



# Adjudication Panel for Wales Annual Report

Year 2024 – 2025

PDC / APW

PANEL DYFARNU CYMRU  
ADJUDICATION PANEL FOR WALES

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# Foreword

This is my first annual report as President of the Adjudication Panel for Wales and the report covers the period from the 1 April 2024 to the 31 March 2025.

It was a privilege and a pleasure to accept the role of President of APW and I am deeply indebted to the outgoing President, Judge Claire Sharp for her expert management of the jurisdiction during her eight year tenure, providing efficient and effective access to justice for the Tribunal's users. Her high standards have ensured a smooth running and effective jurisdiction, and her careful handover of responsibility ensured my ease of entry into the role. I am grateful, too, for the warmth of the reception by both judicial office holders and administrative staff.

At the same time as I was appointed, Upper Tribunal Judge Edell Fitzpatrick was appointed Deputy President of the Tribunal. She is a Judge of the Upper Tribunal Administrative Appeals Chamber and brings with her extensive experience of tribunals in Northern Ireland, England and Wales.

I have a strong belief in the importance of judicial training to ensure consistency and quality of decision making. The focus on the importance of training matches one of the President of Welsh Tribunals' priorities for the year and is a particularly important opportunity in a small jurisdiction to broaden the experience of judicial office holders.

It was, therefore, a pleasure to attend the annual training in October 2024, which was, for the first time, arranged jointly with the Education Tribunal for Wales. The judicial office holders enjoyed both generic and jurisdiction specific sessions to match their particular training needs and were given an opportunity to broaden their familiarity with the judicial office holders in another devolved jurisdiction.

The implementation of the Welsh Language (Wales) Measure 2011 (Amendment of Schedule 6) Order 2025 in March 2025 has, at last, brought the Tribunal in line with the other devolved jurisdictions in Wales, by making it subject to the requirement to comply with certain Welsh language standards. I am pleased that the Tribunal's commitment to the Welsh language will now be recognised and work with the Welsh Language Commissioner's office is under way to ensure full implementation of the requirements. Once again, Judge Sharp's effective management of the jurisdiction has ensured that the Tribunal already meets the vast majority of the relevant standards, well in advance of the imposition of the statutory requirement to do so.

The jurisdiction's work has remained at a consistent level. The small number of cases and appeals makes it difficult to draw themes and threads from the cases brought to the Tribunal. It is, however, noticeable that the prevalence of inappropriate use of social media by councillors, without regard for the public nature of their posts, appears in the majority of cases. This may be an area for specific attention for incoming councillors in future, given the greatly increased use of social media in all aspects of life.

It is the intention to build the resilience of the Tribunal by appointing a further two legal members through an open Judicial Appointments Commission competition and by offering additional authorisation to members from other devolved tribunals to sit in the jurisdiction. These exercises will be undertaken over the coming months to ensure that there is sufficient cover for future hearings.

I have observed a lack of understanding by users of the formal nature of legal proceedings in tribunals over the last few years and propose to take steps to make the roles of judicial office holders and tribunal administrative staff clearer in APW. It will be helpful for users to understand that decisions are made by Tribunal judiciary and are simply conveyed to users through the registrar, rather than made by the administration. It is very important that users understand that directions and orders issued by the Tribunal correlate to court orders and directions and should be given appropriate attention and weight.

During the year, Judge Richard Payne resigned his authorisation in the jurisdiction to take up a salaried role in the Mental Health Review Tribunal for Wales. We are grateful for his contribution to the work of APW and extend our good wishes to him in his new role.

Any questions or comments arising as to any aspect of the workings of the Tribunal, or the contents of the Report, are most welcome and should in the first instance be addressed to the Registrar.

**Judge Meleri Tudur**  
**President of the Adjudication Panel for Wales**

# Section 1 – About Us

In this section:

- Basis for the APW
- The APW's Function
- The APW's Regulations
- The APW's Process
- Members of the APW
- Appointments
- Training
- Contacting the APW
- Accessing the APW

## Basis for the APW

The Adjudication Panel for Wales (APW) is an independent tribunal that has been set up to determine alleged breaches against an authority's statutory Code of Conduct by elected and co-opted members of Welsh county, county borough and community councils, fire and national park authorities.

