

Our reference number: 2011/009982

ipcc
independent
police complaints
commission

Mr Martin Glasgow
3 Tansley Court
Highfield Lane
Newbold
Chesterfield
S41 7AW

Evergreen House
Unit C, Cedar Court Office Park
Denby Dale Road, Calder Grove
Wakefield WF4 3DB

Tel: 08453 002 002
Fax: 01924 267 069
Minicom: 020 7404 0431
Email: enquiries@ipcc.gsi.gov.uk
Web: www.ipcc.gov.uk

8 July 2011

Dear Mr Glasgow

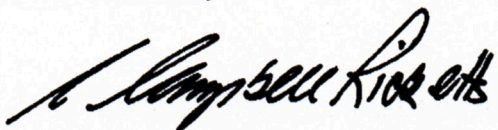
I am writing about the application made by Derbyshire to dispense with the complaint you made on the 31 May 2011.

I have considered the application and, based on the information and evidence provided, have agreed that your complaint is an abuse of the complaints procedure. You have challenged the veracity of Mr Johal's statement and other aspects of the investigation in an earlier complaint and in civil litigation. The evidence has been tested in the criminal case. It is felt that your complaint is an attempt to continue to challenge the case and therefore not appropriate to the complaints procedure. As a result, I have agreed to grant a dispensation. This means Derbyshire Constabulary are not required to investigate your complaint. I have notified Derbyshire Constabulary of this decision. A copy of a report is enclosed outlining the rationale for the decision

I accept that our decision may be disappointing to you. However, in view of the circumstances set out above, I believe that it is appropriate for the Derbyshire Constabulary to deal with your complaint as it sees fit.

IPCC casework decisions are final and can only be overturned by the courts through the judicial review process. You should seek your own legal advice if you intend to pursue this course of action.

Yours sincerely



John Campbell Ricketts
Casework Manager
Independent Police Complaints Commission (IPCC)

IPCC Contact:
John Campbell Ricketts
Casework Manager
Phone: 01924 811542
E-mail: john.campbellricketts@ipcc.gsi.gov.uk

PROTECT

Application for Dispensation Minute

Case Details:

CTMS Case ID:	11/009982
Name of Complainant/Interested party:	Mr Martin Glasgow
Appropriate Authority:	Derbyshire Constabulary
Casework Manager:	John Campbell Ricketts
Commissioner:	Amerdeep Somal
Date of Incident:	5 June 2006
Date of Complaint:	31 May 2011
Date of Application:	15 June 2011

Casework Manager Comments:

Nature of the Complainant's allegations:

Mr Glasgow complained that a witness statement had been falsified by officers.

Grounds on which the application is made:

That the complaint is vexatious, oppressive or an abuse of the complaints procedure.

Casework Manager's concerns regarding the application:

On 5 June 2006 Mr Glasgow was involved in fight with a Mr Johal and as a consequence was convicted of racially motivated affray. Mr Glasgow sought leave to appeal which was refused. A further application was also refused. He requested that the Criminal Cases Review Commission refer the matter to the Appeal Court and this was refused. In 2007 he made a complaint about the investigation of the incident. One of the allegations was that Mr Johal's statement was too neat and appeared to be re-written. The complaint was investigated and not substantiated. The statement was examined and found to have been prepared in a manner consistent with the officer's experience. His appeal to IPCC (IPCC Ref: 2007/010700) was not upheld.

Mr Glasgow instigated civil proceedings against Mr Johal alleging among other things that his statement was false. The claim was dismissed and he was refused leave to appeal.

Mr Glasgow has submitted a further complaint that Mr Johal's signatures in the original statement differed from those used in papers relating to the civil

PROTECT

case; therefore the original statement must have been made by one of the officers investigating the incident.

Deleted: . T

Mr Glasgow's recent complaint is viewed as an attempt to continue to dispute his guilt of the offence and as such to continue to pursue this complaint in the police complaints process is an abuse of the police complaints procedure.

Deleted: seen

Recommendations:

That the dispensation be granted as being an abuse of the complaints procedure.

Deleted:

Sign John Campbell Ricketts

Date: 08/07/2011

Commissioner Comments:

Comment and action points as necessary

[Comment]

Sign:

Date: