have since recorded a complaint from me and investigated the veracity of its prior representations on the case to me. It's investigation outcome letter now proves the lies in the Hampshire Police report beyond all doubt. See attached first 2 docs.

The crux of the complaint as initially reported by me to 101 and by correspondence with Hampshire Constabulary's PSD:

- 1) The PSD (Mr. Stephen Franks) produced a false conduct assessment into child sexual abuse safeguarding failings.
- 2) Mr. Roger Trencher and members of the PSD did not forward on the evidence that proved the falsity of the report to those with oversight.
- 3) The false report has never been corrected contrary to children's best interests.

Of course your records and my prior correspondence to you on this very serious matter/complaint is already in your possession. These will provide you with full information on my complaint. I have also attached a number of documents for your convenience which make matters perfectly clear. As to my standing to bring this complaint, well I was lied to by way of Hampshire Police sending me a false report. Also I am in possession of the evidence my own endeavours have brought to light that proves this corruption (I am a witness to the conduct complained of as well). Additionally the complaint cannot be "vexatious" if it is true and without any regard to the evidence or it ever being answered or taken into consideration. Vexatious means unfounded as per the statutory guidance (and dictionary). Furthermore as the complaint has never been investigated it cannot be rejected as "repetitive" (statutory guidance). The case to answer test means you cannot simply ignore evidence of serious misconduct. This is a serious criminal complaint.

Refer to attached docs in support of this complaint. To be viewed with the other information provided to you over time on this matter and the attached six pdf documents (6). Of course this is a serious corruption complaint and should now be "referred in" to the IOPC for a mode of investigation decision (statutory guidance/PRA 2002).

I await your new recording decision.

[REDACTED]



OFFICIAL

**Dorset Police
Professional Standards Department**

Force Headquarters
Winfrith, Dorchester
Dorset DT2 8DZ

Your ref:
Our ref: CO/00554/22

Sent via email:

Phone: 101 Ext. 3808

E-mail: complaints&misconduct@dorset.pnn.police.uk

Date: 20 September 2022

Dear [REDACTED]

COMPLAINT AGAINST POLICE

I have made further enquiries as a result of our correspondence, and I hope this clarifies your Points.

You asked if the DS was involved in the decision making about how Mr Mark should be dealt with which are points 4 and 5 below.

The officer has explained that he liaised with the LADO knowing that Hampshire Police had said they would not deal with the case. He recalls that he felt that the matter was for Hampshire to investigate as the concerns appear to have arisen from the school and were reported as inappropriate communication between teacher and child. At the time he had no information to suggest there were offences in Dorset and it would be for the LADO to co-ordinate the investigation. He remembers that it was the LADO's preferred option that the matter be dealt with by the Education Authority. The information available to him from the referral and speaking to the LADO did not suggest offences had been committed in Dorset, he felt Hampshire Police should investigate and informed the LADO of his view.

In relation to your points below I can confirm from my enquires that they are correct.

1. No file or any evidence on the Tyrone Mark case was sent to Dorset Police at anytime.
2. No crime was recorded under the HOCR.
3. Dorset Police did not investigate.
4. Dorset Police did not make any decisions on the case.
5. Dorset Police did not decide the case should be handled on a single agency basis.
6. The case was not transferred to Dorset Police by Hampshire Police.

I hope that I have provided clarity for the further points you raised.

Yours sincerely

[REDACTED]

[REDACTED]
Complaints & Misconduct Unit

[REDACTED]

From: public.access@hampshire.pnn.police.uk
Sent: 21 August 2014 13:05
To: [REDACTED]
Subject: RE: FOI Appeal

[REDACTED]

Yes that is correct.

Jason

Jason Russell | Senior Manager for Public Access

Joint Information Management Unit | Hampshire Constabulary & Thames Valley Police

Telephone 01962 871014 | Internal 79 1228

Address Police Headquarters, West Hill, Winchester, SO22 5DB

Information Management Helpdesk:

Hampshire: information.management@hampshire.pnn.police.uk / 01962 871541 (internal 79 2128)

Thames Valley: information.management@thamesvalley.pnn.police.uk / 01865 846329 (internal 700 6329)

From: [REDACTED]
Sent: 21 August 2014 12:57
To: PUBLIC ACCESS Mailbox
Subject: RE: FOI Appeal

Dear Mr. Russell,

Sorry, just one more thing if I may. I presume from that response Hampshire Constabulary have no incident or crime number recorded for this?

Regards

[REDACTED]

From: public.access@hampshire.pnn.police.uk [<mailto:public.access@hampshire.pnn.police.uk>]
Sent: 21 August 2014 09:34
To: [REDACTED]
Subject: FOI Appeal

[REDACTED]

I refer to your latest email below and your request for a review of Hampshire Constabulary's response to your FOI request.

I can confirm that I have now concluded my review and I have decided that we are in a position to respond to your request without using the neither confirm nor deny exemption under Section 40.

As a result, I can now state that Hampshire Constabulary hold no information in respect of your request. However, if you contact Dorset Police they should be in a position to respond.

If you wish to discuss further, please do not hesitate to contact me.

Jason Russell | Senior Manager for Public Access

Joint Information Management Unit | Hampshire Constabulary & Thames Valley Police

Telephone 01962 871014 | Internal 79 1228
Address Police Headquarters, West Hill, Winchester, SO22 5DB

Information Management Helpdesk:
Hampshire: information.management@hampshire.pnn.police.uk / 01962 871541 (internal 79 2128)
Thames Valley: information.management@thamesvalley.pnn.police.uk / 01865 846329 (internal 700 6329)

From: [REDACTED]
Sent: 05 August 2014 13:55
To: PUBLIC ACCESS Mailbox
Subject: RE: Freedom of Information Request HC/1369/14

Attachments: news article.pdf; Mark__Tyrone_-_Web_Decision_-_9951029.pdf
HC/1369/14

Dear Information Team,

Additional attachments for Mr. Russell when he reviews this request. News article and public NCTL decision. Confirmation it is already in the public domain there was a police investigation into this named individual in the press. Confirmation and reassurances now sought from the Constabulary. And files containing abusive material on children exists also in the public domain as per the attached NCTL decision and press coverage. The CPS has been direct about this and told us they do not hold this information, surely the police should be forthright too.

Thank you.

[REDACTED]

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OFFICIAL

[REDACTED]

Sent via email:

[REDACTED]

Dorset Police
Professional Standards Department

Force Headquarters
Winfrith, Dorchester
Dorset DT2 8DZ

Our ref: CO/00554/22
TJW/3808/AW

Phone: 101 Ext. 3808

E-mail: complaints&misconduct@dorset.pnn.police.uk

Date: 25 July 2022

Dear [REDACTED]

COMPLAINT AGAINST POLICE

I write in response to your recent correspondence to the IOPC with your complaint against police.

Your complaint has been formally recorded within the provisions of Part 2 of the Police Reform Act 2002.

My role in dealing with your complaint is to decide how the matter should be dealt with.

Based on the information contained within your correspondence, I have determined that this matter should be investigated by a member of the Complaints & Misconduct Unit. I shall arrange for the Investigating Officer, from this office, to contact you and endeavour to resolve your complaint.

For more information about the complaints process, please see the Independent Office for Police Conduct website (www.policeconduct.gov.uk). If you do not have access to the internet, the IOPC can provide you with leaflets (0300 020 0096).

Yours sincerely

[REDACTED]

[REDACTED]
Joint Head of Complaints & Misconduct Unit



Our reference number: 2018/099011

Force reference number: MI/10/18

PO Box 473
Sale M33 0BW
PO Box 473
Blwch Post 473
Sale M33 0BW
Blwch Post 473
Sale M33 0BW

Tel/Ffôn 0300 020 0096

Text relay/Cyfnewid Testun 18001 0207 166 3000

Email/E-bost enquiries@policeconduct.gov.uk

Web/Gwefan www.policeconduct.gov.uk

Web/Gwefan www.policeconduct.gov.uk



22 March 2018

Dear [REDACTED]

As you are aware Hampshire Police carried out a conduct assessment in relation to the matters you raised with them regarding Mr Tyrone Mark.

As previously agreed please find enclosed a summary of the conduct assessment completed by Hampshire Police. A copy has also been forwarded to the Children's Commissioner Anne Longfield.

Yours sincerely

Clara Harriott
Senior Assessment Manager
Independent Office for Police Conduct

Summary of Conduct Assessment

Background to conduct assessment

In December 2012 a referral was made by Arnewood School, Hampshire to the Hampshire County Council's Local Authority Designated Officer (LADO) regarding Mr Tyrone Mark, a teacher at the school regarding his relationship with a pupil. The LADO referred the matter to Hampshire Constabulary's Central Referral Unit (CRU). As both Mr Mark and the pupil resided in Dorset, the matter was referred to Dorset Police who decided that a single agency referral was appropriate and could be conducted by the school.

In March 2013, Mr Mark resigned his position after disciplinary proceedings were commenced by the school. In October 2013 additional materials regarding Mr Mark were obtained by the school, and Hampshire Constabulary were contacted for advice. Hampshire Constabulary advised that no action was required by themselves, and that the material could be dealt with by the single agency and the Disclosure and Barring Service (DBS). Mr Mark was barred from teaching indefinitely by the National College for Teaching and Leadership (NCTL) in July 2014. Following the NCTL decision, the school wrote to parents informing them of the outcome. After considering advice from the LADO, the school handed all the material they had to Hampshire Constabulary.

In December 2014 a criminal investigation was commenced by Hampshire Constabulary. Mr Mark was subsequently charged with 17 offences of possessing indecent images of children which had been downloaded from the internet. Mr Mark was sentenced to six month's imprisonment in February 2016.

██████████ whose son was a pupil at the school, made a number of complaints regarding Hampshire Constabularies' decision not to investigate the offences when referred in 2012, a failure to record the occurrence in accordance with Home Office Counting Rules, and that police inactivity led to the 17 offences being committed against children. Mr ██████████ complaints were assessed in accordance with the Police Reform Act 2002, and a series of non-recording letters were sent to ██████████, on the basis that he was not a person whose son was subject of the investigation, or was adversely affected by the investigation. ██████████ appealed these non-recording decisions to the IPCC, who did not uphold his appeals. ██████████ subsequently wrote to the Children's Commissioner, and the Children's Commissioner wrote to the IPCC highlighting Mr Caine's concerns. The IPCC then wrote to Hampshire Constabulary directing that a conduct assessment be completed in accordance with Section 6.4 of the IPCC Manual of Guidance.

Conduct assessment conclusions

Hampshire Constabulary identified the following concerns in their conduct assessment:

- The referral from the LADO in December 2012 and subsequent contact with Dorset was not recorded on the force's Record Management System (RMS)
- The further referral in October 2013 and interaction with the LADO following the return of items belonging to Mr Mark by a colleague was not recorded on RMS.
- Procedure for the referral by the LADO in December 2012 required an initial police investigation by Hampshire Police to establish the nature of the relationship between teacher and pupil.
- Local and national safeguarding procedures required the full facts of a case to be established prior to concluding whether a position of trust allegation should be single agency and if a criminal investigation is required.

The conduct assessment notes that the decision in December 2012 to refer the matter to Dorset Police was in accordance with Hampshire Constabulary's local procedure, as all parties directly involved resided in Dorset.

Concerning conduct issues, no individual officers have been identified within the report. It is also noted that the issues identified relate to the recording of information within the force's systems or are matters regarding adherence to procedure. As such, the conduct assessment notes that the identified issues are procedural in nature. It is also noted that steps have been taken to ensure that all contacts regarding LADO referrals are recorded on RMS.

The conduct assessment further notes that the procedural issues concerning Hampshire Constabulary's handling of Mr Mark appear to be isolated occurrences, and audits of similar position of trust cases from the period do not raise concerns with Hampshire Constabulary's recording of referrals or the decisions made regarding them. On the basis that the identified concerns are procedural in nature, they appear to be isolated occurrences, no officers have been identified and actions have been taken to rectify the procedural concerns in future, there does not appear to be an indication of any conduct matters.

From: Campbell, Keith (5108) [<mailto:Keith.Campbell@Dorset.PNN.Police.uk>]

Sent: 29 October 2014 17:37

To: [REDACTED]

Subject: Review of Dorset Police Response 2014-626 NOT PROTECTIVELY MARKED

Dear [REDACTED]

This matter was discussed with the Head of our Professional Standards Department, Superintendent Peter Windle and I have been nominated to respond due to my involvement and responsibility in the matter.

Supt Windle is of the opinion that it might assist you if I make the comments in my previous communication more explicit, and I do so below:

Dorset Police did receive some information that was appropriate in the circumstances but this was purely for our reference and is not suitable for disclosure. Dorset Police was not involved in any investigation of the matter. We did not receive any file of related material; indeed our knowledge that such a file exists comes from information supplied by you. We have double checked this and make the assertion with confidence.

Our knowledge of the detail of what happened in response to this matter is minimal but it is possible that this was dealt with by the school and Hampshire County Council staff, since the local authority has primacy in welfare and education issues related to children and young persons. The information that we received originated from HCC.

To conclude, we can only reiterate that this matter was not dealt with by Dorset Police and we received no file of any sort from the school or any other involved party.

Please see the notice below which outlines your right to complain to the Information Commissioner's Office about this matter.

If you are not satisfied with our response in relation to your request for information then you have the right to refer this to the Information Commissioner who will consider your complaint. You can contact the Commissioner at: -

**Information Commissioner's Office,
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire,
SK9 5AF.**

E-mail mail@ico.gsi.gov.uk

Yours sincerely

**Keith Campbell
Freedom of Information Manager**

Our ref: CH.14.07.26

22 July 2014

Dear

Re: Misconduct hearing of former member of staff

We are writing to you because last week a former member of our teaching staff, Mr Mark, was the subject of a professional misconduct hearing and has been permanently prohibited from teaching.

Mr Mark had his contract terminated by the school in March 2013, following allegations that he formed an inappropriate relationship with a student outside of school.

I would like to reassure you that the police investigated these matters and found no criminal activity had taken place.

Acting upon legal advice, this has been the first opportunity we have had to comment publicly on the matter.

We take the safety of your children extremely seriously.

From the outset when these allegations were made known to us Mr Mark was immediately suspended and we worked closely with both the local authority and the police. We have taken substantial professional advice and followed national child protection guidelines throughout.

Given our concerns, it was only right that we referred the matter to the attention of the Disclosure and Barring Service, the government body which replaces the Criminal Records Bureau and Independent Safeguarding Authority.

Some months after Mr Mark had his employment terminated by the school it emerged that he had documents and files in his home containing his personal thoughts on students.

We were shocked and disgusted by Mr Mark's actions. The very serious nature of the national panel's findings reflects this and we fully support the decision taken to prohibit him from teaching following our referral.

There is no evidence that Mr Mark formed inappropriate relationships with any other student.

To protect the identity of the student involved we are unable to go into any further detail.

We respectfully ask that your children and others refrain from using social media speculation on this matter to protect the identity and feelings of the student

Mr Mark was a very experienced teacher, a colleague for many years; we feel that the trust we placed in him has been betrayed.

If any parent/carer has any concerns following this news the Headteacher will be happy to talk to you when the school is back in session in September but we must stress that we cannot go into the details of this particular case for the reasons outlined above.

Yours sincerely

C C Hummerstone
Headteacher

Elizabeth Cook
Chairman

Subject: FW: From office of Rt Hon Desmond Swayne TD MP

From: MOIRA SWAYNE [<mailto:swaynem@hotmail.co.uk>]

Sent: 15 February 2015 10:46

To: [REDACTED]

Subject: From office of Rt Hon Desmond Swayne TD MP

Dear [REDACTED]

Please find below the body of the emailed letter sent by John Coughlan to Mr Swayne on 26th January.

----->

Date 26th January 2015

Dear Mr Swayne

I am very sorry for the delay in responding to your letter. I had asked our legal advisers to consider the position, and there was some delay at their end for which they apologise.

Hampshire County Council did not conduct an investigation into the allegations made against Mark Tyrone. When it was approached by the Arnewood Academy in December 2012, enquiries including contact with the Police led officers to conclude, appropriately, that the matter should be investigated internally by the Academy. I remain confident with that conclusion.

It follows that there is no local authority investigation file, as such, to be disclosed to the Police, but we would of course co-operate fully with any request from the Police for any material which we hold, to the extent that we are required or permitted to do so.

I trust that this answers your question, but please do let me know if I can assist further.

Best wishes

John Coughlan
Deputy Chief Executive & Director of Children's Services
Hampshire County Council
3rd Floor, Elizabeth II Court North
Winchester
Hampshire SO23 8UG
Tel: 01962 846516

Rt Hon Desmond Swayne TD MP

House of Commons
London SW1A 0AA
0207 219 4886

www.desmondswaynemp.com

UK Parliament Disclaimer:

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Subject: FW: Unlawful handling of the Mark Tyrone Criminal Case

From: [REDACTED]
Sent: 27 January 2016 13:15
To: 'stephen.franks@hampshire.pnn.police.uk'
Cc: 'professional.standards@hampshire.pnn.police.uk'
Subject: RE: Unlawful handling of the Mark Tyrone Criminal Case

Dear Mr. Franks,

Please note according to a police statement from Hampshire matters were referred to the Force on two different dates way before that. See attached. Yet nothing was recorded, crime nor incident. See the other attachment. This is an official non recording complaint please respond through proper complaint channels and the proper way. Then I will be able to take it to the IPCC of course.

Sincerely
[REDACTED]

From: stephen.franks@hampshire.pnn.police.uk [mailto:stephen.franks@hampshire.pnn.police.uk]
Sent: 27 January 2016 10:29
To: [REDACTED]
Subject: FW: Unlawful handling of the Mark Tyrone Criminal Case

Dear [REDACTED]

Thank you for your email. I am able to advise that this occurrence was recorded on 21st November 2014. Prior to that the investigation was dealt with on a single agency basis - Arnewood School and had been recorded by Dorset Police.. It would appear that National Crime Recording Standards have been appropriately followed

Sincerely

Stephen J Franks
Business Support Manager/Professional Standards Dept.
Tel: Int: 4631787
Email: stephen.franks@hampshire.pnn.police.uk

From: [REDACTED]
Sent: 23 January 2016 07:39
To: PROFESSIONAL STANDARDS Mailbox
Subject: Unlawful handling of the Mark Tyrone Criminal Case

Complaint about the unlawful handling of the Mark Tyrone Criminal Case

Dear Professional Standards Team,

It has recently come to my attention that a officer/s have acted illegally in reference to the above mentioned case. Here they did not comply with the Home Office Rules and National Crime Recording Standard. See attached correspondence from Mr. Jason Russell of Hampshire Constabulary confirming that nothing was recorded in the RMS relating to this case. As you are aware this is contrary to statutory requirements. Here nothing was entered into the police database. No incident record was created. As you will also know, an incident record MUST be created when matters are FIRST reported to police regardless of whether they think a crime was committed or not. It must be documented in the police computer system at the time the issue is raised with the police. That did not happen.

[REDACTED]

From: [REDACTED]
Sent: 25 March 2017 13:37
To: 'roger.trencher@hampshire.pnn.police.uk'
Cc: 'professional.standards@hampshire.pnn.police.uk'
Subject: RE: Confirmed child sex abuse safeguarding failings by Hampshire Police
Attachments: 1) school lie.pdf; 2) John Coughlan letter.pdf

Dear Mr. Trencher,

I have not been provided with an IPCC contact name. Hence was sending evidence to ACC David Pryde. Here are two important pieces of evidence. Please make sure they get into the right hands. They show the school and HCC were additionally providing misinformation about the case. Added to the police failings to record and investigate despite damning evidence of course and I believe it all points to a concerted conspiracy to cover up.

[REDACTED]

From: roger.trencher@hampshire.pnn.police.uk [mailto:roger.trencher@hampshire.pnn.police.uk]
Sent: 23 March 2017 18:55
To: [REDACTED]
Subject: RE: Confirmed child sex abuse safeguarding failings by Hampshire Police

Dear [REDACTED]

I was on leave when you sent this email through and so have not been able to deal with it until now. I will make enquiries and revert to you but, of course, you are free to converse with the IPCC direct.

Regards

Roger Trencher
Force Solicitor

From: [REDACTED]
Sent: 15 March 2017 11:44
To: PROFESSIONAL STANDARDS Mailbox <professional.standards@hampshire.pnn.police.uk>; Trencher, Roger <roger.trencher@hampshire.pnn.police.uk>
Cc: Childrens.COMMISSIONER@childrenscommissioner.gsi.gov.uk; hscb@hants.gov.uk; david.pryde@hampshire.pnn.polic.uk
Subject: FW: Confirmed child sex abuse safeguarding failings by Hampshire Police

Attention. Mr. Roger Trencher the Force Solicitor

Cc: The Childrens Commissioner For England
Cc: The Chair of Hampshire Safeguarding Children's Board
Cc: The Head of Professional Standards Department

Confirmed child sex abuse safeguarding failings by Hampshire Police

Dear Mr. Trencher,

I am informed ACC David Pryde has retired from the Force. Prior to this he had been forwarding on evidence I provided to the IPCC investigation into Hampshire Police in reference to its now confirmed failings regarding the Tyrone Mark case, the teacher that went on to commit 17 offences against children that could have been prevented had officer/s not failed in their statutory duty to record and investigate (twice) despite damning evidence. We also know now these serious failings were ignored by the PSD ignored.

Please confirm the correspondence and the evidence I previously forwarded to ACC Pryde by email has in fact reached the IPCC, particularly Jennifer Izekor the IPCC Commissioner tasked with the investigation. The silence has been deafening. And ACC Pryde's email address is still accepting email?

I look forward to confirmation from you the evidence I have previously sent in to ACC Pryde has reached the people it was intended for.

Sincerely

██████████
██████████

Subject: FW: Further action required - Failure to notify Regarding complaint: 2017/082405
Attachments: 1_News_article.pdf; 2_█_letters.pdf

From: █
Sent: 17 April 2017 14:00
To: 'roger.trencher@hampshire.pnn.police.uk'; 'Childrens.COMMISSIONER@childrenscommissioner.gsi.gov.uk'
Cc: 'Katie Aston'
Subject: FW: Further action required - Failure to notify Regarding complaint: 2017/082405

Dear Mr. Trencher,

I am still awaiting a response from you re the evidence I supplied to you in reference to the ongoing IPCC conduct assessment re the Arnewood teacher child sexual abuse case where officers failed to record and investigate despite damning evidence. It is imperative it reach investigators. Additionally for your sight (below) is information about the Forces bizarre refusal to take a criminal complaint off me regarding the 6 named officers who looked the other way in reference to the failings re this child sex abuse case that would have seen a child sex offender go free. I hold plenty of evidence of course.

Due to your position and also your obligations under the police code of conduct re challenging police failings and improper conduct by police officer and staff I am making sure you are aware of this information and new development. Once again please make sure it reaches the right people and forms part of the ongoing conduct assessment in reference to this case and confirm. It is vital that it does. This has been a systemic cover up that put children at serious risk. This is not about the recording failings re the sex abuse case, it is about the officers who knew of those officer failings yet later ignored them contrary to children's best interests.

Cc: Anne Longfield OBE / Childrens Commissioner for England
Cc: Katie Aston / IPCC

Yours sincerely
█

Subject: FW: Serious police misconduct re child sex abuse case
Attachments: 5) police_FOI_responses.pdf; Childrens_Commissioner_letters.pdf

From: [REDACTED]
Sent: 16 October 2017 22:49
To: 'roger.trencher@hampshire.pnn.police.uk'
Cc: 'opcc@hampshire.pnn.police.uk'
Subject: FW: Serious police misconduct re child sex abuse case

Dear Mr. Trencher,

Given the lack of response from you and your evident disregard for your responsibilities and duty in relation to making sure evidence of serious police misconduct is dealt with within the confines of the law, I now ask you send the evidence I forwarded to you to the Chief Officer Olivia Pinkney. It is clear you are failing to deal with this matter and are choosing to ignore it contrary to the public good. To recap the evidence you hold (attached once more) emphatically proves police officers looked away from a child sex offender case twice and unlawfully kept it out of the RMS (twice). This led to child sex offences being committed which could have been easily prevented. This was reckless child endangerment and I would have hoped as such would have been acted on by you and the Force accordingly. Sadly not. Remember here we are talking about something that went further than child endangerment, offences against children were actually committed because of failings by your officers, and no doubt would have continued on if not for my involvement and had Hampshire Constabulary been left to its own devices.