The APW was established under Part III of the Local Government Act 2000.

## The APW's Function

The Code of Conduct for an authority provides its members with a set of standards expected of them in public life. The Code of Conduct covers various requirements as to how members should conduct themselves and includes requirements in relation to equality, personal and prejudicial interests, confidential information, their authority's resources and the need to avoid bringing their office or authority into disrepute.

The APW has two statutory functions in relation to breaches of the Code of Conduct:

- to form case or interim case tribunals ("Case Tribunals") to consider **references** from the Public Service Ombudsman for Wales (PSOW), following the investigation of allegations that a member has failed to comply with their authority's Code of Conduct; and
- to consider **appeals** from members against the decisions of local authority standards committees that they have breached the Code of Conduct ("Appeal Tribunals").

## The APW's Regulations

The APW operates in accordance with its procedural regulations and other associated legislation. The regulations ensure that all cases heard by the APW are treated fairly, consistently, promptly and justly. They ensure that everyone who comes before the APW clearly understands the steps they must take so that the facts of the dispute and the relevant arguments can be presented effectively to the APW. They also ensure that every party to a case understands the arguments of the other party and can respond to them.

APW's procedures are governed by the following legislation:

- The Local Government Act 2000 (as amended);
- The Adjudications by Case Tribunals and Interim Case Tribunals (Wales) Regulations 2001 (as amended), and
- The Local Government Investigations (Functions of Monitoring Officers and Standards Committees (Wales) Regulations 2001 (as amended)).

## The APW's Process

Anyone wishing to respond to a reference from the PSOW or to make an application for permission to appeal to the APW must complete and send the relevant form to the APW.

At an APW hearing, the panel is composed of a legally qualified chairperson (the Tribunal Judge) and 2 lay members (Tribunal Members). Legally qualified members can also sit as a lay member. APW hearings are normally held in public and take place near to the authority area.

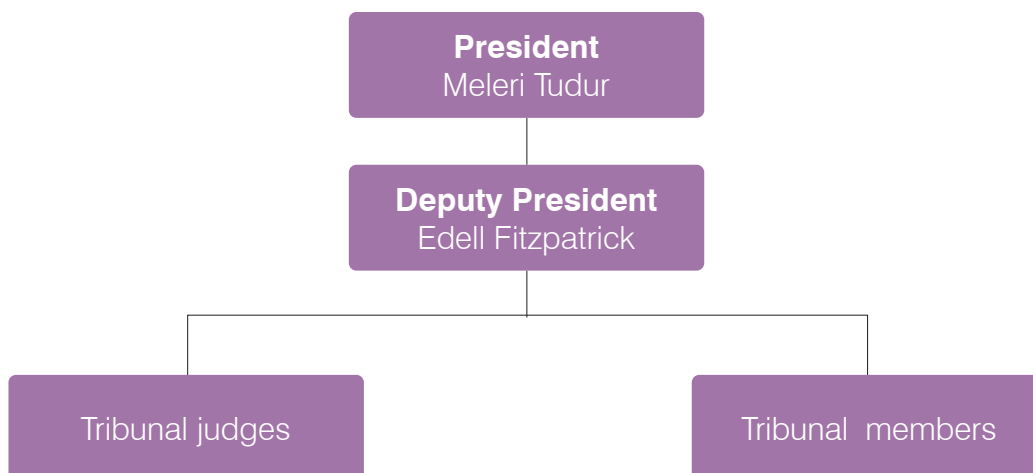
The APW publishes its decisions on the website for the APW. Decisions of Case Tribunals can be appealed on limited grounds to the High Court. Permission to appeal to the High Court must first be sought from the High Court.

Full information and guidance about the APW and its procedures, are provided on the APW website. Alternatively, please contact the APW administration for further information or if you would like to receive publications in a different format. The contact details can be found on page 7 & 8.

## Members of the APW

Appointments to the APW are made by the First Minister after consideration of recommendations made by the Judicial Appointments Commission.

