

FOI Q1. No final hearing can occur until a Legally Qualified Chair (LQC) has been selected from the Home Office approved list, and the LQC is responsible for determining the time and venue for the hearing. Please confirm the name of the appointed LQC who advised that the hearing would be on Thursday 29th March 2018 at 9.30am, and please confirm when that notification was displayed on the website and when and why it was removed from the police website on the same day. Please confirm if the LQC was appointed by the Chief Constable or Mr Jamieson.

An LQC has no role in the final hearing of a Special Case Hearing for a Senior Officer. Therefore they would not have had any part in determining timings, the venue or the final hearing notifications. Please see Police (Conduct) Regulations 2012 and Police (Conduct) Regulations 2015.

<http://www.legislation.gov.uk/uksi/2012/2632/contents/made>

http://www.legislation.gov.uk/uksi/2015/626/pdfs/uksi_20150626_en.pdf

FOI Q2. The Home Office approved list of LQCs is supposed to be held within each police area. Please confirm if the list is held by the Chief Constable or Mr Jamieson the Police and Crime Commissioner (PCC), and please provide a copy of the list if it is under police control.

The list is held by the Home Office for Senior Officers as the LQC is nominated by the Secretary of State as per Police (Conduct) Regulations 2012. This is not to be confused with non-Senior Officer Panels which are chaired by an LQC nominated by the local policing body as per Police (Conduct) Regulations 2015.

FOI Q3. The BBC state "The senior officer, who has a 30-year police career, has been suspended on full pay since November". Please confirm how much Mr Beale has been paid during his suspension after his conviction up till 29 March 2018, and if his perks, including his police car, were also suspended during this period.

<http://foi.west-midlands.police.uk/acc-beale-152818/>

Mr Beale had use of his police vehicle during suspension.

FOI Q4. When the final hearing is finally heard, please confirm, apart from the LQC, who will be present to witness the proceedings, will it include the Chief Constable and the PCC, will there be an independent witness of any kind.

Regarding FOI Q4 it now appears, from the police website, that quote, "On 7 December 2017 ACC Beale appeared at Westminster Magistrates Court and was convicted of an offence contrary to the Official Secrets Act 1989. On 13 February 2018 ACC Beale appeared at a Special Case Hearing which was chaired by Corinna Ferguson. The panel found that ACC Beale's conduct amounted to Gross Misconduct. Their recommendation as to the disciplinary action which should be imposed at the further special case hearing was dismissal without notice "and advises that the final misconduct hearing has been scheduled for 18th April 2018 at 9.30am in Police Headquarters Lloyd House. I require clarification about the circumstances of the final hearing so I would appreciate an additional FOI Q5.

There will not be an LQC present in that capacity. The final Special Case Hearing is chaired by the Appropriate Authority from West Midlands Police. The Special Case Hearing will be held in public – and thus public and press would be able to attend as '*independent witnesses*'. The chair may impose conditions on the hearing which may include exclusion of persons from the whole or part of the hearing as appropriate in order to facilitate the proper conduct of the hearing - in accordance with Police (Conduct) Regulations 2015.

FOI Q5. The Legally Qualified Chair (LQC), Corinne Ferguson, after considering all the evidence recommended on 13th February 2018 that there should be dismissal without notice, but the Chief Constable Dave Thompson has FAILED in his duty to act promptly on this advice, which will now result in Mr Beale escaping from proper penalty by way of the usual excuse of retirement, which so irritates the taxpaying public. Please confirm if the LQC will chair this final meeting, did the LQC set the time and date, or will the Chief Constable chair the meeting.

Chief Constable chaired the Special Case Hearing. The LQC did not set a time or date for this hearing as they have no power to do so. The hearing was open to press and public for transparency and was widely reported by the media who were present. A date was set for the Special Case Hearing to be heard in March which had to be cancelled following a successful application for a Judicial Review by Mr Beale's legal team.

<http://www.bbc.co.uk/news/uk-england-43811243>

<https://www.west-midlands.police.uk/news/5458/assistant-chief-constable-dismissed-west-midlands-police>

Additionally, I believe the Chief Constable was absent from his post whilst attending the Commonwealth Games in Australia, which may have led to the delay. Please confirm the dates during which Mr Thompson was allowed to attend these Games.

The Chief Constable went from 1 April to 9 April. Had the hearing being scheduled during this time, the Chief would have cancelled his visit to the Commonwealth Games .