If you can now please advise you have forwarded the evidence on and to whom (or not) I would be grateful. You must be aware as the Force Solicitor under law reasons and explanations must be provided. Silence is not an option you are afforded in your position.

Sincerely

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 28 May 2017 07:22
To: 'roger.trencher@hampshire.pnn.police.uk'; 'stephen.franks@hampshire.pnn.police.uk'
Cc: 'Childrens.COMMISSIONER@childrenscommissioner.gsi.gov.uk'
Subject: IPCC Arnewood child sex abuse case

Attention: Force Solicitor, Hampshire Police – Mr. Roger Trencher.
And Mr. Stephen Franks, Professional Standards Department.

CC: IPCC: Ms. Katie Aston
CC: Children’s Commissioner for England. Ms. [Anne Longfield OBE](#).

Dear Mr. Trencher and Mr. Franks,

I was informed sometime back by the IPCC that I would receive an explanation directly from the Force explaining why the conduct assessment re the handling Arnewood School teacher child sex abuse case found no fault on the part of police officers even though statutory Home Office rules were breached (twice) and serious and damning evidence disregarded at the time (twice). Forgive my directness but where is it? It is a further ponderance to me that an assessment can have been concluded by the Force without any attempt to contact me and gather the evidence I hold that proves the conduct failings and police officers broke the law.

I do not expect thanks for making sure a child sex offender was brought to justice where the Force had neglected its duty (twice) and therefore subjected children to risk, but would request the courtesy of a reply and the explanation as to this evident conundrum.

Yours Sincerely

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 18 October 2016 17:51
To: 'stephen.franks@hampshire.pnn.police.uk'
Cc: 'professional.standards@hampshire.pnn.police.uk'
Subject: Evidence for the IPCC Commissioner

Dear Mr. Franks,

On another note. Did you send the evidence I sent through to Jennifer Izekor as I requested? Shows the statutory failings on part of officers you ignored and blocked re the Tyrone Mark child sex abuse case. Let me know. If you don't want to, please refer it on as a complaint about you blocking evidence reaching who it should. Silence is not an option and neither is withholding vital evidence.

Sincerely

[REDACTED]

Subject: FW: For the attention of the IPCC Commisioner

From: [REDACTED]
Sent: 19 October 2016 13:59
To: Franks, Stephen
Cc: PROFESSIONAL STANDARDS Mailbox
Subject: IPCC Commisioner

Dear Mr. Franks,

I only have a generic email. The Children's Commissioner has been dealing with the IPCC on my behalf. Not fair I have to bother the Children's Commissioner again for something so mundane. It goes to holding officers to account for statutory failings / conduct matters which Jennifer Izekor is supervising as you know. You would want to help to that end wouldn't you. This is important evidence that shows the case was not recorded or entered into the police systems by officers, not once but twice. Is the PSD not involved with this? An assessment is being carried out.

Here's the email (below) I sent you about it and attached evidence. These failings led to 17 sex offences against children being committed that could have been prevented. Very serious matters. I hope you will agree.

It is a very responsible request to make of the PSD.

Please confirm you will know forward this on.

Sincerely

From: [REDACTED]
Sent: 17 October 2016 12:15
To: 'stephen.franks@hampshire.pnn.police.uk'
Cc: 'professional.standards@hampshire.pnn.police.uk'
Subject: RE: SFJ/MI/195/16

Dear Mr. Franks,

Well of course not. Just needed the PSD to be aware of it. To add to the catalogue of cover up and lies you and your colleagues are always apparently involved in. I have enough evidence now to sink a battleship. A corker though isn't it. You know what happened to the PSD cover up and IPCC failings re the recording failings re the Tyrone Mark child sexual abuse case you blocked. Why would I think this would be different?

Very Important:

I have attached the proof of these recording failings again re a child sex offender that allowed him to go one to commit 17 offences against kids. You've seen them before remember, but just to make absolutely sure you cannot deny "sight" here it is again. I know you have put forward misinformation on this case on multiple occasions, but never the less can you please make sure it gets into the hands of the investigation the IPCC Commissioner is now overseeing re PSD failure to act and confirm you will do that. I believe it speaks volumes. You really shouldn't have gone the cover up route on this.

Yours sincerely

From: stephen.franks@hampshire.pnn.police.uk [<mailto:stephen.franks@hampshire.pnn.police.uk>]
Sent: 17 October 2016 11:56
To: [REDACTED]
Subject: RE: SFJ/MI/195/16

Dear [REDACTED]

Yes I have seen the IPCC decision which does make comment on the point you are raising. In light of the IPCC decision not to uphold your appeal I do not propose to take any further action

Yours sincerely

Stephen J Franks
Business Support Manager/Professional Standards Dept.
Tel: Int: 4631787
Email: stephen.franks@hampshire.pnn.police.uk

[REDACTED]

From: [REDACTED]
Sent: 17 October 2016 12:36
To: 'stephen.franks@hampshire.pnn.police.uk'
Cc: 'professional.standards@hampshire.pnn.police.uk'
Subject: New Complaint
Attachments: letter from CEO Lesley Longstone.docx

Follow Up Flag: Follow up
Flag Status: Completed

New Complaint

Dear Mr. Franks,

Please send me a recording decision based on recent developments. See attached letter from the head of the IPCC.

The complaint is you and various members of the PSD blocked proper process regarding my complaints about the Tyrone Mark case police failings which resulted in 17 sexual offences against kids going on to be committed that would have been prevented if not for these serious failings. See attached letter. You all deliberately ignored the requirement to look into these failings. See 6.4 of the statutory guidance. I could never extract an answer from you on this. You entirely avoided it.

Please refer it on to someone appropriate to make a recording decision. That would not be anyone involved in the case to date. They all ignored the obvious at the expense of children's safety as you are well aware.

Sincerely

[REDACTED]

Subject: FW: Unlawful handling of the Mark Tyrone Criminal Case

From: [REDACTED]
Sent: 28 January 2016 10:35
To: 'stephen.franks@hampshire.pnn.police.uk'
Subject: RE: Unlawful handling of the Mark Tyrone Criminal Case

There were no referalls according to the RMS as you have confirmed. It's a non recording compliant. Had any parents known about it they would have called it in (including us). That's the point. Adversely affected yes, it meant a teacher who taught our son went uninvestigated and we had no idea as parents along with all the others what was going on. He may have been a victim and we are still not sure he was not in the teachers "pictures". So anguish, worry, concern etc. Well of course.

Would you like my son to co-sign the complaint? But he was a minor at the time.

PS. The IPCC has now told you to record and investigate the police statement.

From: stephen.franks@hampshire.pnn.police.uk [mailto:stephen.franks@hampshire.pnn.police.uk]
Sent: 28 January 2016 10:06
To: [REDACTED]
Subject: RE: Unlawful handling of the Mark Tyrone Criminal Case

Dear [REDACTED]

Thank you, I have now checked the statement. To assist me in making a recording decision in accordance with the Police Reform Act can you please confirm whether you made either of the referrals detailed in the letter (December 2012 and October 2013) and thereby are a person directly affected or if not how you are adversely affected by the apparent failure to record as an occurrence.

Sincerely

Stephen J Franks
Business Support Manager/Professional Standards Dept.
Tel: Int: 4631787
Email: stephen.franks@hampshire.pnn.police.uk

[REDACTED]

From: [REDACTED]
Sent: 27 January 2016 13:53
To: 'stephen.franks@hampshire.pnn.police.uk'
Subject: RE: Unlawful handling of the Mark Tyrone Criminal Case
Attachments: schools postion.pdf

[REDACTED]

Here you go, a little more evidence for your ponderance. The School said it worked closely with the police. Yet nothing recorded, now conformed by you too. Some one is telling big porkies. Personally it appears to be all round.

Sincerely

[REDACTED]

Subject: FW: Unlawful handling of the Mark Tyrone Criminal Case

From: [REDACTED]
Sent: 27 January 2016 13:15
To: 'stephen.franks@hampshire.pnn.police.uk'
Cc: 'professional.standards@hampshire.pnn.police.uk'
Subject: RE: Unlawful handling of the Mark Tyrone Criminal Case

Dear Mr. Franks,

Please note according to a police statement from Hampshire matters were referred to the Force on two different dates way before that. See attached. Yet nothing was recorded, crime nor incident. See the other attachment. This is an official non recording complaint please respond through proper complaint channels and the proper way. Then I will be able to take it to the IPCC of course.

Sincerely
[REDACTED]

From: stephen.franks@hampshire.pnn.police.uk [mailto:stephen.franks@hampshire.pnn.police.uk]
Sent: 27 January 2016 10:29
To: [REDACTED]
Subject: FW: Unlawful handling of the Mark Tyrone Criminal Case

Dear [REDACTED]

Thank you for your email. I am able to advise that this occurrence was recorded on 21st November 2014. Prior to that the investigation was dealt with on a single agency basis - Arnewood School and had been recorded by Dorset Police.. It would appear that National Crime Recording Standards have been appropriately followed

Sincerely

Stephen J Franks
Business Support Manager/Professional Standards Dept.
Tel: Int: 4631787
Email: stephen.franks@hampshire.pnn.police.uk

From: [REDACTED]
Sent: 23 January 2016 07:39
To: PROFESSIONAL STANDARDS Mailbox
Subject: Unlawful handling of the Mark Tyrone Criminal Case

Complaint about the unlawful handling of the Mark Tyrone Criminal Case

Dear Professional Standards Team,

It has recently come to my attention that a officer/s have acted illegally in reference to the above mentioned case. Here they did not comply with the Home Office Rules and National Crime Recording Standard. See attached correspondence from Mr. Jason Russell of Hampshire Constabulary confirming that nothing was recorded in the RMS relating to this case. As you are aware this is contrary to statutory requirements. Here nothing was entered into the police database. No incident record was created. As you will also know, an incident record MUST be created when matters are FIRST reported to police regardless of whether they think a crime was committed or not. It must be documented in the police computer system at the time the issue is raised with the police. That did not happen.

A HMIC report found Hampshire Constabulary to have failed to record 40% of reported crimes/incidents. See second attachment. So all in all 40% of all crimes reported to the Constabulary by members of the public have not been dealt with lawfully under the statutory guidance. What is even more disgraceful in this instance is it was regarding sex offences against children for which the individual was eventually convicted after the matters were properly recorded and subsequently appeared in the police RMS, albeit many months late, and only after the involvement of a member of the public who had discovered this (myself).

As for Hampshire Constabularies track record in the sexual abuse area you may also find this BBC article informative.
<http://www.bbc.co.uk/news/uk-32827731>

I await your response on this very important matter.

Sincerely



This electronic message contains information from Hampshire Constabulary which may be legally privileged and confidential. Any opinions expressed may be those of the individual and not necessarily the Hampshire Constabulary.

The information is intended to be for the use of the individual(s) or entity named above. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of the information is prohibited. If you have received this electronic message in error, please notify us by telephone by dialling 101 or email to postmaster@hampshire.pnn.police.uk immediately. Please then delete this email and destroy any copies of it.

All communications, including telephone calls and electronic messages to and from the Hampshire Constabulary may be subject to monitoring. Replies to this email may be seen by employees other than the intended recipient.

[REDACTED]

From: [REDACTED]
Sent: 18 October 2016 17:51
To: 'stephen.franks@hampshire.pnn.police.uk'
Cc: 'professional.standards@hampshire.pnn.police.uk'
Subject: Evidence for the IPCC Commissioner

Dear Mr. Franks,

On another note. Did you send the evidence I sent through to Jennifer Izekor as I requested? Shows the statutory failings on part of officers you ignored and blocked re the Tyrone Mark child sex abuse case. Let me know. If you don't want to, please refer it on as a complaint about you blocking evidence reaching who it should. Silence is not an option and neither is withholding vital evidence.

Sincerely

[REDACTED]

EX 15

From: icocamework@ico.org.uk
To: public.access@hampshire.police.uk;
CC:
Subject: ICO Case Reference: IC-241010-Y8B9
Direction: Outgoing
Date Sent: 14/09/2023 10:07

14 September 2023

Case Reference: IC-241010-Y8B9
Your Reference: ROA/23/015086/U

Dear Sir/Madam,

We are writing to you because a data protection concern has been raised with us about Hampshire Constabulary by:

[REDACTED]

Concern raised with us

[REDACTED] is concerned that Hampshire Constabulary have refused his request for information. In particular [REDACTED] had asked for a copy of all correspondence and supporting evidence they have shared with Dorset Police about concerns you have raised as well as Hampshire Constabulary's investigation report on the matters raised. As we understand it, the matters raised relate to concerns around inappropriate communication between a teacher and child about which [REDACTED] has communicated with Dorset Police, and which Dorset Police considered was a matter for Hampshire Constabulary to investigate.

In its response dated 15 June 2023 Hampshire Constabulary applied the exemption under section 45(4)(a) to refuse [REDACTED] request, as disclosure would prejudice an official or legal inquiry, investigation or procedure. In a subsequent response dated 23 June 2023 Hampshire Constabulary state that a judicial review challenge is awaiting.

In this case we note that [REDACTED] is unlikely to be entitled to receive much of the information asked for, as although it appears he has communicated with the police about about an allegation of a criminal offence and concerns he has about the police's investigation, this will not cause all information about the allegation or investigation to be his own personal data. In an instance such as this the complainant is unlikely to be the focus of such records, which may instead focus on other individuals who are the subject of the professional standards complaint or criminal investigation.

We have explained the above in our response to [REDACTED] however, if this does apply to Mr [REDACTED] we ask that Hampshire Constabulary confirms this to him. In addition, for the purposes of transparency, we ask that Hampshire Constabulary contacts [REDACTED] to provide clarification, as far as possible, about how the exemption under section 45(4)(a) applies to his request.

The data protection legislation requires an organisation to advise an individual where it has

restricted their rights and the reason for the restriction. While the organisation is not required to provide this information if doing so would undermine the purpose of the restriction, in most cases an explanation should be provided to ensure the individual understands the way in which their request has been handled.

We also recommend that Hampshire Constabulary considers if there is any personal data falling within the scope of [REDACTED] request that can be provided. For example, if Dorset Police's correspondence referring matters to Hampshire Constabulary summarises the contact [REDACTED] had with them about his concerns, along with supporting evidence he had provided, it may be reasonable to provide this. This is because such correspondence will not necessarily reveal any new information of which [REDACTED] is not already aware, although Hampshire Constabulary may wish to confirm with Dorset Police if they are satisfied with providing a copy of this correspondence and apply redactions where necessary.

We ask that Hampshire Constabulary contacts [REDACTED] within the next 28 days.

Yours sincerely,

Benjamin Ash
Lead Case Officer
Information Commissioner's Office

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF

T. 0330 414 6248 ico.org.uk twitter.com/iconews

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ICO Statement

The ICO publishes basic details about the complaints, investigations and self-reported data breaches it handles. These details include the name of the organisation concerned, the dates that we opened and closed the case, and the outcome. Examples of published data sets can be found at this link: [Complaints and concerns data sets | ICO](#).

We do not include personal data in the published datasets and will anonymise the names of sole traders etc prior to publication. We also do not publish cases concerning domestic CCTV complaints and may not publish certain other cases if we feel it is not appropriate to do so in the circumstances.

If you wish to raise an objection to us publishing a case in the datasets, whether or not we have published it yet, please contact me explaining your reasons for this. Please be aware we will only agree to removing details of a complaint in limited circumstances where we are satisfied that the interests of the parties involved would override the ICO's obligations to publish this information.

[REDACTED]

From: [REDACTED]
Sent: 06 July 2023 11:18
To: 'Silson, Tom'; [REDACTED] 'civil.litigation@hampshire.pnn.police.uk'
Cc: 'chief.constable@hampshire.pnn.police.uk'; 'Professional Standards (Hampshire)'
Subject: RE: I will withdraw if

Dear Mr. Silson,

Once again you obfuscating matters with irrelevancies that make no sense and avoid the facts. Try answering what I have really put to you if I will. I will try again:

- 1) Where are the investigation reports I requested and you were to supply given you are relying on my complaints being investigated to try to defeat any claim. Why will you not supply them. Under the pre-action protocol you must either supply them or state why not. I would suggest reading the JR protocol if you are not sure of your duties to the court in this regard.
- 2) I have offered to drop the challenge if you prove my complaints about the false police report have been investigated and provide me with the proof of such (the investigation reports). Where is my response to this?

Please when reverting do not answer anything other than these points. To re-iterate why will you not answer. If you provide the reports I have requested I will drop the challenge. So provide your evidence, on your case it must exist.

I put it to you are deliberately putting forward serious misinformation and not answering and providing me with an answer to my disclosure request as it would expose you in those lies and incriminate you. You maintain matters were investigated in your clients defence. THEY WERE NOT. THAT IS A LIE. If it was not you would send me the investigation outcomes. I am accusing you of putting forward false information, now prove me wrong. Send me the investigation reports I have requested which if you could would prove me wrong and your right.

If you do I will withdraw my complaint which to put it to you bluntly, is about you lying and providing misinformation. As it is the official complaint it still stands and it is not up to you to answer it. The fact you will not answer incriminates you further. SEND ME THE REPORTS that proof your defence is not predicated on a LIE.

Easy enough.

Thank you
[REDACTED]

From: Silson, Tom [mailto:Tom.Silson@plexuslaw.co.uk]
Sent: 06 July 2023 10:52
To: [REDACTED] civil.litigation@hampshire.pnn.police.uk
Cc: chief.constable@hampshire.pnn.police.uk; 'Professional Standards (Hampshire)'
Subject: Re: I will withdraw if

Dear [REDACTED]

I have provided you with the JR protocol response and informed you that your offer is rejected.

Your latest correspondence does not create any new JR requests and we have complied with the protocol.

As previously stated, should you wish to proceed please issue formal Judicial Review papers upon which grounds to resist will be filed and the costs sought from you thereafter.

From: [REDACTED]
Sent: 02 July 2023 19:50
To: 'Silson, Tom'
Subject: I will withdraw if
Attachments: High Court order you challenged.pdf

Your personal knowledge.

Dear Mr. Silson,

Of course you have personal knowledge my complaint/s about the false police report into the Tyrone Mark child sexual abuse case has never been investigated by Hampshire Police as you bizarrely contend in your pre-action response, and assert as fact anyway. Remember High Court case 2550/2018? Order attached to refresh your mind. I presume you are familiar with the facts of that case as it was you was it not who filed an application asking for this mandatory order to be changed to a "recommendation" based on a change in the law. A "recommendation" that went nowhere as you will know. I must assume therefore you are fully aware that this legal case is about the same complaint not being recorded let alone investigated after new corroborating evidence was submitted from Dorset Police's (investigation outcome letters) further corroborating the very same complaint as dealt with in High Court case 2550/2018. So you now the proof my initial complaint was not investigated going all the way back to the beginning (2018) through (2021). I still however eagerly await your clients response to my disclosure request.

My offer still stands to your client, prove to me the matter and my complaints about this have been investigated as your client contends and I will drop matters. If your client cannot, accept my settlement offer so we can agree on the terms of reference of the investigation "that never really happened but should have" going forward. Your client asserts it was, in that it affirms an investigation was appropriate does it not. Yet none was conducted. So what's the problem? It will give your client the opportunity to dispute Dorset Police's evidence will it not with an investigation. An investigation which clearly should have happened considering your client mistakenly thinks it did.

For attention of your client and the court file.

Thank you
[REDACTED]

Dear Mr. Silson,

Thank you for response. I must point out your Clients position and defence is predicated on a substantive very big lie that must be corrected under your duty to the court and your clients and your obligations under the very strict duty of candour. There has been no investigation into these matters at all. That is a hard cold fact. Given all I need now do to prove the lie for the Court to debunk your pre-action response and non factual defence in the face of the court is once again to ask you to disclose the investigation report/s proving your clients position that my complaint/s and related evidence about the false police report into the handling of the Tyrone Mark child sexual abuse case has been investigated. Both you and your client are obliged to be frank and open, and disclose the material I have requested or explain to me and subsequently the court why not. Note point 1 of my email of 24 May 2023 below.

It is no good telling me you would rather not communicate with me, you are obliged to do so under the JR pre-action protocol and your personal duty to the court. You are legally bound to disclose material that is substantive to the challenge. Your clients defence is now solely predicated on my complaint/s being repetitious based on being previously investigated. Of course that defence is defeated if my complaint/s about the false police report have not been investigated. Nothing could be more substantive and germane you must agree. You must now

provide the investigation reports proving your clients position or admit there has not been any investigation into these matters. You have also not provided me with information I requested which was sent to Hampshire Police by Dorset Police's Deputy Chief which too is highly relevant.

It is no good hoping I will go away, I don't have too until you provide me with full and frank disclosure. All parties have a duty to comply under the "overriding objective". That means you and your client as well. Please now disclose the investigation reports on which your clients defence relies or admit there has been no investigation into this complaint/s at all so the court is able to make a decision on the true facts and not misinformation.

I will withdraw my legal challenge if you prove the complaints I have made along with the evidence I have provided about Hampshire Constabularies PSD producing a false police report have been "investigated". That means sending me and disclosing the "investigation" outcomes into my complaints and evidence. You will know an "investigation" is not the same thing as rejecting complaints on the basis they are repetitious or an abuse of process with no regard or review of the provided evidence.

I note you did not address my settlement offer in your response. May I suggest you do when reverting given your letter relied on a clear misrepresentation of fact. Now corrected I trust.

Thank you

[REDACTED]

----->

From: [REDACTED]
Sent: Wednesday, May 24, 2023 4:13 PM
To: Silson, Tom <Tom.Silson@plexuslaw.co.uk>
Cc: 'SWAYNE, Desmond' <desmond.swayne.mp@parliament.uk>
Subject: RE: More suppressed evidence for your clients attaction

WARNING: This email is from an external source. The sender's name is [REDACTED] and the sender's email address is [REDACTED]

Do not click any links or open attachments unless you **recognise the sender** and **know** the content is safe.

Dear Ms. Silson,

So what, that's beside the point. Can you provide me with a copy of the transcript the Courts ruling behind that order seeing as you reference it. I believe the Court must have been misled on the law. As you know due to unavoidable circumstances unfortunately I was not there to correct matters.

If you can't understand a very clear and succinct emails pass the case to someone who can.

For clarity.

1. The evidence provided by Dorset Police was never investigated or answered or recorded albeit that is the position of the PSD (lies) in various outcomes and letters. You are to provide me with a copy of this "phantom" investigation report into Dorset Police's evidence to back up these claims that are very mystifying and bizarre given I am dealing with a police force.
2. You now have sight of the PSD outcomes and emails proving this deception (unless you can magic up a nonexistent investigation outcome report relating to Dorset Police officers evidence).
3. Suppressing this evidence and not "recording" this complaint has resulted in breaches to the victims code and the PHSO maintains it cannot deal with complaints about the VC unless complaints are recorded.
4. The Force has breached the statutory guidance on referrals of serious corruption complaints to the IOPC.

5. Dorset Police investigation shows the PSD produced a false report into the handling of a child sexual abuse case. This has been suppressed by the PSD.
6. This evidence has been passed all the way up the chain by Dorset Police to the DCC who appears to have ignored it despite its implications for protecting children from sexual abuse contrary to her duties.
7. Roger Trencher knew the report was false from the get go as proved by the FOI request answer from Dorset Police at the time as did Stephen Franks. Both suppressed the FOI evidence and other evidence.
8. Your client must confirm if its sticks by the false report produced by Stephen Franks.
9. You must explain why the evidence has not been recorded and investigated and under what legal provisions this has been omitted.
10. Your client is under an obligation to answer these points and disclose my communications with the Court if we are to progress to Judicial Review.
11. Roger Trencher should have nothing to do with this case and not be advising you. He is an implicated party who cannot be seen to be unbiased or impartial.

Probably missed a bit but this is the gist of it. Let me know if you still do not understand. Now it's all in one place for you. All points must be answered and there must be full and proper disclosure.