<b>President</b>	The <b>President</b> has judicial responsibility for the APW and its members.
<b>Deputy President</b>	The <b>Deputy President</b> supports the President and fulfils the duties of President if the President is unable to carry out her duties, either temporarily or permanently.
<b>Tribunal Judges</b>	<b>Tribunal Judges</b> are qualified lawyers and have responsibility for conducting proceedings at hearings and advising the administration on matters of law. Tribunal Judges write APW decisions and give directions where necessary.
<b>Tribunal Members</b>	<b>Tribunal Members</b> have a wide range of knowledge and experience relevant to the work of the APW.
<b>Administration</b>	The day-to-day administration is largely delegated to the administration which deals with all the preliminary paperwork and the processing of applications to the APW. Decisions on all legal points arising during the preliminary pre-hearing stages of the proceedings are made by the President and/or Tribunal Judges. The administration sends rulings and directions in writing to the parties. The administration acts as a point of contact for Tribunal judges, members and APW users and attends hearings to help with the efficient running of proceedings.



## Appointments

Meleri Tudur and Edell Fitzpatrick were appointed as legal members during the last reporting period. During this reporting period, Meleri Tudur has been appointed President and Edell Fitzpatrick has been appointed Deputy President.

No additional members have been appointed during this reporting period.

## Contacting the APW

To contact the APW Administration:

APW Address: Registrar to the Panel  
Adjudication Panel for Wales  
Welsh Tribunals Unit  
PO BOX 100  
Llandrindod Wells  
LD1 9BW

APW Telephone Helpline: 03000 259805  
APW E-mail: [adjudication.panel@gov.wales](mailto:adjudication.panel@gov.wales)

## Accessing the APW

The APW is happy to communicate with you in Welsh or English. If a Welsh speaker is not immediately available then we will arrange for a Welsh-speaking member of staff to phone you back.

You can choose to have your hearing conducted in Welsh or English. If your first language is not Welsh or English and you wish to speak in your first language during the hearing, we can arrange for an interpreter to be present. If you need a sign language interpreter to attend the hearing, we will arrange this.

If you or anyone you are bringing to the hearing has any other access requirements that may affect our arrangements for the hearing, provisions will be made.

To enable arrangements for interpreters or to make provisions for any additional needs of attendees, sufficient notice must be given to the administration.



## Section 2 – Performance and Progress

In this section:

- Numbers and statistics
- Hearings Data
- Onward appeals
- Achievement against key performance indicators
- Complaints

