NATIONAL CAMPAIGN FOR THE REFORM
OF THE OBSCENE PUBLICATIONS ACTS
NCROPA

FIGHTING SEXUAL CENSORSHIP

HONORARY DIRECTOR - David Webb, R.A.D.A. Dip., 15 Sloane Court West, Chelsea, London, SW3 4TD - Tel: 071-730 9537

NO/DAW/DP

22nd March 1993

The Rt. Hon. Kenneth Clarke, QC, MP,
Secretary of State for the Home Department,
Home Office,
50 Queen Anne's Gate,
London,
SW1H 9AT.

RECORDED DELIVERY

Dear Secretary of State,

Complaints Against Sir Peter Imbert, the Chief Commissioner, and Superintendent Michael Hames, of the Metropolitan Police

Thank you for the reply of 9th March I received on your behalf from Mrs. S.J. McCarthy in response to my letters of 7th and 28th January concerning official complaints against the former Metropolitan Police Commissioner Sir Peter Imbert and Superintendent Michael Hames, Head of the Obscene Publications Branch at New Scotland Yard.

I cannot accept that "Home Office Ministers have no power to intervene in the handling of complaints against individual officers made under Part IX of the Police and Criminal Evidence Act 1984." The provisions of Sections 84 and 85 of this Act require the chief officer of police for a "police area" to take certain actions when and where a complaint is submitted. If the chief officer refuses to comply with these provisions, he is failing to carry out his duties as the chief officer of a "police area" or "police district" (as defined in Section 62 and Schedule 8 of the Police Act 1964),as required by the Metropolitan Police Acts 1829 to 1963 and subsequent relevant Police Acts and Regulations made by Statutory Instrument by the Secretary of State and which are binding on him.

Such a breach of a chief officer's duties is surely, in the first instance, the direct concern and responsibility of the Authority to whom he is accountable. In the case of the Metropolitan Police "area" or "district", this "Authority" is yourself, as Schedule 8 of the Police Act 1964 clearly states. Mrs. McCarthy's contention that you have no power to intervene in such dereliction of duty in the handling of complaints would mean that the Metropolitan Police Commissioner is accountable to no-one - not even the Government Minister who appoints him! In any case, my complaint against Superintendent Hames has not

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been 'handled' at all. The Commissioner refused even to record it as a complaint, so no consideration of its substance or merits, even the most cursory investigation, has been carried out by anyone. It is the height of absurdity to suggest that, because the chief officer (the Commissioner) arbitrarily decides that he does wish to record a complaint, he is not obliged to do so. That would make a mockery of the entire complaints procedure. In any case, the law clearly demands that he must. Therefore I am asking you, in your capacity as Head of his Police Authority, to ensure that the Commissioner does execute his statutory duties in a fit and proper way and as required by his "Police Authority" (viz yourself) and the law.

Furthermore, my complaint against Superintendent Hames is not only about his attendance and participation in 'fringe' meetings at political party conferences, although this aspect of his conduct is an important part of it. My assertion that Supt. Hames is in clear breach of Police Regulations (a view shared, incidentally, by many others including a number of lawyers with whom I have discussed the matter) requires something considerably more substantial in response than that it has merely been "noted".

Neither can I accept "that there are no grounds upon which he (you) could properly intervene" either in the way the Commissioner has handled my complaint against Supt. Hames and the way he has "handled invitations to police officers to speak at fringe meetings at party conferences", or in response to my complaint against the Commissioner for the way he has himself behaved , and whether he is technically a member of the Metropolitan Police or not (incidentally a positively bizarre, Gilbertian situation if ever I heard one!). If neither the Police Complaints Authority nor yourself are able to deal with complaints against Metropolitan Police Commissioners, I would be grateful to know who is?

With great respect, therefore, may I request you to re-consider this disturbing state of affairs afresh and in the light of the further points I have made in this letter.

In view of the fact that it is now nine months since I first submitted these complaints, I would be grateful for as speedy a reply as possible.

Yours sincerely,

David Webb,
Honorary Director,
National Campaign for the Reform of the Obscene Publications Acts