



## **REPORT TO THE SOUTH WALES POLICE AND CRIME PANEL**

**27<sup>th</sup> April 2021**

### **Oversight of Complaints.**

#### **Purpose of the Report**

This report sets out all complaints against the Police and Crime Commissioner for South Wales, and/or his Deputy, that have been received by the South Wales Police and Crime Panel since the 4<sup>th</sup> June 2019.

#### **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 Office for Police Conduct (IOPC), and responding to the complainant in the first instance, is dealt with by the panel via the host local authority (Merthyr Tydfil County Borough Council).
- 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 IOPC 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 or 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 will provide the Chair of the Panel with a summary of the investigation and his findings. The Chair and the host authority's 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 since complaints were last reported to the Panel on the 4<sup>th</sup> June 2019 and an update of those complaints made prior to that date but not concluded by that date 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
2014/2	16 <sup>th</sup> April 2014	Complaint.	8 <sup>th</sup> December 2014
2014/2(a)	2 <sup>nd</sup> November 2016	Complaint.	13 <sup>th</sup> April 2017
2014/2(b)	15 <sup>th</sup> March 2017	Serious complaint.	15 <sup>th</sup> February 2018
2014/2(c)	May 2017	Complaint	17 <sup>th</sup> October 2017
2014/2(d)	22 <sup>nd</sup> January 2019	Complaint	31 <sup>st</sup> March 2019
2014/2(e)	15 <sup>th</sup> December 2020	Complaint	16 <sup>th</sup> December 2020
Details of Complaint			
<p>Complaint 2014/2 - 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 2014/2(a) – received 24<sup>th</sup> October 2016 complaint that Commissioner has failed to respond to letter 8<sup>th</sup> September 2014.</p> <p>Complaint 2014/2(b) – received by IPCC 28<sup>th</sup> December 2016 forwarded to Panel by IPCC on the 15<sup>th</sup> 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 2014/2(c) – received May 2017. Complaint that the Commissioner’s website states that Complaint 1 was not upheld.</p> <p>Complaint 2014/2(d) – received 22<sup>nd</sup> January 2019. Complaint that the Commissioner had failed to reply to his correspondence.</p> <p>Complaint 2014/2(e) – received 15<sup>th</sup> December 2020. Complaint that the Commissioner had failed to update his website with complaint information.</p>			

Action
<p>Complaint 2014/2 - Referred to Commissioner's Chief of Staff for informal resolution.</p> <p>Appeal to IPCC – no further action.</p> <p>Complaint 2014/2(a) - referred to Chief of Staff – response received attaching Commissioner's response to letter dated 22<sup>nd</sup> September 2014.</p> <p>Complaint 2014/2(b) – 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.</p> <p>Complaint 2014/2(c) – referred to Commissioner's Chief of Staff for informal resolution.</p> <p>Complaint 2014/2(d) – referred to Commissioner's Chief of Staff for informal resolution.</p> <p>Complaint 2014/2(e) – referred to Commissioner's Chief of Staff for informal resolution.</p>
Resolution
<p>Complaint 2014/2 – On the 9<sup>th</sup> December 2014 Panel UPHELD complaint in part – Commissioner has since responded to the complainant.</p> <p>Complaint 2014/2(a) – On the 13<sup>th</sup> April 2017 complaint NOT UPHELD.</p> <p>Complaint 2014/2(b) – Complaint NOT UPHELD.</p> <p>Complaint 2014/2(c) – 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"</p> <p>Complaint 2014/2(d) – Complaint NOT UPHELD.</p> <p>Complaint 2014/2(e) – Complaint NOT UPHELD</p>

Complaints received by the South Wales Police and Crime Panel			
PCP Ref	Date Complaint Received	Complaint Category	Date Complaint Closed
2020/01	27 <sup>th</sup> May 2020	Serious Complaint	30 <sup>th</sup> October 2020
Details of Complaint			

That the Commissioner refused with criminal intent to carry out the duties imposed on him by the Police Reform Act 2002 to investigate and consider a serious complaint alleging criminal conduct on the part of the Chief Constable of SWP
<b>Action</b>
Referred to IOPC.  IOPC returned complaint to the Panel. Complaint referred to the Chief of Staff of Commissioner's Office.
<b>Resolution</b>
NOT UPHELD

Complaints received by the South Wales Police and Crime Panel			
PCP Ref	Date Complaint Received	Complaint Category	Date Complaint Closed
2020/02	4 <sup>th</sup> June 2020	Complaint	12 <sup>th</sup> August 2020
<b>Details of Complaint</b>			
That a complaint made to the Commissioner about what the complainant believed to be inappropriate, malfeasant conversations between the Chief Constable and an MP was not considered impartially or honestly by the Commissioner's office.			
<b>Action</b>			
Complaint referred to the Chief of Staff of Commissioner's Office.			
<b>Resolution</b>			
NOT UPHELD			

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

PCP Ref	Date Complaint Received	Complaint Category	Date Complaint Closed
2020/03	11 <sup>th</sup> November 2020	Not recorded	16 <sup>th</sup> December 2020
<b>Details of Complaint</b>			
Complaint about a conspiracy to commit various serious criminal acts – no direct complaint against the Commissioner			
<b>Action</b>			
Forwarded to the Dyfed Powys Police PSD for them to deal with as they see fit.			
<b>Resolution</b>			
NOT APPLICABLE			

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

PCP Ref	Date Complaint Received	Complaint Category	Date Complaint Closed
2020/04	16 <sup>th</sup> November 2020	Not recorded	16 <sup>th</sup> December 2020
<b>Details of Complaint</b>			
Complaint about the actions of SWP			
<b>Action</b>			
Forwarded to the South Wales Police Professional Standards.			
<b>Resolution</b>			
NOT APPLICABLE			

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

<b>PCP Ref</b>	<b>Date Complaint Received</b>	<b>Complaint Category</b>	<b>Date Complaint Closed</b>
2021/01	18 <sup>th</sup> January 2021	Not recorded	20 <sup>th</sup> January 2021
<b>Details of Complaint</b>			
Complaint about the actions of SWP			
<b>Action</b>			
Forwarded to the South Wales Police Professional Standards.			
<b>Resolution</b>			
NOT APPLICABLE			