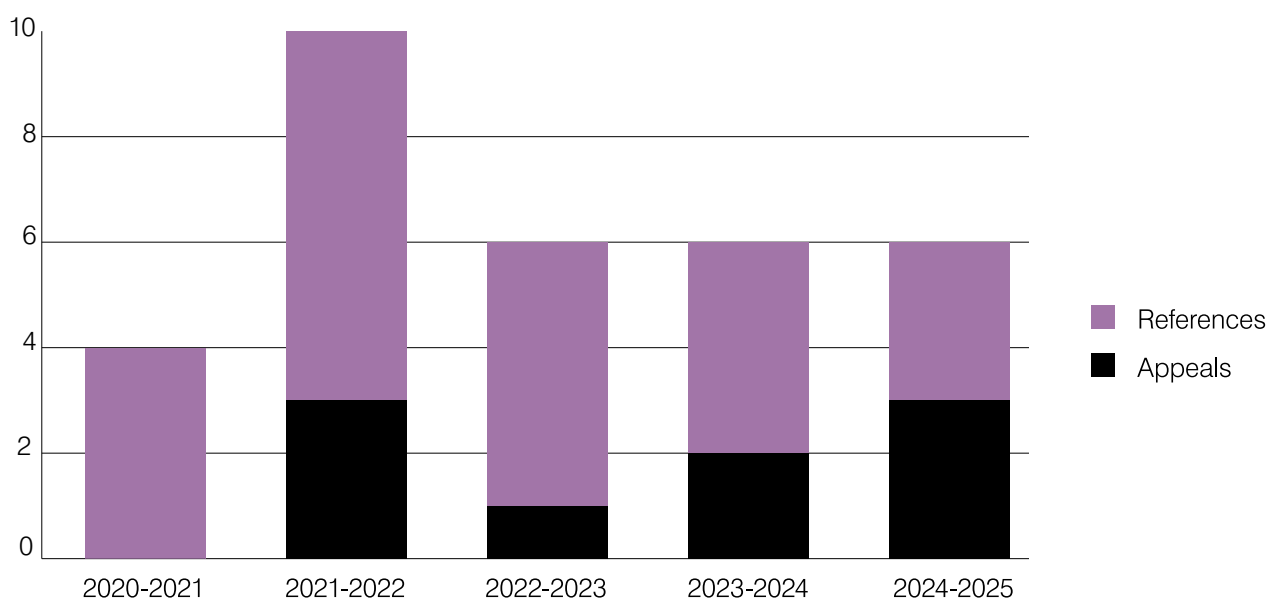
### Numbers and Statistics

A Tribunal year runs from April to March. As the numbers of cases received are relatively low, figures are given for a 5-year period to allow for comparison.

The following statistics are collated:

- Number of references and appeals received
- Type of applications received and registered
- Number of applications finalised
- Outcome of applications.

Graph 2.1: Number of references and appeals received by year April 2020 – March 2025



Graph 2.2: Number of references and appeals decided by year April 1919 – March 2024

