

Julie

Julie Reid
Business Support Manager
Office of the Police and Crime Commissioner
Tel: 01924 294000
Email: contact@westyorkshire.pcc.pnn.gov.uk

Office of the Police and Crime Commissioner for West Yorkshire Ploughland
House, 62 George Street, Wakefield,
WF1 1DL Visit: www.westyorkshire-pcc.gov.uk for more information.

From: S40(2) [redacted] Sent: 09 March 2015
14:21
To: Contact2
Subject: FW: Report from OPCC - Mark Gilmore

Dear Julie

Regarding the email below could you let me know of a convenient time that I could call.

I would like clarification on a point before responding to this email.

I am available from 08:00 to 16:00 tomorrow and my contact details are as below.

Kind regards

S40(2) [redacted]
Senior Assessment Manager
Independent Police Complaints Commission (IPCC)
PO Box 473
Sale
M33 0BW

S40(2) [redacted]
W: www.ipcc.gov.uk
S40(2) [redacted]

We now regularly publish practical advice and guidance for handling complaints in our magazine FOCUS

From: Contact2 [mailto:contact2@westyorkshire.pcc.pnn.gov.uk]
Sent: 07 January 2015 10:05
To: S40(2) [redacted]
Subject: Ref: 2014/034382 [RESTRICTED]

Dear S40(2) [redacted]

Further to your response of 6 October 2014 regarding a referral made by the Police and Crime Commissioner for

West Yorkshire I am attaching a copy of a West Yorkshire Internal Audit Department report which considers the processes and transparency of decision making in West Yorkshire Police.

In view of the anonymous (whistle-blower) allegations which have been made against Chief Constable Gilmore, referral reference 2014/034382, and the ongoing investigations being conducted by the PSNI please could you advise whether the IPCC wishes to make any other directions to the Police and Crime Commissioner?

Kind regards

Julie Reid

Julie Reid
Business Support Manager
Office of the Police and Crime Commissioner
Tel: 01924 294000
Email: contact2@westyorkshire.pcc.pnn.gov.uk

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From: Reid, Julie
Sent: 21 May 2015 14:37
To: S40(2)
Subject: RE: TOR for investigation into the PSNI strand for Chief Constable Mark Gilmore [RESTRICTED]
Attachments: CC Gilmore TOR PSNI matters only080515.docx

Hi S40(2)

Attached as requested.

Regards

Julie

Julie Reid
Business Support Manager
Office of the Police and Crime Commissioner
Tel: S40(2)
Office of the Police and Crime Commissioner for West Yorkshire Ploughland House, 62 George Street, Wakefield,
WF1 1DL Visit: www.westyorkshire-pcc.gov.uk for more information.

From: S40(2)]
Sent: 21 May 2015 14:05
To: Reid, Julie
Subject: TOR for investigation into the PSNI strand for Chief Constable Mark Gilmore

Hi Julie,
Further to our telephone conversation I would be grateful if you could forward to me an electronic version of the final Terms of Reference document for the PSNI strand of the investigation into Chief Constable Mark Gilmore.
Many thanks,

S40(2)
T/Detective Sergeant
Professional Standards Dept - Intelligence & Anti-Corruption Team
S40(2)

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TERMS OF REFERENCE

Lead Officer: Assistant Chief Constable Tim Jacques
Deputy Officer: Detective Chief Inspector Stuart Dixon
Appropriate Authority: PCC Mark Burns-Williamson

1. Introduction

This document contains Terms of Reference for Lancashire Constabulary who are appointed by the Police and Crime Commissioner 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 arising from a criminal investigation conducted by the Police Service of Northern Ireland (PSNI).

2. Summary & Chronology

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

In early 2014, PSNI commenced an investigation into their procurement process relating to fleet vehicles. Subject to this investigation was the S40(2), S38 [redacted] Northern Ireland and the following individuals;

S40(2), S38 [redacted]

S40(2), S38 [redacted]
[redacted]

S40(2), S38 [redacted]
[redacted]

On the 17th June 2014 S40(2), S38 [redacted] were arrested in Northern Ireland for Bribery and Procuring Misconduct in Public Office. The same day the addresses associated to CC Gilmore in Northern Ireland and West Yorkshire were searched in relation to

this investigation as well as his office at West Yorkshire Police Headquarters, Wakefield.

On the 19th June 2014, S40(2), S38 [REDACTED] was arrested for Bribery and Procuring Misconduct in Public Office.

On the 20th June 2014, the West Yorkshire PCC suspended CC Gilmore from office, to avoid prejudice to the PSNI criminal investigation and it was in the public interest to do so.

S40(2) [REDACTED]
[REDACTED]

It is alleged within the PSNI investigation that CC Gilmore received personal gain from S40(2), S38 [REDACTED] by way of a discounted purchase of a motor vehicle for his son whilst engaging with S40(2), S38 [REDACTED] in relation to procurement of vehicles for West Yorkshire Police's transport fleet.

A file of evidence has been submitted by PSNI to the Public Prosecution Service of Northern Ireland, in respect of CC Gilmore for offences of Misconduct in Public Office and Bribery. This investigation has been finalised as insufficient evidence to proceed.

The West Yorkshire PCC has sought and received advice in relation to these matter from both Cleveland Police (who co-ordinate Professional Standards matters for the Police Service) and the Independent Police Complaints Commission.

On the 6th October 2014, the IPCC determined that 'a further investigation was not required' under Schedule 3, paragraph 14, Police Reform Act 2002.

3. Misconduct Determination

The West Yorkshire PCC, Mark Burns-Williamson is the 'Appropriate Authority' in respect of assessing and investigating matters relating to the conduct of the West Yorkshire Police Chief Constable.

In December 2014, he made a decision under Regulation 12 of the PCR 2012 in respect of CC Gilmore's conduct arising from the PSNI criminal investigation.

