



REPORT TO THE SOUTH WALES POLICE AND CRIME PANEL

5th December 2017

Oversight of Complaints.

Purpose of the Report

This report sets out all complaints against the Police and Crime Commissioner for South Wales, and his Deputy, that have been received by the South Wales Police and Crime Panel since the 13th December 2016.

1.0 Background / Information

- 1.1 The Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 make the South Wales Police and Crime Panel responsible for overseeing complaints made about the conduct of the Police and Crime Commissioner for South Wales and the Deputy Police and Crime Commissioner for South Wales.
- 1.2 The initial handling, including categorisation, recording of decision-making, referral of criminal allegations to the Independent Police Complaints Commission (IPCC), and responding to the complainant in the first instance, is dealt with by the panel via host local authority.
- 1.3 As per the Panel's Rules of Procedure, the host local authority will draw the complaint to the attention of the Chair of the Panel and the Monitoring Officer of the host authority.
- 1.4 Allegations which are deemed to be "conduct matters" or "serious complaints" must be submitted to the Independent Police Complaints Commission (IPCC) for consideration. Conduct matters are complaints that contain an indication that a criminal offence may have been committed by the Commissioner or his Deputy whilst a Serious Complaint is one which alleges conduct on the part of the Commissioner or his Deputy which constitutes or involves, or appears to constitute or involve, the commission of a criminal offence. Non-criminal complaints will be managed by the Chair of the Panel in consultation with the Monitoring Officer of the host authority.
- 1.5 The Panel may forward / refer complaints, if they are deemed appropriate for local resolution, to the Police and Crime Commissioner's Chief of Staff. On behalf of the Panel the

Commissioner's Chief Executive will investigate the complaint and provide the Chair of the Panel with a summary of the investigation and his findings. The Chair and the host authorities Monitoring Officer will then consider the same and determine what action will be taken in relation to the same.

2.0 Summary of complaints

- 2.1 A summary of the complaints received from the 13th December 2016 and an update of those complaints prior to that date not previously concluded is attached (Appendix I)
- 2.2 A copy of the complaint case file is available for review by members of the Panel.

3.0 Recommendation(s)

- 3.1 The Panel is asked to note the content of the report.

Simon Jones
Senior Solicitor
Merthyr Tydfil County Borough Council

Appendix I

Complaints received by the South Wales Police and Crime Panel			
PCP Ref	Date Complaint Received	Complaint Category	Date Complaint Closed
2014/02	16 th April 2014	Complaint.	8 th December 2014
	24 th October 2016	Complaint.	13 th April 2017
	15 th March 2017	Serious Complaint	
	May 2017	Complaint	17 th October 2017
Details of Complaint			
<p>Complaint 1 - received April 2014 that the Commissioner had failed to respond to letters asking him to deal with Police corruption.</p> <p>Appeal to IPCC - 10th June 2015 - Complaint to IPCC regarding the Panel's handling of his complaint. IPCC deem complaint not valid and cannot be dealt with by them.</p> <p>Complaint 2 – received 24th October 2016 complaint that Commissioner has failed to respond to letter 8th September 2014.</p> <p>Complaint 3 – received by IPCC 28th December 2016 forwarded to Panel by IPCC on the 15th March 2017. Complaint that commissioner had “corruptly and dishonestly disregarded the truth” when investigating the complainant’s complaint against the SWP Chief Constable.</p> <p>Complaint 4 – received May 2017. Complaint that the Commissioner’s website states that Complaint 1 was not upheld.</p>			
Action			
<p>Complaint 1 - Referred to Commissioner’s Chief of Staff for informal resolution.</p> <p>Appeal to IPCC – no further action.</p> <p>Complaint 2 - referred to Chief of Staff – response received attaching Commissioner’s response to letter dated 22nd September 2014.</p> <p>Complaint 3 – referred to IPCC as a serious complaint. Complaint referred back to Panel by IPCC. Complaint referred to Commissioner’s Chief of Staff for informal resolution. Complaint returned to Panel on the 10th January 2017 and is currently with the Panel Chair and the Council’s Monitoring Officer for consideration and determination.</p> <p>Complaint 4 – referred to Commissioner’s Chief of Staff for informal resolution.</p>			
Resolution			

Complaint 1 – On the 9th December 2014 Panel UPHELD complaint in part – Commissioner has since responded to the complainant.

Complaint 2 – On the 13th April 2017 complaint NOT UPHELD.

Complaint 3 – awaiting determination by the Panel Chair and the Council’s Monitoring Officer in relation to the investigation into the complaint.