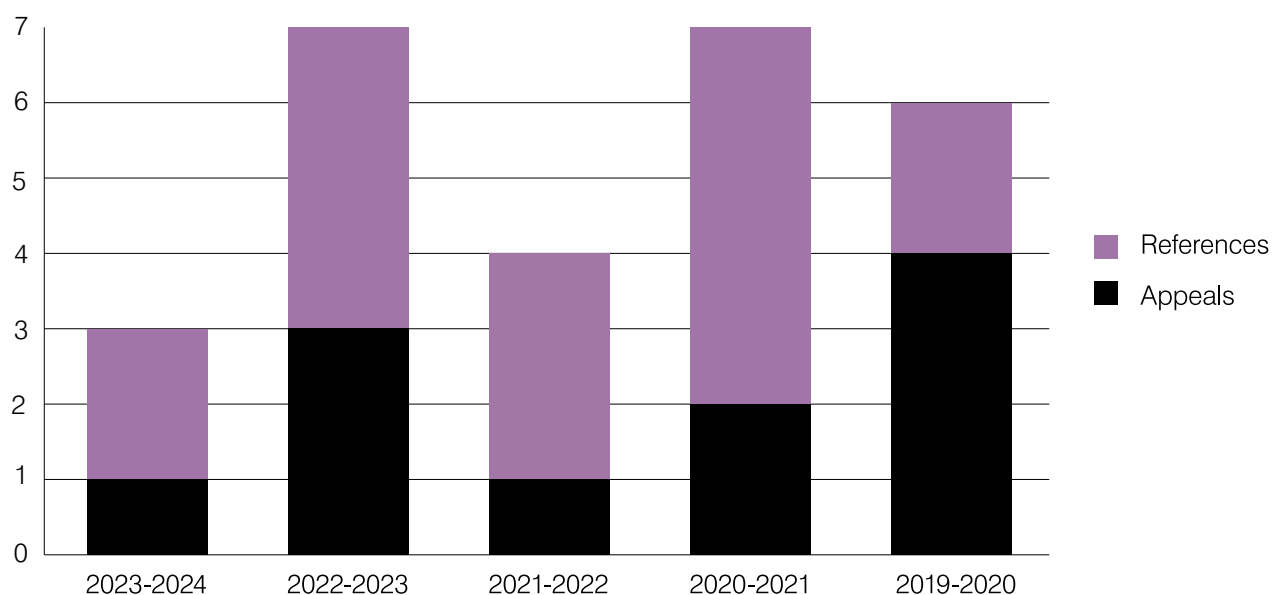
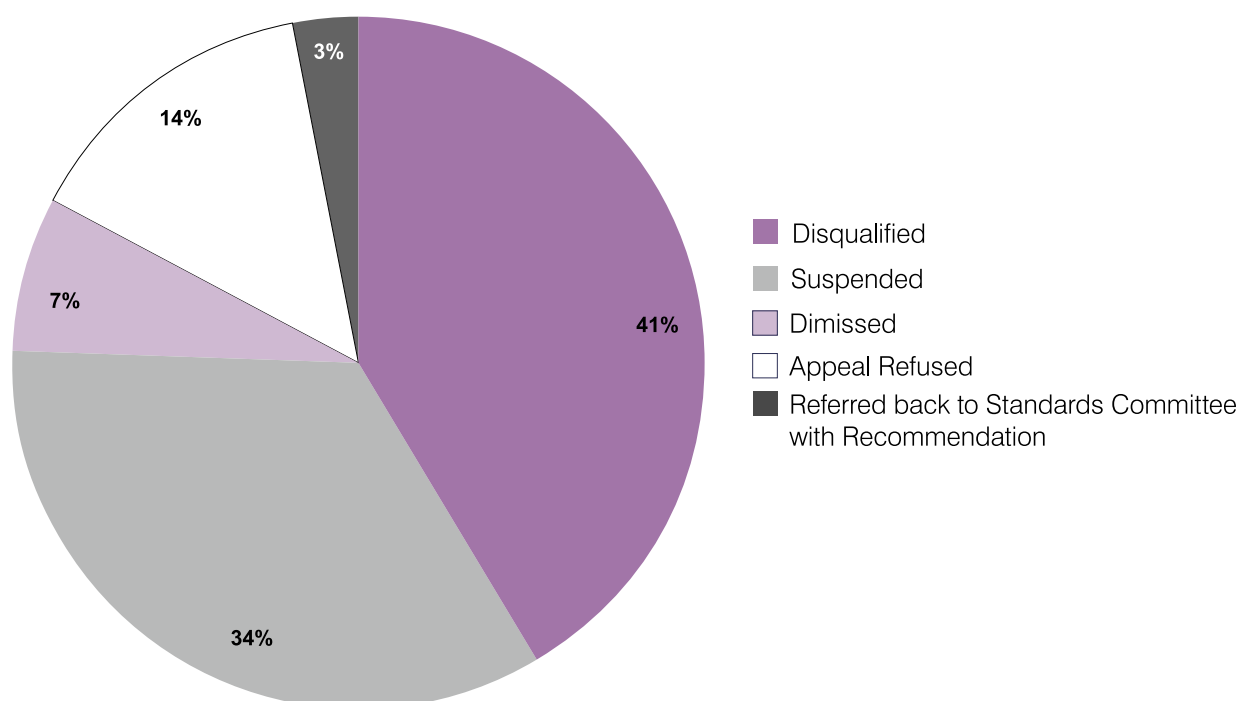
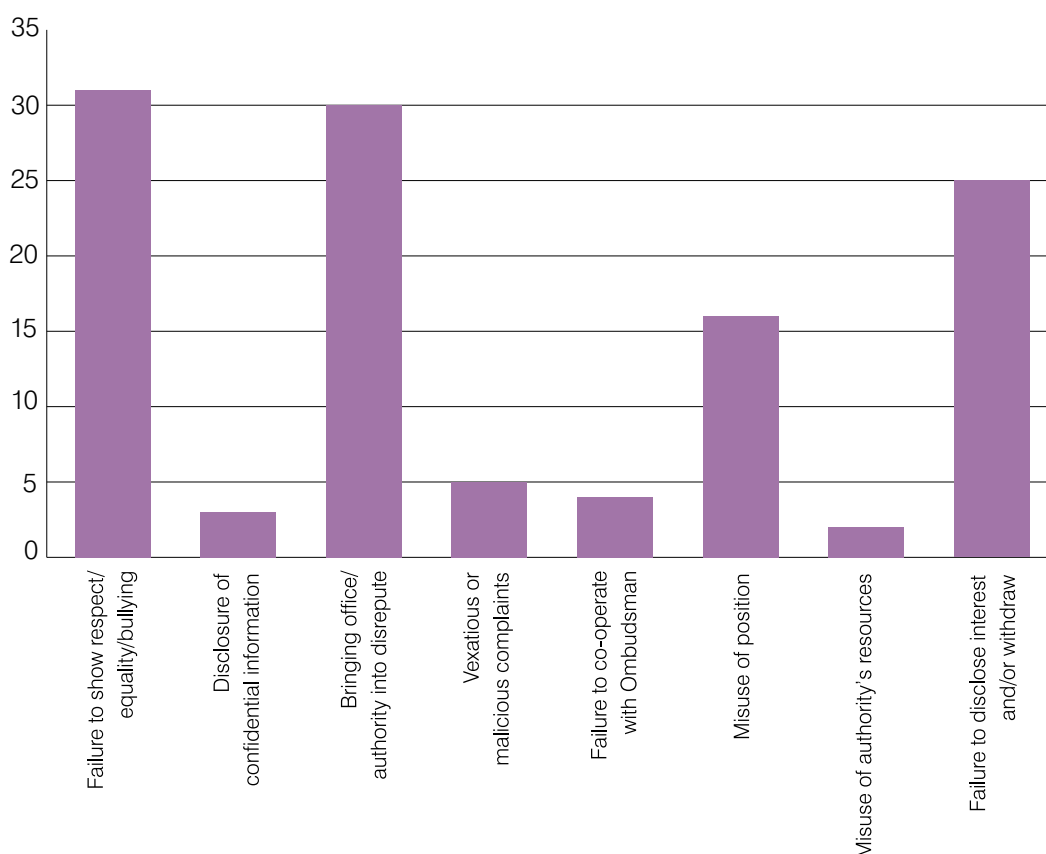