It was determined that CC Gilmore's conduct, if proven would amount to Gross Misconduct for breaches of the Standards of Professional Behaviour, in particular but not restricted to, Honesty and Integrity and Discreditable Conduct, and that the conduct should be investigated.

4. Terms of reference

The West Yorkshire PCC will provide all relevant material and documentation in their possession relating to these matters to the Lead Officer.

The purpose of this investigation will be to:

1. As soon as is reasonably practicable, serve CC Gilmore with written notice (Subject to Regulation 15, PCR 2012)
2. Investigate the conduct of CC Gilmore and his relationship with the **S40(2); S38** and the invitation for them to attend West Yorkshire Police with a view to them conducting a fleet review.
3. Investigate the conduct of CC Gilmore in respect of his involvement with draft terms of reference for a review of West Yorkshire Police fleet management.
4. Investigate the conduct of CC Gilmore in respect of a personal purchase of a VW Golf from the **S40(2); S38** for his son.
5. Review the PSNI criminal investigation for any other matters that may constitute misconduct/gross misconduct for CC Gilmore.
6. Review any additional documentation deemed relevant and necessary.
7. Assist the 'Appropriate Authority' to establish whether there is a case to answer in respect of misconduct or gross misconduct or whether there is no case to answer.

Signatures

Lead Officer.....ACC Tim Jacques

Appropriate Authority.....Mark Burns-Williamson

Dated:

From: Contact2
Sent: 29 June 2015 17:11
To: 'Jacques, Tim'
Cc: Burns-Williamson, Mark; Sampson, Fraser
Subject: CC Gilmore [RESTRICTED]

ACC Jacques

Thank you for briefing the PCC this afternoon. I have asked S40(2) [REDACTED] to contact your office to arrange a further conference call in 28 days' time.

You mentioned copying the PCC into your updates to Mr Gilmore S40(1) [REDACTED]. It would be helpful if you could also keep the PCC informed of any updates you provide to HMI, either by email or by arranging for a call with the PCC via S40(2) [REDACTED] in the PCC's office (tel S40(2) [REDACTED]).

Kind regards

Julie

Julie Reid
Business Support Manager
Office of the Police and Crime Commissioner
Tel: S40(2) [REDACTED]
Email: contact2@westyorkshire.pcc.pnn.gov.uk

Office of the Police and Crime Commissioner for West Yorkshire Ploughland House, 62 George Street, Wakefield, WF1 1DL Visit: www.westyorkshire-pcc.gov.uk for more information.

From: Contact2
Sent: 10 July 2015 14:53
To: 'Jacques, Tim'
Subject: CC Gilmore [RESTRICTED]
Attachments: 100715 Jaques T.pdf

ACC Jacques

Please find attached a letter from the Police and Crime Commissioner.

Kind regards

Julie

Julie Reid
Business Support Manager
Office of the Police and Crime Commissioner
Tel: 01937 540000
Email: contact2@westyorkshire.pcc.pnn.gov.uk

Office of the Police and Crime Commissioner for West Yorkshire Ploughland
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Mark Burns-Williamson OBE
Police and Crime Commissioner for West Yorkshire
Ploughland House
62 George Street
Wakefield WF1 1DL



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

My Reference: OPCC/MBW

Your Reference:

10 July 2015

STRICTLY PRIVATE AND CONFIDENTIAL

ACC T Jacques
Lancashire Constabulary

540(2)

Dear Tim

MARK GILMORE

Thank you for providing me with an update on 29 June 2015.

The Chair of the Police and Crime Panel, Councillor Alison Lowe, has spoken to me to raise concerns following a discussion that she has had with HMI Mike Cunningham at a recent meeting. These were primarily relating to the impact that the continuing redeployment of the Chief Constable is having on the Force and Chief Officer Team.

In view of this, along with the need for me to regularly review the redeployment of Chief Constable Gilmore, I believe it is important that the investigation and scoping exercise are conducted as expeditiously as possible.

To this end, I would be grateful if you could assist in providing me with the following information:

1. The anticipated timescales for completion and final reporting of both the investigation and the scoping exercise.
2. When a draft report for both investigation and scoping exercise will be available.
3. The resourcing requirements that you have identified for the investigation and the scoping exercise and the likely costs to be reclaimed from West Yorkshire.

This will enable me to work with the Chief Officer Team, the Police and Crime Panel and, importantly, with Mark Gilmore and his representatives, to ensure that the present uncertainty is proportionately mitigated.

/continued...

Tel No: 01924 294000

Email: markburns-williamson@westyorkshire.pcc.pnn.gov.uk

Fax No: 01924 294008

www.westyorkshire-pcc.gov.uk



/Office of the Police and Crime Commissioner



@WestYorksOPCC

Although we had planned to have a further discussion at the end of this month I would very much appreciate an update on progress before 17 July when I am due to appear before the Police and Crime Panel. My office will arrange for a convenient time to call you.

Yours sincerely

Mark Burns-Williamson
Police and Crime Commissioner for West Yorkshire



From: Contact2
Sent: 10 July 2015 15:09
To: 'Jacques, Tim'
Cc: Sampson, Fraser
Subject: FW: CC Gilmore [RESTRICTED]
Attachments: 100715 Jaques T.pdf

ACC Jacques

Please find attached a revised, corrected, letter from the PCC and please accept my apologies for any inconvenience.

Regards

Julie

Julie Reid
Business Support Manager
Office of the Police and Crime Commissioner
Tel: 540721
Email: contact2@westyorkshire.pcc.pnn.gov.uk

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House, 62 George Street, Wakefield,
WF1 1DL Visit: www.westyorkshire-pcc.gov.uk for more information.

