

OFFICIAL



SOUTH WALES POLICE
PROFESSIONAL STANDARDS DEPARTMENT
PSD-6

Report: **PROPORTIONATE INVESTIGATION**



No.	Required Information	Response	
1.	PSD Reference (if known)	CO/657/19	
2.	Your (IO) Name, Rank and Collar	Ceri Lloyd JOHN Detective Constable 3566	
3.	Your BCU or Department	Professional Standards Department (PSD), K Division	
4.	Date Allegation was Received in Force	03/07/2019	
5.	Date you are Submitting this Report	31/03/2021	
6.	Are you the Supervisor of the person/s Subject of this Report?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
7.	Details of any Complainant/s (if applicable, include the usual identifier fields):	MAURICE JOHN KIRK DOB 12/03/1945	
8.	Name, Rank and No. of the Police Personnel subject of this Report (include their current Role / BCU)	UNKNOWN- THE IO WILL PROVIDE FURTHER DETAIL IN OVERVIEW	
9.	Before forming your report, please note that there are differences in the recommendations available for Police Officers and Police Staff. (This will be required in Box 16)	Police Officer Outcomes Available	Police Staff Outcomes Available
		1. No Case to Answer – NFA 2. Case to Answer – Management Action 3. Case to Answer – Disciplinary Meting 4. UPP	1. No Case to Answer – NFA 2. Case to Answer – Suitable Advice 3. Case to Answer – Misconduct Meeting 4. Capability

No.	Required Information	Response	
10.	Does this matter involve any elements of Discrimination? (If so, please provide details in the box provided)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
	N/A		
11.	Overview of <u>the Allegation</u>		
	<p>Mr. KIRK has a large number of PSD Cross References, the most pertinent of which are shown below:</p> <p>CO/604/11 Concerned a complaint made against Barbara Wilding conspiring to have him shot. Complaints about his arrest and also, complaints about perverting the course of justice and tampering with a machine gun. Matter was investigated and there was No Case to Answer</p> <p>CO/487/11 Concerned allegation against the police officers involved in the operation to arrest him and allegations that they had tampered with the machine gun . Matter was Dis-applied.</p> <p>CO/647/13 Concerned allegation that officers had tampered with the machine gun. Matter was Dis-applied</p> <p>MI/1034/18 Concerned complaints against Barbara Wilding again that she had conspired to have him shot .Matter was subject of Non-recording letter</p> <p>On 10th May 2019 Mr. KIRK sent one of two letters to South Wales Police (SWP) addressed to the Duty officer at Cardiff Bay Police Station.</p> <p>In the letter he states having spoken to the Governor and Prison officers he was advised to contact the police to make a witness statement about a criminal matter. The criminal matter appears to be that his medical records from Caswell which he alleges have been falsified have resulted in him spending five years in jail.</p> <p>In his second letter addressed to PSD and dated 21/6/19 he appears to be alleging that the police have failed /refused to take a witness statement from him concerning a criminal matter.</p> <p>He alleged that medical evidence and Mappa information used in his trial was knowingly false. He again reiterates in this letter previous complaints he has made about Dr Thomas falsifying his medical records.</p> <p>An allegation that over the past 10 years Prison staff and the Governor have unlawfully prevented him from applying to the Royal Courts of Justice and he has been denied proper medical care whilst in prison because he was supplying the Welsh Secretary with heroin</p> <p>Furthermore alleges in his letter that Barbara Wilding has ignored a 2million pound fraud.</p> <p>On the 30th July 2019 SWP PSD sent an acknowledgement letter was sent to Mr KIRK at HMP Parc advising the matter would be recorded as a complaint. Within the letter it details the matter was referred to the Divisional Commander of Eastern BCU (Cardiff).</p> <p>On the 31st July 2019 SWP PSD contacted Eastern BCU to advise that SWP would retain the complaint and the matter be allocated to an Investigating Officer.</p> <p>Mr KIRK appealed the decision of SWP PSD with the Independent Office for Police Conduct (IOPC).</p> <p>On 23 October 2019 the IOPC sent correspondence to Mr. KIRK and SWP PSD.</p> <p>Following review of the letters and in conjunction with the recording decision letter sent from SWP PSD dated 23rd July 2019 agreed with SWP summary of the complaints.</p> <p>The summary is detailed as follows:</p> <ol style="list-style-type: none"> 1. Several allegations regarding the falsification of medical records which has resulted in spending 5 years in jail. That the police have failed/refused to take a witness statement from you when you have attempted to report what you believe to be a criminal offence. (Matter formally recorded as a complaint) 2. Several allegations in relation to prisons and treatment in prison. (SWP PSD did not record under provision of Police Reform Act 2002 Repetitious) 3. That the former Chief Constable, Barbara Wilding, ignored a two million pound fraud. . (SWP PSD did not record under provision of Police Reform Act 2002 Repetitious) <p>Due to an administrative error this matter was not progressed by SWP PSD and sent to Police and Crime Commissioner (PCC) in its entirety on 28th November 2019.</p> <p>Following a review on 24th March 2021 the matter as detailed in point 1 was identified and progressed.</p>		

No.	Required Information	Response
		<p>The investigation was allocated to DC 3566 John who upon reviewing the submitted letters and in consultation with DS COLSTON assessed that the alleged conduct of the officers involved did not reach threshold for Special Requirements so a proportionate investigation has been completed.</p> <p>Within the report the Investigating Officer has relied on the following Letters from Mr. KIRK Excel Spreadsheet relating to key word search to try and establish Occurrence 62100047030- Occurrence 62100329452-MR KIRK HAS ATTENDED AT STATION REQUESTING A CRIME NUMBER FOR AN INCIDENT THAT OCCURRED IN 2001. Occurrence 62100049421- Complaints against Police reported time 1225 hours 12/02/2010 Occurrence 62100188999 –Suspicious Circumstances reported time 05/06/2010 1225 hours Occurrence 62130171526 – Theft and handling reported time 08/06/2013</p> <p><u>Standards Of Professional Behaviour- Police Officer</u></p> <p>6. Duties and Responsibilities- Police officers are diligent in the exercise of their duties and responsibilities</p> <p>The details below are what the IO could decipher from Mr. KIRKS letters posted 10th May 2019 & 21st June 2019.</p> <p>There is no specific date time or event referred to within the letters that can identify when a statement of complaint was either refused/ declined for a criminal allegation by Mr. KIRK.</p> <p>The IO observations from attempting to decipher the wording of the letters identified wording “key wording” which could be used to identify which complaint as many of Mr. KIRK contact with SWP are repetitious complaints that date over several years.</p> <p>On 25/03/2021 the IO conducted enquires with a PSD analyst for a word search on Niche from 21.06.2019 the date of the last letter received from Mr. KIRK to try and establish a linked occurrence which may one relevant to this investigation.</p> <p>Helen RYDER Governor Doctors Caswell clinic Barry Police station Bradley HUGHES Doctor ABDULS Richard THOMPSON Swansea Psychologist Doctor Gaynor JONES</p> <p>On 26/03/2021 as a result of those enquires ten occurrences were identified from the word search.</p> <p>From the ten possible occurrences that Mr. KIRK may be making references to are three which may be of relevance.</p>
12.		Terms of Reference
		<p>Establish the date and time of the allegation from the letter from Mr. KIRK Make further contact with Mr. KIRK to try and establish the time and date of the allegation. Interrogation of Niche system to establish what occurrence the allegation relates to Following interrogation identify the officer Obtain a response from the officer once matter under investigation is identified</p>
13.		Summary of the Evidence
		<p><u>Occurrence 62100047030-</u></p> <p><u>Occurrence 62100329452</u></p>