Chart 2.3: Outcomes of references and appeals April 2019 – March 2024

The chart below shows the outcome of references and appeals decided by the Adjudication Panel over the last 5 years.



Graph 2.4: Breaches by type April 2019 – March 2024



## Hearings data

During 2024-2025:

Type	Length (in days)
Reference	4
Appeal	1

0 listing conferences took place in relation to these cases.

## Onward appeals

Applications for permission to appeal a decision of a Case Tribunal or Interim Case Tribunal can be made on limited grounds to the High Court. Over the period of this report, no applications for permission were made.

## Achievement against key performance indicators

To monitor how effectively services are delivered, we have key performance indicators aimed at measuring two key aspects of our business; the speed of our service and the quality of service through customer satisfaction.

To measure the speed of our service, we have a series of primary performance indicators based on the time taken to process an application – from receipt to the hearing or disposal (see below).

### Speed of our service 2024-2025

<b>Target:</b> 95% of queries dealt with or cases accepted within 10 working days of receipt	➔	Target achieved in 100% of cases
<b>Target:</b> 100% of notices of hearing issued to respondent/appellant at least 15 working days prior to the hearing and at least 5 working days prior to any adjourned hearing	➔	Target achieved in 100% of cases
<b>Target:</b> 100% of notices of hearing issued to witnesses within 10 working days of the hearing	➔	Target achieved in 100% of cases
<b>Target:</b> 90% of decision reports issued within 30 working days of the hearing	➔	Target achieved in 100% of cases
<b>Target:</b> 75% of applications discharged within 12 months	➔	Target achieved in 100% of cases

## Complaints

The APW received and concluded 0 formal complaints during the reporting period.

## Section 3 – Case summaries

In this section:

- References
- Interim Matters
- Appeals

### References

#### APW/004/2023-024/CT – Flintshire County Council & Connah's Quay Town Council

The allegations were that the former councillor had conducted himself in a manner which could reasonably be regarded as bringing the office or authority into disrepute. The allegations included bullying and harassment of a vulnerable person and attempting to obtain advantage from his position; threatening, intimidating and disrespectful correspondence with the Housing officers and Monitoring Officer; sharing confidential financial information and failing to declare an interest. The exchanges were regarded by the Public Services Ombudsman for Wales as having brought his office as a councillor and/or the Authorities into disrepute.

Although not all the allegations made by the PSOW were found proved, the case tribunal unanimously found that the former councillor had breached paragraphs 4(b), (c) and (d); paragraph 5(a); paragraph 6(1)(a) and paragraph 7(a) of the Code of conduct.

The Tribunal did not find breaches of paragraphs 11(2)(a) or 14(1)(d).

The case tribunal concluded that the former councillor should be disqualified for four months from acting as a member of the relevant authorities.