May I also ask you copy Desmond Swayne MP in as a recipient when your client provides confirmation these matters have really never been investigated and recorded at all. You will have noticed I am keeping him apprised (hence parliament) of this ongoing conspiracy to cover up a false police report into a child sexual abuse case as produced by your client's PSD. Really very easy to understand.

Thank you

From: Silson, Tom [mailto:Tom.Silson@plexuslaw.co.uk]
Sent: 02 July 2023 13:21
To: [REDACTED]
Subject: RE: ROA/23/015086/U

Dear [REDACTED]

Please find attached my client's response to your Judicial Review Pre-Action Protocol letter.

Kind regards

PLEXUS Tom Silson | Partner | Ext 1073 | T 0161 245 7973 | 07790344010

City Tower | Piccadilly Plaza | Manchester | M1 4BT
DX 744610 Manchester 72
www.plexuslaw.co.uk

From: Silson, Tom
Sent: Friday, June 23, 2023 11:53 AM
To: [REDACTED]
Cc: 'PUBLIC ACCESS Mailbox' <public.access@hampshire.police.uk>
Subject: RE: ROA/23/015086/U

Dear [REDACTED]

We have 14 days to respond to your pre-action JR letter and will do so within the timescales.

Unfortunately, every time you send a further email with additional 'evidence' for me to consider and take instructions upon, this complicates things and slows the process down.

The JR Response will be with you next week.

Kind regards

PLEXUS Tom Silson | Partner | Ext 1073 | T 0161 245 7973 | 07790344010

City Tower | Piccadilly Plaza | Manchester | M1 4BT
DX 744610 Manchester 72
www.plexuslaw.co.uk

From: [REDACTED]
Sent: Friday, June 23, 2023 11:49 AM
To: Silson, Tom <Tom.Silson@plexuslaw.co.uk>
Cc: 'PUBLIC ACCESS Mailbox' <public.access@hampshire.police.uk>
Subject: RE: ROA/23/015086/U

WARNING: This email is from an external source. The sender's name is [REDACTED] and the sender's email address is [REDACTED]

Do not click any links or open attachments unless you **recognise the sender** and **know** the content is safe.

Dear Mr. Silson,

Please see response from Public Access below. They are withholding my information based on my JR challenge which as you know is still in the pre-action phase and awaiting your response. Notwithstanding this must be provided by way of disclosure of course. Where are my responses you said you would provide? And where is your clients response to my offer?

Sincerely

[REDACTED]

From: PUBLIC ACCESS Mailbox [<mailto:public.access@hampshire.police.uk>]
Sent: 23 June 2023 11:09
To: [REDACTED]
Subject: RE: ROA/23/015086/U

Good morning [REDACTED]

Your email has been received.

We have provided you with a legal response.
As previously outlined a judicial review challenge is awaiting.

This is our final position.

Kind regards,

H. Savage | Public Access Officer
Joint Information Management Unit | Hampshire & Isle of Wight Constabulary and Thames Valley Police
Address | Hampshire & Isle of Wight Constabulary, Mottisfont Court, Tower Street, Winchester, Hampshire, SO23 8ZD

Information Management Helpdesk:
Hampshire information.management@hampshire.pnn.police.uk
Thames Valley information.management@thamesvalley.pnn.police.uk

From: [REDACTED]
Sent: 22 June 2023 16:26
To: PUBLIC ACCESS Mailbox <public.access@hampshire.police.uk>
Subject: FW: ROA/23/015086/U - Hannah Speaking to Jason about this

Info request escalation.

Please now escalate this complaint/info request to the next stage. PSD did not come back to me.

To verify:

- 1) I require the requested information for a legal challenge. A pre-action letter has been issued. Your legal department will confirm.
- 2) I require the information to send to the IOPC relating to a review now submitted.
- 3) It is my information.
- 4) PSD will not communicate with me to validate refusal reason.
- 5) There is no real reason to withhold at all. The "legal inquiry" is mine and the info must be released to me for the IOPC.

Sincerely

[REDACTED]

From: [REDACTED]
Sent: 16 June 2023 11:16
To: 'PUBLIC ACCESS Mailbox'
Subject: RE: ROA/23/015086/U

Thanks. May very well come back to you on this. As far as I am aware there is no legal inquiry or investigation taking place at all. If I do not hear back from the PSD we will need to escalate this. I have threatened legal action(JR), but they cannot use that to withhold my information from me (it's me not any other third party). Also its needed for the IOPC appeal I've initiated. There are really no proper grounds whatsoever to deny my request. May I ask you also send the PSD this email to focus their minds.

If I don't hear back by end of day Wed 21 June 2023 I will email you again to escalate.

Thanks and Regards

[REDACTED]

From: PUBLIC ACCESS Mailbox [<mailto:public.access@hampshire.police.uk>]
Sent: 16 June 2023 08:40

To: [REDACTED]
Subject: RE: ROA/23/015086/U

Good morning [REDACTED]

Thank you for your email.

We have forwarded this to the Professional Standards Department, as they will be able to assist with your enquiry.

Kind regards,

H. Savage | Public Access Officer
Joint Information Management Unit | Hampshire & Isle of Wight Constabulary and Thames Valley Police
Address | Hampshire & Isle of Wight Constabulary, Mottisfont Court, Tower Street, Winchester, Hampshire, SO23 8ZD

Information Management Helpdesk:
Hampshire information.management@hampshire.pnn.police.uk
Thames Valley information.management@thamesvalley.pnn.police.uk

From: [REDACTED]
Sent: 15 June 2023 16:42
To: PUBLIC ACCESS Mailbox <public.access@hampshire.police.uk>
Subject: RE: ROA/23/015086/U

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Thanks for the response. Please provide me with the specific nature of the official or legal inquiry, investigation or procedure you are relying on to withhold this information so I am able to further pursue the release of my information to me.

Sincerely
[REDACTED]

From: PUBLIC ACCESS Mailbox [<mailto:public.access@hampshire.police.uk>]
Sent: 15 June 2023 16:26
To: [REDACTED]
Subject: ROA/23/015086/U

Good afternoon,

Please see attached response to your request for information.

Kind regards,

H. Savage | Public Access Officer
Joint Information Management Unit | Hampshire & Isle of Wight Constabulary and Thames Valley Police
Address | Hampshire & Isle of Wight Constabulary, Mottisfont Court, Tower Street, Winchester, Hampshire, SO23 8ZD

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EX 16

[REDACTED]

From: [REDACTED]
Sent: 04 July 2023 10:22
To: 'chief.constable@hampshire.pnn.police.uk'
Cc: 'civil.litigation@hampshire.pnn.police.uk'; 'Silson, Tom'
Subject: FW: I will withdraw if

Categories: Purple Category

Attention : The Chief Officer Scott Chilton
Cc: Legal Department

Dear Sir,

Can I ask you ensure your legal department and legal representative comply with the Judicial Review pre-action protocol and duty of candour to the Court. This requires the disclosure of all relevant documents. My requests are repeatedly ignored. Your legal department maintains my complaints about the false police report produced by your PSD into the handling of the Tyrone Mark child sexual abuse case and supporting evidence have been investigated. I have requested the investigation outcome reports which would prove this for the Court given it is the basis of your legal defence. None have been supplied and my requests are routinely ignored and omitted from any responses. As the Chief Officer I now ask you personally ensure these documents are provided given they must exist based on your legal position that these matters have been "investigated" as maintained by your legal counsel Mr. Tom Silson of Plexus law. This is a simple legal requirement under the rules of court and must be complied with.

See last correspondence below on my offer to withdraw this case if you can show these matters and Dorset Police's evidence has been investigated by Hampshire Police the way of investigation outcome reports. A simple enough request based on your position as put forward by your legal department via Plexus law. Your representatives are in fact lying by basing your defence on the basis the matters pertaining to the false police report have already been investigated and hence that is why the complaint under challenge have not been actioned (rejected as repetitious). I await the reports that prove these matters have been investigated, or an admittance they really have not. That is mandated under your duty of candour to the Court. I would ask you now ensure your legal representatives comply with their duty of candour and stop trying to suppress important and substantive evidence the court will have expected you to supply.

Note my offer to withdraw below, what could be easier and more in the spirit of the "overriding objective"? You supply the requested documents proving my complaint/s relating to the false report have been investigated and then I will withdraw the challenge. I believe Mr. Tom Silson and your legal department are not able to be forthcoming given the misinformation they have provided, hence my request to you personally ensure you send me what is not only required under court rules to be disclosed, but would also be deemed my personal information under the GDPR if it exists.

Thank You
[REDACTED]

From: [REDACTED]
Sent: 02 July 2023 15:54
To: 'Silson, Tom'
Subject: I will withdraw if

Dear Mr. Silson,

Thank you for response. I must point out your Clients position and defence is predicated on a substantive very big lie that must be corrected under your duty to the court and your clients and your obligations under the very

strict duty of candour. There has been no investigation into these matters at all. That is a hard cold fact. Given all I need now do to prove the lie for the Court to debunk your pre-action response and non factual defence in the face of the court is once again to ask you to disclose the investigation report/s proving your clients position that my complaint/s and related evidence about the false police report into the handling of the Tyrone Mark child sexual abuse case has been investigated. Both you and your client are obliged to be frank and open, and disclose the material I have requested or explain to me and subsequently the court why not. Note point 1 of my email of 24 May 2023 below.

It is no good telling me you would rather not communicate with me, you are obliged to do so under the JR pre-action protocol and your personal duty to the court. You are legally bound to disclose material that is substantive to the challenge. Your clients defence is now solely predicated on my complaint/s being repetitious based on being previously investigated. Of course that defence is defeated if my complaint/s about the false police report have not been investigated. Nothing could be more substantive and germane you must agree. You must now provide the investigation reports proving your clients position or admit there has not been any investigation into these matters. You have also not provided me with information I requested which was sent to Hampshire Police by Dorset Police's Deputy Chief which too is highly relevant.

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I will withdraw my legal challenge if you prove the complaints I have made along with the evidence I have provided about Hampshire Constabularies PSD producing a false police report have been "investigated". That means sending me and disclosing the "investigation" outcomes into my complaints and evidence. You will know an "investigation" is not the same thing as rejecting complaints on the basis they are repetitious or an abuse of process with no regard or review of the provided evidence.

I note you did not address my settlement offer in your response. May I suggest you do when reverting given your letter relied on a clear misrepresentation of fact. Now corrected I trust.

Thank you

[Redacted signature]

----->

From: [Redacted]
Sent: Wednesday, May 24, 2023 4:13 PM
To: Silson, Tom <Tom.Silson@plexuslaw.co.uk>
Cc: 'SWAYNE, Desmond' <desmond.swayne.mp@parliament.uk>
Subject: RE: More suppressed evidence for your clients attaction

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Dear Ms. Silson,

So what, that's beside the point. Can you provide me with a copy of the transcript the Courts ruling behind that order seeing as you reference it. I believe the Court must have been misled on the law. As you know due to unavoidable circumstances unfortunately I was not there to correct matters.

If you can't understand a very clear and succinct emails pass the case to someone who can.

For clarity.

1. The evidence provided by Dorset Police was never investigated or answered or recorded albeit that is the position of the PSD (lies) in various outcomes and letters. You are to provide me with a copy of this “phantom” investigation report into Dorset Police’s evidence to back up these claims that are very mystifying and bizarre given I am dealing with a police force.
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5. Dorset Police investigation shows the PSD produced a false report into the handling of a child sexual abuse case. This has been suppressed by the PSD.
6. This evidence has been passed all the way up the chain by Dorset Police to the DCC who appears to have ignored it despite its implications for protecting children from sexual abuse contrary to her duties.
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8. Your client must confirm if its sticks by the false report produced by Stephen Franks.
9. You must explain why the evidence has not been recorded and investigated and under what legal provisions this has been omitted.
10. Your client is under an obligation to answer these points and disclose my communications with the Court if we are to progress to Judicial Review.
11. Roger Trencher should have nothing to do with this case and not be advising you. He is an implicated party who cannot be seen to be unbiased or impartial.

Probably missed a bit but this is the gist of it. Let me know if you still do not understand. Now it’s all in one place for you. All points must be answered and there must be full and proper disclosure.

May I also ask you copy Desmond Swayne MP in as a recipient when your client provides confirmation these matters have really never been investigated and recorded at all. You will have noticed I am keeping him apprised (hence parliament) of this ongoing conspiracy to cover up a false police report into a child sexual abuse case as produced by your client’s PSD. Really very easy to understand.

Thank you

[Redacted signature]

From: Silson, Tom [mailto:Tom.Silson@plexuslaw.co.uk]

Sent: 02 July 2023 13:21

To: [Redacted]

Subject: RE: ROA/23/015086/U

Dear [Redacted]

Please find attached my client’s response to your Judicial Review Pre-Action Protocol letter.

Kind regards

PLEXUS Tom Silson | Partner | Ext 1073 | T 0161 245 7973 | 07790344010

City Tower | Piccadilly Plaza | Manchester | M1 4BT
DX 744610 Manchester 72
www.plexuslaw.co.uk

From: Silson, Tom
Sent: Friday, June 23, 2023 11:53 AM
To: [REDACTED]
Cc: 'PUBLIC ACCESS Mailbox' <public.access@hampshire.police.uk>
Subject: RE: ROA/23/015086/U

Dear [REDACTED]

We have 14 days to respond to your pre-action JR letter and will do so within the timescales.

Unfortunately, every time you send a further email with additional 'evidence' for me to consider and take instructions upon, this complicates things and slows the process down.

The JR Response will be with you next week.

Kind regards

PLEXUS Tom Silson | Partner | Ext 1073 | T 0161 245 7973 | 07790344010

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DX 744610 Manchester 72
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From: [REDACTED]
Sent: Friday, June 23, 2023 11:49 AM
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Dear Mr. Silson,

Please see response from Public Access below. They are withholding my information based on my JR challenge which as you know is still in the pre-action phase and awaiting your response. Notwithstanding this must be provided by way of disclosure of course. Where are my responses you said you would provide? And where is your clients response to my offer?

Sincerely

[REDACTED]

From: PUBLIC ACCESS Mailbox [<mailto:public.access@hampshire.police.uk>]
Sent: 23 June 2023 11:09
To: [REDACTED]
Subject: RE: ROA/23/015086/U

Good morning [REDACTED]

Your email has been received.

We have provided you with a legal response.
As previously outlined a judicial review challenge is awaiting.

This is our final position.

Kind regards,

H. Savage | Public Access Officer

Joint Information Management Unit | Hampshire & Isle of Wight Constabulary and Thames Valley Police

Address | Hampshire & Isle of Wight Constabulary, Mottisfont Court, Tower Street, Winchester, Hampshire, SO23 8ZD

Information Management Helpdesk:

Hampshire information.management@hampshire.pnn.police.uk

Thames Valley information.management@thamesvalley.pnn.police.uk

From: [REDACTED]

Sent: 22 June 2023 16:26

To: PUBLIC ACCESS Mailbox <public.access@hampshire.police.uk>

Subject: FW: ROA/23/015086/U - Hannah Speaking to Jason about this

Info request escalation.

Please now escalate this complaint/info request to the next stage. PSD did not come back to me.

To verify:

- 1) I require the requested information for a legal challenge. A pre-action letter has been issued. Your legal department will confirm.
- 2) I require the information to send to the IOPC relating to a review now submitted.
- 3) It is my information.
- 4) PSD will not communicate with me to validate refusal reason.
- 5) There is no real reason to withhold at all. The "legal inquiry" is mine and the info must be released to me for the IOPC.

Sincerely

[REDACTED]

From: [REDACTED]

Sent: 16 June 2023 11:16

To: 'PUBLIC ACCESS Mailbox'

Subject: RE: ROA/23/015086/U

Thanks. May very well come back to you on this. As far as I am aware there is no legal inquiry or investigation taking place at all. If I do not hear back from the PSD we will need to escalate this. I have threatened legal action(JR), but they cannot use that to withhold my information from me (it's me not any other third party). Also its needed for the

IOPC appeal I've initiated. There are really no proper grounds whatsoever to deny my request. May I ask you also send the PSD this email to focus their minds.

If I don't hear back by end of day Wed 21 June 2023 I will email you again to escalate.

Thanks and Regards

[Redacted]

From: PUBLIC ACCESS Mailbox [<mailto:public.access@hampshire.police.uk>]
Sent: 16 June 2023 08:40
To: [Redacted]
Subject: RE: ROA/23/015086/U

Good morning [Redacted]

Thank you for your email.

We have forwarded this to the Professional Standards Department, as they will be able to assist with your enquiry.

Kind regards,

H. Savage | Public Access Officer
Joint Information Management Unit | Hampshire & Isle of Wight Constabulary and Thames Valley Police
Address | Hampshire & Isle of Wight Constabulary, Mottisfont Court, Tower Street, Winchester, Hampshire, SO23 8ZD

Information Management Helpdesk:
Hampshire information.management@hampshire.pnn.police.uk
Thames Valley information.management@thamesvalley.pnn.police.uk

From: [Redacted]
Sent: 15 June 2023 16:42
To: PUBLIC ACCESS Mailbox <public.access@hampshire.police.uk>
Subject: RE: ROA/23/015086/U

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Thanks for the response. Please provide me with the specific nature of the official or legal inquiry, investigation or procedure you are relying on to withhold this information so I am able to further pursue the release of my information to me.

Sincerely
[Redacted]

From: PUBLIC ACCESS Mailbox [<mailto:public.access@hampshire.police.uk>]
Sent: 15 June 2023 16:26
To: [Redacted]
Subject: ROA/23/015086/U

Good afternoon,

Please see attached response to your request for information.

Kind regards,

H. Savage | Public Access Officer
Joint Information Management Unit | Hampshire & Isle of Wight Constabulary and Thames Valley Police

Address | Hampshire & Isle of Wight Constabulary, Mottisfont Court, Tower Street, Winchester, Hampshire, SO23 8ZD

Information Management Helpdesk:

Hampshire information.management@hampshire.pnn.police.uk

Thames Valley information.management@thamesvalley.pnn.police.uk

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unlawful. If you have received this communication in error please forward a copy to informationsecurity@thamesvalley.police.uk and to the sender. Please then delete the email and destroy any copies of it. DO NOT use this email address for other enquiries as it will not be responded to, nor any action taken upon it. If you have a non-urgent enquiry, please call the Police non-emergency number 101. If it is an emergency, please call 999. Thank you.

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[REDACTED]

From: [REDACTED]
Sent: 05 July 2023 11:52
To: 'civil.litigation@hampshire.pnn.police.uk'
Cc: 'chief.constable@hampshire.pnn.police.uk'
Subject: FW: I will withdraw if

Categories: Purple Category

Hampshire Constabulary Legal Department

Dear Legal Department,

Please ensure I get a response from your legal Council as is required by way of the “overriding objective” (CPR 1). See below. I am offering to withdraw the challenge after all which will save time, public expense and the Court’s time and effort. If you cannot engage Counsel who properly communicates I would suggest you change representatives. You must answer. Silence is really not an option. Is my drop hands offer or settlement offer accepted or rejected?

Sincerely

[REDACTED]

From: [REDACTED]
Sent: 05 July 2023 10:44
To: 'Silson, Tom'
Cc: 'civil.litigation@hampshire.pnn.police.uk'; 'chief.constable@hampshire.pnn.police.uk'
Subject: FW: I will withdraw if

Drop hands offer awaiting response

Cc: The Chief Officer Scott Chilton
Cc: Legal Department

Good Morning Mr. Silson,

Please do not forget to come back to me on my drop hands offer or settlement offer with your clients response. Time is ticking by. As mentioned before you really need to do better in responding now and again to avoid me having to perpetually pursue answers and information from you. You are obliged to put it to your client and they are obliged to answer. Will I get a response from your client or not?

Thank You

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 06 July 2023 11:18
To: 'Silson, Tom'; [REDACTED]; 'civil.litigation@hampshire.pnn.police.uk'
Cc: 'chief.constable@hampshire.pnn.police.uk'; 'Professional Standards (Hampshire)'
Subject: RE: I will withdraw if

Categories: Purple Category

Dear Mr. Silson,

Once again you obfuscating matters with irrelevancies that make no sense and avoid the facts. Try answering what I have really put to you if I will. I will try again:

- 1) Where are the investigation reports I requested and you were to supply given you are relying on my complaints being investigated to try to defeat any claim. Why will you not supply them. Under the pre-action protocol you must either supply them or state why not. I would suggest reading the JR protocol if you are not sure of your duties to the court in this regard.
- 2) I have offered to drop the challenge if you prove my complaints about the false police report have been investigated and provide me with the proof of such (the investigation reports). Where is my response to this?

Please when reverting do not answer anything other than these points. To re-iterate why will you not answer. If you provide the reports I have requested I will drop the challenge. So provide your evidence, on your case it must exist.

I put it to you are deliberately putting forward serious misinformation and not answering and providing me with an answer to my disclosure request as it would expose you in those lies and incriminate you. You maintain matters were investigated in your clients defence. THEY WERE NOT. THAT IS A LIE. If it was not you would send me the investigation outcomes. I am accusing you of putting forward false information, now prove me wrong. Send me the investigation reports I have requested which if you could would prove me wrong and your right.

If you do I will withdraw my complaint which to put it to you bluntly, is about you lying and providing misinformation. As it is the official complaint it still stands and it is not up to you to answer it. The fact you will not answer incriminates you further. SEND ME THE REPORTS that proof your defence is not predicated on a LIE.

Easy enough.

Thank you
[REDACTED]

From: Silson, Tom [mailto:Tom.Silson@plexuslaw.co.uk]
Sent: 06 July 2023 10:52
To: [REDACTED] civil.litigation@hampshire.pnn.police.uk
Cc: chief.constable@hampshire.pnn.police.uk; 'Professional Standards (Hampshire)'
Subject: Re: I will withdraw if

Dear [REDACTED]

I have provided you with the JR protocol response and informed you that your offer is rejected.

Your latest correspondence does not create any new JR requests and we have complied with the protocol.

As previously stated, should you wish to proceed please issue formal Judicial Review papers upon which grounds to resist will be filed and the costs sought from you thereafter.

I am not instructed to deal with the SAR enquiries as that is a separate matter

Kind regards

P L E X U S Tom Silson | Partner | Ext 1073 | T 0161 245 7973 | 07790344010

City Tower | Piccadilly Plaza | Manchester | M1 4BT
DX 744610 Manchester 72
www.plexuslaw.co.uk

From: [REDACTED]
Sent: Thursday, July 6, 2023 10:03:03 AM
To: civil.litigation@hampshire.pnn.police.uk <civil.litigation@hampshire.pnn.police.uk>
Cc: chief.constable@hampshire.pnn.police.uk <chief.constable@hampshire.pnn.police.uk>; Silson, Tom <Tom.Silson@plexuslaw.co.uk>; 'Professional Standards (Hampshire)' <professional.standards@hampshire.police.uk>
Subject: FW: I will withdraw if

WARNING: This email is from an external source. The sender's name is [REDACTED] and the sender's email address is [REDACTED]

Do not click any links or open attachments unless you **recognise the sender** and **know** the content is safe.

To: Hampshire Constabulary Legal Department

CC: Chief Officer Scott Chilton
CC: Mr. Tom Silson Plexus Law
CC: Professional Standards Department

Dear Legal Department,

I have tried my best. Please now register this as a formal complaint about your legal department and counsel Mr. Tom Silson of Plexus Law deliberately and knowingly not complying with Court rules, specifically the JR Pre-Action protocol 13 highlighted below. The Chief Officers legal defence for not investigating my complaint/s is based on clear misinformation my complaints are repetitive as they have already been investigated. Of course my request for the investigation outcomes when answered will prove this to be a deliberate and very obvious lie put forward on behalf of the Chief Officer Scott Chilton.

Requests for information and documents at the pre-action stage

13. Requests for information and documents made at the pre-action stage should be proportionate and should be limited to what is properly necessary for the claimant to understand why the challenged decision has been taken and/or to present the claim in a manner that will properly identify the issues. The defendant should comply with any request which meets these requirements unless there is good reason for it not to do so. Where the court considers that a public body should have provided relevant documents and/or information, particularly where this failure is a breach of a statutory or common law requirement, it may impose costs sanctions.