No.	Required Information	Response
<u>Occurrence 62100049421- Complaints against Police reported time 1225 hours 12/02/2010</u>		
<p>Summary: Maurice KIRK has attended Barry Police Station stating that he has been informed (refused to say by who) that police have broken into his property 49-52 Tynewydd Road, Barry since Christmas. He wanted to speak with a supervisory officer about the matter. He also had to sign bail 12 midday and according to conditions- surrender his passport. Initially stated police had it. Safe Barry front desk and safe div office checked with negative result. PS DAVIES spoken to and by time PS DAVIES had attended Barry front desk, Mr. KIRK had left the station.</p> <p>Within the Occurrence Enquiry Log (OEL) there is a series of updates</p> <p>Within the OEL there is an entry BCU Management review dated 16/02/2010 @1422 hours</p> <p>Mr Kirk has attended at Barry police station today. Acting Inspector Chris Warner dealt with him. He was offered the opportunity to make a complaint as stated by him last Friday. He declined to make a complaint in relation to that matter, he has however written a statement about a falsifying of medical records by Mr Tegwyn Jones, consultant psychiatrist at Caswell clinic. The clinic is administered by Bro Morgannwg NHS trust, the statement and a covering report will be forwarded to them for their information.</p>		
<u>Occurrence 62100188999 –Suspicious Circumstances reported time 05/06/2010 1225 hours</u>		
<p>Summary: Maurice KIRK has attended at Barry Police Station alleging that his Doctor at Caswell Clinic Dr. Tegwyn WILLIAMS has falsified his medical records for reasons of his detention at prison/hospital ###OBC###</p> <p>Within the OEL there is a series of updates</p> <p>05/06/2010 1250 hours Public Service Centre (PSC)</p> <p>Mr. KIRK has attended Barry Police Station. He states that between 3rd August 2009 and the present day medical records at the Caswell Clinic Bridgend have been falsified by Dr. Tegwyn WILLIAMS. He states that the clinic agreed to give him a copy of the records for which he has paid via data protection, and that now they are refusing to give them and his anaesthetist for his hip operation next week. Mr. KIRK would like police to contact him on 07907937953.</p> <p>05/06/2010 1304-1324 hours PSC</p> <p>Speak to FIM Inspector WALBEOFF re this matter, would appear to have recent activity with Mr. KIRK. There would appear on checking no nominated person to liaise with him. My view is that the Command Team AM Monday should be advised to nominate a person to take this enquiry forward.</p> <p>05/06/2010 1307 hours PSC</p> <p>I have rung Caswell Clinic, there is no one available to assist over the weekend. Lined occurrence for same reported Incident 03/06/2010.</p> <p>07/06/2010 0744 Supervisor review</p> <p>From PS 3431</p> <p>I have spoken Glanrhyd Hospital and Mr. KIRK about this issue on several occasions. Mr. KIRK has been advised by the hospital that he has to apply for his medical records through the Medical Records Office. He continually turns up at the hospital asking for his notes. It would appear that these have been provided but he is not satisfied that these are correct. He cannot offer any reason for this and has been suitably advised. The hospital will have a protocol in place for dealing with Mr. KIRK and contact the police immediately upon his arrival. At present there are no offences disclosed. Please finalise.</p>		
<u>Occurrence 62130171526 – Theft and handling reported time 08/06/2013</u>		
<p>Summary: Possible Theft. Maurice KIRK has attended Barry front desk and stated that a tenant of his property below has removed a copper tank from his premises and done a bunk. Mr. KIRK refused to provide his home address and was reluctant to provide or indeed answer my questions. He stated that he did not have a good relationship with the police but wanted us to know that his tenant Lyndon ROWLANDS mob 07827630463 is believed to have removed said boiler and Mr. KIRK has been advised of this by the tenant from the flat above (name unknown)</p> <p>Within the OEL there is a series of updates</p> <p>Investigator action 08/06/2013 22:09 hours</p> <p>MOBUPDATE : Number taken is incorrect should read 07907 937953. I have tried phoning this number but it rings continuously with no answer phone facility. Pls can incident be time reminded for morning shift to make contact</p> <p>Investigator 10/06/2013 10:13 hours</p> <p>Maurice KIRK has attended at Barry Police Station enquiring as to the progress of this case. I advised him that we needed to take a statement from him but he was unable to do so. He stated that he would attend later, ideally before I finish at 4pm. The circs though are that he rents the ground floor flat of 49 Ty Newydd Road to a male called Lyndon ROWLANDS and has done so for the past 8 weeks. He took no bond from Lyndon and is still yet to receive any rent from the council for the flat. Mr KIRK was advised by the occupant of the flat upstairs (he could not recall his name) that ROWLANDS told him he was going to get £400 for the heating tank. As a result Mr KIRK attended the property and noticed that even though the flat was secure, upon entering the flat the boiler had been removed. He was not in a position to take officers to the property as he had a funeral to attend. I have obtained a correct tel number for Mr KIRK - 07907937953 and he will attend the station later with more information.</p>		

