

From: [REDACTED]  
Sent: 06 October 2014 10:44  
To: Contact (WYPCC)  
Subject: Referral regarding Mark Gilmore (force reference 2014/005)

S40

Categories: Julie Reid

Our reference number: 2014/034382  
Your reference number: 2014/005

Dear The Office of the Police and Crime Commissioner for West Yorkshire,  
Referral of conduct matter to the IPCC - Mark Gilmore

Thank you for your referral dated 11 September 2014.

I confirm that the IPCC has decided that this matter should be subject to a local investigation. In reaching this decision we have considered the information and evidence provided as part of the referral process.

We are satisfied that the allegations that have been anonymously put forward are separate from the previous referral you sent through to us regarding Mr Gilmore. There are numerous serious allegations that need to be investigated, however we are confident that you are taking them seriously and will fully determine whether there is any merit in them.

If concerns arise later that might merit this decision being reconsidered, the matter should be referred to us again.

If you have any questions in relation to this matter, please do not hesitate to contact me.

Yours sincerely,

[REDACTED]  
Assessment Analyst  
Independent Police Complaints Commission (IPCC)

S40

P.O.Box 473, Sale  
M33 0BW

[REDACTED]  
[www.ipcc.gov.uk](http://www.ipcc.gov.uk)<<http://www.ipcc.gov.uk/>>  
IPCC Statutory Guidance on the handling of police complaints<<http://www.ipcc.gov.uk/page/statutory-guidance>>

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Symantec. (CCTM Certificate Number 2009/09/0052.) This email has been certified virus free.  
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From: Contact2  
Sent: 07 August 2015 17:43  
To: 'nat\_referrals\_inbox@ipcc.gsi.gov.uk'  
Subject: WEST YORKSHIRE OPCC REFERRAL [NOT PROTECTIVELY MARKED]  
Attachments: Form 7 1 police referrals PRSRA West Yorkshire  
060815.doc; Lancashire  
Severity Assesment Report re CC Mark Gilmore 070815.docx

Please find attached an urgent referral from the Police and Crime  
Commissioner for West Yorkshire.

Regards

[REDACTED]

S40

[REDACTED]

Business Support Manager

[REDACTED]



From: [REDACTED]  
Sent: 13 August 2015 14:44  
To: [REDACTED]  
Subject: Referral - MOI Decision - 2015/052277 - PC/4030/15 - Chief Constable Mark Gilmore

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Importance: High

Referral of conduct matter to the IPCC - Chief Constable Mark Gilmore

Good Afternoon,

Thank you for your referral of 10 August 2015.

This is formal confirmation that the IPCC has decided that this matter should be subject to a local investigation.

If concerns arise later that might merit this decision being reconsidered, the matter should be referred to us again.

If you have any questions about this matter, please do not hesitate to contact me.

Kind Regards

[REDACTED]  
Assessment Analyst  
Independent Police Complaints Commission (IPCC) PO BOX 473 Sale  
M33 0BW

S40

[REDACTED]  
[www.ipcc.gov.uk](http://www.ipcc.gov.uk)<<http://www.ipcc.gov.uk>>  
IPCC Statutory Guidance on the handling of police complaints<<http://www.ipcc.gov.uk/page/statutory-guidance>>

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We now regularly publish practical advice and guidance for handling complaints in our magazine FOCUS<<http://www.ipcc.gov.uk/page/focus>>

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From: Collins, Dee  
Sent: 15 December 2014 07:19  
To: Sampson, Fraser  
Cc: Robins, John; Reid, Julie  
Subject: RE: MG [CONFIDENTIAL]

Fraser,

I am very grateful for this update.

Could we speak about this this afternoon please?

Many Thanks,

Dee

Dee Collins,  
T/Chief Constable,  
West Yorkshire Police,  
Force Headquarters,  
Laburnum Road,  
Wakefield,  
WF1 3QP.  
Office Tel - [REDACTED]  
Email : officeofthechiefconstable@westyorkshire.pnn.police.uk

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-----Original Message-----

From: Sampson, Fraser  
Sent: 12 December 2014 12:37  
To: Collins, Dee  
Cc: Robins, John; Reid, Julie  
Subject: MG [CONFIDENTIAL]

Dee/John

There has been a lot of activity around the suspension and investigation this week and I thought I would give you a brief update as we have reached a couple of key milestones.

[REDACTED]

OUTSIDE  
OF  
SCOPE

I have also spoken to ACC Tim Jacques at Lancs Constabulary and briefed him on the two limbs of investigation: PSNI and anonymous messenger. [REDACTED]

\$30(2)(a)

[REDACTED]

[REDACTED]

In relation to the latter, Tim is beginning a fact finding process which will

s 30(2)(a)

[REDACTED]

are not yet aware of this but, again, I hope to be able to notify them today.

I hope this is helpful.