I am also awaiting an answer to my drop hands offer if Hampshire Police can provide the evidence these matters and this evidence has been investigated as contended. I believe the reason for the silence is simply because these individuals know these "investigation/s" never really took place and hence answering would confirm the lie and the

widespread systemic corruption within the PSD and legal department in routinely trying to suppress vital substantive evidence by the way of out and out lies and obfuscation.

I am tired of asking for what should have been supplied as a matter of course. Hence as a last resort please now register this as a formal legal complaint so I am able to take it the SRA if necessary. Of course I leave it to you to contact the involved people in your legal department or Mr. Tom Silson for a copy of my disclosure requests and settlement offer never answered and for the reasons why.

Yours Sincerely

[Redacted signature]

From: [Redacted]
Sent: 05 July 2023 10:44
To: 'Silson, Tom'
Cc: 'civil.litigation@hampshire.pnn.police.uk'; 'chief.constable@hampshire.pnn.police.uk'
Subject: FW: I will withdraw if

Drop hands offer awaiting response

Cc: The Chief Officer Scott Chilton
Cc: Legal Department

Good Morning Mr. Silson,

Please do not forget to come back to me on my drop hands offer or settlement offer with your clients response. Time is ticking by. As mentioned before you really need to do better in responding now and again to avoid me having to perpetually pursue answers and information from you. You are obliged to put it to your client and they are obliged to answer. Will I get a response from your client or not?

Thank You

[Redacted signature]

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[REDACTED]

From: [REDACTED]
Sent: 04 August 2023 12:59
To: 'Kate Riley'
Subject: More evidence re Mr Tom Silson Partner at Plexus Law lying
Attachments: High Court order you challenged.pdf

Categories: Purple Category

PS. And here's the evidence Mr. Tom Silson of Plexus Law absolutely knew the evidence/complaint was never investigated hence his lie in his pre-action response is pre-meditated and deliberate. High Court case CO/2550/2018 he was fully involved with. See attached and emails below.

From: [REDACTED]
Sent: 02 July 2023 19:50
To: 'Silson, Tom'
Subject: I will withdraw if

Your personal knowledge.

Dear Mr. Silson,

Of course you have personal knowledge my complaint/s about the false police report into the Tyrone Mark child sexual abuse case has never been investigated by Hampshire Police as you bizarrely contend in your pre-action response, and assert as fact anyway. Remember High Court case 2550/2018? Order attached to refresh your mind. I presume you are familiar with the facts of that case as it was you who filed an application asking for this mandatory order to be changed to a "recommendation" based on a change in the law. A "recommendation" that went nowhere as you will know. I must assume therefore you are fully aware that this legal case is about the same complaint not being recorded let alone investigated after new corroborating evidence was submitted from Dorset Police's (investigation outcome letters) further corroborating the very same complaint as dealt with in High Court case 2550/2018. So you now the proof my initial complaint was not investigated going all the way back to the beginning (2018) through (2021). I still however eagerly await your clients response to my disclosure request.

My offer still stands to your client, prove to me the matter and my complaints about this have been investigated as your client contends and I will drop matters. If your client cannot, accept my settlement offer so we can agree on the terms of reference of the investigation "that never really happened but should have" going forward. Your client asserts it was, in that it affirms an investigation was appropriate does it not. Yet none was conducted. So what's the problem? It will give your client the opportunity to dispute Dorset Police's evidence will it not with an investigation. An investigation which clearly should have happened considering your client mistakenly thinks it did.

For attention of your client and the court file.

Thank you
[REDACTED]

Dear Mr. Silson,

Thank you for response. I must point out your Clients position and defence is predicated on a substantive very big lie that must be corrected under your duty to the court and your clients and your obligations under the very strict duty of candour. There has been no investigation into these matters at all. That is a hard cold fact. Given all I need now do to prove the lie for the Court to debunk your pre-action response and non factual defence in the face

of the court is once again to ask you to disclose the investigation report/s proving your clients position that my complaint/s and related evidence about the false police report into the handling of the Tyrone Mark child sexual abuse case has been investigated. Both you and your client are obliged to be frank and open, and disclose the material I have requested or explain to me and subsequently the court why not. Note point 1 of my email of 24 May 2023 below.

It is no good telling me you would rather not communicate with me, you are obliged to do so under the JR pre-action protocol and your personal duty to the court. You are legally bound to disclose material that is substantive to the challenge. Your clients defence is now solely predicated on my complaint/s being repetitious based on being previously investigated. Of course that defence is defeated if my complaint/s about the false police report have not been investigated. Nothing could be more substantive and germane you must agree. You must now provide the investigation reports proving your clients position or admit there has not been any investigation into these matters. You have also not provided me with information I requested which was sent to Hampshire Police by Dorset Police's Deputy Chief which too is highly relevant.

It is no good hoping I will go away, I don't have too until you provide me with full and frank disclosure. All parties have a duty to comply under the "overriding objective". That means you and your client as well. Please now disclose the investigation reports on which your clients defence relies or admit there has been no investigation into this complaint/s at all so the court is able to make a decision on the true facts and not misinformation.

I will withdraw my legal challenge if you prove the complaints I have made along with the evidence I have provided about Hampshire Constabularies PSD producing a false police report have been "investigated". That means sending me and disclosing the "investigation" outcomes into my complaints and evidence. You will know an "investigation" is not the same thing as rejecting complaints on the basis they are repetitious or an abuse of process with no regard or review of the provided evidence.

I note you did not address my settlement offer in your response. May I suggest you do when reverting given your letter relied on a clear misrepresentation of fact. Now corrected I trust.

Thank you

[Redacted signature]

----->

From: [Redacted]
Sent: Wednesday, May 24, 2023 4:13 PM
To: Silson, Tom <Tom.Silson@plexuslaw.co.uk>
Cc: 'SWAYNE, Desmond' <desmond.swayne.mp@parliament.uk>
Subject: RE: More suppressed evidence for your clients attacntion

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Do not click any links or open attachments unless you **recognise the sender** and **know** the content is safe.

Dear Ms. Silson,

So what, that's beside the point. Can you provide me with a copy of the transcript the Courts ruling behind that order seeing as you reference it. I believe the Court must have been misled on the law. As you know due to unavoidable circumstances unfortunately I was not there to correct matters.

If you can't understand a very clear and succinct emails pass the case to someone who can.

For clarity.

1. The evidence provided by Dorset Police was never investigated or answered or recorded albeit that is the position of the PSD (lies) in various outcomes and letters. You are to provide me with a copy of this “phantom” investigation report into Dorset Police’s evidence to back up these claims that are very mystifying and bizarre given I am dealing with a police force.
2. You now have sight of the PSD outcomes and emails proving this deception (unless you can magic up a nonexistent investigation outcome report relating to Dorset Police officers evidence).
3. Suppressing this evidence and not “recording” this complaint has resulted in breaches to the victims code and the PHSO maintains it cannot deal with complaints about the VC unless complaints are recorded.
4. The Force has breached the statutory guidance on referrals of serious corruption complaints to the IOPC.
5. Dorset Police investigation shows the PSD produced a false report into the handling of a child sexual abuse case. This has been suppressed by the PSD.
6. This evidence has been passed all the way up the chain by Dorset Police to the DCC who appears to have ignored it despite its implications for protecting children from sexual abuse contrary to her duties.
7. Roger Trencher knew the report was false from the get go as proved by the FOI request answer from Dorset Police at the time as did Stephen Franks. Both suppressed the FOI evidence and other evidence.
8. Your client must confirm if its sticks by the false report produced by Stephen Franks.
9. You must explain why the evidence has not been recorded and investigated and under what legal provisions this has been omitted.
10. Your client is under an obligation to answer these points and disclose my communications with the Court if we are to progress to Judicial Review.
11. Roger Trencher should have nothing to do with this case and not be advising you. He is an implicated party who cannot be seen to be unbiased or impartial.

Probably missed a bit but this is the gist of it. Let me know if you still do not understand. Now it’s all in one place for you. All points must be answered and there must be full and proper disclosure.

May I also ask you copy Desmond Swayne MP in as a recipient when your client provides confirmation these matters have really never been investigated and recorded at all. You will have noticed I am keeping him apprised (hence parliament) of this ongoing conspiracy to cover up a false police report into a child sexual abuse case as produced by your client’s PSD. Really very easy to understand.

Thank you

From: Silson, Tom [mailto:Tom.Silson@plexuslaw.co.uk]
Sent: 02 July 2023 13:21
To: [REDACTED]
Subject: RE: ROA/23/015086/U

Dear [REDACTED]

Please find attached my client’s response to your Judicial Review Pre-Action Protocol letter.

Kind regards

PLEXUS Tom Silson | Partner | Ext 1073 | T 0161 245 7973 | 07790344010

City Tower | Piccadilly Plaza | Manchester | M1 4BT
DX 744610 Manchester 72
www.plexuslaw.co.uk

From: Silson, Tom
Sent: Friday, June 23, 2023 11:53 AM
To: [REDACTED]
Cc: 'PUBLIC ACCESS Mailbox' <public.access@hampshire.police.uk>
Subject: RE: ROA/23/015086/U

Dear [REDACTED]

We have 14 days to respond to your pre-action JR letter and will do so within the timescales.

Unfortunately, every time you send a further email with additional 'evidence' for me to consider and take instructions upon, this complicates things and slows the process down.

The JR Response will be with you next week.

Kind regards

PLEXUS Tom Silson | Partner | Ext 1073 | T 0161 245 7973 | 07790344010

City Tower | Piccadilly Plaza | Manchester | M1 4BT
DX 744610 Manchester 72
www.plexuslaw.co.uk

From: [REDACTED]
Sent: Friday, June 23, 2023 11:49 AM
To: Silson, Tom <Tom.Silson@plexuslaw.co.uk>
Cc: 'PUBLIC ACCESS Mailbox' <public.access@hampshire.police.uk>
Subject: RE: ROA/23/015086/U

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Dear Mr. Silson,

Please see response from Public Access below. They are withholding my information based on my JR challenge which as you know is still in the pre-action phase and awaiting your response. Notwithstanding this must be provided by way of disclosure of course. Where are my responses you said you would provide? And where is your clients response to my offer?

Sincerely

[REDACTED]

From: PUBLIC ACCESS Mailbox [<mailto:public.access@hampshire.police.uk>]
Sent: 23 June 2023 11:09
To: [REDACTED]
Subject: RE: ROA/23/015086/U

Good morning [REDACTED]

Your email has been received.

We have provided you with a legal response.
As previously outlined a judicial review challenge is awaiting.

This is our final position.

Kind regards,

H. Savage | Public Access Officer

Joint Information Management Unit | Hampshire & Isle of Wight Constabulary and Thames Valley Police

Address | Hampshire & Isle of Wight Constabulary, Mottisfont Court, Tower Street, Winchester, Hampshire, SO23 8ZD

Information Management Helpdesk:

Hampshire information.management@hampshire.pnn.police.uk

Thames Valley information.management@thamesvalley.pnn.police.uk

From: [REDACTED]

Sent: 22 June 2023 16:26

To: PUBLIC ACCESS Mailbox <public.access@hampshire.police.uk>

Subject: FW: ROA/23/015086/U - Hannah Speaking to Jason about this

Info request escalation.

Please now escalate this complaint/info request to the next stage. PSD did not come back to me.

To verify:

- 1) I require the requested information for a legal challenge. A pre-action letter has been issued. Your legal department will confirm.
- 2) I require the information to send to the IOPC relating to a review now submitted.
- 3) It is my information.
- 4) PSD will not communicate with me to validate refusal reason.
- 5) There is no real reason to withhold at all. The "legal inquiry" is mine and the info must be released to me for the IOPC.

Sincerely

[REDACTED]

From: [REDACTED]

Sent: 16 June 2023 11:16

To: 'PUBLIC ACCESS Mailbox'

Subject: RE: ROA/23/015086/U

Thanks. May very well come back to you on this. As far as I am aware there is no legal inquiry or investigation taking place at all. If I do not hear back from the PSD we will need to escalate this. I have threatened legal action(JR), but they cannot use that to withhold my information from me (it's me not any other third party). Also its needed for the IOPC appeal I've initiated. There are really no proper grounds whatsoever to deny my request. May I ask you also send the PSD this email to focus their minds.

If I don't hear back by end of day Wed 21 June 2023 I will email you again to escalate.

Thanks and Regards

[REDACTED]

From: PUBLIC ACCESS Mailbox [<mailto:public.access@hampshire.police.uk>]
Sent: 16 June 2023 08:40
To: [REDACTED]
Subject: RE: ROA/23/015086/U

Good morning [REDACTED]

Thank you for your email.

We have forwarded this to the Professional Standards Department, as they will be able to assist with your enquiry.

Kind regards,

H. Savage | Public Access Officer

Joint Information Management Unit | Hampshire & Isle of Wight Constabulary and Thames Valley Police

Address | Hampshire & Isle of Wight Constabulary, Mottisfont Court, Tower Street, Winchester, Hampshire, SO23 8ZD

Information Management Helpdesk:

Hampshire information.management@hampshire.pnn.police.uk

Thames Valley information.management@thamesvalley.pnn.police.uk

From: [REDACTED]
Sent: 15 June 2023 16:42
To: PUBLIC ACCESS Mailbox <public.access@hampshire.police.uk>
Subject: RE: ROA/23/015086/U

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Thanks for the response. Please provide me with the specific nature of the official or legal inquiry, investigation or procedure you are relying on to withhold this information so I am able to further pursue the release of my information to me.

Sincerely

[REDACTED]

From: PUBLIC ACCESS Mailbox [<mailto:public.access@hampshire.police.uk>]
Sent: 15 June 2023 16:26
To: [REDACTED]
Subject: ROA/23/015086/U

Good afternoon,

Please see attached response to your request for information.

Kind regards,

H. Savage | Public Access Officer

Joint Information Management Unit | Hampshire & Isle of Wight Constabulary and Thames Valley Police

Address | Hampshire & Isle of Wight Constabulary, Mottisfont Court, Tower Street, Winchester, Hampshire, SO23 8ZD

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[REDACTED]

From: [REDACTED]
To: [REDACTED] July 2023 19:50
Subject: 'Silson, Tom'
Attachments: I will withdraw if
High Court order you challenged.pdf

Categories: Purple Category

Your personal knowledge.

Dear Mr. Silson,

Of course you have personal knowledge my complaint/s about the false police report into the Tyrone Mark child sexual abuse case has never been investigated by Hampshire Police as you bizarrely contend in your pre-action response, and assert as fact anyway. Remember High Court case 2550/2018? Order attached to refresh your mind. I presume you are familiar with the facts of that case as it was you who filed an application asking for this mandatory order to be changed to a "recommendation" based on a change in the law. A "recommendation" that went nowhere as you will know. I must assume therefore you are fully aware that this legal case is about the same complaint not being recorded let alone investigated after new corroborating evidence was submitted from Dorset Police's (investigation outcome letters) further corroborating the very same complaint as dealt with in High Court case 2550/2018. So you now the proof my initial complaint was not investigated going all the way back to the beginning (2018) through (2021). I still however eagerly await your clients response to my disclosure request.

My offer still stands to your client, prove to me the matter and my complaints about this have been investigated as your client contends and I will drop matters. If your client cannot, accept my settlement offer so we can agree on the terms of reference of the investigation "that never really happened but should have" going forward. Your client asserts it was, in that it affirms an investigation was appropriate does it not. Yet none was conducted. So what's the problem? It will give your client the opportunity to dispute Dorset Police's evidence will it not with an investigation. An investigation which clearly should have happened considering your client mistakenly thinks it did.

For attention of your client and the court file.

Thank you
[REDACTED]

Dear Mr. Silson,

Thank you for response. I must point out your Clients position and defence is predicated on a substantive very big lie that must be corrected under your duty to the court and your clients and your obligations under the very strict duty of candour. There has been no investigation into these matters at all. That is a hard cold fact. Given all I need now do to prove the lie for the Court to debunk your pre-action response and non factual defence in the face of the court is once again to ask you to disclose the investigation report/s proving your clients position that my complaint/s and related evidence about the false police report into the handling of the Tyrone Mark child sexual abuse case has been investigated. Both you and your client are obliged to be frank and open, and disclose the material I have requested or explain to me and subsequently the court why not. Note point 1 of my email of 24 May 2023 below.

It is no good telling me you would rather not communicate with me, you are obliged to do so under the JR pre-action protocol and your personal duty to the court. You are legally bound to disclose material that is substantive to the challenge. Your clients defence is now solely predicated on my complaint/s being repetitious based on being previously investigated. Of course that defence is defeated if my complaint/s about the false police

report have not been investigated. Nothing could be more substantive and germane you must agree. You must now provide the investigation reports proving your clients position or admit there has not been any investigation into these matters. You have also not provided me with information I requested which was sent to Hampshire Police by Dorset Police's Deputy Chief which too is highly relevant.

It is no good hoping I will go away, I don't have too until you provide me with full and frank disclosure. All parties have a duty to comply under the "overriding objective". That means you and your client as well. Please now disclose the investigation reports on which your clients defence relies or admit there has been no investigation into this complaint/s at all so the court is able to make a decision on the true facts and not misinformation.

I will withdraw my legal challenge if you prove the complaints I have made along with the evidence I have provided about Hampshire Constabularies PSD producing a false police report have been "investigated". That means sending me and disclosing the "investigation" outcomes into my complaints and evidence. You will know an "investigation" is not the same thing as rejecting complaints on the basis they are repetitious or an abuse of process with no regard or review of the provided evidence.

I note you did not address my settlement offer in your response. May I suggest you do when reverting given your letter relied on a clear misrepresentation of fact. Now corrected I trust.

Thank you

[Redacted signature]

----->

From: [Redacted]
Sent: Wednesday, May 24, 2023 4:13 PM
To: Silson, Tom <Tom.Silson@plexuslaw.co.uk>
Cc: 'SWAYNE, Desmond' <desmond.swayne.mp@parliament.uk>
Subject: RE: More suppressed evidence for your clients attaction

WARNING: This email is from an external source. The sender's name is [Redacted] and the sender's email address is [Redacted].
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Dear Ms. Silson,

So what, that's beside the point. Can you provide me with a copy of the transcript the Courts ruling behind that order seeing as you reference it. I believe the Court must have been misled on the law. As you know due to unavoidable circumstances unfortunately I was not there to correct matters.

If you can't understand a very clear and succinct emails pass the case to someone who can.

For clarity.

1. The evidence provided by Dorset Police was never investigated or answered or recorded albeit that is the position of the PSD (lies) in various outcomes and letters. You are to provide me with a copy of this "phantom" investigation report into Dorset Police's evidence to back up these claims that are very mystifying and bizarre given I am dealing with a police force.
2. You now have sight of the PSD outcomes and emails proving this deception (unless you can magic up a nonexistent investigation outcome report relating to Dorset Police officers evidence).
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4. The Force has breached the statutory guidance on referrals of serious corruption complaints to the IOPC.

5. Dorset Police investigation shows the PSD produced a false report into the handling of a child sexual abuse case. This has been suppressed by the PSD.
6. This evidence has been passed all the way up the chain by Dorset Police to the DCC who appears to have ignored it despite its implications for protecting children from sexual abuse contrary to her duties.
7. Roger Trencher knew the report was false from the get go as proved by the FOI request answer from Dorset Police at the time as did Stephen Franks. Both suppressed the FOI evidence and other evidence.
8. Your client must confirm if its sticks by the false report produced by Stephen Franks.
9. You must explain why the evidence has not been recorded and investigated and under what legal provisions this has been omitted.
10. Your client is under an obligation to answer these points and disclose my communications with the Court if we are to progress to Judicial Review.
11. Roger Trencher should have nothing to do with this case and not be advising you. He is an implicated party who cannot be seen to be unbiased or impartial.

Probably missed a bit but this is the gist of it. Let me know if you still do not understand. Now it's all in one place for you. All points must be answered and there must be full and proper disclosure.

May I also ask you copy Desmond Swayne MP in as a recipient when your client provides confirmation these matters have really never been investigated and recorded at all. You will have noticed I am keeping him apprised (hence parliament) of this ongoing conspiracy to cover up a false police report into a child sexual abuse case as produced by your client's PSD. Really very easy to understand.

Thank you

From: Silson, Tom [mailto:Tom.Silson@plexuslaw.co.uk]
Sent: 02 July 2023 13:21
To: [REDACTED]
Subject: RE: ROA/23/015086/U

Dear [REDACTED]

Please find attached my client's response to your Judicial Review Pre-Action Protocol letter.

Kind regards

PLEXUS Tom Silson | Partner | Ext 1073 | T 0161 245 7973 | 07790344010

City Tower | Piccadilly Plaza | Manchester | M1 4BT
DX 744610 Manchester 72
www.plexuslaw.co.uk

From: Silson, Tom
Sent: Friday, June 23, 2023 11:53 AM
To: [REDACTED]
Cc: 'PUBLIC ACCESS Mailbox' <public.access@hampshire.police.uk>
Subject: RE: ROA/23/015086/U

Dear [REDACTED]

We have 14 days to respond to your pre-action JR letter and will do so within the timescales.

Unfortunately, every time you send a further email with additional 'evidence' for me to consider and take instructions upon, this complicates things and slows the process down.

The JR Response will be with you next week.

Kind regards

PLEXUS Tom Silson | Partner | Ext 1073 | T 0161 245 7973 | 07790344010

City Tower | Piccadilly Plaza | Manchester | M1 4BT
DX 744610 Manchester 72
www.plexuslaw.co.uk

From: [REDACTED]
Sent: Friday, June 23, 2023 11:49 AM
To: Silson, Tom <Tom.Silson@plexuslaw.co.uk>
Cc: 'PUBLIC ACCESS Mailbox' <public.access@hampshire.police.uk>
Subject: RE: ROA/23/015086/U

WARNING: This email is from an external source. The sender's name is [REDACTED] and the sender's email address is [REDACTED]

Do not click any links or open attachments unless you **recognise the sender** and **know** the content is safe.

Dear Mr. Silson,

Please see response from Public Access below. They are withholding my information based on my JR challenge which as you know is still in the pre-action phase and awaiting your response. Notwithstanding this must be provided by way of disclosure of course. Where are my responses you said you would provide? And where is your clients response to my offer?

Sincerely

[REDACTED]

From: PUBLIC ACCESS Mailbox [<mailto:public.access@hampshire.police.uk>]
Sent: 23 June 2023 11:09
To: [REDACTED]
Subject: RE: ROA/23/015086/U

Good morning [REDACTED]

Your email has been received.

We have provided you with a legal response.
As previously outlined a judicial review challenge is awaiting.

This is our final position.

Kind regards,

H. Savage | Public Access Officer
Joint Information Management Unit | Hampshire & Isle of Wight Constabulary and Thames Valley Police
Address | Hampshire & Isle of Wight Constabulary, Mottisfont Court, Tower Street, Winchester, Hampshire, SO23 8ZD

Information Management Helpdesk:
Hampshire information.management@hampshire.pnn.police.uk
Thames Valley information.management@thamesvalley.pnn.police.uk

From: [REDACTED]
Sent: 22 June 2023 16:26
To: PUBLIC ACCESS Mailbox <public.access@hampshire.police.uk>
Subject: FW: ROA/23/015086/U - Hannah Speaking to Jason about this

Info request escalation.

Please now escalate this complaint/info request to the next stage. PSD did not come back to me.

To verify:

- 1) I require the requested information for a legal challenge. A pre-action letter has been issued. Your legal department will confirm.
- 2) I require the information to send to the IOPC relating to a review now submitted.
- 3) It is my information.
- 4) PSD will not communicate with me to validate refusal reason.
- 5) There is no real reason to withhold at all. The "legal inquiry" is mine and the info must be released to me for the IOPC.

Sincerely

[REDACTED]

From: [REDACTED]
Sent: 16 June 2023 11:16
To: 'PUBLIC ACCESS Mailbox'
Subject: RE: ROA/23/015086/U

Thanks. May very well come back to you on this. As far as I am aware there is no legal inquiry or investigation taking place at all. If I do not hear back from the PSD we will need to escalate this. I have threatened legal action(JR), but they cannot use that to withhold my information from me (it's me not any other third party). Also its needed for the IOPC appeal I've initiated. There are really no proper grounds whatsoever to deny my request. May I ask you also send the PSD this email to focus their minds.

