

Investigation name:	<b>Operation Orava</b>
IOPC reference:	<b>2019/128375</b>

## > Summary of IOPC conclusions

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A summary of our conclusions and our rationale is set out below.

### > Mr Jason Ablewhite (former Police and Crime Commissioner for Cambridgeshire)

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#### > Is there an indication that a criminal offence may have been committed?

In making our decision we considered whether the referral test is met for the Crown Prosecution Service (CPS). The two limbs of this test being the “indication condition” and the “appropriateness condition”:

- The indication condition is that the report indicates that a criminal offence may have been committed by the relevant office holder (Regulation 26(3)).
- The appropriateness condition is that the circumstances are such that, in our opinion, it is appropriate for the matters dealt with in the report to be considered by the CPS (Regulation 26(4)).

#### > Summary of rationale

During the search of Mr Ablewhite’s address ammunition was seized (four cartridges) as it was suspected that the possession of the ammunition was not in accordance with the terms of his shotgun certificate.

The ammunition was found in a locked cabinet in Mr Ablewhite’s address. It was, therefore, in Mr Ablewhite’s possession and control. The ammunition was forensically examined. The four bulleted cartridges were identified and amount to ammunition under Section 57(2) of the Firearms Act 1968. As such a firearm certificate is required for such ammunition to be lawfully possessed. Mr Ablewhite did not have a firearms certificate but did possess a shotgun certificate. This was reviewed and the possession of the seized ammunition was not authorised under

the terms of the certificate. The ammunition could not be used in the three shotguns Mr Ablewhite was authorised to possess.

Mr Ablewhite provided an account as to how he acquired the ammunition which would suggest that he may not have committed an offence when he purchased the ammunition. However, we did not consider it necessary to explore this in any further detail as there was no dispute that he had the ammunition in his possession and was not entitled to do so. On this basis the indication condition was clearly met.

In considering the appropriateness condition we recognised and paid due emphasis to the fact that the elements of the offence are made out. As such there can be no question that a reasonable prosecutor could decide to prosecute on the available evidence. On this basis, the appropriateness condition was also met.

> **Is it appropriate for the matters dealt with in the report to be considered by the Director of Public Prosecutions (DPP)?**

**On the evidence gathered, we decided that there was an indication that a criminal offence may have been committed.**

**We referred the evidence to the Crown Prosecution Service who decided to take no further action.**

> **Organisational Learning**

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Throughout the investigation we carefully considered whether there were any learning opportunities arising from the investigation. We make learning recommendations to improve policing and public confidence in the police complaints system and prevent a recurrence of similar incidents.

**We did not identify any organisational learning from this investigation.**