Regards

Fraser

Fraser Sampson

Chief Executive & Solicitor  
Office of the Police and Crime Commissioner for West Yorkshire

Tel. 01924 294000

Sent with Good (www.good.com)



**Fraser Sampson**  
Chief Executive and Solicitor  
Office of the Police & Crime Commissioner  
for West Yorkshire  
Ploughland House  
62 George Street  
Wakefield WF1 1DL



Office of the  
**Police & Crime  
Commissioner**  
West Yorkshire

My Reference: OPCC/FS/ES

Your Reference: 2015/052277

11 August 2015

**Kathryn Stone OBE**  
**Commissioner**  
**Independent Police Complaints Commission**  
PO Box 473  
Sale  
M33 0BW

Dear Kathryn

**Referral Number 2015/052277 - CC Mark Gilmore**

I write further to the above voluntary referral made by the appropriate authority on Friday 7 August 2015.

There are now some very pressing and critical decisions to be made, principally among which is the appointment of an investigating officer. While it is, of course, entirely a matter for the Commission, it seems to me that the public interest would be best served in all the circumstances of this case if ACC Jacques of Lancashire Constabulary were to be appointed as the Investigating Officer for the purposes of the relevant legislation. Assistant Chief Constable Jacques has, in the course of his scoping, conducted extensive fact-finding activity in this broad-ranging matter:



S30(2)(a)

Perhaps just as importantly I have spoken with ACC Jacques and he is willing to be so appointed in this case, whether by the appropriate authority or under any such arrangements as the Commission may direct.

Plainly there are some substantial public interest issues in this case and the Chief Constable, while no longer suspended, is working under temporary alternative arrangements in a national position. We are aware that he is not the only chief constable to be doing so. The Police and Crime Commissioner is acutely aware of the need to make the public of West Yorkshire aware of how this matter is progressing and to provide the necessary assurances about continuity of service and risk management within the county.

Continued.....

Tel No: 01924 294000

Email: [contact2@westyorkshire.pcc.pnn.gov.uk](mailto:contact2@westyorkshire.pcc.pnn.gov.uk)

Fax No: 01924 294008

[www.westyorkshire-pcc.gov.uk](http://www.westyorkshire-pcc.gov.uk)



/Office of the Police and Crime Commissioner



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Kathryn Stone OBE

He is also very sensitive to the needs and legitimate expectations of Mark Gilmore himself and has taken great care in this and the PSNI case to ensure a proportionate and balanced response to the necessary decisions and actions. One such expectation is that Mark Gilmore will receive the proper protection afforded by the relevant notice(s) under the Police (Conduct) Regulations 2012 which, as you know well, can only be issued by the investigating officer.

With all these considerations in mind I would urge the Commission to issue any directions promptly and to give very careful consideration to the appointment of ACC Jacques as the investigating officer in this matter.

Your sincerely

Fraser Sampson  
Chief Executive & Solicitor  
Office of the Police and Crime Commissioner for West Yorkshire

Tel No: 01924 294000

Email: [contact2@westyorkshire.pcc.pnn.gov.uk](mailto:contact2@westyorkshire.pcc.pnn.gov.uk)

Fax No: 01924 294008

[www.westyorkshire-pcc.gov.uk](http://www.westyorkshire-pcc.gov.uk)

 /Office of the Police and Crime Commissioner  @WestYorksOPCC

6. Date Requested: 21/08/2015  
Force: Lancashire Constabulary  
Operational Name: n/a  
Budget agreed: not held  
Date finalised: incomplete  
Final cost: Costs incurred for all Lancashire investigations: £192,774

#### TERMS OF REFERENCE

**Investigator:** Assistant Chief Constable Tim Jacques

**Deputy Investigator:** Detective Chief Inspector Stuart Dixon

**Appropriate Authority:** PCC Mark Burns-Williamson

#### 1. Introduction

This document contains Terms of Reference for ACC Jacques of Lancashire Constabulary who has been appointed by the Police and Crime Commissioner ("PCC") of West Yorkshire, Mark Burns-Williamson as the investigator under Regulation 13 of the Police (Conduct) Regulations (PCR) 2012 to investigate the conduct of Chief Constable Mark Gilmore ("MG") in relation to allegations made to West Yorkshire Police Professional Standards Department ("PSD").

#### 2. Summary of Allegations & Chronology

In April 2013, MG was appointed the Chief Constable of West Yorkshire Police.

On the 14th February 2014, information was received by PSD via a confidential reporting line that senior officers within West Yorkshire Police are frightened to speak openly and provide factual evidence to MG. It was also alleged that MG had publicly put his hand in the face of a senior officer to stop her talking because [REDACTED] failed to give him the answer he wanted. MG allegedly did the same to the [REDACTED]

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On the 27th February 2014, further information received suggested that MG's behavior as Chief Constable was inappropriate and again his Senior Management Team were afraid of him.

In June 2014, MG was suspended from office as he was subject of a criminal investigation by the Police Service of Northern Ireland (PSNI).

On 7th August 2014, information received made allegations surrounding MG's 'integrity and morals' and detailed incidents that had occurred where he had abused his authority. These incidents were described as;

- Paying staff overtime to drive and wait for him at social events, not connected to work.