If I don't hear back by end of day Wed 21 June 2023 I will email you again to escalate.

Thanks and Regards

[REDACTED]

From: PUBLIC ACCESS Mailbox [<mailto:public.access@hampshire.police.uk>]
Sent: 16 June 2023 08:40

To: [REDACTED]
Subject: RE: ROA/23/015086/U

Good morning [REDACTED]

Thank you for your email.

We have forwarded this to the Professional Standards Department, as they will be able to assist with your enquiry.

Kind regards,

H. Savage | Public Access Officer
Joint Information Management Unit | Hampshire & Isle of Wight Constabulary and Thames Valley Police
Address | Hampshire & Isle of Wight Constabulary, Mottisfont Court, Tower Street, Winchester, Hampshire, SO23 8ZD

Information Management Helpdesk:
Hampshire information.management@hampshire.pnn.police.uk
Thames Valley information.management@thamesvalley.pnn.police.uk

From: [REDACTED]
Sent: 15 June 2023 16:42
To: PUBLIC ACCESS Mailbox <public.access@hampshire.police.uk>
Subject: RE: ROA/23/015086/U

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Thanks for the response. Please provide me with the specific nature of the official or legal inquiry, investigation or procedure you are relying on to withhold this information so I am able to further pursue the release of my information to me.

Sincerely
[REDACTED]

From: PUBLIC ACCESS Mailbox [<mailto:public.access@hampshire.police.uk>]
Sent: 15 June 2023 16:26
To: [REDACTED]
Subject: ROA/23/015086/U

Good afternoon,

Please see attached response to your request for information.

Kind regards,

H. Savage | Public Access Officer
Joint Information Management Unit | Hampshire & Isle of Wight Constabulary and Thames Valley Police
Address | Hampshire & Isle of Wight Constabulary, Mottisfont Court, Tower Street, Winchester, Hampshire, SO23 8ZD

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All personal data we process in relation to data subjects is processed in accordance with the General Data Protection Regulation, 2016 and other data protection legislation in force in the UK from time-to-time, but should you wish more information on what information we handle, the legal basis for us handling such information, what we do with your information, whom we share it with, how long we retain it and so on as well as your rights in relation thereto, please view our [Privacy Statement](#).

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From: [REDACTED]
Sent: 02 July 2023 19:50
To: 'Silson, Tom'
Subject: I will withdraw if
Attachments: High Court order you challenged.pdf

Categories: Purple Category

Your personal knowledge.

Dear Mr. Silson,

Of course you have personal knowledge my complaint/s about the false police report into the Tyrone Mark child sexual abuse case has never been investigated by Hampshire Police as you bizarrely contend in your pre-action response, and assert as fact anyway. Remember High Court case 2550/2018? Order attached to refresh your mind. I presume you are familiar with the facts of that case as it was you who filed an application asking for this mandatory order to be changed to a "recommendation" based on a change in the law. A "recommendation" that went nowhere as you will know. I must assume therefore you are fully aware that this legal case is about the same complaint not being recorded let alone investigated after new corroborating evidence was submitted from Dorset Police's (investigation outcome letters) further corroborating the very same complaint as dealt with in High Court case 2550/2018. So you now the proof my initial complaint was not investigated going all the way back to the beginning (2018) through (2021). I still however eagerly await your clients response to my disclosure request.

My offer still stands to your client, prove to me the matter and my complaints about this have been investigated as your client contends and I will drop matters. If your client cannot, accept my settlement offer so we can agree on the terms of reference of the investigation "that never really happened but should have" going forward. Your client asserts it was, in that it affirms an investigation was appropriate does it not. Yet none was conducted. So what's the problem? It will give your client the opportunity to dispute Dorset Police's evidence will it not with an investigation. An investigation which clearly should have happened considering your client mistakenly thinks it did.

For attention of your client and the court file.

Thank you
[REDACTED]

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It is no good telling me you would rather not communicate with me, you are obliged to do so under the JR pre-action protocol and your personal duty to the court. You are legally bound to disclose material that is substantive to the challenge. Your clients defence is now solely predicated on my complaint/s being repetitious based on being previously investigated. Of course that defence is defeated if my complaint/s about the false police

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Thank you

[Redacted signature]

----->

From: [Redacted]
Sent: Wednesday, May 24, 2023 4:13 PM
To: Silson, Tom <Tom.Silson@plexuslaw.co.uk>
Cc: 'SWAYNE, Desmond' <desmond.swayne.mp@parliament.uk>
Subject: RE: More suppressed evidence for your clients attaction

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Thank you

From: Silson, Tom [mailto:Tom.Silson@plexuslaw.co.uk]
Sent: 02 July 2023 13:21
To: [REDACTED]
Subject: RE: ROA/23/015086/U

Dear [REDACTED]

Please find attached my client's response to your Judicial Review Pre-Action Protocol letter.

Kind regards

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City Tower | Piccadilly Plaza | Manchester | M1 4BT
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Dear [REDACTED]

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Do not click any links or open attachments unless you **recognise the sender** and **know** the content is safe.

Dear Mr. Silson,

Please see response from Public Access below. They are withholding my information based on my JR challenge which as you know is still in the pre-action phase and awaiting your response. Notwithstanding this must be provided by way of disclosure of course. Where are my responses you said you would provide? And where is your clients response to my offer?

Sincerely

[REDACTED]

From: PUBLIC ACCESS Mailbox [<mailto:public.access@hampshire.police.uk>]
Sent: 23 June 2023 11:09
To: [REDACTED]
Subject: RE: ROA/23/015086/U

Good morning [REDACTED]

Your email has been received.

We have provided you with a legal response.
As previously outlined a judicial review challenge is awaiting.

This is our final position.

Kind regards,

H. Savage | Public Access Officer
Joint Information Management Unit | Hampshire & Isle of Wight Constabulary and Thames Valley Police
Address | Hampshire & Isle of Wight Constabulary, Mottisfont Court, Tower Street, Winchester, Hampshire, SO23 8ZD

Information Management Helpdesk:
Hampshire information.management@hampshire.pnn.police.uk
Thames Valley information.management@thamesvalley.pnn.police.uk

From: [REDACTED]
Sent: 22 June 2023 16:26
To: PUBLIC ACCESS Mailbox <public.access@hampshire.police.uk>
Subject: FW: ROA/23/015086/U - Hannah Speaking to Jason about this

Info request escalation.

Please now escalate this complaint/info request to the next stage. PSD did not come back to me.

To verify:

- 1) I require the requested information for a legal challenge. A pre-action letter has been issued. Your legal department will confirm.
- 2) I require the information to send to the IOPC relating to a review now submitted.
- 3) It is my information.
- 4) PSD will not communicate with me to validate refusal reason.
- 5) There is no real reason to withhold at all. The "legal inquiry" is mine and the info must be released to me for the IOPC.

Sincerely

[REDACTED]

From: [REDACTED]
Sent: 16 June 2023 11:16
To: 'PUBLIC ACCESS Mailbox'
Subject: RE: ROA/23/015086/U

Thanks. May very well come back to you on this. As far as I am aware there is no legal inquiry or investigation taking place at all. If I do not hear back from the PSD we will need to escalate this. I have threatened legal action(JR), but they cannot use that to withhold my information from me (it's me not any other third party). Also its needed for the IOPC appeal I've initiated. There are really no proper grounds whatsoever to deny my request. May I ask you also send the PSD this email to focus their minds.

If I don't hear back by end of day Wed 21 June 2023 I will email you again to escalate.

Thanks and Regards

[REDACTED]

From: PUBLIC ACCESS Mailbox [<mailto:public.access@hampshire.police.uk>]
Sent: 16 June 2023 08:40

To: [REDACTED]
Subject: RE: ROA/23/015086/U

Good morning [REDACTED]

Thank you for your email.

We have forwarded this to the Professional Standards Department, as they will be able to assist with your enquiry.

Kind regards,

H. Savage | Public Access Officer
Joint Information Management Unit | Hampshire & Isle of Wight Constabulary and Thames Valley Police
Address | Hampshire & Isle of Wight Constabulary, Mottisfont Court, Tower Street, Winchester, Hampshire, SO23 8ZD

Information Management Helpdesk:
Hampshire information.management@hampshire.pnn.police.uk
Thames Valley information.management@thamesvalley.pnn.police.uk

From: [REDACTED]
Sent: 15 June 2023 16:42
To: PUBLIC ACCESS Mailbox <public.access@hampshire.police.uk>
Subject: RE: ROA/23/015086/U

Caution: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe - If unsure email ICTSecurityTeam@thamesvalley.police.uk to report this message.

Thanks for the response. Please provide me with the specific nature of the official or legal inquiry, investigation or procedure you are relying on to withhold this information so I am able to further pursue the release of my information to me.

Sincerely
[REDACTED]

From: PUBLIC ACCESS Mailbox [<mailto:public.access@hampshire.police.uk>]
Sent: 15 June 2023 16:26
To: [REDACTED] U

Good afternoon,

Please see attached response to your request for information.

Kind regards,

H. Savage | Public Access Officer
Joint Information Management Unit | Hampshire & Isle of Wight Constabulary and Thames Valley Police
Address | Hampshire & Isle of Wight Constabulary, Mottisfont Court, Tower Street, Winchester, Hampshire, SO23 8ZD

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taken upon it. If you have a non-urgent enquiry, please call the Police non-emergency number 101. If it is an emergency, please call 999. Thank you.

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EX 17

IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

ADMINISTRATIVE COURT

Before the Honourable Mr Justice Garnham sitting at Bristol Civil and Family Justice Centre on 19 November 2018.

BETWEEN:



THE QUEEN (on the application of



Claimant

-and-

THE INDEPENDENT OFFICE FOR POLICE CONDUCT

Defendant

-and-

**THE CHILDREN'S COMMISSIONER FOR ENGLAND
CHIEF CONSTABLE OF HAMPSHIRE CONSTABULARY**

Interested Parties

ORDER

Upon hearing the Claimant in person and the Defendant's solicitor

And upon considering the subsequent written submissions and draft orders

IT IS ORDERED THAT:

1. Permission to apply for judicial review is refused in respect of the Claimant's challenge to the Defendant's decisions dated 13 March 2018 (2018/099011) and 20 March 2018 (2018/098254);
2. Permission to apply for judicial review is granted in respect of Claimant's challenge to the Defendant's two decisions dated 12 April 2018 (2018/101006 and 2018/101608) and its decision dated 17 April 2018 (6520/16/212).

Observations

The order set out above reflects the order made at the conclusion of the hearing. Subsequent to that hearing the Claimant wrote to the court indicating that although he had agreed during the hearing that

the challenge to the first two decisions was “out of time”, he had recalculated the relevant period and now asserted that the claim form was filed within 3 months of those decisions and was “in time”. Given the claimant’s change of position, I invited submissions from both parties on the appropriate way forward.

Having now reconsidered the matter, I remain of the view that the order set out above is appropriate. RSC 54.5(1) requires that a claim form is filed promptly and in any event within 3 months. In my judgment, as regards the two earlier decisions, the claim form was not filed “promptly” even if it was filed (just) within 3 months. There was no adequate explanation for the delay.

Accordingly, I refuse permission to challenge the two earlier decisions and limit the grant of permission to the decisions dated 12 April 2018 (2018/101006 and 2018/101608) and the decision dated 17 April 2018 (6520/16/212).

A handwritten signature in black ink, appearing to read "Neil G. J.", with a long horizontal stroke extending to the right.

Dated 18 December 2018.

Judicial Review Claim Form

In the High Court of Justice
Administrative Court

Help with Fees -
Ref no. (if applicable)

HWF - [] - []

Notes for guidance are available which explain how to complete the judicial review claim form. Please read them carefully before you complete the form.

For Court use only	
Administrative Court Reference No.	CO/2550/2018
Date filed	20/06/2018



Is your claim in respect of refusal of an application for fee remission? Yes No

SECTION 1 Details of the claimant(s) and defendant(s)

Claimant(s) name and address(es)

name [REDACTED]

address [REDACTED]

[REDACTED]

[REDACTED] Fax no. [REDACTED]

email address [REDACTED]

Claimant's or claimant's legal representatives' address to which documents should be sent.

name [REDACTED]

address [REDACTED]

Telephone no. [REDACTED] Fax no. [REDACTED]

E-mail address [REDACTED]

Claimant's Counsel's details

name [REDACTED]

address [REDACTED]

Telephone no. [REDACTED] Fax no. [REDACTED]

E-mail address [REDACTED]

1st Defendant

name Independent Office of Police Conduct (IOPC)

Defendant's or (where known) Defendant's legal representatives' address to which documents should be sent.

name Legal Department

address PO Box 473
Sale
M33 0BW

Telephone no. 0121 673 3685 Fax no. [REDACTED]

E-mail address Emily.Keenan@policeconduct.gov.uk

2nd Defendant

name [REDACTED]

Defendant's or (where known) Defendant's legal representatives' address to which documents should be sent.

name [REDACTED]

address [REDACTED]

Telephone no. [REDACTED] Fax no. [REDACTED]

E-mail address [REDACTED]

SECTION 2 Details of other interested parties

Include name and address and, if appropriate, details of DX, telephone or fax numbers and e-mail

name Children's Commissioner for England	name
address Sanctuary Buildings Great Smith Street London SW1P 3BT	address
Telephone no. 0800 5280731	Fax no.
Telephone no.	Fax no.
E-mail address Childrens.COMMISSIONER@childrenscommissioner.gsi.gov.uk	E-mail address

SECTION 3 Details of the decision to be judicially reviewed

Decision:
i) IOPC ref: 2018/10106 Emma Christina-Campbell ; ii) Ref: 2018/09854 Benjamin Corbey ; iii) Ref: 2018/101608 Emma Christina-Campbell ; iv) Ref: 2018/099011 Benjamin Corbey ; Ref 6520/16/212 Paul Talbot

Date of decision:
i) 12/4/2018 ii) 20/3/2018 iii) 12/4/2018 iv) 13/3/2018 v) 17 April 2018

Name and address of the court, tribunal, person or body who made the decision to be reviewed.

name Independent Office for Police Conduct	address PO Box 473 Sale M33 0BW
--	---

SECTION 4 Permission to proceed with a claim for judicial review

I am seeking permission to proceed with my claim for Judicial Review.

Is this application being made under the terms of Section 18 Practice Direction 54 (Challenging removal)?

Yes No

Are you making any other applications? If Yes, complete Section 8.

Yes No

Is the claimant in receipt of a Civil Legal Aid Certificate?

Yes No

Are you claiming exceptional urgency, or do you need this application determined within a certain time scale? If Yes, complete Form N463 and file this with your application.

Yes No

Have you complied with the pre-action protocol? If No, give reasons for non-compliance in the box below.

Yes No

Have you issued this claim in the region with which you have the closest connection? (Give any additional reasons for wanting it to be dealt with in this region in the box below). If No, give reasons in the box below.

Yes No

Does the claim include any issues arising from the Human Rights Act 1998?

If Yes, state the articles which you contend have been breached in the box below.

Yes No

Article 3. Failure to protect children from sexual abuse. Commissioner of Police of the Metropolis v DSD and Anor [2018] UKSC 11

SECTION 5 Detailed statement of grounds

set out below attached

Please see TAB-B (pre-action letter dated 25th April 2018) for a detailed statement of grounds.

In summary this case is about Hampshire Constabulary keeping a now convicted child sex offender teacher out of the system for 2 years despite damning evidence. This led to 17 offences against children being committed that could have been stopped. Hampshire Police with the help of the IOPC have now unlawfully blocked each and every complaint about this travesty and reckless child endangerment from being recorded let alone investigated at children's peril. Including evidence that shows vital information was suppressed so Hampshire Constabulary could cover up these failings by the way of a "conduct assessment" which was later directed to be carried out Ms. Lesley Lonstone the head of the IPCC at the time after Hampshire Police had failed in its duties and obligations to do this too.

SECTION 6 Aarhus Convention claim

I contend that this claim is an Aarhus Convention claim

Yes No

If Yes, indicate in the following box if you do not wish the costs limits under CPR 45.43 to apply.

If you have indicated that the claim is an Aarhus claim set out the grounds below, including (if relevant) reasons why you want to vary the limit on costs recoverable from a party.

SECTION 7 Details of remedy (including any interim remedy) being sought

1) Declaration IOPC is in breach/non compliance of the following statutory provisions:

- i) Article 3 of the HRA 1998. Duty to protect children from sexual abuse.
Commissioner of Police of the Metropolis v DSD and Anor [2018] UKSC 11.
- ii) The Convention on the Rights of the Child (Article 3). Failing to act in the best interests of children.
- iii) Statutory Home Office Counting Rules for crime recording and proper process.
- iv) Police Reform Act 2002 s(1)(c) . Unlawfully blocking complaints made by a "witness" to the matters complained of.

2) Mandatory order compelling the IOPC to correct these egregious errors in law in "children's best interests".

SECTION 8 Other applications

I wish to make an application for:-

A three 3 week extension of time to file additional information and add to the grounds of this application. This is due to awaiting an additional answer from the IOPC legal department in reference to a further erroneous decision received from their case work department on the 24th May 2018 (2018/102867 - Benjamin Corbey). I believe it will serve the "overriding objective" if all these very closely related decisions are considered and corrected in one set of proceedings (CPR 1.1-4).

SECTION 9 Statement of facts relied on

This case relates to confirmed statutory failings by Hampshire Constabulary in relation to its handing of a child sexual abuse case. Here the police unlawfully kept a child sex offender case out of the police system for 2 years (twice) despite damning evidence of long term sexual deviation by a teacher at a local school. This failing was only corrected after my involvement and after I had exposed these statutory police failings. This reckless disregard for children's welfare by Hampshire Constabulary resulted in 17 sexual offences against children being committed that they could have easily stopped if they had complied with the law and not unlawfully kept the case out of the police system for 2 years. Futhermore had these legal failings not been exposed by me, it is clear a now convicted child sex offender would have been left on the streets unchecked, with who knows what consequences. Despite being instrumental in bringing about justice for children where there would have otherwise been none, and uncovering the evidence exposing a myriad of police failings I have been unlawfully prevented from raising a single complaint on the basis I am not "not adversely affected" by these failings. However all the law that indicates I am entitled to raise these issues has been ignored and avoided to the severe detriment and reckless disregard for children's rights and best interests.

Apart from Hampshire Constabulary disregarding the Home Office Rules on Crime Recording twice to keep a child sex offender case out of the police system, the facts of the case also establish evidence was suppressed from reaching senior IPCC personnel so Hampshire Constabulary could then fabricate the outcome of a "conduct assesment" to cover up for its officers breaching their duty under the police code of conduct. It is important to note although officers breached their duty in a very fundamental way and recklessly endangered children, not a single member of staff or officer at Hampshire Constabulary has received as much as "managment advice", the lowest wrung of accountability. Even though sexual offences against children were committed that they could have stopped if not for there disregard of the law.

Additionally to add to this children's rights atrocity every complaint made about this intolerable illegal conduct by Hampshire Constabulary has been unlawfully blocked and not a single one has been recorded let alone investigated. Thereby encouraging the continuation of this illegal behavior and disregard for children's well being and safety by Hampshire Constabulary with the IOPC's blessing.


Please see TAB-A pages 20 to 30 for further background information on the case.

Statement of Truth

I believe (The claimant believes) that the facts stated in this claim form are true.

Full name  _____

Name of claimant's solicitor's firm _____

Signed  _____ Position or office held _____
Claimant ('s solicitor) (if signing on behalf of firm or company)

SECTION 10 Supporting documents

If you do not have a document that you intend to use to support your claim, identify it, give the date when you expect it to be available and give reasons why it is not currently available in the box below.

Please tick the papers you are filing with this claim form and any you will be filing later.

- | | | |
|---|--|-----------------------------------|
| <input checked="" type="checkbox"/> Statement of grounds | <input checked="" type="checkbox"/> included | <input type="checkbox"/> attached |
| <input checked="" type="checkbox"/> Statement of the facts relied on | <input checked="" type="checkbox"/> included | <input type="checkbox"/> attached |
| <input checked="" type="checkbox"/> Application to extend the time limit for filing the claim form | <input checked="" type="checkbox"/> included | <input type="checkbox"/> attached |
| <input type="checkbox"/> Application for directions | <input type="checkbox"/> included | <input type="checkbox"/> attached |
| <input type="checkbox"/> Any written evidence in support of the claim or application to extend time | | |
| <input type="checkbox"/> Where the claim for judicial review relates to a decision of a court or tribunal, an approved copy of the reasons for reaching that decision | | |
| <input type="checkbox"/> Copies of any documents on which the claimant proposes to rely | | |
| <input type="checkbox"/> A copy of the legal aid or Civil Legal Aid Certificate <i>(if legally represented)</i> | | |
| <input type="checkbox"/> Copies of any relevant statutory material | | |
| <input type="checkbox"/> A list of essential documents for advance reading by the court <i>(with page references to the passages relied upon)</i> | | |
| <input type="checkbox"/> Where a claim relates to an Aarhus Convention claim, a schedule of the claimant's significant assets, liabilities, income and expenditure. | <input type="checkbox"/> included | <input type="checkbox"/> attached |

If Section 18 Practice Direction 54 applies, please tick the relevant box(es) below to indicate which papers you are filing with this claim form:

- | | | |
|--|-----------------------------------|-----------------------------------|
| <input type="checkbox"/> a copy of the removal directions and the decision to which the application relates | <input type="checkbox"/> included | <input type="checkbox"/> attached |
| <input type="checkbox"/> a copy of the documents served with the removal directions including any documents which contains the Immigration and Nationality Directorate's factual summary of the case | <input type="checkbox"/> included | <input type="checkbox"/> attached |
| <input type="checkbox"/> a detailed statement of the grounds | <input type="checkbox"/> included | <input type="checkbox"/> attached |

Reasons why you have not supplied a document and date when you expect it to be available:-



Signed _____ Claimant ('s Solicitor) _____

IN THE HIGH COURT OF JUSTICE
CO/2550/2018

Claim

No. CO/2550/20

QUEEN'S BENCH DIVISION
ADMINISTRATIVE COURT

BETWEEN:-

THE QUEEN

(on the application of



Claimant

-and-

THE INDEPENDENT OFFICE FOR POLICE CONDUCT

Defendant



THE CHIEF CONSTABLE OF HAMPSHIRE CONSTABULARY

Interested Party



ORDER

UPON agreement between the Claimant and the Defendant

IT IS HEREBY ORDERED that:

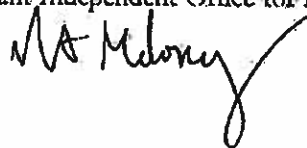
1. In respect of the Defendant's decision dated 12 April 2018 (IOPC Reference 2018/101006), the Defendant will direct that Hampshire Constabulary applies the Home Office Counting Rules for Recording Crime and National Crime Recording Standard. Specifically, in terms, that Hampshire Constabulary should log, in an auditable manner, the matters reported by the Claimant in a 101 telephone call on 21 October 2017 on its crime Record Management System.

2. The Claimant will withdraw his claim in respect of the decision referred to in paragraph 1 above (IOPC Reference 2018/101006).
3. In respect of the Defendant's decision dated 12 April (IOPC Reference 2018/10168), this decision will be quashed and remitted for a fresh decision to be taken by another casework manager.
4. The Claimant withdraws his claim in respect of the Defendant's decision dated 17 April 2018 (IOPC Reference 6520/16/212).
5. The Defendant must pay the Claimant's costs of the claim, agreed between the parties (taking into account that the Claimant is a litigant in person) in the sum of £2,500 within 28 days.
6. Although the Chief Constable of Hampshire was a named party in these proceedings but chose not to participate. Liberty for the Chief Constable of Hampshire to apply to the Court to request permission to make an application to vary this order within in 14 days

Signed by the Claimant in person  

.....
Signed by Mr Neil Moloney on behalf of the Defendant Independent Office for Police Conduct

.....
Dated this day of 18 October 2021



IN THE HIGH COURT OF JUSTICE
CO/2550/2018

Claim

No.

