**Request to Durham Constabulary under the Freedom of Information Act**

**Received on 11/02/2019 (Amended on 27/02/2019) Our Ref: DC/FOI/163/19**

**Date: 20/03/2019**

Your request:

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| May I please ask for clarifcation of the responses you kindly provided on 29th January, 2019. I am grateful for the invitation to approach you again, in this regard?  (i) The rank, present occupation (apart from Silver on Op Lackan) within Durham Constabulary of Mr Ellis?  (ii) The dates upon which the telephone conversations between CC Barton, Mr Ellis and the referring authority took place - and with whom at the referring authority.  (iii) The date the 'instruction' referred to in your response to the request was given and in what form (e.g. verbal, email, formal notice).  (iv) The date the Policy Book (or Log) was opened for Operation Lackan.  (v) The date upon which the 'meeting with the involved party' took place - and the number and ranks of the Durham officers who attended.  Finally, is your force in a postion to release the Terms of Reference for Operation Lackan as yet?  **Amended on 27/02/2019**  May I please have a response to my post on the What Do They Know website on 9th February, 2019?  Question (i) has decayed. Mr Ellis, it is now known, is a civilian investigator.  Question (v) has also mostly decayed. Mr Ellis has authorised release to me of email correspondence between the interested party and himself. Which is, of course, most helpful. Quite separately, I'm aware that three officers attended the meeting: A detective sergeant, a civilian investigator and a driver. Accordingly, only the rank of the driver is required.  The Terms of Reference remain the key part of the requested disclosure. |

I can confirm the information requested is held in part by Durham Constabulary.

**Question 2**. On the 4th December 2018 Initial Contact was made between Claire Monaghan and Durham Constabulary’s Force Executive.

On the 5th December 2018 Darren Ellis received a personal briefing from CC Barton.

Darren Ellis made initial telephone contact with Claire Monaghan on 11/12/2018 – Further conversations have been made between Darren Ellis and Claire Monaghan since that date, the dates of these telephone calls are not recorded.

**Question 3.** 24/12/2018 – Email

**Question 4.** A log was started on receipt of the email of 24/12/2018

**Question 5.** The “driver” you refer to was not a police officer, the individual was a member of Police Staff who was travelling to that area for other matters.

You additionally requested the terms of reference, these are as below:

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| **Terms of reference for investigation** |
| Two complaints against the Chief Constable have been recorded   1. That the Chief Constable lied in a public statement – an honesty and integrity issue 2. That the Chief Constable misled the public – an issue of duties and responsibilities   The appropriate authority requests that upon receipt of this information a severity assessment and an investigation be undertaken to,   1. Determine the circumstances which led to the publication of the Chief Constable’s statement 2. Determine whether the Chief Constable’s conduct amounts to an honesty and integrity issue and/or an issue in relation to his duties and responsibilities 3. And provide regular updates to the appropriate authority |

Please note that Durham Constabulary’s response to your request is unique and should not be used as a comparison with any other Force response you receive.

**COMPLAINT RIGHTS**

Your attention is drawn to the below link to our website, which details your right to complain:

<https://www.durham.police.uk/About-Us/Freedom-of-information/General/Pages/FOI-Request.aspx>

I hope this is of assistance to you.

S Teasdale

Information Rights and Disclosure Supervisor