

This report is for the attention of Kate Green, Deputy Mayor for Greater Manchester.

Complainant: Mr A Moores, 42 Windermere Road, Dukinfield, Tameside SK16 4SJ

Greater Manchester Police (GMP) reference: CO/2570/22

The complaint

On 19 September 2022 Mr Morres submitted a complaint to the Independent Office for Police Conduct (IOPC).

The complaint is 51 pages long, so I have not copied it onto this report. Below is Mr Morres' complaint.



IOPC-PPO-Complaint
- X127 + Mrs + OpW

Mr Moores' complaint was forwarded to GMP as GMP are responsible for deciding how to handle complaints about them and/or their officers or staff

Following communication with Mr Moores, GMP summarised his complaint as:

Allegation 1

You believe that two married GMP Police officers have been targeting you. You believe that the reason for this is that their adult daughter is a friend of an ex-partner of yours. During our conversation you advised that you did not always treat the ex-partner well and the daughter/friend and her parents (the two married officers) incorrectly believed that you may have at times caused her injury/harm. You allege that these officers, whilst off duty, and their daughter have turned up at your address and sat outside in a vehicle watching your home. You further allege that the male officer has also driven up and down your street on his own.

Allegation 2

That these officers have also influenced other officers in the force/a probation officer/staff in prison to collude against you and this has caused you to be targeted. That the influence and direction of these two officers has led to proactive Police actions that have caused you to be in significant financial deficit.

Allegation 3

The actions/influence of the two officers have caused for you to have had 2 motor vehicles seized. Your driver's licence should never have been taken from you and this only happened because you were being targeted. To this end you feel that the decision should be revoked.

GMP's response

A response to Mr Moores' complaint was provided by Ms Slattery (GMP's Professional Standards Branch) on 2 February 2023.

Ms Slattery wrote:

I refer to the complaint you have made against members of Greater Manchester Police.

Professional Standards Branch (PSB) have responsibility for ensuring all complaints and concerns raised with regard to the actions and conduct of police officers and members of staff are correctly recorded and handled.

Your complaint has been recorded under the reference number CO/02570/22 in accordance with statutory guidelines. Further information with regard to the handling of police complaints can be found on the website of the Independent Office for Police Conduct (IOPC); <https://www.policeconduct.gov.uk/>

I have set out below how I have interpreted your complaint and how this has initially been recorded. My handling of your complaint has included emails between ourselves and a discussion we had together over the phone.

The allegations below have been recorded. Please note, these are only a summary of the allegations raised.

Allegation One: Discreditable conduct

You believe that two married GMP Police officers have been targeting you. You believe that the reason for this is that their adult daughter is a friend of an ex-partner of yours. During our conversation you advised that you did not always treated the ex-partner well and the daughter/friend and her parents (the two married officers) incorrectly believed that you may have at times caused her injury/harm.

You allege that these officers, whilst off duty, and their daughter have turned up at your address and sat outside in a vehicle watching your home.

Your further allege that the male officer has also driven up and down your street on his own.

Allegation Two: Discriminatory Behaviour

That these officers have also influenced other officers in the force/a probation officer/staff in prison to collude against you and this has caused you to be targeted.

That the influence and direction of these two officers has led to proactive Police actions that have caused you to be in significant financial deficit.

Allegation Three: Police powers, policies and procedures

The actions/influence of the two officers have caused for you to have had 2 motor vehicles seized

Your drivers licence should never have been taken from you and this only happened because you were being targeted. To this end you feel that the decision should be revoked.

Following initial assessment of your complain, our discussion and by checking Police systems, I have determined that the matter, having been recorded, can be dealt with in a reasonable and proportionate manner, otherwise than by investigation.

In response to Allegation One

From the information that you provide, I believe I have been able to identify the officers to whom you refer. I cannot find any evidence to substantiate that they are connected to one another in any way.

For reasons of confidentiality, I cannot provide further explanations/information to this end, however I would like to reassure you that I can find no evidence in our records that relates to any untoward actions that have been taken against you by either officer.

I know that you have made contact on a number of occasions with the GMP in relation to the male officer in particular – most recently as per log 1758-010223 wherein you advised that he was driving on your street.

You have previously mentioned spotting this male at other locations you have attended. The male (and the two females) being in the same location as you does not constitute a crime nor warrant making contact with the police.

I would suggest, however that if this male is ever threatening to you or attempts to gain entry to your property you call 999.

In response to Allegation Two

From checking Police records, I cannot find any evidence that any GMP officers have been colluding against you.

From what I can see, the incidents have occurred due to genuine concerns. For instance, incident 184-090821 refers to you being stopped due to the manner of your driving, upon speaking with yourself the officer was aware of the smell of alcohol and breath tested you, you provided a roadside reading of 42. Furthermore, you were already disqualified from driving at this time.

Previous offences on the system relate to your driving without insurance/driving without an MOT.

I understand that you feel that if the officers concerned weren't targeting you, that you would not have been subjected to these charges, however there is no evidence to substantiate this claim nor the claim that external agencies were also influenced against you.

Unfortunately, there is no reasonable or proportionate way to further explore these claims which appear to be speculative, if you can help evidence them further in any way then please do so.

In response to Allegation Three

I completely understand your frustration and disappointment at having two vehicles seized and losing your licence.

Again, I have looked at our systems I have determined that one vehicle was seized due to you driving without insurance and an MOT and the other was seized due to you driving whilst being disqualified from driving and being under the influence of alcohol. This would be the expected conclusion for any driving found doing the same.

When you received notice of your licence being revoked, you would have been provided then with ample opportunity to challenge the decision and provide any contrary evidence during the judicial process.

In relation to officers proactively colluding against you, our systems record no evidence of this and to this end it is not something that can be further considered.

I am sorry for the delay in responding to your complaint, especially as I understand you have been eager to hear from me.

When we discussed your complaint, I did advise that the response received may not be what you wanted to hear, and I am sorry if you are disappointed by the outcome I have provided.

I am also concerned about how angry you feel about what perceive to have occurred. In your call to our Force Communications Centre (FCC) yesterday you stated that you may do something to the male whom you believed to be the police officer if GMP did not. You also advised that you were frustrated.

At this time, I can find no evidence of a crime against you but would strongly advise against challenging anyone in the street.

In relation to the anger and the frustration you feel, we have spoken previously about your mental health, and I would urge you to possibly seek a review with your GP in relation to the way you currently feel.

I really hope that the above addresses your concerns and goes some way to reassuring you in relation to an issue that I understand has been upsetting for you.

Mr Moores was informed of the right of review.

The request for review

The review request is 12 pages long, so I have not copied it onto this report. Below is Mr Morres' submission.



MOORES-GMCA-REV
IEWREQUEST.docx,pd

On 3 March 2023, Mr Moores also wrote – ***“p.s: I ask the reader of this complaint review request to excuse some of the 'unorthodox' terminology employed in some sections of the supporting documentation. As the author and also the main subject of the reasons behind the complaint i.e consequential victim of the issues raised; I ask this be taken into consideration as my/the-authors composure was severely impacted by the nature and depth of the situation that was being conveyed.”***

The information

The information consists of the complaint, the complaint initial handling report, the outcome letter, and the request for the review.

Greater Manchester Combined Authority (GMCA) is the relevant review body (RRB) for complaints against GMP where the conduct from which the complaint arises:

- Has not been or need not have been referred to the IOPC
- Does not involve the conduct of an officer above the rank of chief superintendent

- If proven would not justify bringing criminal or disciplinary proceedings against the officer/officers involved; and
- Does not infringe any person's rights under Article 2 or 3 of the European Convention on Human Rights (ECHR)

Article 2 of the ECHR concerns the right to life, and states *everyone's right to life shall be protected by law*. Article 3 prohibits torture: *No one shall be subjected to torture or to inhuman or degrading treatment or punishment*.

GMCA is the RRB for the complaint.

The role of the RRB is to review GMP's complaint findings. The RRB cannot reinvestigate complaints or settle claims for compensation. The RRB's decision is final: the IOPC has no power to overturn it. The RRB *can* recommend that GMP should take action to remedy a complainant's dissatisfaction where appropriate.

The review must consider whether GMP's handling of the complaint was reasonable and proportionate.