From: Contact2
Sent: 14 July 2015 08:38
To: S40(2) [REDACTED]
Cc: S40(2) [REDACTED]
Subject: Briefing for the PCC [RESTRICTED]
Attachments: 100715 Jaques T.pdf

Good morning Jenny

We have arranged a conference call for you to give Mark Burns-Williamson an update on progress - this has been arranged for 09:30 on Thursday 16 July. (I spoke to ACC Jacques on Friday and understand S40(2) [REDACTED]).

I am attaching a letter that was sent from the PCC on Friday, for your information. The purpose of the call is to give Mark an update in advance of him attending a meeting of the Police and Crime Panel on Friday.

Please feel free to contact me if you need any further information or if you want to discuss this.

Kind regards

Julie

Julie Reid
Business Support Manager
Office of the Police and Crime Commissioner
Tel: S40(2) [REDACTED]
Email: contact2@westyorkshire.pcc.pnn.gov.uk

Office of the Police and Crime Commissioner for West Yorkshire Ploughland House, 62 George Street, Wakefield,
WF1 1DL Visit: www.westyorkshire-pcc.gov.uk for more information.

From: Contact2
Sent: 16 July 2015 16:39
To: S40(2)
Cc: Sampson, Fraser
Subject: CC GILMORE [RESTRICTED]
Attachments: SKMBT_C754e15071615040.pdf

Jenny

Thank you for calling the PCC this morning to provide an update.

You asked for information from this office regarding the conditions applied to the Chief Constable's suspension and I am attaching correspondence and associated documents relating to this.

Please let me know if you require anything further.

Regards

Julie

Julie Reid
Business Support Manager
Office of the Police and Crime Commissioner
Tel: S40(2)
Email: contact2@westyorkshire.pcc.pnn.gov.uk

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SUSPENSION FROM DUTY

CHIEF CONSTABLE



Office of the
Police & Crime
Commissioner
West Yorkshire

In the absence of the Police and Crime Commissioner's (PCC's) own suspension from duty guidance for Chief Constable, it is suggested that where the Chief Constable is suspended from duty that the general principles of the WYP 'Suspension from Duty' guidance is followed.

Procedural Requirements

- a) Any queries arising as a result of the suspension should be made to the PCC.
- b) Status, pay and allowances, sickness, recall to duty, annual leave and rest days: As detailed in the WYP 'Suspension from Duty' guidance.
- c) Uniform and Equipment: The Chief Constable will be required at the instant of suspension to surrender their warrant car, authoritles, pocket books, uniform clothing and all other items of police equipment, including police vehicles, which will be retained and secured at WYP Headquarters. Any items of uniform not immediately available will be collected at the earliest opportunity.
- d) Visits to police premises: Except at the discretion of the PCC, the suspended Chief Constable is not allowed on police premises (other than police owned and occupied houses and the Occupational Health Unit).
- e) Other employment, sports, clubs and force representation: As detailed in the WYP 'Suspension from Duty' guidance with the PCC's approval as appropriate.
- f) Retirement: Whilst suspended from duty, the Chief Constable may not, without the consent of the PCC, give notice of their retirement, or retire from the Force in pursuance of a notice previously given.
- g) Disciplinary proceedings, disciplinary adjudication and long service and good conduct medal: As detailed in the WYP 'Suspension from Duty' guidance.

Welfare issues for the Chief Constable and family arising from such a suspension

- a) The PCC will assume responsibility for ensuring that the welfare needs of the suspended Chief Constable and his/her family receive appropriate attention and should maintain regular contact on a supportive basis, if convenient to those concerned. This may be facilitated through the Chief Police Officers Staff Association (CPOSA) representative notified by the suspended Chief Constable.
- b) Liaison Officer: The Chief Constable may wish to have the support of a liaison officer nominated by himself/herself to assist in arranging or conducting any contact with the PCC, welfare issues, or business of any nature during the period of suspension. This may be facilitated through the CPOSA representative or the Temporary Chief Constable.

- c) **Colleagues:** The PCC should arrange for the Chief Constable's colleagues, via the temporary Chief Constable, to be made aware and be kept aware of the Chief Constable's position and any development. This can be achieved by an agreed process with the liaison officer.
- d) **Force representatives:** The Force Occupational Health Unit will be notified of the Chief Constable's suspension from duty by the OPCC as and when it occurs. The unit should be contacted if it is felt professional guidance, support and advice would be beneficial to the Chief Constable and his/her family. The Force Chaplains should also be considered as part of specialist support.
- e) **Welfare Log:** The Chief Constable must be contacted on a monthly basis. A welfare log must be maintained by the OPCC in conjunction with the Temporary Chief Constable.

Form of words

"Staff will be aware of the decision by the Police and Crime Commissioner (PCC) to suspend the Chief Constable last Friday. Naturally people will be concerned to know what arrangements are in place for the Chief Constable and what conditions apply during what we hope will be a short period of absence.

The regulations governing suspension apply to all constables irrespective of rank and the policy being applied by the PCC will mirror - so far as is possible - the generic policy of the force. The suspension policy places restrictions on contact with any suspended officer and requires the appointment of a Single Point of Contact (SPOC) within the organisation.

In the case of the Chief Constable, the only officer authorised to have contact during the course of his suspension is the T/CC Dee Collins and this may only happen under very narrow circumstances.

Arrangements are being made to ensure that the Chief Constable is kept up to date on matters within the force; these too will be overseen by the T/DCC via the PCC's office.

Welfare arrangements are also very important in these situations and the PCC's office has responsibility for ensuring that these are appropriate. The PCC's office have established a specific email address for managing communications with the Chief Constable and the SPOC's - [s40\(2\)](#) Julie Reid - will be happy to advise further on any relevant communication matters.

The PSNI are conducting their investigation as diligently as possible and it is critical for the timely and effective investigation of all relevant matters that WYP continue to cooperate with that and any other investigation.