QUEEN'S BENCH DIVISION
ADMINISTRATIVE COURT

B E T W E E N: -

THE QUEEN

(on the application of



Claimant

-and-

THE INDEPENDENT OFFICE FOR POLICE CONDUCT

Defendant

THE CHIEF CONSTABLE OF HAMPSHIRE CONSTABULARY

Interested Party

AGREED STATEMENT

Pursuant to CPR 54A PD Paragraph 16.1

1. The Claimant and the Defendant have agreed the terms of a final order disposing of this claim. This is a short, agreed statement of the matters relied on as justifying the proposed agreed order (3 copies of the draft order are attached) pursuant to CPR 54A PD paragraph 16.1.

Decision A: IOPC Reference 2018/101006

2. The Claimant telephoned Hampshire Constabulary using the 101 number on 27 October 2017 to attempt to report alleged failures to progress matters relating to concerns raised to Hampshire Constabulary in 2012 and 2013. Although the substance of the complaint was the same as previous complaints and a previous call on 29 March 2017, as this was a new telephone call, the Defendant agrees to direct that Hampshire Constabulary log, in an auditable manner, the matters reported by the Claimant in the 101 telephone call on 21 October 2017 on its crime Record Management System ("RMS"). The Claimant agrees that subject to the Defendant making this direction to Hampshire Constabulary, so to that extent amending the substance of its decision of 12 April 2018 to partially uphold the Claimant's complaint of 26 February 2018, he will withdraw this aspect of the Claim.

Decision B: IOPC Reference 2018/10608

3. This decision concerns the Defendant's rejection of the Claimant's appeal against Hampshire Constabulary's refusal to record the Claimant's complaints of 28 January, 9 February and 14 February 2018 about Mr Franks' conduct. The Defendant's decision explained that the Defendant was not an eligible complainant under the Police Reform Act 2002, as he was neither a witness to the alleged conduct of Mr Franks, nor a person who had been directly or materially affected by the alleged misconduct. The Defendant agrees that this decision may be quashed and remitted to a new casework manager who will explicitly take into account whether Hampshire Constabulary should consider and apply the Code of Practice for Victims of Crime in England and Wales in this case.

Decision C: IOPC Reference 6520/16/212

4. The Claimant agrees to withdraw his Claim regarding the Defendant's decision of 17 April 2018, that the Claimant's complaints of 19 March 2018, 5 April 2018 and 12 April 2018 were not within the remit of the Defendant's Internal Investigations Unit whose purpose is to consider complaints about the conduct of staff and the service provided by the Defendant; it is not a means of appealing decisions of the Defendant regarding complaints made under the Police Reform Act 2002.

Conclusion

5. Taking into account the overriding objective set out in CPR 1.1, the Claimant and the Defendant respectfully request that the Court makes an Order in the terms of the attached proposed draft Order to dispose of this Claim. The Chief Constable of Hampshire is an Interested Party to the Claim but has not participated in the litigation to date. The parties will serve this Agreed Statement and the Order upon the Chief Constable and have included, within the draft Order, liberty for the Chief Constable to apply to request permission to file an application to vary the Order within 14 days.

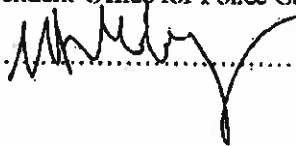
Signed by the Claimant in person


.....


Dated this day of 2021

Signed on behalf of the Defendant

Independent Office for Police Conduct

.....


Our ref: 2020/146286

Superintendent Masson

PO Box 473
Sale M33 0BW

Blwch Post 473
Sale M33 0BW

22 November 2021

Tel/Ffôn 0300 020 0096
Text relay/Cyfnwid Testun 18001 0207 166 3000
Email/E-bost enquiries@policeconduct.gov.uk
Web/Gwefan www.policeconduct.gov.uk

Dear Superintendent Masson

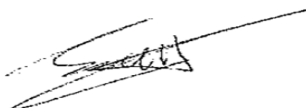
I am writing further to my telephone conversation with you on the 16 August 2021, in connection with the IOPC's review outcome decision dated 4 May, of [REDACTED] complaint of 7 November 2020, dealt with under your reference CO/773/20 and ours of IOPC 2020/146286.

Following a pre-action protocol and judicial review challenge to our decision by Mr [REDACTED] we agreed to communicate to you our view, having considered his challenge that:

- Whilst the IOPC is not the arbiter for how the Victims Code or Crime Recording Standards is conceded, that the reasoning of a previous decision by the Parliamentary Ombudsman highlighted by [REDACTED] should lead to a conclusion that he should be treated as entitled to services available to 'victims' under the Victims Code.
- Similarly, it would be appropriate to treat [REDACTED] as eligible for reasons and explanations from Hampshire Police in relation to their charging decisions and, hence, his complaint should have been dealt with under the provisions of the HOCR/NCRS by Hampshire Constabulary, but was not.

For the avoidance of doubt, it is not our view that [REDACTED] allegation was required to be recorded as a crime under Home Office Crime Recording and National Crime Recording Standards. There is no requirement for you to formally respond to this letter but please do not hesitate to contact me if you would like to.

Yours sincerely



Brett Gerrard
Head of Assessment Unit
Independent Office for Police Conduct

IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

ADMINISTRATIVE COURT

Cardiff Civil Justice Centre
2 Park Street, Cardiff, CF10 1ET

6 May 2022

Before:

HIS HONOUR JUDGE KEYSER QC
sitting as a Judge of the High Court

Between:

THE QUEEN on the application of

[REDACTED]

Claimant

-and-

THE INDEPENDENT OFFICE FOR POLICE CONDUCT

Defendant

-and-

THE CHIEF CONSTABLE OF HAMPSHIRE CONSTABULARY

Interested Party

The **Claimant** not in attendance nor represented
Miss Francesca Whitelaw (Counsel) on behalf of the **Defendant**
Mr Mark Ley-Morgan (Counsel) on behalf of the **Interested Party**

Judgment

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His Honour Judge Keyser QC:

1. This is the Interested Party's application, by notice dated 1 November 2021 and subsequently amended, first for permission to apply and then for an order that paragraph 1 of the order dated 19 October 2021 be varied. I am grateful to Mr Ley-Morgan and Miss Whitehall, Counsel respectively for the Interested Party and for the Defendant, for their written and oral submissions. The Claimant informed the Court this morning that he would not be attending on account of personal reasons but that he was content that the hearing proceed upon the basis that his written materials were considered, which they have been.
2. The application is supported by a statement of Antony Simon Alexander Hills dated 1 November 2021. The Claimant has filed two statements in response and I have had regards to those, although I think the second one did not accord with the directions that I gave on 13 January 2022.
3. This case was brought by the Claimant against the Defendant. Originally the Interested Party, the Chief Constable, was not a party to the case. She was subsequently joined as an interested party at the behest of the Defendant. She did not file an acknowledgement of service and did not participate in the proceedings because, having seen the summary grounds filed by the Defendant, she was content with the Defendant's stance and did not think that any involvement was required, particularly because no relief was directly sought against her. That decision was understandable, whether or not it was prudent, but it led indirectly to the situation that we are in.
4. There is a long history to the matter, which I will try to prune as far as I can. The claim was brought to challenge several decisions of the Defendant, but only one is relevant for present purposes. That was a decision dated 12 April 2018, the reference being 2018/101006. In short, in 2012 and 2013 the Claimant had made complaints to Hampshire Constabulary concerning alleged sexual offences against children by one TM, a teacher. He considered that the Constabulary had not acted on those complaints; indeed, he considered that the Constabulary's failure to act had left TM at liberty to commit further offences for which he was subsequently convicted.
5. On 21 October 2017, the Claimant made a 101 call to Hampshire Constabulary to complain of that failure. Hampshire Constabulary refused to record his complaint on two grounds: first, that he did not fit the statutory definition of a person who had been adversely or directly affected; second, that the complaint was vexatious, oppressive, and an abuse of the complaints procedures. That decision was set out formally in a letter dated 26 February 2018.
6. The Claimant appealed the refusal to record the complaint to the Defendant, pursuant to schedule 3 of the Police Reform Act 2002, and the Defendant refused the appeal by its decision letter of 12 April 2018. (For brevity's sake, I shall not read that letter out, although it contains useful and interesting material.)
7. The Claimant brought these proceedings to review that among other decisions of the Defendant. In its summary grounds of resistance, the Defendant acknowledged that Hampshire Constabulary's first ground for refusing to record the complaint—that is, that the Claimant was not within the relevant definition—may not be correct, but it maintained that the other ground—that is, that the complaint was vexatious, oppressive, and an abuse of the complaints procedure—was correct.

8. Permission to apply for judicial review was initially refused. However, by order made on 19 December 2018 (a month after the hearing at which the decision had been announced) Garnham J gave permission to apply for judicial review of this particular decision, that is 101006, and of two other decisions. I do not know on what grounds Garnham J gave permission for the challenge to this particular decision. The Defendant filed detailed grounds of defence in January 2019; I refer in particular to paragraph 19 and paragraphs 39-47, which are material.
9. The Claimant brought a different claim against Hampshire Constabulary, the present interested party, complaining that it has failed to record as a crime his complaint against the Force Solicitor. The gist of the complaint appears to be that the conduct of the Force Solicitor in respect of complaints regarding TM amounted to perverting the course of justice. The Claimant said that this complaint should have been recorded as a crime. That was the claim (I shall refer to as “3174”) that came before HHJ Lambert, sitting as a judge of the High Court, who considered it on the papers but refused permission and certified the claim as totally without merit. I shall not read out what he said; suffice it to say that he expressed a dim view of the Claimant’s attempt to circumvent the complaints procedure.
10. The Claimant then sought permission to appeal to the Court of Appeal against HHJ Lambert’s order. At that point, the present case was due to come on for hearing in front of a High Court judge in Bristol, and efforts were very properly made to reach an agreement between the Defendant, the IOPC, and the Claimant. This led to the order that is the subject of this application, which was approved by Lane J and sealed on 19 October 2021. (It appears to have been signed on 18 October 2021.) It records that it was made upon agreement between the Claimant and the Defendant. The Interested Party, the present applicant, was, of course, not active in the proceedings and so was not privy to the order. It is not stated to be a Consent Order, but that is effectively what it was. The following paragraphs of the order are especially relevant.
 - “1. In respect of the Defendant’s decision dated 12 April 2018 (IOPC Reference 2018/101006) the Defendant will direct that Hampshire Constabulary applies the Home Office Counting Rules for Recording Crime and National Crime Recording Standard. Specifically, in terms, that Hampshire Constabulary should log, in an auditable manner, the matters reported by the Claimant in a 101 telephone call on 21 October 2017 on its crime Record Management System.
 2. The Claimant will withdraw his claim in respect of the decision referred to in paragraph 1 above.”
 - ...
 6. Although the Chief Constable of Hampshire was a named party in these proceedings but chose not to participate. Liberty for the Chief Constable of Hampshire to apply to the Court to request permission to make an application to vary this order within 14 days.”
11. Whether or not the somewhat clumsy procedure in paragraph 6 was adopted through inadvertence, it does not really affect that way that I have dealt with the matter. I ordered on 13 January 2022 that the application for permission should be heard today and, if permission were granted, the substantive application should be dealt with today.

I suspect that paragraph 6 was intended to do no more than give the Chief Constable permission to apply to vary the order. At all events, I give permission to apply to vary.

12. Two variations are sought to paragraph 1 of the order. First, in place of the words “the Defendant will direct that”, it is sought to substitute “the Defendant recommends that”. (Actually, as the text is part of an order, the alternative formulations ought to be either “will recommend that” or, if the subjunctive be preferred, “recommend that”.) Second, while no issue is taken with the reference to the Home Office Counting Rules for Recording Crime and National Crime Recording Standard, it is sought to delete the concluding words, “on its crime Record Management System”. These variations are sought on the grounds:
 - 1) That the Defendant has no power to give such a direction, but rather has a power to make a recommendation;
 - 2) That, for reasons set out in the Defendant’s own grounds and accepted before me by the Defendant and advanced by the Interested Party, it is inappropriate to recommend that the complaint in the call be recorded on the crime Record Management System.
13. The order was accompanied by an agreed statement; paragraphs 2 and 5 are the relevant paragraphs:

“2. The Claimant telephoned Hampshire Constabulary using the 101 number on 27 October 2017 to attempt to report alleged failures to progress matters relating to concerns raised to Hampshire Constabulary in 2012 and 2013. Although the substance of the complaint was the same as previous complaints and a previous call on 29 March 2017, as this was a new telephone call the Defendant agrees to direct that Hampshire Constabulary log, in an auditable manner, the matters reported by the Claimant in the 101 telephone call on 27 October 2017 on its crime Record Management System ('RMS'). The Claimant agrees that subject to the Defendant making this direction to Hampshire Constabulary, so to that extent amending the substance of its decision of 12 April 2018 to partially uphold the Claimant's complaint of 26 February 2018, he will withdraw this aspect of the Claim.”

“5. Taking into account the overriding objective set out in CPR 1.1, the Claimant and the Defendant respectfully request that the Court make an Order in the terms of the attached proposed draft Order to dispose of this Claim. The Chief Constable of Hampshire is an Interested Party to the Claim but has not participated in the litigation to date. The parties will serve this Agreed Statement and the Order upon the Chief Constable and have included, within the draft Order, liberty for the Chief Constable to apply to request permission to file an application to vary the Order within 14 days.”
14. The compromise proceeded on a basis different from the Defendant’s summary grounds and detailed grounds. The reasons for the compromise are clear and essentially laudable, because a hearing was avoided and an agreement that was, by and

large, workable—and, indeed, has proved entirely workable for two of the three decisions—was reached, but it has given rise to a problem in respect of this particular decision.

15. The Interested Party was not aware of, and did not know of, the order until the Claimant sent a copy to Mr Hills on 19 October 2021. Then on 21 October the Claimant gave notice that he intended to use the order as further evidence in his application for permission to appeal against the order of HHJ Lambert in case 3174. The issue in that case was whether the Chief Constable was required to record on the crime Record Management System an alleged crime, even if there had been no investigation which established that there was a criminal case to answer. The Chief Constable contended that she had no such obligation, and the Police and Crime Commissioner agreed. As I have said, HHJ Lambert refused permission. The Claimant sought permission to appeal to the Court of Appeal after the present application had been made. On 17 November 2021 Simler LJ refused permission to appeal and certified the application for permission to appeal as being totally without merit. Her written reasons give a full explanation of her decision. In paragraph 11 she said:

“Nothing in any of the additional material alters the conclusions I have reached. The consent order relates to a different complaint, and the refusal to record in that case [that is, the particular decision with which this application is concerned] was based on the complaint being seen as vexatious. The Consent Order cannot affect the merits of the impugned decision in this case”.

The basis of the present application is set out in paragraph 3 of the grounds, which says: “The Defendant has no power to direct that the Interested Party record a complaint on its crime record management system, i.e. to record the complaint as a crime. The Defendant’s powers are limited to directing that the Interested Party record the matter as a complaint.” (That second sentence has moved on somewhat.) At paragraph 52 it was stated the Interested Party was not consulted by either the Claimant or the Defendant before the consent order dated 19 October 2021 was agreed or submitted to the Court; if she had been, she would have objected on that grounds that, although the Defendant can direct her to record something as a complaint, it has no power to direct the Interested Party to record that something as a crime.

16. In its skeleton argument the Defendant consents to the proposed direction. Paragraph 5 says:

“The Defendant consents to the proposed variations to paragraph 1,

- a) To substitute the words ‘recommends pursuant to section 10(1)(e) Police Reform Act 2002’, for ‘will direct’, as this reflects the Defendant’s statutory powers;
- b) To remove the words ‘on its crime Record Management System’, as this degree of specificity is not contained within the Home Office Counting Rules, which simply require the registration of an auditable incident report for all reports of incidents, whether from victims, witnesses, or third parties. It is for the Interested Party to determine which of its information technology systems are used for recording different types of reports, as the Interested Party has detailed knowledge of the

purposes and capabilities of its different systems, how they interact, and how they may develop.”

17. As for the question of “direct” or “recommend”, the position as I see it is that, if any relevant power is engaged in the present case, it is the power to recommend. The provisions of the Police Reform Act 2002 have been amended since the matters giving rise to these proceedings. The Defendant was seized of the matter pursuant to an appeal under schedule 3 to the 2002 Act. Paragraph 3(4) provided in part that on an appeal under this paragraph, the Director General (which for present purpose means the Defendant) shall, if the Director General finds in the complainant’s favour, give such directions as the Director General considers appropriate for the local policing body or chief officer as to the action to be taken for making a determination, or for notifying or recording what was received, and it shall be the duty of a local policing body or chief officer to comply with any directions given under paragraph 3(4)(b). What that means is that, if the appeal by the Claimant to the Defendant had been upheld, then (subject to any further right of review that may have arisen, which need not concern me now) the Defendant would have had a power under paragraph 3(4)(b) to give a direction to the Interested Party. In fact, however, that power did not arise because the appeal was dismissed and the application for judicial review of the dismissal was withdrawn (see paragraph 2 of the order of 19 October 2021); therefore no power under schedule 3, paragraph 3, was exercisable. Paragraph 3 has now been repealed, and the review procedures altered and streamlined, but I do not need to go into that.
18. What powers, then, does the Defendant have? Those powers are found in section 10 of the Police Reform Act 2002. Subsection (1) provides in part:

“The functions of the Director General [that is, for present purposes, the Defendant] shall be—

- (a) to secure the maintenance by the Director General, and by local policing bodies and chief officers, of suitable arrangements with respect to the matters mentioned in subsection (2);
- ...
- (c) to secure that arrangements maintained with respect to those matters comply with the requirements of the following provisions of this Part, are efficient and effective and contain and manifest an appropriate degree of independence;
- (e) to make such recommendations, and to give such advice, for the modification of the arrangements maintained with respect to those matters, and also of police practice in relation to other matters, as appear, from the carrying out by the Director General of the Director General’s other functions, to be necessary or desirable”.

So paragraphs (a) and (c) are, to paraphrase, powers to secure proper practice in respect of certain matters, and paragraph (e) is a power to make such recommendations and to give such advice for the modification of the arrangements maintained with respect to those and other matters as appear to be necessary or desirable. The matters in question are those set out in subsection (2), which include the handling of complaints and the recording of matters from which it appears that there may have been conduct by

persons serving with the police, which constitutes or involves the commission of a criminal offence, or behaviour justifying disciplinary proceedings. So the Defendant has a power under section 10 to give to the Interested Party recommendations regarding the recording of matters from which it appears that there might have been criminal or other misconduct by persons serving with the police.

19. The Claimant argues that the functions of the Director General include, in section 10(1)(a), securing the maintenance by the Director General and by policing bodies and chief officers of suitable arrangements with respect to the matters mentioned in subsection (2) and, in section 10(1)(c), securing that arrangements maintained with respect to those matters comply with the requirements of the following provisions of this part, are efficient and effective and contain and manifest an appropriate degree of independence. However, in my judgment, those functions do not give to the Defendant the power to give directions in respect of the handling or recording of specific complaints. Further, even if they did in principle confer such a power, it would be quite inappropriate to invoke it in circumstances where there was a specific regime in place, namely the regime under Schedule 3 for reviewing or appealing against the exercise of the police authority's own functions, and where there is now a separate and discrete system of review.
20. In short, the Police Reform Act 2002 made provision, and now makes amended provision, for the review functions of the IOPC in respect of the decisions of police forces. It is inappropriate to treat section 10 as usurping or overriding the functions and the powers that were exercisable under the specific review and appeal regimes. The appropriate power, in circumstances where the specific appeal regime has not been engaged because the appeal was dismissed, is the power to make recommendations under section 10(1)(e).
21. The second question, then, concerns the concluding words of paragraph 1 of the order, requiring that the record be made on the crime Record Management System. The position here is, again, that the appeal proceedings against the Interested Party's decision were dismissed. The review proceedings against the dismissal decision was withdrawn. It is quite true that the proceedings were withdrawn on the basis of the Consent Order; but that order itself included a power to apply to vary.
22. The position of the IOPC is important in this regard, because in agreement with the Defendant it acknowledges that the Home Office Counting Rules do not contain the degree of specificity that would require recording on the crime Record Management System and that it (the IOPC) is not properly in a position to say where a record ought to be made, not least because it does not have knowledge equal to that of the police force of the information technology systems. The Interested Party's position, as I have indicated, is that its determination is that the complaint that is sought to be recorded does not involve a complaint of criminal conduct, such as would be appropriately placed on its crime Record Management System.
23. The information before me concerning the inclusion in paragraph 1 of the order of the reference to the crime Record Management System really comes to this: that the Defendant was not purporting to address or turning its mind to the question of how something ought to be recorded—that is, whether as a crime or not as a crime—but was seeking to address what it took to be the Claimant's concern that there should be an auditable report of the incident; it was concerned, accordingly to direct (or, as it is now put, recommend) that there should be an auditable record, but it was not

addressing its attentions to the form that record should take or how it should be stored on the Interested Party's IT systems. (This is borne out by an email between the Defendant and the Claimant.) It might that, if the Defendant had turned its mind to the latter point, it would have taken a different view as to the terms of the order. That is speculation. But the Defendant now agrees with the position of the Interested Party.

24. In my judgment, the Interested Party's position is correct. The Interested Party has made its determination that the matter in question does not fall to be recorded as a crime because it does not concern any prima facie report of criminal activity. It would, in my judgment, be entirely unjustified (i) to require the Interested Party to record the matter as a crime but (ii) to require the IOPC to recommend that it be recorded as crime, when I am satisfied that that was not actually what was in the mind of the IOPC when it agreed to the order.
25. In those circumstances, in my judgment, the grounds of the application are made out. I will grant the variations sought.

This Transcript has been approved by the Judge.

The Transcription Agency hereby certifies that the above is an accurate and complete recording of the proceedings or part thereof.

The Transcription Agency, 24-28 High Street, Hythe, Kent, CT21 5AT

Tel: 01303 230038

Email: court@thetranscriptionagency.com



Hampshire Constabulary
Chief Constable Olivia Pinkney QPM, MA

Mr B Gerrard
IOPC
PO Box 476
Sale
M33 0BW

Professional Standards
Operational Headquarters
Mottisfont Court
Tower Street
Winchester
SO23 8ZD

Our Ref: DM/DB
Your Ref: 2018/101006

Telephone: 101
Minicom: 19001 101

professional.standards@hampshire.pnn.police.uk

8th June 2022

This is just rubbish they have selected the wrong call. The voice recording I have is all about making a criminal complaint and names the individuals. Voice recording available.

Dear Brett,

Non Recording Appeal by [REDACTED], decision dated 12 April 2018, IOPC Reference 2018/101006

Thank you for your letter dated the 17th May 2022 regarding non-recording appeal made by [REDACTED]

I note that you refer to s10 (1)(e) Police Reform Act 2002 with regards to the application of the Home Office Counting Rules (HOCR) for Recording Crime and National Crime Recording Standard (NCRS):

“..to make such recommendations, and to give such advice, for the modification of the arrangements maintained with respect to those matters, and also of police practice in relation to other matters, as appear, from the carrying out by the Commission of its other functions, to be necessary or desirable;”

Our position is that we believe that we have complied with the National Crime Recording Standards in respect of recording this matter.

We have recorded the allegations by [REDACTED] on our Centurion database along with the decision to non-record. These matters are available for audit to those public bodies that have oversight functions of the police.

www.hampshire.police.uk



As you know, Her Majesty's Inspectorate of Constabulary currently hold the function to audit Forces in terms of their Crime Data Integrity. We also share information with yourselves from the Centurion database.

In terms of the specific matters relating to [REDACTED], we rely on the section of the HOCR document section which states:

“An allegation of a crime made against a police officer or a member of police staff in the execution of his or her duty:

It is recognised that by the very nature of their work officers and staff will be subject of complaints. Many of them are shown to be false or malicious or are determined have been lawful actions, such as in cases where the use of force is questioned. It is not the intention to record as crimes all such allegations unless or until it is determined there is a criminal case to answer. There is no requirement to record such matters within the general NCRS provisions within 24 hours of the report being made.

