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Report of the Police and Crime Commissioner to the Chair and Members of the Cleveland Police and Crime Panel

18 September 2018

Anonymous Complaint Against the Chief Constable

1.0 Purpose of Report

1.1 To update Members in relation to the procedure and outcome in respect of the anonymous complaint against the Chief Constable, of which Members are aware.

2.0 Background

2.1 This report relates to a complaint made anonymously against Chief Constable Mike Veale, when he was Chief Constable of Wiltshire.

2.2 As Members will know, under normal circumstances, complaints against the Chief Constable are handled by the Office of the Police & Crime Commissioner and are not normally the subject of public reports to the Panel. In practice, in line with arrangements which are consistent across the country, most of the routine decision-making in respect of such complaints is delegated to the PCC's Chief Executive & Monitoring Officer.

2.3 In this case, in view of the circumstances, I anticipate that Members will have a close interest in the matter and I would like to ensure that the Panel has the opportunity to be fully informed and assured about the way the complaint has been handled.

2.4 In summary, the background facts of the matter are these:

- 2.4.1 The anonymous complaint was received by the Office of the Police & Crime Commissioner for Wiltshire, in November 2017.
- 2.4.2 The complaint was referred to the Independent Office for Police Conduct (IOPC) by the Wiltshire PCC.
- 2.4.3 The IOPC decided to undertake an independent investigation into one single allegation, specifically that Chief Constable Veale allegedly damaged his police-issue mobile phone.
- 2.4.4 The IOPC did not investigate the other allegation, which was that Chief Constable Veale had allegedly disclosed confidential

information relating to the investigation into Operation Conifer. (Operation Conifer was an investigation into allegations of child sex abuse against the late Sir Edward Heath). That allegation was returned to the Wiltshire PCC to deal with as he saw fit; no further action has been taken.

- 2.4.5 The IOPC notified the Wiltshire PCC of their decisions in January 2018. On 22 January 2018, the Wiltshire OPCC informed Chief Constable Veale of the IOPC's decision to investigate. On the same date, Wiltshire OPCC informed the Cleveland OPCC. This was, as Members will recall, immediately before the confirmation hearing for Chief Constable Veale in Cleveland on 23 January 2018.
- 2.4.6 As set out in the PCC's report to Members on 6 February 2018, at the time of being notified by the Wiltshire OPCC, my Chief Executive was satisfied that the IOPC decision had only just been made, that Mr Veale had not been served with notice of the investigation and that the IOPC did not at that time intend to make any public announcement of the investigation. Members could only take into account matters which they have asked Mr Veale about in their public confirmation hearing and Mr Veale could not, of course, have been asked about the investigation in that public session.
- 2.4.7 Mr Veale took up post as Chief Constable of Cleveland on 5 March 2018.
- 2.4.8 'Appropriate Authority' responsibility for the handling of complaints and conduct in respect of the Chief Constable sits with the PCC and it follows that responsibility for this complaint transferred from Wiltshire PCC to the Cleveland PCC on appointment.
- 2.4.9 On 23 March 2018 the IOPC indicated to my Chief Executive that they were intending to extend the scope of their investigation to incorporate an allegation that Chief Constable Veale had been untruthful to his colleagues at Wiltshire about how the damage had occurred. This followed on from Chief Constable Veale having indicated to IOPC investigators, when explaining to them how the damage had occurred, that he had given a different account to colleagues at the time.
- 2.4.10 The IOPC in due course completed their investigation and their report was sent to me on 21 May 2018.
- 2.4.11 The IOPC concluded that there was no case to answer in respect of the damage to the phone, but that there was a case to answer in respect of the different explanations given.
- 2.4.12 The IOPC findings recognise that Chief Constable Veale had made the decision to give a different explanation to colleagues, at a time of the most acute professional pressure and in order to avoid embarrassment for himself and for Wiltshire Police.
- 2.4.13 The legal process requires the PCC to respond to IOPC reports and recommendations. The process is lengthy and complex,

involving the exchange of legal documentation between the PCC and the IOPC and vice versa.

- 2.4.14 That process has been underway since May 2018.
- 2.4.15 By the end of that process, the IOPC agreed with me that the appropriate way to deal with the remaining matter was by way of management action.
- 2.4.16 Management action is not a disciplinary sanction, but instead offers the opportunity to put in place an appropriate course of action to address the issues raised in the case.
- 2.4.17 I think it is important to deal with mistakes and errors of judgement in a way which is fair, frank and proportionate.
- 2.4.18 The police complaints process can be lengthy and complex – this case has been no different and has therefore taken some time to bring to a conclusion. We must remember that the process is designed to allow allegations to be raised by anyone – even anonymously – and even against officers of the most senior ranks, who are held to the very highest standards of professionalism.
- 2.4.19 The management action plan requires Mr Veale to offer explanations for his actions and to undertake professional development on an ongoing basis.
- 2.4.20 As a result of that course of action, as Members will by now know, Mike Veale has been candid with the public and with the officers and staff of Cleveland Police, that the mistake he made was not his finest hour. His honesty throughout with investigators is very much to his credit - as is his contrition and his apology to the public and to colleagues.
- 2.4.21 For many very good reasons, Chief Constables are under the most intense public and political scrutiny. It is important that as Police & Crime Commissioner I am seen to hold the Chief Constable to account if mistakes are made – but the public and all police personnel must have confidence that I will do so fairly, so that as well as making amends, learning can be taken from such situations .
- 2.4.22 Bearing in mind the clear messages I receive day in day out at my meetings with the public, and having now had the chance to witness the work of CC Veale at close hand for some months, there is no doubt in my mind that he is the right person to drive forward the process of transforming Cleveland Police so that our officers and staff can focus on their continuing programme of hard work, proudly keeping the public of Cleveland safe.

2.5 I have over recent days informed the Chair of this Panel (and the Chair of the Joint Independent Audit Committee) of the way in which this case has been concluded and I am pleased to confirm their support.

2.6 Whilst I commend the approach taken to this case to Members - including the diligent and professional handling of the complex procedures by my Office – it is important that Members should have the opportunity to have full and detailed understanding of the case and its handling.

I attach to this report, copies of my public statement and the statement of Chief Constable Veale. A full statement from the IOPC can be read at [report https://www.policeconduct.gov.uk/sites/default/files/Operation_Ithaca_Final_redacted_report.pdf](https://www.policeconduct.gov.uk/sites/default/files/Operation_Ithaca_Final_redacted_report.pdf)

<https://www.policeconduct.gov.uk/news/chief-constable-has-case-answer-inaccurate-account-about-mobile-phone-damage>

Barry Coppinger
Police and Crime Commissioner for Cleveland