Thank you for your cooperation and support. "

From: Contact2
Sent: 17 July 2015 09:49
To: 'Jacques, Tim'
Cc: S40(2) Subject: CC GILMORE [RESTRICTED]
Attachments: 160715 Jacques T.pdf

ACC Jacques

Please find attached a letter from the Police and Crime Commissioner.

Kind regards

Julie

Julie Reid
Business Support Manager
Office of the Police and Crime Commissioner
Tel: S40(2)
Email: contact2@westyorkshire.pcc.pnn.gov.uk

Office of the Police and Crime Commissioner for West Yorkshire Ploughland
House, 62 George Street, Wakefield,
WF1 1DL Visit: www.westyorkshire-pcc.gov.uk for more information.

From: Contact2
Sent: 01 July 2016 16:21
To: §40(2) [REDACTED] Cc: Sampson, Fraser
Subject: CC Gilmore [RESTRICED]

Sent on behalf of Fraser Sampson

Dear Tim

Thank you for your update for the PCC of 27 June 2016.

It would be very helpful to have a joint meeting to discuss the progress you have been able to make in the investigations. This should include your senior investigators along with §40(2) [REDACTED] who is advising the PCC. I have raised the issue of having legal advisors in a meeting with the Investigating Officer and whether that is, and looks, appropriate. We are very clear that this is how matters are addressed in other conduct investigations where chief constables are the AA and have their lawyers present; it is also notable that I am the PCC's legal advisor and §40(2) [REDACTED]'s involvement is really just an extension of that.

My office will contact you in the next week to seek your availability for a meeting.

§40(2) [REDACTED] has requested a written synopsis of progress which includes, but is not limited to the following issues:

- (a) §40(2) [REDACTED]
- (b) Procurement and §40(2) [REDACTED]
- (c) Matters within West Yorkshire Police

§40(2) [REDACTED] has also asked for:

- (a) A bundle of 'core' evidence including §31(1)(g) [REDACTED]
[REDACTED]
- (b) A copy of all Reg 15 notices and any Reg 16 replies
- (c) Copies of correspondence between Lancashire and §40(2) [REDACTED]
[REDACTED] for the last 12 months
(this office will separately provide copies of our correspondence)

Kind Regards

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

Julie Reid
Business Support Manager
Office of the Police and Crime Commissioner

Tel: S40(2) [REDACTED]
Email: contact2@westyorkshire.pcc.pnn.gov.uk

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House, 62 George Street, Wakefield,
WF1 1DL Visit: www.westyorkshire-pcc.gov.uk for more information.

From: Contact2
Sent: 02 January 2015 13:45
To: 'Jacques, Tim'
Cc: S40(2); S40(2)

Subject: RE: West Yorkshire conduct matter [RESTRICTED]

Dear Mr Jacques

Thank you for your email which I have brought to Fraser's attention.

Fraser has asked me to contact you to let you know he is happy to proceed on the basis that you propose; this reflecting your discussion before Christmas. He has also asked me to point out that we have given an undertaking to the PSNI not to prejudice any criminal investigation or potential proceedings and, on that basis, they disclosed their evidence in order that the appropriate authority (PCC) could take a view on whether a further conduct investigation was needed. This has been done and the PCC has determined that such an investigation is necessary, PSNI are happy to assist us where they can in terms of making any relevant material available.

As these two matters overlap in relation to the S40(2), and as there may be evidence such as emails, texts etc. relating to the internal conduct matters (which we must secure and preserve), it may be necessary to visit the PSNI and assess what else they have.

S40(2)

In the meantime we await any further advice per my email of 16 December and look forward to arranging a meeting at your convenience or any other assistance you require.

Kind regards

Julie

Julie Reid
Business Support Manager
Office of the Police and Crime Commissioner
Tel: S40(2)
Email: contact2@westyorkshire.pcc.pnn.gov.uk

From: Jacques, Tim
[mailto:S40(2)]
Sent: 31 December 2014 14:32
To: Contact2
Cc: Gomery, Jennifer; S40(2)
Subject: FAO Julie Reid.

Hi Julie

I've tried to ring Fraser but unfortunately not managed to get a response.

I just wanted to raise an issue with this letter in terms of what we agreed. It was my understanding that initially we have agreed to carry out the work outlined in the original terms of reference (I have attached a copy) that I sent over and not start investigating any potential misconduct arising from the Northern Ireland allegations. The reason being that doing so could potentially compromise any criminal proceedings which may take place over there.

I think the safest approach is to look into the West Yorkshire allegations including the [REDACTED] S40(2) [REDACTED] to enable the PCC to assess as the "Appropriate Authority" whether a more "formal" investigation is warranted.

It is my view that taking this incremental approach is the most appropriate course of action, has a sound rationale and would be seen to be fair and proportionate by all.

I also believe this piece of work could be completed relatively quickly in the new year from within our existing resources and would give all concerned a better indication of the likely direction and potential outcomes. If any developments happen in relation to the Northern Ireland allegations then we can re-assess at that point.

Hopefully this makes sense and I will speak with Fraser again in the near future to iron out any issues or concerns he may have.

Best regards for the new year to you all.

Tim Jacques
Assistant Chief Constable
Specialist Operations
Lancashire Constabulary

[REDACTED] S40(2) [REDACTED]

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From: Contact2
Sent: 02 February 2015 15:49
To: 'Jacques, Tim'
Subject: Re: Chief Constable conduct matter [RESTRICTED]
Attachments: 020215 Jacques T.doc

Mr Jacques

Please find attached a letter from Fraser Sampson.

Kind regards

Julie

Julie Reid
Business Support Manager
Office of the Police and Crime Commissioner
Tel: 340(2)
Email: contact2@westyorkshire.pcc.pnn.gov.uk

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House, 62 George Street, Wakefield,
WF1 1DL Visit: www.westyorkshire-pcc.gov.uk for more information.