The point at which a crime will be recorded will be when:

The Appropriate Authority determines that there may be a case to answer criminally and requests Crown Prosecution Service advice; or

The Appropriate Authority determines, in accordance with the DPP Charging Guidance, that a charge or summons or out of court disposal should be issued in relation to a criminal matter; or

The Appropriate Authority determines, on the balance of probabilities, that there is a case to answer for misconduct or gross misconduct and the nature of the conduct is such that it would amount to a notifiable offence for the purposes of HOCR.

The appropriate authority is as defined in The Police (Conduct) Regulations 2020. Any allegation of a crime against a police officer or member of police staff which solely relates to his/her off duty activities or is other than in the execution of his/her duties should be dealt with in accordance with the NCRS and the Counting Rules.

Clarification:

The term ‘police staff’ includes any non-sworn employee of a force and will include Police Community Support Officers and Custody Detention Officers as well as staff employed in other roles.

Where criminal offences are being covertly investigated, notwithstanding a formal assessment of criminal conduct there is no requirement to record a crime until such time as the investigation progresses to a formal stage.”

This can be found in part 2 of Section I of HOCR (page 41) – Other Investigating Authorities (2 of 4).

In terms of [REDACTED] complaint, we have not yet reached the stage of determination and so to record this matter as a crime at this time, is premature.

As a further issue, we have a copy of the call made by [REDACTED] on the 21st October 2017.

The summary of this call is that [REDACTED] asked for a postal address for Police Headquarters, in particular for the legal department. The female call taker tried to give Mr [REDACTED] the address where the call taker worked. [REDACTED] stated that he did not think that Southampton was the correct address. [REDACTED] further asked if she could give the address of an individual as he had a pre-action letter to send to Roger Trencher, Force Solicitor.

[REDACTED] asks for the work address of the Force Solicitor. The call taker is quiet and Mr [REDACTED] says the Force Solicitor used to be at HQ in Winchester. [REDACTED] then says he will find the address by other means and the call ends. [REDACTED] and the call taker are polite throughout and [REDACTED] does not make a public complaint or a criminal allegation.

Thank you for your recommendation in terms of this matter. I hope that this sets out our position in terms of our compliance with the NCRS.

If you have any further questions, please do not hesitate to contact me.

Yours sincerely,



Debra Masson
Superintendent
Professional Standards Department

AS you can see from HIS HONOUR JUDGE KEYSER’s ruling of 6 May 2022 it is clear to see the Court was led to believe the new rules mandated the requested change from an IOPC “direction” to “recommendation” . That was simply not so given the law below. It is a legal requirement for the old rules to still apply to complaints that pre-dated the implementation of the changes to the Police Reform Act 2002 and related statutory guidance.



Home Office Guidance

Conduct, Efficiency and Effectiveness:

Statutory Guidance on Professional Standards, Performance and Integrity in Policing →

LEGAL POWERS FOR THE PUBLICATION AND APPLICATION OF THIS GUIDANCE

Cases dealt with under Part 2 of, and Schedule 3 to, the 2002 Act (Complaints, Recordable Conduct Matters and Death or Serious Injury (DSI) Matters)

1.9 If a complaint is made to, or a Recordable Conduct Matter or DSI comes to the attention of, a local policing body, a chief officer or the IOPC on or prior to 31st January 2020 it should be handled as a “pre-commencement” case in accordance with the 2012 legal framework i.e. the version of the 2002 Act in force at that point in time, the associated regulations including the 2012 Complaints Regulations, and the version of the IOPC’s Statutory Guidance that applied at that time. This guidance, and the 2020 IOPC Statutory Guidance, should not be used or applied.

1.10 The Policing and Crime Act 2017 includes provisions to amend Part 2 and Schedule 3 to the 2002 Act. The relevant provisions in the 2017 Act come into force on 1st February 2020, alongside new Complaints Regulations and new IOPC Statutory Guidance. This 2020 framework should be applied to any complaint made on or after 1st February 2020 and to any Recordable Conduct Matter or DSI that comes to the attention of an appropriate authority on or after that date (“post-commencement” cases). It is essential that the amended Part 2 and Schedule 3 and the new Complaints Regulations are used for these cases.

1.11 There are certain circumstances where the “old” regime will apply to “new” cases. This will occur where a complaint is made, or a conduct matter or DSI matter comes to the attention of the appropriate authority on or after 1st February 2020 and it relates to a pre-commencement complaint or matter and that pre-commencement complaint or matter is still being handled in accordance with Schedule 3 to the 2002 Act.

1.12 In addition, there are two specific circumstances where the new post-1st February 2020 legislative framework will apply, regardless of when the complaint was made or the Recordable Conduct Matter or DSI matter came to the attention of the appropriate authority. First, where the Director General determines under **section 13B** of the 2002 Act that a complaint, Recordable Conduct Matter or DSI matter is to be re-investigated. Second, where the Director General makes a direction under **section 28A(1) or (4)** of the 2002 Act (Old Cases) in relation to a matter on or after 1st February 2020.

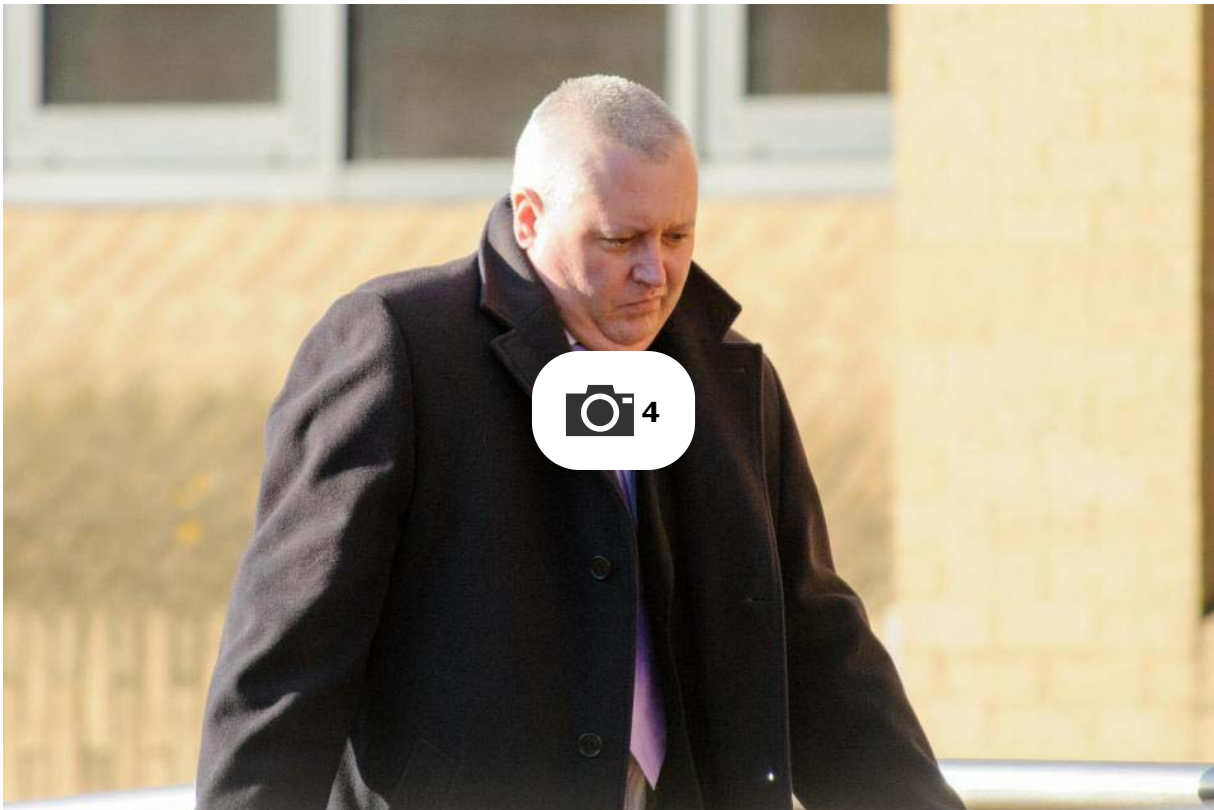
EX 18

Hampshire Police unlawfully kept it out the system for 2 years. Then as Dorset Police's evidence now shows produced a false report into it.

Sex-offending teacher 'could have been stopped if police hadn't delayed investigation'

7th March 2017

NEW FOREST



POLICE have been criticised for taking two years to launch a proper investigation into a Hampshire teacher's inappropriate relationship with a teenage pupil.

Featured Business



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Welcome to Newtons of Ashley Ltd. We are an independent car dealer operating in New Milton. We offer that experience without the price-tags or hard-sell. We stock vehicles ranging from hatchbacks to saloons, all of which



Hampshire Safeguarding Children Board (HSCB) says the force's initial inquiry into Tyrone Mark, later jailed for making indecent images of children, fell short of the standard expected.

In 2012 staff at The Arnewood School in Gore Road, **New Milton**, discovered that Mark was having a relationship with a female student.

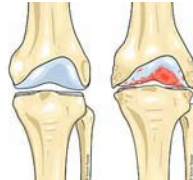
But a report published by HSCB, a statutory body that oversees safeguarding arrangements for children across the county, says Hampshire police originally asked another force to look into the matter.

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Subject: FW: arnewood

From: Sue.BERELOWITZ@childrenscommissioner.gsi.gov.uk
[mailto:Sue.BERELOWITZ@childrenscommissioner.gsi.gov.uk]
Sent: 10 February 2015 14:22
To: caine@valuenetuk.com
Subject: Arnewood

Dear John

I have just spoken with the head of the secretariat for the Goddard Inquiry regarding the need to fully investigate your concerns about institutional failures in relation to the sexual abuse of children at Arnewood. She is in agreement that your correspondence should be examined in full by the Inquiry however, as the chair is yet to take up her post, there are not as yet any agreed procedures for receiving, storing and processing such information. She will get back to me fairly promptly to let me know the best route for you to forward all your information so that they are ready to look at it once the processes are clarified. I do think this is the best way forward to ensure your concerns are comprehensively addressed. The Goddard Inquiry will also be in a position to identify any common patterns re specific agencies which will contribute to the power of any findings.

I will get back to you once I have heard further from the secretariat but in the meantime suggest you hold onto your correspondence in readiness to forward it all once I have passed you the relevant information.

I hope this meets with your agreement.

With best wishes

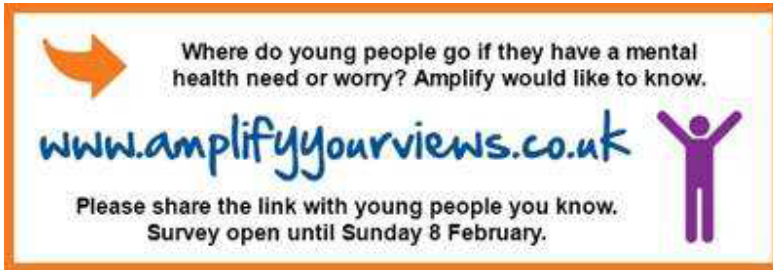
Sue Berelowitz
Deputy Children's Commissioner/ Chief Executive
Visiting Professor, Institute of Applied Social Research, University of Bedfordshire

Office of the Children's Commissioner
Sanctuary Buildings
Great Smith Street
London SW1P 3BT

Telephone: 0207 783 8330

Advice and Assistance free phone for children and young people receiving social care services, in or leaving care, or living away from home: 0800 528 0731

Email: Sue.berelowitz@childrenscommissioner.gsi.gov.uk
Web: www.childrenscommissioner.gov.uk
Twitter: [@ChildrensComm](https://twitter.com/ChildrensComm)



From: Sue.BERELOWITZ@childrenscommissioner.gsi.gov.uk
[mailto:Sue.BERELOWITZ@childrenscommissioner.gsi.gov.uk]
Sent: 17 February 2015 08:52
To: caine@valuenetuk.com
Subject: RE: Arenwood proof of deceit

Hi John

Very troubling as you rightly know and really important that the Goddard Inquiry into institutional failures investigates this. I shall personally make sure the chair is briefed when I meet with her. I will also speak with the senior investigating officer in Hampshire but may only be able to do that next week because of work pressures.

Your persistence will pay off though awful that you have to battle like this.

All the best

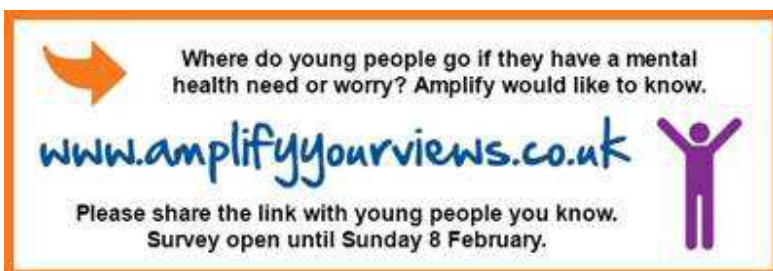
Sue Berelowitz
Deputy Children's Commissioner/ Chief Executive
Visiting Professor, Institute of Applied Social Research, University of Bedfordshire

Office of the Children's Commissioner
Sanctuary Buildings
Great Smith Street
London SW1P 3BT

Telephone: 0207 783 8330

Advice and Assistance free phone for children and young people receiving social care services, in or leaving care, or living away from home: 0800 528 0731

Email: Sue.berelowitz@childrenscommissioner.gsi.gov.uk
Web: www.childrenscommissioner.gov.uk
Twitter: [@ChildrensComm](https://twitter.com/ChildrensComm)



From: Sue.BERELOWITZ@childrenscommissioner.gsi.gov.uk
[mailto:Sue.BERELOWITZ@childrenscommissioner.gsi.gov.uk]

Sent: 19 February 2015 17:08

To: caine@valuenetuk.com

Subject: RE: arnewood

Hi John

The request from the journalist was for a conversation with me rather than a request for a written statement so we have not issued one. He hasn't come back re a conversation so that also remains outstanding. My primary concern is that the whole matter including the responses, or lack thereof, by the various agencies is fully investigated by the Goddard independent inquiry so I have raised that with the secretariat again.

Best wishes

Sue Berelowitz
Deputy Children's Commissioner/ Chief Executive
Visiting Professor, Institute of Applied Social Research, University of Bedfordshire

Office of the Children's Commissioner

Sanctuary Buildings
Great Smith Street
London SW1P 3BT

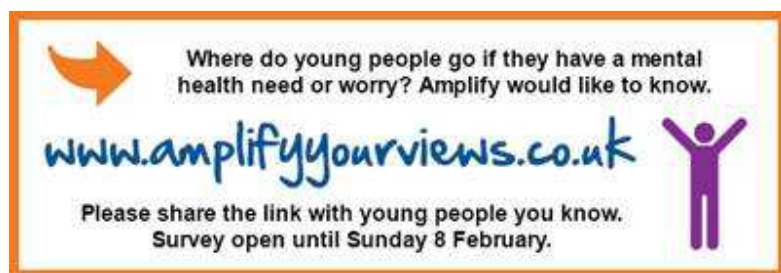
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Web: www.childrenscommissioner.gov.uk

Twitter: [@ChildrensComm](https://twitter.com/ChildrensComm)



19th August 2016



By Email: Olivia.pinkney@hampshire.pnn.police.uk

Dear Olivia

I write regarding the case of Tyrone Mark, convicted of making indecent images of children in February 2016. I have since been in correspondence with a member of the public named [REDACTED] in relation to this case, and his subsequent complaints regarding the conduct of Hampshire Constabulary's handling of the investigation.

I understand that [REDACTED] has attempted to raise a complaint with Hampshire Constabulary, though the matters raised cannot be recorded as a complaint as he is not a person directly or adversely affected by the alleged misconduct. [REDACTED] has since written to Hampshire Constabulary to state that the rights of children must be considered in taking decisions which affect them.

It was only in November 2014 following a complaint by [REDACTED] that earlier reports to the Hampshire Constabulary regarding Mr Mark were reassessed and an investigation was commenced. Given [REDACTED] role in raising the concerns which led to the investigation and eventual conviction of Mr Mark, I'm sure you will agree that he will have some useful insights and legitimate concerns regarding the handling of this case which I believe should be carefully considered.

I wish to ask what reviews have been undertaken in light of this case, and what learning will be implemented as a result. I believe that this is important in order to reassure members of the public who have been concerned by the case. On this basis, I would greatly appreciate it if you could write to [REDACTED], setting out this learning and any actions taken, and copying me into your response.

Furthermore, I ask whether you are satisfied that children's best interests are being properly considered and prioritised in investigations undertaken by Hampshire Constabulary, and in the handling of complaints.

Yours sincerely

A handwritten signature in black ink that reads "Anne Longfield".

Anne Longfield OBE

Children's Commissioner for England

19th August 2016



By Email: Lesley.Longstone@ipcc.gsi.gov.uk

Dear Lesley

I write regarding the case of Tyrone Mark, convicted of making indecent images of children in February 2016. I have since been in correspondence with a member of the public named [REDACTED] in relation to this case, and his subsequent complaints regarding the conduct of Hampshire Constabulary's handling of the investigation.

I understand that complaints raised by [REDACTED] have been considered by the IPCC, and that these complaints have not been recorded.

It was only in November 2014 following a complaint by [REDACTED] that earlier reports to the Hampshire Constabulary regarding Mr Mark were reassessed and an investigation was commenced. Given [REDACTED] role in raising the concerns which led to the investigation and eventual conviction of Mr Mark, I'm sure you will agree that he will have some useful insights and legitimate concerns regarding the handling of this case which I believe should be carefully considered.

I would be grateful if you could write to [REDACTED], copying me in, to explain the routes available to a member of the public for raising concerns regarding the issues raised by a particular investigation, particularly where they have not been directly affected by the alleged misconduct.

I would also greatly appreciate a clarification of the ways in which children's best interests are considered in your handling of complaints made by members of the public.

Yours sincerely

A handwritten signature in cursive script, appearing to read "Anne Longfield".

Anne Longfield OBE

Children's Commissioner for England

9 September 2016



independent
police complaints
commission

By Email: Kelly.PICKARD@childrenscommissioner.gsi.gov.uk

comisiwn cwynion
annibynnol
yr heddlu

PO Box 473
Sale M33 0BW

Blwch Post 473
Sale M33 0BW

Tel/Ffôn: 0300 020 0096

Fax/Ffacs: 0207 166 3306

Text relay/Cyfnewid Testun: 18001 0207 166 3000

Email/E-bost: enquiries@ipcc.gsi.gov.uk

Web/Gwefan: www.ipcc.gov.uk

Dear Anne,

Thank you for your letter dated 19 August 2016. In your letter you raise concerns regarding the IPCC's handling of complaints made by [REDACTED] complaints relate to Hampshire Constabulary's investigation into allegations that Mr Mark, a former teacher at his son's school, Mr Tyrone Mark, had been making indecent images of children. I have now made some inquiries through our assessment unit.

I can confirm that [REDACTED] has made two recent complaints in relation to Hampshire Constabulary's investigation into the allegations made against Mr Mark. One of these complaints, dated 4 April 2016, was made by [REDACTED] was made on behalf of his son while the other, dated 27 May 2016, was made on [REDACTED] own behalf. Hampshire Constabulary declined to record these complaints on the grounds that [REDACTED] does not qualify as an eligible complainant under the terms of the Police Reform Act (2002). [REDACTED] has subsequently appealed the non-recording of his complaints to the IPCC. When assessing [REDACTED] appeals we considered whether [REDACTED] qualifies as a complainant under Section 12 of the Police Reform Act (2002).

[REDACTED] connection with this matter is that his son was a pupil at Arnewood School where Tyrone Mark previously worked. Mr Mark was dismissed from the school in 2014 following an internal investigation into allegations that he had formed an inappropriate relationship with a pupil and kept a dossier about other pupils who were at the school. It is important to emphasise that the offences for which Mr Mark was later convicted for (making indecent images of children) are a matter of public record and occurred after he had been dismissed from Arnewood School.

When deciding not to uphold [REDACTED] appeals we agreed with Hampshire Constabulary that neither [REDACTED] or his son qualified as a complainant under the terms of the Police Reform Act. There is no evidence to suggest that his son was in any way connected to Mr Mark's relationship with the pupil or was referred to in the

dossier. Moreover, there is no indication that [REDACTED] or his son were connected to the offences for which Mr Mark was convicted.

For [REDACTED] complaint to be considered recordable under the terms of the Police Reform Act he needed to demonstrate that he was directly affected by the conduct that he alleged to have taken place, adversely affected by the conduct or a witness to the conduct. In the absence of such evidence we are satisfied that [REDACTED] complaint should not be recorded. [REDACTED] had been advised that should he wish to challenge any of our appeal decisions then the appropriate recourse would be to seek independent legal advice with a view to judicially reviewing the decisions.

Having investigated the circumstances it seems that referrals to Hampshire Police concerning Mr Mark in 2012 and 2013 were not investigated. In October 2015, it appears as a result of complaints by [REDACTED], Hampshire Police accepted that those decisions were incorrect and an investigation was launched which resulted in Mr Mark's arrest. Although he was not prosecuted for the offences reported in 2012 and 2013 the offence for which he was prosecuted came to light as a result of that investigation.

The IPCC does not know by whom the incorrect decisions were made in 2012 and 2013 and whether those decisions may have been made in breach of duties and responsibilities. However the IPCC would expect the force to have carried out a assessment to determine whether any "conduct matter" should be recorded and investigated. As a result of your letter to me, the IPCC have established that no conduct assessment was carried out by the force. The IPCC is able to ask the force to carry out an assessment and ultimately to require it to provide sufficient information for it to make its own assessment. If appropriate it can then direct that a conduct matter is recorded and investigated.

It follows from the above that although [REDACTED] is not a qualifying complainant and the IPCC gave the correct answer to the very narrow question it had had to determine on his appeal, the circumstances are such that we are able to require the force to carry out a conduct assessment. I am now passing this correspondence to Jennifer Izekor the Commissioner with responsibility for Hampshire so that she can ensure that assessment is now carried out.

I have also raised this matter with the managers in our assessment unit, so that they may consider how staff can be better trained to recognise cases which, although a complaint may not be recordable, raise issues, particularly regarding child protection, that require a conduct assessment.

In your letter you also asked for clarification of the ways in which children's best interests are considered in our handling of complaints made by members of the public.

In our strategy for dealing with police conduct matters relating to child abuse and child sexual exploitation, we acknowledge that there are some matters which are referred to us which relate to incidents which occurred in the past and pose no current risk while others may involve a current risk to people. As part of our decision making process about these cases, we will consider whether there is a current risk

and if so, has it been recognised by the police force and have steps been taken (for example safeguarding measures) to address the risks. If there is a current risk to people, particularly to children and young people because of what has been alleged, the case should be more likely to be independently investigated.

The statutory guidance to the police service on the handling of complaints (https://www.ipcc.gov.uk/sites/default/files/Documents/statutoryguidance/2015_statutory_guidance_english.pdf) sets out how the IPCC expects the police to deal with complaints, however it also reflects how we would deal with complaints. Page 14 of this guidance includes a section on dealing with complaints made by young people under 16. This includes allowing parents, guardians and advocates acting on behalf of a young person but not preventing a young person from making a complaint if someone is not acting on their behalf. It also highlights the need to ensure that a child or young person has appropriate support to navigate the complaints system and has sufficient understanding of the process and potential outcomes.

I hope this provides some reassurance on the point that you have raised.

I would like to thank you for bringing this matter to my attention and am sending a copy of this letter to [REDACTED].

Yours sincerely



Lesley Longstone
Chief Executive
Independent Police Complaints Commission

cc [REDACTED]

OFFICIAL SENSITIVE

13 June 2018

Miguel Boo Fraga
Senior Committee Assistant
Joint Committee on Human Rights
14 Tothill Street – 4th Floor
London SW1H 9NB

Dear Mr Boo Fraga

Evidence submission to the Committee [Children's Commissioner]

Further to your email to Angelique Robold, please find attached file[s] of evidence documenting Mr [REDACTED] communications over a lengthy period of time with the Office of the Children's Commissioner.

In your email you requested that we clarify whether this evidence is part of an inquiry or a personal account of [REDACTED] experience.