No.	Required Information	Response
		<p>I have tasked CID to make them aware of this incident and also tasked CSI to make them aware to contact Mr KIRK and arrange a time convenient to attend the property.</p> <p>Investigator action 10/06/2013 13:49 hours</p> <p>Mr KIRK attended the station again stating that he had got the time of the funeral wrong and hence would not be available to give a statement this afternoon. He plans to call in to the station later this evening.</p> <p>Victim contact 10/06/2013 14:03 hours</p> <p>I have spoken to the victim, and confirmed that their preferred means of contact is [mobile - 07907937953]. Agreed timescales for updates is whenever applicable. I confirmed that he had been with their occurrence number and I then gave him my personal contact details. I have informed them that the officer in their case is me.</p> <p>Victim contact 10/06/2013 22:45 hours</p> <p>I have spoken to the victim, and confirmed that their preferred means of contact is mobile. I confirm I have provided the victim with their occurrence number and PC JENKINS personal contact details. This has been recorded on the F28 form and handed to the victim. I have informed them that the officer in their case is PC 3519 JENKINS.</p> <p>Investigator action 10/06/2013 22:46 hours</p> <p>The Injured Party (IP) has attended at Barry PS and I have taken a statement of complaint from him. I have also accompanied the IP to the property and taken a photograph of the damage on my blackberry mobile device - scanned onto the occurrence. I have also taken a statement from (redacted), the tenant (details redacted), who had a conversation with the suspect re the boiler. ROWLANDS linked as suspect on NICHE. I have been unable to conduct arrest enquiries this evening due to volume of calls. Contact numbers for ROWLANDS: 07827 630463 or 07885 902185 I have tasked the Officer in the Case (OIC), PC JENKINS to further this matter tomorrow. Hand on package completed and placed on Sgts desk, Barry PS.</p> <p>Investigator action 11/06/2013 08:20 hours</p> <p>I am in possession of the package for ROWLANDS and will be making attempts to trace and arrest ROWLANDS.</p> <p>Crime Scene Investigation (CSI) actions 11/06/2013 08:32 hours</p> <p>I have spoken with Mr Kirk who states that he will not be able to make it to Barry today as he has other commitments. I will speak to OIC and arrange re-attendance.</p> <p>CSI actions 12/06/2013 12:11 hours</p> <p>I have tried to contact Mr Kirk with Neg result, therefore, task closed pending further contact</p> <p>Investigator action 12/06/2013 19:33 hours</p> <p>I have spoken to the suspect in this matter, Lyndon ROWLANDS and he will available tomorrow after 5pm to discuss this matter.</p> <p>Investigator action 13/06/2013 18:05 hours</p> <p>When ROWLANDS attended the Police Station, due to the statement from the tenant (details redacted) it was decided that it was necessary to arrest ROWLANDS and he is currently at Cardiff Custody awaiting interview but Barry HUB.</p> <p>Victim contact 13/06/2013 20:57 hours</p> <p>I have updated the victim via their preferred means and advised them that all enquiries are complete and the result of the investigation is as follows. I have updated Mr Kirk that Lyndon ROWLANDS has been arrested and interviewed and has admitted stealing the boiler and has been charged to court. Mr Kirk was happy with police assistance.</p> <p>Supervisor review 14/06/2013 07:42 hours</p> <p>I am the supervising officer and I have reviewed this occurrence and am satisfied that the OIC has provided the occurrence number and officer contact details to the victim.</p> <p>I am the supervising officer and I have reviewed this occurrence and am satisfied that the OIC has updated the victim in accordance with their preferences.</p>



No.	Required Information	Response
-----	----------------------	----------

I am the supervising officer and having reviewed this occurrence I believe the following action(s) need to be taken [specify what and who]. Although Mr KIRK dislikes the police we as an organisation endeavour to provide the best service we can offer. Matter progressed and dealt with by Barry HUB.

I am satisfied that this occurrence has been completed appropriately, including the submission of relevant forms and support finalisation. I also confirm the victim has been updated on the outcome of all investigations made.

Crime Registry 20/06/2013 12:45 20/06/2013 12:45 hours

Crime Registry comments (for use only by Crime Registry).
Reviewed as part of Crime Registry audit. NCRS failure ref time of recording.

14.	Officer/s <u>Written Response</u> to the Allegation
-----	--

Not applicable – please see detailed summary of evidence

15.	Summary Conclusion (Your Conclusions should clearly reflect the Allegations and Terms of Reference)
-----	---

16.	Itemised Conclusion/s (if more than 1 Officer, please specify the Outcome for each)	Officer / Staff & Collar No's	Your Recommendation/s (please refer to box 9 for options)
		1. 2. 3.	1. Not Upheld 2. Not Upheld 3. Not Upheld

17.	Your Rationale for the Above: <i>Please specify which complaint category/ies were allegedly breached by which Officer / Staff Member, <u>this will help us to ensure the individual Officer's records are fair and reflective of the case.</u></i> C. Other Assault Click here to enter text.
-----	--

18.	Any Additional Comments or Observations you want noted? <i>If so, please describe in the box provided...</i>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
		Click here to enter text.	