From: Reid, Julie
Sent: 02 December 2014 11:31
To: S40(2) [REDACTED]
Subject: FW: West Yorkshire conduct matter [RESTRICATED]

Good morning Jenny

Could you let me know when the draft terms of reference might be ready?

Thanks

Julie

Julie Reid
Business Support Manager
Office of the Police and Crime Commissioner
Tel: S40(2) [REDACTED]
[REDACTED]

From: Gomery, Jennifer
[mailto:S40(2) [REDACTED]]
Sent: 24 November 2014 13:51
To: Reid, Julie
Subject: RE: West Yorkshire conduct matter [RESTRICATED]

Thanks for this Julie.

Really appreciated, will speak with Mr Jacques and get some draft terms of reference across to you.

Jenny

From: Reid, Julie [mailto:S40(2) [REDACTED]]
Sent: 21 November 2014 16:09
To: Gomery, Jennifer
Subject: RE: West Yorkshire conduct matter [RESTRICATED]

Hi Jenny

Attached, as requested.

Thanks

Julie

Julie Reid
Business Support Manager
Office of the Police and Crime Commissioner
Tel: S40(2) [REDACTED]
[REDACTED]

From: Gomery, Jennifer
[mailto:S40(2)]
Sent: 21 November 2014 14:30
To: Reid, Julie
Subject: RE: West Yorkshire conduct matter [RESTRICTED]

Hi Julie

Please could you send me the three documents which are referred to in the Cleveland assessment (ref WY5051, 5576, and 8555) so that I can brief our appointed SIO ACC Jacques on the case prior to agreeing with your office the terms of reference later next week.

Many thanks

Jenny

From: Reid, Julie [mailto:S40(2)]
Sent: 12 November 2014 09:47
To: Gomery, Jennifer
Subject: West Yorkshire conduct matter [RESTRICTED]

Dear Jennifer

Fraser Sampson has asked me to send this letter this letter to you re. the Cleveland assessment of a conduct matter.

Please let me know if you need any further information.

Yours

Julie Reid

Julie Reid
Business Support Manager

S40(2)
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Office of the Police and Crime Commissioner for West Yorkshire
Ploughland House, 62 George Street, Wakefield, WF1 1DL
Visit: www.westyorkshire-pcc.gov.uk for more information

From: S40(2) [REDACTED]
Sent: 24 November 2015 16:52
To: S40(2) [REDACTED]
Cc: S40(1) [REDACTED]; Sampson, Fraser; Reid,
Julie
Subject: ACC Jacques [RESTRICTED] [NOT PROTECTIVELY MARKED]

x-classification:NOT PROTECTIVELY MARKED
X411: MQ0CAQEGCCqGOGCIegoE

Classification: NOT PROTECTIVELY MARKED
Hi S40(2) [REDACTED]

Further to our conversation please accept this as confirmation that
Fraser will call ACC Jacques
tomorrow at 1230.

Many thanks

S40(2) [REDACTED]
Executive Support Officer
Int Ext: S40(2) [REDACTED] Fax: 01924 294008
Email: S40(2) [REDACTED]
Follow us on Twitter - @WestYorksOPCC
Like us on Facebook - 'Office of the Police and Crime Commissioner West
Yorkshire'

Office of the Police and Crime Commissioner for West Yorkshire Ploughland
House, 62 George Street, Wakefield,
WF1 1DL Visit: www.westyorkshire-pcc.gov.uk for more information.

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Independent, informed and impartial
www.helpforvictims.co.uk

From: Contact2
Sent: 03 February 2015 16:32
To: S40(2)
Subject: FW: Re: Chief Constable conduct matter [RESTRICTED]
Attachments: 020215 Jacques T.doc

Hi S40(2)

Fraser has asked me to check whether ACC Jacques or Jenny Gomery has a response to his letter.

Thanks

Julie

Julie Reid
Business Support Manager
Office of the Police and Crime Commissioner
Tel: S40(2)
Email: contact2@westyorkshire.pcc.pnn.gov.uk

Office of the Police and Crime Commissioner for West Yorkshire Ploughland House, 62 George Street, Wakefield,
WF1 1DL Visit: www.westyorkshire-pcc.gov.uk for more information.

From: Sampson, Fraser
Sent: 04 July 2016 07:46
To: Jacques, Tim; Contact2
Cc: S40(2)

; Reid,
Julie

Subject: RE: CC Gilmore [RESTRICTED] [NOT PROTECTIVELY MARKED]

Tim

Many thanks for this and for the brief conversation at the Home Office event on Friday.

The clarification on the PSNI report is very helpful and we look forward to receiving it. The offer of an update report on the remaining matters is also welcome and I know the PCC would be grateful to receive it as soon as practicable.

Perhaps we can have a further conversation once these reports are to hand.

Thanks again and I hope you enjoy your leave.

Fraser

Sent with Good (www.good.com)

From: Jacques, Tim <S40(2)>
Sent: 04 July 2016 01:46:03
To: Contact2
Cc: Sampson, Fraser; S40(2)
Subject: RE: CC Gilmore [RESTRICTED]

Fraser

Can I just clarify that I intend to deliver my final report to you re the PSNI matters within the next 2-3 weeks which will cover most of the issues S40(2) has asked for. To prepare a separate report in addition to this will potentially frustrate and delay this. It would be good to understand what is being sought that the final report won't deliver and I'm sure we can achieve this by way of an initial conversation.

We can of course provide a written update re the internal matters including the S40(2) procurement and I will ask the team to start preparing that.

S40(2) I will ask that someone makes contact with your office and potentially subsequently S40(2) re these matters.

From: Contact2
Sent: 04 December 2015 11:07
To: S40(2)
Subject: Re: Chief Constable investigation [NOT PROTECTIVELY MARKED]

Good morning S40(2)

When we spoke to ACC Jacques last Friday he said that he would arrange for us to have a costs estimate for the extra resources which the PCC agreed for this investigation and also a report of the likely timeframe up to formal report to the PCC.