I confirm that the evidence does not form part of an inquiry. My office has limited resources and does not have investigative powers to take forward the concerns that [REDACTED] is raising. You will note within the evidence that my office has over time sought to assist [REDACTED] in his endeavours to secure responses from other bodies to the concerns that he has raised.

In order to expedite matters I have asked [REDACTED] to provide any additional evidence directly to the Committee.

In conclusion, in submitting the evidence to you may I reassure the Committee that this is a one-off referral and does not set a precedent for the future.

Yours sincerely



Anne Longfield
Children's Commissioner for England

Encl.: Report to the UN Committee on Rights of the Child [December 23, 2017]
Addendum to Arnewood School teach UN dossier [23.3.18]
Evidence against the IOPC [05 June 2018]
Hampshire Police cover up [06 June 2018]
Evidence against Hampshire Police [10 June 2018]

Cc: [REDACTED]

Children's Commissioner for England: [Anne Longfield OBE](#)

[REDACTED]

From: SAMSON, Eve [SAMSONE@parliament.uk]
Sent: 18 February 2019 14:08
To: [REDACTED]
Subject: Your letter to Harriet Harman

Dear [REDACTED]

Thank you for emailing Harriet Harman MP; she has asked me to reply. From what you say I understand entirely why you are concerned, and why you wanted to escalate this case to an appropriate body for investigation. I am very sorry that the JCHR is not the appropriate body to do this, as we tried to explain at the outset. I am also sorry if you were misled by the Children Commissioner's apparent "reference" of the case to the JCHR; the Commissioner has no power to refer matters to the Committee beyond that of any other citizen to bring matters to our attention. If she had consulted us beforehand we would have explained why we could not help. As it was, we explained after the event.

The position is that the JCHR's remit is wide – "to consider matters relating to human rights in the United Kingdom (but excluding consideration of individual cases)" - but it monitors government policy, and makes recommendations to Government. It does not and cannot conduct stand alone inquiries into allegations of abuse by individual bodies. Not only is this outside its core responsibilities, it does not have the staff or the expertise to do this. There are only eight people on the team, many of whom are part time or work for the Committee only part of their time. Our time is filled by working on Committee inquiries into broad topics – you can see the type of work the Committee does on its website. <https://www.parliament.uk/business/committees/committees-a-z/joint-select/human-rights-committee/>

That is also why, once we have explained we are unable to help, we do not reply to all subsequent emails.

If appropriate, we direct people who contact us to those who can help, but in your case, it was clear you had already pursued many channels, and were aware of the work of the Independent Inquiry into Child Sexual Abuse, which might still be interested in the case you raise: <https://www.iicsa.org.uk/contact-us>

I am very sorry that the JCHR is not the right body to help you.

Yours Sincerely,

Eve Samson
Clerk of the Joint Committee on Human Rights
House of Commons, London, SW1A 0AA

samsone@parliament.uk | 020 7219 2797 | Text relay: 18001 020 7219 2797

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Please note that I have RSI and use voice recognition software, so my replies may be brief and contain some errors in transcription. If you need an urgent response, please feel to telephone on the number above.

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To:
Lesley Longstone
Chief Executive, Independent Police Complaints Commission

By Email: Lesley.longstone@ipcc.gsi.gov.uk

13 November 2017

Dear Ms Longstone,

I wrote to you in September of 2016 regarding concerns raised by Mr Caine. Mr Caine has recently come back to my office and says that, at the time of his complaint, not all of the evidence was provided to the IPCC. He has asked that I get in touch to ensure that the relevant information is brought to your attention and passed on to Jennifer Izekork, the Commissioner with responsibility for Hampshire. Please see the attached information provided by Mr Caine.

Thank you for your time and assistance in this matter.

Yours Sincerely,



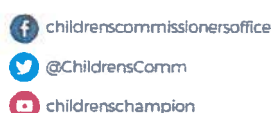
Anne Longfield OBE
Children's Commissioner for England

The evidence sent to Mr. Trencher and the PSD never got to the people with oversight we later learned despite this letter and others. The assessment had long since concluded. The white wash was complete, and the lies left intact despite the evidence they held showing Hampshire Constabularies culpability in endangering children. Hampshire Constabulary playing fast and loose with vital evidence and the truth at children's expense under the nose of the IPCC/IOPC and with the help of the Force Solicitor paid off.

Children's Commissioner for England: [Anne Longfield OBE](#)

Post: Sanctuary Buildings, 20 Great Smith Street, London SW1P 3BT
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Visit: www.childrenscommissioner.gov.uk

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leaving care, living away from home or working with children's services
Tel: 0800 528 0731 Email: help.team@childrenscommissioner.gsi.gov.uk





Despite its previous position as communicated to the Children's Commissioners Office.

IICSA CONFIRMS NOT LOOKING INTO POLICE FAILINGS

19 January 2018

Our ref: IICSA-0006251

Dear Mr Caine

Thank you for the correspondence that you sent to the Independent Inquiry into Child Sexual Abuse and was received on 18 December 2017.

This information has been recorded and passed to the legal team for consideration in addition to that which you have already provided to us. Any further information which you forward to us will also be recorded by the Inquiry.

You may be interested to know that the Inquiry is currently pursuing thirteen separate investigations. These include examination of failings by particular institutions as well, in some cases, of examination on a more thematic analysis. Several of the existing investigations include examination of failings by law enforcement agencies, prosecuting authorities, and/or other public authorities or statutory agencies to protect children from sexual abuse. We will, bear in mind your request to examine police failings when making decisions about any new investigations that are launched.

Please note that we will only provide a full and detailed response where you raise new issues to which we have not responded or clarified previously.

Thank you once again for contacting the Inquiry.

Yours sincerely

Mark Crawford
Operations
Independent Inquiry into Child Sexual Abuse

Police slated over probe into pervert teacher

HAMPSHIRE POLICE have been accused of falling "well short of what was expected" over their failure to investigate an inappropriate relationship involving a New Milton teacher who was later jailed for having indecent images of children.

The Hampshire Safeguarding Children Board (HSCB) has also said the county council "could have challenged" decisions by the force not to investigate Tyrone Mark (pictured), who taught at Arnewood School.

The Hampshire force has been continually embarrassed by the saga, which began in late 2012 after it was first alerted to concerns about Mark by Hampshire County Council, which is in charge of the local children's ser-



vices department.

Subsequently, the school sacked Mark after he admitted during an internal investigation that he gave a pupil a key to his house, bottles of alcohol and a packet of condoms. He had also taken the girl to Bath without her parents' knowledge and the cinema.

The case was then referred to the National College for Teaching and Leadership (NCTL), which banned him from the profession for life.

After the NCTL ruling, Arnewood School released a statement from the then head teacher, Christopher Summerstone, and chairman of governors

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Police delays

Continued from front page

Elizabeth Cook, which said: "We would like to reassure parents that the police investigated these matters and found no criminal activity had taken place."

But a Freedom of Information (FoI) request by John Caine, the parent of an Arnewood pupil taught by Mark, revealed no full police investigation had actually taken place.

Hampshire Police, after first being told of concerns about Mark, had simply referred the matter back to the school and notified the police in Dorset where Mark was then living.

When the A&T approached the Hampshire and Dorset forces to ask whose responsibility it was to investigate, each initially argued it was the other's.

Finally, in 2015, Hampshire Police did fully investigate Mark and, although it did not pursue charges against him over his conduct at Arnewood, officers found indecent images of children on his home computer and charged him.

Mark later appeared at Southampton Crown Court, where he admitted 17 matters of making indecent photos of children and was jailed for six months.

The HSCB, which comprises representatives from a range of agencies, including police, fire, the NHS, Public Health, the county council and local children's services, decided to conduct a review of the case due to what it said was "the ongoing public interest in the case".

It is collectively responsible for the strategic oversight of local safeguarding arrangements and monitors the delivery of safeguarding practice by all agencies across the county. The independent chairman, Derek Benson, is

accountable to Hampshire County Council.

The HSCB report revealed Hampshire Police – when first alerted about Mark – decided at the time Dorset Police should deal with the matter, and felt it had "passed" the matter on.

It did not elaborate further on that decision, who made it, or why – and pointed out Mark was dealt with by the school and NCTL.

Concerns about Mark were "appropriately shared" with police by Arnewood and the council's local authority designated officer (LADO), the report said, adding: "Hampshire Constabulary's initial investigation fell short of what can be expected."

It ruled the force should have recorded the referral by the school and LADO on its record management system and "considered undertaking an investigation" into material found by Arnewood.

The county council "could have challenged" on two occasions the police view that a joint investigation was not required as it was based on limited information, the report added.

It continued that "detailed rationale" for when no further action is taken needs to be consistently applied by Hampshire Constabulary to assist in understanding the future risks posed by suspects in investigations and ensure external agency internal disciplinary procedures are well informed.

Additionally, where permitted under relevant legislation, police investigators should view personnel files to identify "potential evidential opportunities and lines of enquiry".

Concluding, the report advised: "A police investigation should determine whether there are offences to investigate or there is insufficient evidence to progress further prior to deferring for a single agency investigation."

Responding, a Hampshire Constabulary spokeswoman said: "We have accepted that our processes at the time of the initial referral

were not suitable, and we have since implemented our Multi-Agency Safeguarding Hubs where our processes have changed.

"We are confident that these circumstances would not occur again," she added.

As reported in the A&T, it also emerged during the investigation by the NCTL that Mark had sent text messages to the Arnewood pupil, in which he wrote: "Apparently I can't be alone wiv u anymore!!!! So f*** the driving lessons and drink sessions."

A teaching colleague also found a file at Mark's home which contained pictures he had secretly collected for 10 years of former and current pupils with sexually explicit comments alongside. He had stored them with newspaper cuttings advertising adult services and massage parlours.

The NCTL ruled he "deliberately and persistently" increased his presence in the girl's life to make her become "dependent on him rather than her parents".

Mark's behaviour amounted to an "abuse of trust against pupils and former pupils" and was "sexually motivated in relation to all matters", the NCTL said.

Mr Caine, who has pursued the matter doggedly, welcomed the HSCB report but was still angry and continues to question why Hampshire Police initially opted not to investigate.

He said: "The evidence Hampshire Constabulary and Hampshire Children's Services ignored and would now have us believe did not make them think a criminal investigation into this teacher was warranted at the time, just to name some of it, included this teacher keeping 'sex dossiers' on students for over a decade, giving a young girl condoms, alcohol and the keys to his house and taking her on trips without her parents' permission.

"The implications were staggering. Just how stupid would someone have to be not to think this warranted a criminal investigation? And being that incompetent and negligent not once but twice."

127

with Mr Rayner.

Mr Benson had been 262

**MASTER
CHIMNEY SWEEP**

Murder trial

Article from Southern Daily Echo



News

5th December 2014

Detectives investigating Tyrone Mark, who was sacked from The Arnewood School in New Milton after starting a relationship with a pupil and kept a sex dossier on students



Police investigate teacher who kept sex dossier on pupils



EDUCATION chiefs have passed vital files to detectives investigating a teacher who began a relationship with a pupil and kept a sex dossier on other students.

It comes two years after school bosses were first alerted to the friendship between the girl and geography tutor Tyrone Mark, 39, who was later sacked and banned from teaching for life.

Mr Mark, who taught at The Arnewood School in New Milton, gave the teenager alcohol, condoms and even a key to his house.

As reported in the Daily Echo, he also wrote sexually explicit notes about many of her fellow pupils – some of whom featured in school photographs he kept at his home.

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Earlier this year he was found guilty of professional misconduct and barred from teaching by the National College for Teaching and Leadership (NCTL).

At the time Arnewood issued a statement saying a police investigation had found no evidence of any criminal activity by Mr Mark.

But campaigning parent John Caine, of New Milton, submitted a Freedom of Information Act request and discovered that no such probe had taken place.

Officers have now launched an investigation after receiving a bundle of evidence, including the dossier compiled by the teacher.

A police spokesman said: "We have received files from The Arnewood School that were passed to them by the National College for Teaching and Leadership. The matter is now under investigation by our child abuse investigation team and it would not be appropriate for us to comment any further."

Mr Caine, whose son Jonathan went to Arnewood and was taught by Mr Mark, has repeatedly accused the school of not following proper procedures.

He said: "It was the school's responsibility to involve the police, and now the school will provide evidence to the police. Better late than never I suppose."

Mr Mark was sacked from Arnewood following an internal investigation and was expelled from the profession in July this year.

Arnewood has repeatedly defended the letter it subsequently sent to parents, saying it had received written confirmation from Hampshire County Council that police were taking no further action. But neither Arnewood nor the county council has been able to produce the relevant letter or e-mail.

SHEIN

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Last night a county council spokesman said the authority received an initial report from the school and alerted police, who subsequently said they would be taking no further action.

Mr Mark, who lived in Dorset, is understood to have taught at Arnewood for about ten years. He was summoned to a meeting with head teacher Chris Hummerstone

in December 2012 and admitted giving the girl alcohol, condoms and his backdoor key. He also took her on two outings to Bath without her parents' knowledge.

A spokesman for The Arnewood School said: "We have acted with complete propriety and in good faith in this difficult case, closely following established protocols.

"We will happily assist the police with any enquiries."



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LR 01

(EX 19)

More serious misinformation. This was not about a call to 101 about an address. It was a call to report serious criminal offences and named the individuals. They have picked another call. Additionally the case was not about "recording" a complaint under the HOCR either, that's what they made up. It was about logging a crime "incident" report, and not about recording a crime under the HOCR. That's different. Defendant's now sent voice recording of the relevant and correct call to 101.



Hampshire Constabulary Chief Constable Olivia Pinkney QPM, MA

Mr B Gerrard
IOPC
PO Box 476
Sale
M33 0BW

Professional Standards
Operational Headquarters
Mottisfont Court
Tower Street
Winchester
SO23 8ZD

Our Ref: DM/DB
Your Ref: 2018/101006

Telephone: 101
Minicom: 19001 101
professionalstandards@hampshire.pnn.police.uk

8th June 2022

Dear Brett,

Non Recording Appeal by [REDACTED], decision dated 12 April 2018, IOPC Reference 2018/101006

Thank you for your letter dated the 17th May 2022 regarding non-recording appeal made by [REDACTED]

I note that you refer to s10 (1)(e) Police Reform Act 2002 with regards to the application of the Home Office Counting Rules (HOCR) for Recording Crime and National Crime Recording Standard (NCRS):

“..to make such recommendations, and to give such advice, for the modification of the arrangements maintained with respect to those matters, and also of police practice in relation to other matters, as appear, from the carrying out by the Commission of its other functions, to be necessary or desirable;”

Our position is that we believe that have complied with the National Crime Recording Standards in respect of recording this matter.

We have recorded the allegations by [REDACTED] on our Centurion database along with the decision to non-record. These matters are available for audit to those public bodies that have oversight functions of the police.

www.hampshire.police.uk



As you know, Her Majesty's Inspectorate of Constabulary currently hold the function to audit Forces in terms of their Crime Data Integrity. We also share information with yourselves from the Centurion database.

In terms of the specific matters relating to [REDACTED], we rely on the section of the HOCR document section which states:

“An allegation of a crime made against a police officer or a member of police staff in the execution of his or her duty:

It is recognised that by the very nature of their work officers and staff will be subject of complaints. Many of them are shown to be false or malicious or are determined have been lawful actions, such as in cases where the use of force is questioned. It is not the intention to record as crimes all such allegations unless or until it is determined there is a criminal case to answer. There is no requirement to record such matters within the general NCRS provisions within 24 hours of the report being made.

The point at which a crime will be recorded will be when:

The Appropriate Authority determines that there may be a case to answer criminally and requests Crown Prosecution Service advice; or

The Appropriate Authority determines, in accordance with the DPP Charging Guidance, that a charge or summons or out of court disposal should be issued in relation to a criminal matter; or

The Appropriate Authority determines, on the balance of probabilities, that there is a case to answer for misconduct or gross misconduct and the nature of the conduct is such that it would amount to a notifiable offence for the purposes of HOCR.

The appropriate authority is as defined in The Police (Conduct) Regulations 2020. Any allegation of a crime against a police officer or member of police staff which solely relates to his/her off duty activities or is other than in the execution of his/her duties should be dealt with in accordance with the NCRS and the Counting Rules.

Clarification:

The term ‘police staff’ includes any non-sworn employee of a force and will include Police Community Support Officers and Custody Detention Officers as well as staff employed in other roles.

Where criminal offences are being covertly investigated, notwithstanding a formal assessment of criminal conduct there is no requirement to record a crime until such time as the investigation progresses to a formal stage.”

This can be found in part 2 of Section I of HOCR (page 41) – Other Investigating Authorities (2 of 4).

In terms of [REDACTED] complaint, we have not yet reached the stage of determination and so to record this matter as a crime at this time, is premature.

As a further issue, we have a copy of the call made by [REDACTED] on the 21st October 2017.

The summary of this call is that [REDACTED] asked for a postal address for Police Headquarters, in particular for the legal department. The female call taker tried to give Mr [REDACTED] the address where the call taker worked. [REDACTED] stated that he did not think that Southampton was the correct address. [REDACTED] further asked if she could give the address of an individual as he had a pre-action letter to send to Roger Trencher, Force Solicitor.

[REDACTED] asks for the work address of the Force Solicitor. The call taker is quiet and Mr [REDACTED] says the Force Solicitor used to be at HQ in Winchester. [REDACTED] then says he will find the address by other means and the call ends. [REDACTED] and the call taker are polite throughout and [REDACTED] does not make a public complaint or a criminal allegation.

Thank you for your recommendation in terms of this matter. I hope that this sets out our position in terms of our compliance with the NCRS.

If you have any further questions, please do not hesitate to contact me.

Yours sincerely,



Debra Masson
Superintendent
Professional Standards Department



Recent decision from OPCC relying on the same misinformation originating from Hampshire Constabulary falsely claiming these matters have already been investigated. Hence Dorset Police's evidence not verified or answered. The false report has never been investigated. This court outcome will have a direct bearing on this decision.
Note page 3 para 1.

[Redacted]

Date: 09 April 2024
Our reference: SC004
Your reference: n/a

Dear [Redacted]

Complaint against the Chief Constable of Hampshire and Isle of Wight Constabulary

I am writing to you further to our correspondence on 4 September 2023.

Your complaint has been handled under the Police (Complaints and Misconduct) Regulations 2020 and other associated legislation, as well as having regard to Statutory Guidance issued by the Independent Office for Police Conduct (IOPC).

In summary, I consider your allegation against the Chief Constable as follows:

'This correspondence is now to register a formal complaint against the Chief Officer Mr. Scott Chilton of Hampshire Constabulary.

Grounds

- 1) In general by allowing and permitting a solicitor (Mr. Tom Silson of Plexus Law) to lie in response to a legal pre-action letter on his behalf to attempt to pervert the course of justice and spending public funds to do so.*
- 2) By allowing public money to be spent by employing and engaging a solicitor to lie.*
- 3) Lie 1. Dorset Police Officers evidence confirming Hampshire Police's PSD produced a false report into the handling of a bugled child sexual abuse case was NEVER investigated. Mr. Tom Silson's response letter clearly lies it was.*
- 4) Lie 2. I presented no new evidence to substantiate the complain. Also a blatantly false assertion of fact put forward by Mr. Silson in his letter. A further substantive lie. There was new evidence submitted in the form of letters from Dorset Police's PSD and their Head of PSD further confirming the report produced by Hampshire's PSD was substantively false and manufactured (and should be investigated).*

In support of this complaint please refer to my previous emails and evidence submitted to your office of 26 Aug 2023 at 11:22 and 26 Aug 2023 at 11:28. The attached documents include Mr. Silson's letter of 2 July 2023, lies indicated in the red boxed statements. SAR confirmation from Hampshire Police dated 22 August 2023 proving no investigation. Dorset Police's evidence / letters of 20 Sept 2022 and 27 April 2023. The other attached evidence is probative as it shows a systemic and widespread attempt by the PSD to block evidence and lie about the facts to cover up serious gross misconduct by the PSD to protect the individuals involved at the expense of children's safety and sexual abuse safeguarding.

I realize your office will respond with the “corporation sole” excuse to avoid dealing with this evidence and this complaint. However it is unclear if that can be invoked here given the legal challenge to which Mr. Silson was responding named the Chief Officer Mr. Scott Chilton. If you respond saying it does I will then be able to take it to the IOPC for clarification of this legal point.’

As the Appropriate Authority for complaints about the Chief Constable I have concluded that this is a complaint and have recorded it as such but it is not reasonable or proportionate to take any further action, other than to provide an explanation to you.

On the 20 July 2023 I wrote to you outlining a decision with respect to comments you provided within an IOPC online complaint form and associated emails. This was sent to us by Hampshire and Isle of Wight Constabulary Professional Standards Department as any consideration regarding allegations about a Chief Constable must be dealt with by this office.

This action was in accordance with legislation and so the comments were handled under the Police (Complaints and Misconduct) Regulations 2020 and other associated legislation, as well as having regard to Statutory Guidance issued by the Independent Office for Police Conduct (IOPC).

Your complaint was recorded as follows:

‘This is a serious corruption complaint about individuals in Hampshire Police and a solicitor representing the Chief Officer Scott Chilton a Mr. Tom Silson by way of obfuscation and lies in an attempt to pervert the course of justice and suppress evidence provided by Dorset Police Officers which proves Hampshire Police's PSD produced a false report into a child sexual abuse case.’

‘Dear Professional Standards Department Please ensure I get an acknowledgement and response to my criminal complaint against Mr. Tom Silson and conspirators instructing him on the Chief Constables behalf.’

‘Please now register this as a formal complaint about your legal department and counsel Mr. Tom Silson of Plexus Law deliberately and knowingly not complying with Court rules, specifically the JR Pre-Action protocol 13 highlighted below. The Chief Officers legal defence for not investigating my complaint/s is based on clear misinformation my complaints are repetitive as they have already been investigated. Of course my request for the investigation outcomes when answered will prove this to be a deliberate and very obvious lie put forward on behalf of the Chief Officer Scott Chilton.’

Further to that you clarified that you had not made a complaint as outlined below.

‘To be very clear I am not withdrawing the complaint. I NEVER MADE IT IN THE FIRST PLACE. THERE IS NOTHING FOR ME TO WITHDRAW. It is your office that should cancel it. Please make that very clear to the IOPC. And send me a copy of your communications with them.’

As a consequence this matter was not recorded as outlined in my letter of 28 July 2023.

I am aware that the matters you have raised relate to wider allegations that have previously been investigated by the Professional Standards Department. I will not comment on those as they are not within the remit of this office.

The legislation and statutory guidance allows us to follow this course of action in certain circumstances. This is because there is no evidence, new or otherwise, in your complaint that indicates the Chief Constable has been personally involved in your case. It has previously been explained to you the status of the 'corporation sole'.

This is further supported by checks I have made that confirm the mechanisms and processes employed by the force to ensure decisions are made at the appropriate level and in this case the Chief Constable has not been directly involved.

As head of a large and complex public sector organisation, a Chief Constable routinely delegates operational responsibilities of the Constabulary to other officers and staff through a rank structure established for the police service. They are therefore not routinely involved in decisions relating to individual cases.

Correspondence addressed to the Chief Constable is handled by staff in his office on his behalf and then delegated to more appropriate officers or staff to respond to.

'Representing', or making decisions, 'on behalf of', is an indication that the Chief Constable has not been personally involved in your case, and has been handled by other staff as would be routine business practice. Due to the volume of correspondence sent, it is not possible for a Chief Constable to see every individual item directed to them or check every decision made. Such handling processes are common practice for Chief Constables.

As indicated above I am aware you have raised complaints relating to wider matters with the Constabulary's Professional Standards Department and you have received communication from them. Therefore, I will make no further comment on those matters.

You have the right to request a review of the outcome of this complaint to the Independent Office for Police Conduct within 28 days from the day after the date of this letter, which is 07 May 2024. If you wish to submit a request to review, please visit the IOPC website at www.policeconduct.gov.uk/complaints-reviews-and-appeals/reviews-and-appeals . Alternatively, if you do not have access to the internet, you can telephone them on 0300 020 0096 to request a hard copy of the application form.

Yours sincerely,



Olan Jenkins
Senior Business Manager