Complaint 4 – Upheld – website changed to read "original substantive complaint - not upheld although the Panel considered the Commissioner could have informed the complainant earlier that he had no authority to investigate his complaint"

Complaints received by the South Wales Police and Crime Panel

PCP Ref	Date Complaint Received	Complaint Category	Date Complaint Closed
2016/07	3 rd August 2016	Conduct complaint	4 th October 2016
		Serious complaint	24 th March 2017

Details of Complaint

Complaint about the Commissioners failure to investigate the actions of SWP officers and HMRC officers.

Action

Response sent to complainant. Further evidence received referred to IPCC. Further response to complainant.

Resolution

Initial investigation by panel – complaint NOT UPHELD. Further evidence referred to IPCC – returned to Panel – no criminal conduct – NOT UPHELD.

Complaints received by the South Wales Police and Crime Panel

PCP Ref	Date Complaint Received	Complaint Category	Date Complaint Closed
2016/08	7 th October 2016	Serious complaint.	10 th April 2017

Details of Complaint

Complaint about the actions of the PCC who is alleged to have covered up corruption

in SWP.

Further complaint that Commissioner had failed to respond to letters.

Written complaint received at Panel meeting on the 5th December 2016 re conduct of Panel Officer, the outcome of the complaint and the Panel's failure to provide the complainant with information requested by him.

Action

Referred to IPCC and thereafter to Chief of Staff of Commissioner's Office

Resolution

IPCC considered matter and determined that there was no evidence of criminal conduct. Complaint returned to Panel. Panel investigated non-criminal complaint. Neither complaint upheld.

Complaints received by the South Wales Police and Crime Panel

PCP Ref	Date Complaint Received	Complaint Category	Date Complaint Closed
2016/09	14 th October 2016	Serious complaint	10 th April 2017

Details of Complaint

Complaint about the actions of the PCC who is alleged to have covered up corruption in SWP – linked to complaint 2016/08

Action

Referred to IPCC.

Resolution

IPCC considered matter and determined that there was no evidence of criminal conduct. Complaint NOT UPHELD.

Complaints received by the South Wales Police and Crime Panel

PCP Ref	Date Complaint Received	Complaint Category	Date Complaint Closed
2017/01	24 th May 2017	Not recorded.	20 th July 2017

Details of Complaint
Complaint about the actions of SWP.
Action
Complainant advised to refer matter to the Police.
Resolution
Outside remit of the Panel – no action.

Complaints received by the South Wales Police and Crime Panel			
PCP Ref	Date Complaint Received	Complaint Category	Date Complaint Closed
2017/02	25 th July 2017	Not recorded.	12 th September 2017
Details of Complaint			
Complaint about the actions of an officer of SWP.			
Action			
Referred to SWP Professional Standards – Complainant informed.			
Resolution			
Outside remit of the Panel – no action.			

Complaints received by the South Wales Police and Crime Panel			
PCP Ref	Date Complaint Received	Complaint Category	Date Complaint Closed
2017/03	11 th September 2017	Not recorded.	12 th September 2017
Details of Complaint			
Complaint about the actions of an officer of SWP.			
Action			
Referred to SWP Professional Standards – Complainant informed.			

Resolution
Outside remit of the Panel – no action.

Complaints received by the South Wales Police and Crime Panel			
PCP Ref	Date Complaint Received	Complaint Category	Date Complaint Closed
2017/04	11 th September 2017	Not recorded.	11 th September 2017
Details of Complaint			
Complaint about the actions of officers of SWP.			
Action			
Referred to SWP Professional Standards – Complainant informed.			
Resolution			
Outside remit of the Panel – no action.			

Complaints received by the South Wales Police and Crime Panel			
PCP Ref	Date Complaint Received	Complaint Category	Date Complaint Closed
2017/05	16 th August 2017	Not recorded.	31 st August 2017
Details of Complaint			
Complaint about the actions of SWP.			
Action			
Referred to SWP Professional Standards – Complainant informed.			
Resolution			
Outside remit of the Panel – no action.			

**Complaints received by the
South Wales Police and Crime Panel**

PCP Ref	Date Complaint Received	Complaint Category	Date Complaint Closed
2017/06	30 th August 2017	Not recorded.	31 st August 2017
Details of Complaint			
Complaint about the actions of SWP.			
Action			
Referred to SWP Professional Standards – Complainant informed.			
Resolution			
Outside remit of the Panel – no action.			

**Complaints received by the
South Wales Police and Crime Panel**

PCP Ref	Date Complaint Received	Complaint Category	Date Complaint Closed
2017/07	29 th August 2017	Not recorded.	31 st August 2017
Details of Complaint			
Complaint about the actions of an officer of SWP.			
Action			
Referred to SWP Professional Standards – Complainant informed.			
Resolution			
Outside remit of the Panel – no action.			