We don't seem to have received these - please could you remind Mr Jacques?

Thank you

Julie

Julie Reid
Business Support Manager
Office of the Police and Crime Commissioner
Tel: S40(2)
Email: contact2@westyorkshire.pcc.pnn.gov.uk

Office of the Police and Crime Commissioner for West Yorkshire Ploughland House, 62 George Street, Wakefield, WF1 1DL Visit: www.westyorkshire-pcc.gov.uk for more information.

From: Contact2
Sent: 05 January 2016 11:21
To: Jacques, Tim
Cc: S40(2)
Subject: CC Gilmore [RESTRICTED]
Attachments: 050116 Jacques T.pdf

Tim

Please find attached a letter from Mark Burns-Williamson.

Regards

Julie

Julie Reid
Business Support Manager
Office of the Police and Crime Commissioner
Tel: S40(2)
Email: contact2@westyorkshire.pcc.pnn.gov.uk

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Mark Burns-Williamson OBE
Police and Crime Commissioner for West Yorkshire
Ploughland House
62 George Street
Wakefield WF1 1DL



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

My Reference: OPCCMBWJED

Your Reference:

5 January 2016

Tim Jacques
Assistant Chief Constable
Specialist Operations
Lancashire Constabulary
[REDACTED]

Dear Tim

Chief Constable Mark Gilmore

I write further to our telephone conference on 27 November 2015 at which we agreed the importance of bringing this investigation to a prompt conclusion and I agreed to fund a further four detectives to that end in line with your request.

I have since received a copy of the attached letter sent to you by Mark Gilmore's legal representatives dated 22 December 2015. While addressed to you as the investigating officer, the letter has been copied to me and plainly raises some important points.

I would be grateful if you would provide me with a detailed written response in relation to each point so that I can be satisfied that they are being fully addressed and so that I can reply to [REDACTED] appropriately. Any response from you will, of course, be disclosable in the event of any kind of legal challenge being brought by Mark Gilmore.

S10 (2)
[REDACTED]

Thank you again for your assistance in this challenging matter and I look forward to your early response.

Yours sincerely
[REDACTED]

Mark Burns-Williamson
Police and Crime Commissioner for West Yorkshire

Tel No: 01924 294000

Email: markburns-williamson@westyorkshire.pcc.pnn.gov.uk

Fax No. 01924 294008

www.westyorkshire-pcc.gov.uk

From: Reid, Julie
Sent: 05 February 2015 10:21
To: S40(2)
Subject: RE: Directions to Lancashire Constabulary [RESTRICTED]
Attachments: 050215 Jacques T.pdf

Thanks S40(2)

The letter is attached. I will set off shortly.

Thanks for your help.

Julie

Julie Reid
Business Support Manager
Office of the Police and Crime Commissioner
Tel: S40(2)
Email: contact2@westyorkshire.pcc.pnn.gov.uk

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House, 62 George Street, Wakefield,
WF1 1DL Visit: www.westyorkshire-pcc.gov.uk for more information.

From: S40(2)
Sent: 05 February 2015 10:16
To: Reid, Julie
Cc: S40(2)
Subject: Directions to Lancashire Constabulary

Hi Julie,

As requested please find the attached directions to Lancashire
Constabulary Headquarters, if you park in
the visitors bays and report to the main reception and ask for Chief
Inspector Stuart Dixon, he will come
and meet you and hand over the 23 files.

I still haven't received your email yet, perhaps if you send it as return
to this email?

Thanks

S40(2)
Sergeant | Staff Officer to Assistant Chief Constable
Tim Jacques | Lancashire Constabulary
| Preston PR4 5SB
S40(2)

This message may contain information which is confidential or privileged.
If you are not the

From: Contact2
Sent: 06 August 2015 08:47
To: 'Jacques, Tim'
Subject: CC MARK GILMORE [NOT PROTECTIVELY MARKED]

ACC Jacques

The Commissioner is undertaking a review of CC Gilmore's suspension at 2.30pm this afternoon and has asked if you could provide an update on the scoping.

Kind regards

340(2)

Business Support Manager

? Internal: 340(2)

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From: S40(2) [REDACTED]
Sent: 07 June 2016 17:01
To: S40(1) [REDACTED]
Cc: S40(1) [REDACTED]; Reid, Julie
Subject: MG INVESTIGATION [NOT PROTECTIVELY MARKED]

x-classification:NOT PROTECTIVELY MARKED
X411: MQ0CAQEGCCqGCGCIegoE

Classification: NOT PROTECTIVELY MARKED

Good Afternoon ACC Jacques

As the appropriate authority, are you in a position to provide an update to Mark Burns-Williamson? Also, do you have an estimate as to the date by which you expect the report from the Investigating Officer?

Many thanks

S40(2) [REDACTED]
Executive Support Officer

S40(1) [REDACTED]
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From: Contact2
Sent: 08 July 2016 16:06
To: S40(2) Cc: Sampson, Fraser
Subject: FW: Chief Constable Mark Gilmore - PSNI Investigation
[RESTRICTED]

ACC Jacques

Please see the PCC's response to S40(2) below, agreeing that a copy of the investigation report will be provided but from this office rather than from yourself.

Kind regards

Julie

Julie Reid
Business Support Manager
Office of the Police and Crime Commissioner
Tel: 01924 294000
Email: contact2@westyorkshire.pcc.pnn.gov.uk

Office of the Police and Crime Commissioner for West Yorkshire Ploughland House, 62 George Street, Wakefield, WF1 1DL Visit: www.westyorkshire-pcc.gov.uk for more information.

