

HIS HONOUR JUDGE FRANCIS PETRE

*Chairman*

**POLICE COMPLAINTS AUTHORITY**

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30 June 1992

Dear Mr Webb

Thank you for your letter of June 22 last, with enclosures. I have also seen the NCROPA New Media Release dated June 24. For reasons which I do not need to spell out I do not intend to comment upon the substance of your letter or the Release. As you will appreciate the functions of this Authority are laid down in Part IX of the Police and Criminal Evidence Act, 1984 (the Act). This procedure is concerned with complaints "about the conduct of a police officer which is submitted by a member of the public; or on behalf of a member of the public and with his written consent" (Section 84(4)). Since Sir Peter Imbert is not a police officer his conduct cannot be the subject of a complaint under Part IX of the Act. This Authority has no remit to deal with such a matter. It may be that your remedy lies with the Home Secretary.

So far as Superintendent Michael Hames is concerned he is a police officer. It is not our function to record complaints. In cases where we receive d a complaint from a member of the public we act in accordance with The Police (Complaints) (General) Regulations 1985, paragraph 3, which says:-

- (1) Subject to paragraph (2), where the Authority have received a complaint against a member of a police force, they shall transmit it to the appropriate authority unless they are satisfied that to do so would be contrary to the complainant's wishes or, in all the circumstances, unnecessary.
- (2) Notwithstanding that the complainant may not wish his complaint to be so transmitted, the Authority may, where they are satisfied that the public interest so requires, transmit a complaint received by them to the appropriate authority.

Since Superintendent Hames is an officer of the Metropolitan Police the appropriate authority is the Commissioner of Police for the Metropolis (Section 84(4)). In this case, even if you

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did not wish your complaint to be so forwarded we have decided to do so because the public interest so requires. It is for the appropriate authority to decide whether you are a "member of the public" and, if so, whether they will record your complaint. Since we have no power within the terms of the Act to decide upon the recording of your complaint we can do no more for you. It is in these circumstances that I, on behalf of this Authority, consider that it is better if I make no comment upon the substance of what you say in your letter.

Yours sincerely

*fr* *E. Walters*

HIS HONOUR  
JUDGE FRANCIS PETRE

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