

Our ref: CLPD

Your ref:

Torbay Local Licensing Authority
Torbay Council
C/O Torquay Town Hall
Torquay
TQ1 3DS

Jane Selley-Steer
CLPD Co-Ordinator
Devon & Cornwall Constabulary
FN CB SSU Building HQ
EXETER EX2 7HQ

7th March 2016

Telephone: 01392 223153

Dear Sir/Madam

Notification of conviction Information from Force Co-ordinator

NAME: Michael Dewick

D.O.B. Removed

ADDRESS: ADDRESS REMOVED

I am writing regarding the above named who we understand is either employed by you, performs a voluntary role with your organisation, or is employed/volunteers in activity for which you are a Regulatory Body or have oversight responsibilities.

The information disclosed to you below is provided under the Common Law in order to address a "pressing social need" and it may indicate that the subject of the disclosure presents a potential risk to others due to the role that they currently perform. It is a matter for you to determine what action, if any, is necessary in order to mitigate any risks that are evident to you as a result of this disclosure. In making this disclosure Devon and Cornwall Police has considered both the relevancy and proportionality of so doing.

The information we are providing is that the above named was convicted at South and West Devon Magistrates Court on 02/03/2016 for the following:

Offence: Racially/Religiously aggravated intentional harassment/alarm/distress – words/writing

Sentence: Fine £700.00, Costs £600.00, Victim Surcharge £70.00

He informed the Police that he had an occupation of Taxi Driver

He did not identify the employer's details

The circumstances of the incident(s) are as follows:

On 3rd January 2015 at Torquay both offender and aggrieved were working as taxi drivers. Aggrieved had to move his car due to a leak and asked offender to move his car to which offender replied in a way which was racially aggravated

The information above is considered to be sensitive personal data as defined by Section 2, Part 1 of the Data Protection Act 1998, and as such, you must treat it in **strict confidence** and in accordance with the provisions of that Act.

The information is provided for the specific purpose of informing you of a potential risk and your subsequent assessment of that risk. This letter should not be further disseminated without the permission of Devon and Cornwall Police or a Court Order. In particular, it should not be copied, its contents should not be discussed or shown to other people unless they are directly involved in the risk assessment resulting from the disclosure. The letter should be kept in a safe place, only retained as long as necessary for the intended purpose and should be safely destroyed when no longer required or no longer warranted under the terms of the Act.

If the subject of the disclosure is performing a role that is considered to be Regulated Activity as defined by the Safeguarding Vulnerable Groups Act 2006 (as amended) there may be a statutory requirement for you to refer the matter to the Disclosure and Barring Service. If no statutory requirement exists then you may consider it appropriate to nonetheless make a discretionary referral.

Should you require any further information you will need to evidence a statutory provision that will enable it to be provided. Devon and Cornwall Police reserves the right to charge a fee to cover the costs of any subsequent provision of information.

Yours faithfully

Jane Selley-Steer
CLPD Co-ordinator.