

POLICE AND CRIME COMMISSIONER FOR LEICESTERSHIRE *DECISION RECORD*

To be completed in cases where a decision is required

DECISION OF POLICE AND CRIME COMMISSIONER

Date: 311017

Officers present: Helen King, Chief Finance Officer, Angela Perry, Head of Governance and Assurance

Received in OPCC Date: 311017.

OPCC Ref: E4003517.

Title: CLAIMS FOR FINANCIAL ASSISTANCE

Summary of Issue:

Home Office Circular 43/2001, details the role of Police Authorities in respect of financial assistance to police officers involved in certain legal proceedings, including Coroner's Inquests.

The Circular outlines the Home Secretary's approval of guidance to police authorities on financial assistance to officers in legal proceedings in the light of the Divisional Court judgment of R v South Yorkshire Police Authority (1999). This judgement confirmed that Police Authorities have power to meet the defence costs of Police Officers in civil and criminal proceedings, including judicial review proceedings and any other type of legal proceedings.

Although this circular is under review, its guidance applies to Police and Crime Commissioners since their appointment in line with the legislation.

During 2016/17, the PCC received two requests for financial assistance and has considered them in line with the existing Home Office Guidance and advice from Legal Services.

Costs incurred in 2016/17 were met within the 2016/17 accounts and the Insurance Reserve has been increased to reflect potential future costs to be met in line with Legal Services advice.

It was resolved that :

A Decision Record is used to record the Decision made by the PCC for publication on the OPCC Website.

OFFICE OF PCC APPROVAL

Chief Executive or Chief Finance Officer:

I have been consulted about the proposal and confirm that appropriate advice has been taken into account in the preparation of this report. I am satisfied that this was an appropriate request to be submitted to the Police and Crime Commissioner

Signature:



Name: HELEN KING

Date: 31/10/17

Publication Scheme

Decision of Monitoring Officer:

As Monitoring Officer for the Office of Police and Crime Commissioner for Leicestershire I have determined that :

It is appropriate to publish this record of decision made by the Police and Crime Commissioner : **Yes**

It is appropriate to publish the contents of the assessment of the decision by either of the senior post holders in the Office of the Police and Crime Commissioner for Leicestershire (i.e. either the Chief Executive or Chief Finance Officer) : **No**

It is appropriate to publish details of the decision by the Police and Crime Commissioner for Leicestershire : **No**

Reasons for any non Publication (referencing appropriate legislation):

By virtue of Schedule 12A to the Local Government Act 1972:

Paragraph 5: *"Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings."*

Signature



Name: ANGELA PERRY

Date: 3.10.17

Police and Crime Commissioner for Leicestershire

Having received and reviewed relevant documentation in regards to the staffing matter, my decision made on the 25/7/17 in regard of this matter is:

Supported

Signature

W. B. [unclear]

Date

31.10.17