



BY EMAIL ONLY

Mr P Ponting

Please ask for: Ian Dickinson
Telephone: 01772.533587
Email: commissioner@lancashire-pcc.gov.uk
Our Ref:
Date: 2 October 2017

Dear Mr Ponting

I am writing in connection with your complaint against the Chief Constable, Mr Andrew Rhodes.

The essence of your complaint was that a Darren Hogan sent a tweet to the Chief Constable, Mr Andrew Rhodes. The message in that tweet stated 'Paul Pussy Ponting' and was in public. You considered that this comment was grossly offensive and caused you and your family alarm and distress.

You believed the Chief Constable deleted the tweet, thereby,

1. deleting evidence of a crime and
2. failed to record it as a crime.

You will recall that I wrote to you on the 15 September 2017, advising you that I had recorded your complaint and that I was continuing with my enquiries.

I have now concluded my enquiries which I can now appraise you of.

In relation to the first element of your complaint you alleged that the Chief Constable deleted the tweet and thereby, deleted evidence of a crime and failed to record it as a crime. I have spoken to the appropriate officer with oversight of the Chief Constable's twitter account and have been advised that the Chief Constable did not delete the tweet posted by Mr Hogan, nor is it possible for the Chief Constable to do so. Therefore, I can only conclude that in relation to this element of your complaint that the Chief Constable has not deleted any evidence of a crime.

In relation to the second element of your complaint, as you are aware, your case against Mr Hogan is being led by West Midlands police and I note from your e-mail of the 3 August 2017 that you have forwarded the screen shot of the tweet to them. This in my view is the correct channel for your concerns to be addressed.

I have undertaken enquiries with the appropriate officers within West Midlands Police Force and understand that whilst the screen shot on its own it would not constitute an offence, it does show a course of conduct from HOGAN as part of the on-going harassment matter and therefore, the investigating officer has supplied it as a further document for the attention of the CPS at court in relation to Mr Hogan's court case. Therefore, I can only conclude that in relation to this element of your complaint that the Chief Constable has not failed to record a crime.



Having concluded my enquiries, I consider that your complaint is suitable for local resolution. I have looked at the substance of your allegation and I am satisfied that the conduct complained about, even if proven would not:

- Justify either criminal or disciplinary proceedings.
- Involve the infringement of your rights under Article 2 or 3 of the European Convention on Human Rights.

However, I am mindful that it is important that due diligence is given to all tweets received, not only by the Chief Constable but also by all police officers who choose to use the social media platform as part of the policing role. Therefore, I propose to write to the Chief Constable to ask that a review is undertaken to ensure that the guidelines governing the use of social media by Lancashire Constabulary are appropriate.

I hope my explanation by way of an 'on the spot resolution' provides you with an assurance that your concerns will now be addressed through the appropriate channels within Lancashire Constabulary.

If you remain unhappy you may appeal to the IPCC at the following address:

Independent Police Complaints Commission
PO Box 473
Sale
M33 0BW

An appeal shall be made within 28 days from the date on which notification is made or sent to you, unless the Commission is satisfied that the period should be extended by reason of the special circumstances of the case. Any such appeal must be in writing and state:

- Details of the complaint
- The date on which the complaint was made
- The name of the elected local policing body which gave notification of the outcome of the local resolution
- The grounds for the appeal, and
- The date on which the complainant was notified of the outcome of the local resolution

Yours sincerely,

Ian Dickinson
Governance & Policing Lead
Office of the Police & Crime Commissioner for Lancashire