Chapter 3.5 of the *IOPC Statutory guidance on the police complaints system* (IOPC Guidance) describes reasonable and proportionate as follows:

- **Doing what is appropriate in the circumstances, taking into account the facts of the matter and the context in which it has been raised, within the framework of legislation and guidance.**
- **A reasonable and proportionate response includes providing a clear and evidence-based rationale for any decisions taken.**

The IOPC publishes *Focus*, which gives police force professional standards departments (PSDs) and local policing bodies practical guidance on dealing with complaints.

Issue nineteen of *Focus* (February 2020, updated January 2021) deals with reviews of complaints. On page nine it states:

Any new complaints raised in the review correspondence cannot be considered as part of that review. They must be forwarded to the initial handlers for logging.

The review

I have reviewed the documentation and evidence relevant to this complaint in order to come to a conclusion about the following points:

1. **Whether the complaint was fully understood, and all allegations or concerns addressed**
 2. **Whether reasonable lines of enquiries were undertaken to be able to provide a reasonable and proportionate outcome**
 3. **Whether due regard was given to relevant guidance**
 4. **Where any aspects of the complaint were not addressed, or any lines of enquiry were not pursued, whether there were sound reasons given for this**
 5. **Whether information or evidence was weighed appropriately and fairly**
 6. **Whether the findings or determinations reached, logically follow from the information or evidence obtained.**
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1. **Whether the complaint was fully understood, and all allegations or concerns addressed**

Due to length of Mr Moores' submission to the IOPC, Ms Slattery contacted Mr Moores to confirm the specific allegations, which were then recorded as:

Allegation 1

You believe that two married GMP Police officers have been targeting you. You believe that the reason for this is that their adult daughter is a friend of an ex-partner of yours. During our conversation you advised that you did not always treat the ex-partner well and the daughter/friend and her parents (the two married officers) incorrectly believed that you may have at times caused her injury/harm. You allege that these officers, whilst off duty, and their daughter have turned up at your address and sat outside in a vehicle watching your home. You further allege that the male officer has also driven up and down your street on his own.

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Allegation 3

The actions/influence of the two officers have caused for you to have had 2 motor vehicles seized. Your driver's licence should never have been taken from you and this only happened because you were being targeted. To this end you feel that the decision should be revoked.

Ms Slattery's outcome letter, dated 2 February 2023, provides a response to Mr Moores' complaint.

In relation to allegation 1, Ms Slattery explained that she believed she had identified the 2 persons referred to by Mr Moores, however they are not connected in any way. Ms Slattery also explained that she could not find any records which would indicate any 'untoward actions' towards Mr Moores by either officer.

In relation to allegation 2, Ms Slattery explained that she had identified a number of incidents involving Mr Moores, such as when he was breathalysed and found to be over the prescribed limit, found to be driving whilst disqualified, driving without insurance and driving without an MOT, however she was unable to find any evidence indicating that GMP officers had 'colluded' against Mr Moores.

In relation to allegation 3, Ms Slattery explained that one of Mr Moores' vehicles was seized due to him driving without insurance and an MOT and the other was seized due to him driving whilst being disqualified from driving and being under the influence of alcohol. Ms Slattery wrote – "***This would be the expected conclusion for any driving [driver] found doing the same.***"

I am therefore satisfied that Mr Moores' complaint was fully understood and that his concerns were addressed.

2. Whether reasonable lines of enquiries were undertaken to be able to provide a reasonable and proportionate outcome

This means doing what is appropriate in the circumstances, taking into account the facts of the matter and the context in which it has been raised, within the framework of

legislation and guidance. It means weighing up the matter's seriousness and its potential for learning, against the efficient use of policing resources, to determine the extent and nature of the matter's handling and outcome. Considering the matter's seriousness should involve due regard to the nature of the incident, any actual or potential impact on, or harm to, individual(s), communities or the wider public and the potential impact on confidence in the police and in the police complaints system. A reasonable and proportionate response includes providing a clear and evidence-based rationale for any decisions taken.

A number of enquiries were carried out, including reviewing GMPs system called itrent, reviewing GMPs system called IOPS, reviewing relevant police incident logs and reviewing relevant court cases.

I am satisfied that reviewing itrent was a reasonable enquiry as that is where certain information about GMP personal is stored.

I am satisfied that reviewing IOPS was a reasonable enquiry as I believe that is where GMP record information about victims, offenders and officers in the case.