S40(2)

From: Contact2
Sent: 10 August 2016 15:55
To: Jacques, Tim
Subject: FW: MARK GILMORE - IT EQUIPMENT [NOT PROTECTIVELY MARKED]

Good Afternoon Tim

We have been contacted by Mark Gilmore's lawyers to say that we still have some of his property (including a mobile phone and possibly an iPad/laptop) seized by the PSNI. Are you able to confirm if your team have examined these devices please and if so can they all be returned to the OPCC?

Many thanks

S40(2)
Executive Support Officer

S40(2)
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From: S40(2)
Sent: 10 August 2016 12:10:46
To: S40(2)
Cc: Sampson, Fraser
Subject: MARK GILMORE - IT EQUIPMENT [NOT PROTECTIVELY MARKED]

Hi S40(2)

Mark Gilmore has the following West Yorkshire Police IT equipment:

1 x iPad
1 x iPhone
1 x Dongle

S40(2)
Many thanks

S40(2) [REDACTED]
Executive Support Officer

S40(2) [REDACTED]
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From: Contact2
Sent: 11 January 2015 15:28
To: S40(2) [REDACTED]
Subject: Meeting 13 Jan [RESTRICTED]

Hi S40(2) [REDACTED]

ACC Jacques mentioned meeting with Fraser on Tuesday next week (13th) - Fraser has cleared his diary for the morning to try to accommodate a meeting. Please could you let me know if ACC Jacques is still available and what his preference is? We could arrange a meeting here in Wakefield or midway between West Yorks and Lancashire if that is more helpful or, alternatively, a video conference.

Thanks

Julie

Julie Reid
Business Support Manager
Office of the Police and Crime Commissioner
Tel: S40(4) [REDACTED]

From: [REDACTED] S40(2)
Sent: 11 September 2015 11:31
To: Contact2
Subject: CC Gilmore WYP Internal Matters Investigation TOR
Attachments: CC Gilmore WYP Internal Matters Investigation TOR.docx

Good Morning,

Would it be possible to get Mr Burns-Williamson signature on the agreed TOR in relation to CC Mark Gilmore?

Many Thanks

[REDACTED] | Sergeant | Staff Officer to Assistant Chief Constable
Tim Jacques | Lancashire Constabulary
| Preston PR4 5SB
S40(1)

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Mark Burns-Williamson OBE
Police and Crime Commissioner for West Yorkshire
Ploughland House
62 George Street
Wakefield WF1 1DL



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

My Reference: OPCC/MBW

Your Reference:

12 November 2015

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ACC T Jacques
Lancashire Constabulary

S40 (2)

Dear Tim

MARK GILMORE – PROGRESS OF INVESTIGATION

I am reviewing the situation regarding Chief Constable Mark Gilmore and would be grateful if you would provide me with an update on the progress of your investigation, together with an estimated date when I can expect to receive your report.

I recognise that this is a complex and challenging matter and I am grateful for all your efforts so far. As the Appropriate Authority for this matter I need to ensure that the investigation is progressing purposefully and proportionately. It would be very helpful if you could provide me with an update on the completed key actions and those that have yet to be carried out, along with any relevant time estimates.

Many thanks.

Mark Burns-Williamson
Police and Crime Commissioner for West Yorkshire

Tel No: 01924 294000

Email: markburns-williamson@westyorkshire.pcc.pnn.gov.uk

Fax No: 01924 294008

www.westyorkshire-pcc.gov.uk



/Office of the Police and Crime Commissioner



@WestYorksOPCC

From: Contact2
Sent: 13 January 2016 17:55
To: Jacques, Tim
Subject: Briefing for PCC [NOT PROTECTIVELY MARKED]

ACC Jacques

Further to our conversation earlier Fraser and Mark have asked if they could have a conference call with you on Sunday (17th) at 12 noon to get an update on the investigation and the timeline. I've asked Mark's PAs to contact you with details of the number to call.

Kind regards

Julie

Julie Reid
Business Support Manager
Office of the Police and Crime Commissioner
Tel: S40 (P)
Email: contact2@westyorkshire.pcc.pnn.gov.uk

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From: Contact2
Sent: 13 August 2015 17:30
To: 'Jacques, Tim'
Cc: Sampson, Fraser
Subject: CHIEF CONSTABLE MARK GILMORE [NOT PROTECTIVELY MARKED]

Sent on behalf of Fraser Sampson, Chief Executive and Solicitor, Office of the Police and Crime Commissioner for West Yorkshire

STRICTLY PRIVATE AND CONFIDENTIAL

ACC Tim Jacques
Lancashire Constabulary

S40(2)

Dear Tim

Investigation under the Police (Conduct) Regulations 2012

Having considered the severity assessment report issued by yourself into the conduct of Chief Constable Mark Gilmore, the PCC determined that given the exceptional circumstances and gravity of the matters reported upon, there should be an investigation under the Police (Conduct) Regulations 2012 and voluntarily referred the matter to the Independent Police Complaints Commission (IPCC).

We have today received formal notification from the IPCC to our referral of 10 August that this matter should be subject to a local investigation.

I therefore write seeking your formal agreement, as discussed in our telephone conversation this afternoon, to being appointed by the PCC (as appropriate authority) as investigating officer under regulation 10, Police (Conduct) Regulations 2012.

The PCC would be grateful for confirmation of your acceptance of the role of investigating officer by return and, if you are able to accept it, for you to address the matter of Terms of Reference to be agreed by the PCC, and the subsequent service of any notices (pursuant to Regulation 15) as a matter of urgency.

The PCC is very grateful for your continued co-operation in this matter.

