

Investigations: The essentials

Dealing with comments for both the complainant and subject member on your draft report

This is perhaps an area where there is most confusion and possibly the least amount of guidance available to those undertaking local investigations.

As a starting point, based upon investigations that you have undertaken or situations that you feel might arise, please list below the issues that you would like further advice on in respect of comments that parties make on your draft reports. Take five minutes yourself and then discuss it as a table for five minutes.

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Having done that, we will now look at some of the most common issues that arise in these circumstances and see if we can provide some guidance. If there are issues that we have not picked up, we will deal with these at the conclusion of the session.

Key issues in dealing with comments made on draft reports:

- 1) When should I issue a further draft report?
- 2) One of the parties has written me a 27-page letter, of which 25 pages have no bearing on my investigation and my draft report. How do I deal with this?
- 3) The complainant has asked for a two-week extension to comment on the draft report. How should I deal with this request?
- 4) I have received comments on the draft two days after the receipt of the deadline period. How do I deal with this?
- 5) The subject member has asked me to interview a number of additional witnesses. How should I deal with this request?
- 6) The subject has made additional comments over and above what was said at interview that I feel are relevant and should be incorporated in the report. How should I do this?

7) The subject member writes to me stating he is under considerable stress and is unable to comment on the draft for the foreseeable future. How do I handle this?

8) The complainants tell me they have positive proof their allegation is true and inform me that if I look in the last seven years' worth of council minutes, I will find the evidence. Do I need to look back at the requested time period?

Probably not. A request to undertake further evidence gathering needs to be reasonable and looking back at literally hundreds of meetings would not be proportionate. The complainant should be asked to be more specific in their information if you are to pursue it.

If it were a one-year period and a particular committee meeting had been identified, the matter would probably be pursued.