A copy of the full decision can be found [here](#).

#### APW/006/2023-024/CT – Ceredigion County Council & Aberystwyth Town Council

The allegations were that the former councillor had breached several paragraphs of the Code of Conduct through sustained misconduct.

The case tribunal concluded that the former councillor's behaviour was predatory, and he appeared to prey upon those who he considered might not have been likely to have raised concerns.

The case tribunal disqualified the former councillor from for a period of three years from being or becoming a member of the authority or of any other relevant authority.

The full decision can be found [here](#).

#### APW/007/2023-024/CT – New Quay Town Council

The allegation was that the former councillor had conducted himself in a manner that could reasonably be regarded as bringing his office or the relevant authority into disrepute.

The details of the allegation were that the former councillor had sent messages of a sexually explicit nature to an individual which amounted to the offence of harassment culminating in what could be perceived to be an attempt to blackmail the recipient, which led to a conditional caution by the Police.

The case tribunal unanimously found that the former councillor had failed to comply with paragraph 6(1) of the Code of Conduct and disqualified the former councillor for a period of 12 months from being or becoming a member of the relevant authority.

A full copy of the decision can be found [here](#).

#### APW/001/2024-025/CT – Bridgend Town Council

The allegations were that the former councillor had conducted herself in a manner which could be reasonably regarded as bringing her office or the relevant authority into disrepute.

The case tribunal concluded that the former councillor had demonstrated a lack of respect for the clerk in the meaning of paragraph 4(b) and found that in relation to the several incidents taken together and in the context of the broader history and relationship between the Respondent and the clerk, there was sufficient evidence of a pattern of behaviour to justify a finding of under paragraph 4(c).

The case tribunal disqualified the former councillor for a period of 21 months from being a or becoming a member of the authority.

A full copy of the decision can be found [here](#).

### Interim matters

There were no interim case tribunals during the reporting period.

### Appeals

#### APW/008/2023-024/AT – Bridgend Town Council

An appeal was received against the determination of the Standards Committee that the former councillor had breached the Code of Conduct. The grounds of appeal were limited to consideration of whether the sanction was endorsed. The President found that the appeal in relation to the breach of Code element of the appeal had no reasonable prospect of success. The Standards Committee finding that the appellant had breached paragraph 7(a) of the Code of Conduct was upheld.

The appeal tribunal unanimously found that the breaches by the appellant of six separate paragraphs of the Code could not be regarded as a “pattern of behaviour” or a case of repeatedly failing to abide by the Code. The appeal tribunal concluded that a period of suspension of six months was excessive and it did not consider the breaches in the case

to be of the most egregious nature. The matter was referred back to the Standards Committee with a recommendation that the Appellant should be suspended for 10 weeks pursuant to the Local Government Investigations (Functions of Monitoring Officers and Standards Committees) (Wales) Regulations 2001.

The full decision can be found [here](#).

#### [APW/003/2024-025/AT – Wrexham County Borough Council & Chirk Town Council](#)

An appeal was received beyond the 21 day period set out in Regulation 10(2) of the Local Government Investigations (Functions of Monitoring Officers and Standards Committees) (Wales) Regulations 2001 against the determination of the Standards Committee that the former councillor had breached the Code of Conduct. No application had been made for extension of time due to exceptional circumstances and the appeal was not admitted.

Read the full decision [here](#).

## Section 4 – Business Priorities

In this section:

- Business priorities for 2024-2025

It is important that the APW continues to develop in order to deliver the best possible service for our customers. This section is about how the APW will build on its achievements through focusing on business priorities and our commitment to our customers.

### Business Priorities 2025-2026

- Ensure timely and effective implementation of the provisions of the Welsh Language (Wales) Measure 2011 (Amendment of Schedule 6) Order 2025;
- Continue to deliver an effective and efficient service, meeting key performance indicators;
- Build the Tribunal's resilience by appointing and authorising additional judicial office holders.



## Section 5 – Expenditure

In this section:

- Expenditure for 2024-2025

### Expenditure for 2024-2025

Content	Amount
Total Tribunal Running Costs	£25,479.31
Proportion Attributed to Training	£6,416.59

Rounded to the nearest £1