Kind regards

S40(2)

S40(2)

Business Support Manager
Office of the Police and Crime Commissioner for West Yorkshire
?Email: contact2@westyorkshire.pcc.pnn.gov.uk

S40(2)

From: Contact2
Sent: 14 January 2016 11:56
To: Jacques, Tim
Subject: FW: Briefing for PCC [RESTRICTED]

ACC Jacques

Further to my email yesterday Fraser and Mark have advised that they no longer require a briefing on Sunday 17th. They have asked me to thank you for being available and to pass on S40(2)

Kind regards

Julie

Julie Reid
Business Support Manager
Office of the Police and Crime Commissioner
Tel: S40(2)
Email: contact2@westyorkshire.pcc.pnn.gov.uk

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From: Contact2
Sent: 14 May 2015 15:34
To: S40(2)
Subject: FW: Reg 15, 16 Notice [RESTRICTED]

Hello Stuart

As you know my colleague, Julie Reid is away from the office this afternoon. Please could you give me a call on the below number as a matter of urgency re serving of the notice. As you will appreciate, issuing of our press statement is key to this.

Regards

S40(2)

S40(2)

Business Support Manager

S40(2)

From: Jacques, Tim <S40(2)>
Sent: 14 August 2015 14:58
To: Contact2
Subject: RE: CHIEF CONSTABLE MARK GILMORE [NOT PROTECTIVELY MARKED]

Thanks S40(2)

Technically we will only have actually agreed to investigate once terms of reference are agreed between us but it's correct to say we have agreed (in principle) to conduct the investigation and I'm sure we'll sort terms of reference over the next few days subject to our earlier discussions.

S40(2) That being said as soon as you've had the chance to consider and respond to it I'll get some draft terms of reference across to you. Similarly we won't be in a position to actively conduct any investigations into the allegations until that is done. We do of course have plenty to keep the team occupied in the on-going review of the PSNI matters.

Come back to me if you need anything else.

Thanks again

Tim Jacques
Assistant Chief Constable
Specialist Operations
Lancashire Constabulary

S40(2)

From: Contact2
Sent: 14 August 2015 13:48
To: 'Jacques, Tim'
Subject: CHIEF CONSTABLE MARK GILMORE [NOT PROTECTIVELY MARKED]

Tim

I have left a message for you to give me a ring but it was just to say that we are releasing the following statement at 2.00pm today:

"West Yorkshire's Police and Crime Commissioner, Mark Burns-Williamson received a report from Lancashire Constabulary arising from alleged conduct matters involving West Yorkshire's Chief Constable Mark Gilmore.

Having considered the report carefully the PCC voluntarily referred these matters to the Independent Police Complaints Commission (IPCC) for such directions as the IPCC felt appropriate.

The IPCC has decided that this matter should be subject to a local investigation and Lancashire Constabulary has agreed to conduct this investigation on behalf of the PCC.

It would be inappropriate to comment further at this stage."

Regards

S40(2)

Business Support Manager

?Email: contact2@westyorkshire.pcc.pnn.gov.uk

? External: S40(2)

From: Jacques, Tim <§40(2) >
Sent: 14 August 2015 10:57
To: Contact2
Subject: RE: CHIEF CONSTABLE MARK GILMORE [NOT PROTECTIVELY MARKED]

§40(2)

Thank you for this.

Could I just clarify with you whether the PCC would like us to serve Regulation 15 Notices on Mr Gilmore stating, if proven, it's Gross Misconduct or whether he believes at this stage the matters are likely to be Misconduct not Gross Misconduct.

The difference is a very important factor (especially for the officer under investigation) as an officer can be "sacked" for Gross Misconduct but not for Misconduct.

We stated in our report §40(2)

" but it is very much a matter for the PCC to determine.

I have copied sec 12 of the regs below which outline the Appropriate Authority's responsibility in relation to this.

In essence he has to determine (if proven) whether it's misconduct or gross misconduct.

If it is misconduct then he further needs to decide whether it needs to be investigated or not (this is covered in your email i.e. he does want it investigating) and subsequently (not necessarily immediately) further decide whether it needs to go to a formal hearing or whether it can be dealt with in a less formal way (i.e. management action etc).

If he determines, if proven, its gross misconduct it has to be investigated (there's no option not to investigate).

So whilst we are clear he wants an investigation we're not completely clear from the wording of your email under which of the above two provisions.

In making such a determination it doesn't definitively set a course as things can be continually re-assessed in light of the information gathered. So for example it could start off as misconduct and then escalate to gross misconduct or vice versa and the officer can be served with further forms to articulate any change in circumstances.

§40(2)

[REDACTED]

I hope this makes sense? You may of course wish to seek legal advice on these matters.

For your information subject to clarification on these points I have a draft terms of reference for your consideration.

540(2)

[REDACTED]

Here's the regs

12.-(1) Subject to paragraph (6) the appropriate authority shall assess whether the conduct which is the subject matter of the allegation, if proved, would amount to misconduct or gross misconduct or neither.

(2) Where the appropriate authority assesses that the conduct, if proved, would amount to neither misconduct nor gross misconduct, it may-

- (a) take no action;
- (b) take management action against the officer concerned; or
- (c) refer the matter to be dealt with under the Performance Regulations.

(3) Where the appropriate authority assesses that the conduct, if proved, would amount to misconduct, it shall determine whether or not it is necessary for the matter to be investigated and-

- (a) if so, the matter shall be investigated and the appropriate authority shall further determine whether, if the matter were to be referred to misconduct proceedings, those would be likely to be a misconduct meeting or a misconduct hearing;
- (b) if not, the appropriate authority may-
 - (i) take no action; or
 - (ii) take management action against the officer concerned.

(4) Where the appropriate authority determines that the conduct, if proved, would amount to gross misconduct, the matter shall be investigated.

(5) At any time before the start of misconduct proceedings, the appropriate authority may revise its assessment of the conduct under paragraph (1) if it considers it appropriate to do so.

(6) Where the appropriate authority decides under this regulation to take no action, take management action or to refer the matter to be dealt with under the Performance Regulations, it shall so notify the officer concerned in writing as soon as practicable.

Thanks

Tim Jacques

Assistant Chief Constable
Specialist Operations
Lancashire Constabulary

S40721