I am satisfied that reviewing relevant police incident logs was a reasonable enquiry as that is where actions and decisions will have been recorded in relation to the incidents involving Mr Moores where he was either arrested and/or his vehicle was seized. These actions and decisions are often recorded contemporaneously and once made they cannot be amended, so the police incident logs that Ms Slattery reviewed can be considered as a good source of reliable information.

I am satisfied that reviewing relevant court cases was a reasonable enquiry as that is where information and documents will have been recorded in relation to the investigations resulting in Mr Moores attending court.

I am therefore satisfied that reasonable enquiries were made into the complaint.

3. Whether due regard was given to relevant guidance

My role is to review the information within the complaint and consider how it should be handled under the Police Complaints and Misconduct Regulations 2020 (PCMR), the Police Reform Act 2002 (PRA) and the Police Conduct Regulations 2020 (PCR). Consideration has also been given to the appropriate statutory guidance provided by the IOPC. Further information on how the Police make decisions on how best to handle complaints can be found on the IOPC website at <https://www.policeconduct.gov.uk/>

I am satisfied that the appropriate guidance was followed in determining the outcome of the complaint.

Ms Slattery had a responsibility to consider the complaint, to take reasonable and proportionate action to address the complaint, and to provide Mr Moores with an outcome. I am satisfied she did all three.

4. Where any aspects of the complaint were not addressed, or any lines of enquiry were not pursued, whether there were sound reasons given for this

I am satisfied that the complaint was addressed.

5. Whether information or evidence was weighed appropriately and fairly

Conclusions reached should be impartial and logical, based on the facts of the case and giving appropriate weight to relevant evidence. They should be supported by sound rationale. The outcome should seek to address and remedy any issues identified during handling.

In relation to allegation 1, Ms Slattery explained that she believed she had identified the 2 persons referred to by Mr Moores, however she also noted that they are not connected in any way. Ms Slattery also explained that she could not find any records which would indicate any 'untoward actions' towards Mr Moores by either officer.

In relation to allegation 2, Ms Slattery explained that she had identified a number of incidents involving Mr Moores, such as when he was breathalysed and found to be over the prescribed limit, found to be driving whilst disqualified, driving without insurance and driving without an MOT, however she was unable to find any evidence indicating that GMP officers had 'colluded' against Mr Moores.

In relation to allegation 3, Ms Slattery noted that one of Mr Moores' vehicles was seized due to him driving without insurance and an MOT and the other was seized due to him driving whilst being disqualified from driving and being under the influence of alcohol. Ms Slattery formed the view that – ***"This would be the expected conclusion for any driving [driver] found doing the same."***

I am therefore satisfied that Ms Slattery weighed the information available to her appropriately and fairly prior to writing to Mr Moores.

6. Whether the findings or determinations reached, logically follow from the information or evidence obtained.

Where a complaint has been handled otherwise than by investigation, the outcome of the complaint should include a determination of whether:

"the service provided by the police was acceptable"

"the service provided by the police was not acceptable", or

"we have looked into the complaint, but have not been able to determine if the service provided was acceptable"

It should be determined that the service provided by the police was not acceptable where it is shown that the service provided (whether due to the actions of an individual, or organisational failings) did not reach the standard a reasonable person could expect. The person making the determination should apply an objective test: that of a reasonable person in possession of the available facts and they should also have regard to any agreed standards or national guidance that apply to the matter

When making this determination the complaint handler should reflect the need to willingly demonstrate organisational accountability where appropriate. Wherever possible, the person making the determination should endeavour to draw a conclusion as to whether the service provided was acceptable or not. It should only be determined that 'we have not been able to determine if the service provided was acceptable' in situations where, for example, despite the complaint being handled in a reasonable and proportionate manner, there is too little information available on which to make the determination, having applied the objective test.

Although Ms Slattery did not include one or more of the above determinations within her outcome letter to Mr Moores, having carefully read the outcome letter I believe that the information available supports a view that the service provided had been acceptable, which for the reasons given above, I believe would be a reasonable outcome.

I am therefore satisfied that the outcome of Mr Moores' complaint about GMP was reasonable and proportionate and recommend that the review is not upheld.

Recommendations for GMP

- None

GMCA Complaints Reviews
11 July 2023