- Staff being asked to collect his wife from the airport during work time using work vehicles.
- Staff also asked to use their own vehicles to transport his wife to and from the airport.
- Shouting and swearing at staff.
- Items, such as pens and his glasses being thrown at staff in rage.
- Comments of a sexual nature being made to female staff.

On the 8<sup>th</sup> August 2014, further information was received suggesting that if enquiries were made with West Yorkshire Police members, more evidence of MG's unprofessional behavior would unfold.

On the 19th August 2014, information received suggested documents and meeting minutes had been sent to MG by a senior officer and a senior manager which was in breach of his terms of suspension. The information also alleged that MG had by-passed the official procurement process in order to employ a friend [REDACTED] into a senior management role.

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In October 2014, the West Yorkshire OPCC contacted Cleveland Police to review and advise on the information obtained by the West Yorkshire PSD.

The West Yorkshire OPCC also commissioned an Information Gathering Exercise to be conducted by [REDACTED], to examine the processes and transparency around the following areas:-

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- The recruitment of [REDACTED].
- A visit by the Senior Executives of [REDACTED].
- A trip by CC Gilmore to Abu Dhabi.
- The replacement of the Chief Officer Team vehicles

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On the 22nd October 2014 Cleveland Police responded to the OPCC expressing the view that there are elements in the information received which should be subject to a formal misconduct investigation, when measured against the Standards of Professional Behaviour and the Code of Ethics and that these matters should be progressed under the Police (Conduct) Regulations 2012.

On 20th May 2015, Lancashire Constabulary agreed with the PCC to undertake a fact finding and scoping exercise into these internal allegations against MG in particular:-

1. Senior officers and staff being afraid to speak openly and factually in his presence.
2. Incidents where he has publicly put his hand in the face of senior officers and police staff to stop them talking.
3. Paying staff overtime to drive and wait for him at social events, not connected to work.
4. Staff being asked to collect his wife from the airport during work time using work

vehicles.

5. Staff being asked to use their own vehicles to transport his wife to and from the airport.
6. Incidents of shouting and swearing at staff.
7. Items, such as pens and his glasses being thrown at staff in rage.
8. Comments of a sexual nature being made to female staff.
9. Documents and minutes of meetings being sent to him whilst suspended by a senior officer and senior manager in breach of his terms of suspension.
10. The by-passing of the West Yorkshire Police procurement process to employ a friend into a Senior Management role.

On the 7th August 2015, Lancashire Constabulary provided the PCC with a report in order for an assessment under Regulation 12 Police (Conduct) Regulations 2012 to be made.

### 3. Misconduct Determination

Mark Burns-Williamson as PCC is the Appropriate Authority for MG.

Following receipt of Lancashire's report the PCC made a determination under Regulation 12 of the PCR 2012 in respect of MG's conduct arising from the internal allegations.

The PCC determined that CC Gilmore's conduct, if proven, could amount to Gross Misconduct for breaches of the Standards of Professional Behavior, in particular but not restricted to, Honesty and Integrity, Authority, Courtesy and Respect, Orders and Instructions, and Discreditable Conduct. Accordingly the PCC determined that the conduct alleged against MG must be investigated and thus appointed ACC Jacques as the investigator to do so.

### 4. Terms of Reference

The OPCC for West Yorkshire will provide all relevant material and documentation in its possession relating to these matters to the investigator.

The PCC requires ACC Jacques to undertake a professional, proportionate and expeditious investigation into these allegations and in particular to;

4.1 As soon as is reasonably practicable, serve MG with a written notice (pursuant to

Regulation 15, PCR 2012) and comply in all respects with the PCR 2012 and any ancillary legislation.

4.2 Investigate the conduct of MG in respect of the confidential reports regarding allegations of an abused authority and misused police personnel and vehicles.

4.3 Investigate the conduct of MG in respect of his involvement in awarding [REDACTED] a senior position within West Yorkshire Police.

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4.4 Determine in conjunction with West Yorkshire Police a mechanism for referring to its Appropriate Authority any potential misconduct matters relating to officers and staff under the direction and control of the Deputy Chief Constable, ensuring a coordinated response.

4.5 In relation to information contained within the Information Gathering Exercise Report by [REDACTED] the PCC does not require the Investigator to undertake an investigation in respect of the following:-

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- Visit by Senior Executives from [REDACTED] to the force, including the Carr Gate Site.
- The Abu Dhabi trip by CC Gilmore.
- The replacement of Chief Officer Team (COT) Vehicles

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This will not preclude the Investigator from making any relevant observations to the PCC as the Appropriate Authority in respect of these matters.

4.6 Review any additional documentation deemed relevant and necessary.

4.7 Produce a Report under reg.18 of the PCR as soon as reasonably practicable to enable the PCC to establish whether there is a case to answer against MG in respect of misconduct or gross misconduct or whether there is no case to answer.