



HAMPSHIRE &  
ISLE OF WIGHT  
POLICE & CRIME PANEL

**Complaints Sub-Committee  
Friday, 16th June, 2023 at 2.00 pm  
Held in the Denning Room, Winchester  
(Hampshire County Council)**

**Councillors:**

Chairman

p Dave Stewart

*(Independent Co-opted Member)*

p Tony Jones

*(Local Authority Co-opted Member)*

p Lesley Meenaghan

*(Hampshire County Council)*

p Seán Woodward

*(Fareham Borough Council)*

**At the invitation of the Chairman:**

Peter Baulf

*Legal Advisor to the Panel*

**BROADCASTING ANNOUNCEMENT**

The Chairman announced that the press and members of the public were permitted to film and broadcast the meeting. Those remaining at the meeting were consenting to being filmed and recorded, and to the possible use of those images and recordings for broadcasting purposes.

**9. WELCOME AND APOLOGIES FOR ABSENCE**

All Members were noted to be present.

**10. DECLARATIONS OF INTEREST**

No declarations were made.

**11. MINUTES OF THE PREVIOUS MEETING**

The Chairman noted that Councillor Tony Jones was not shown in the minutes to be present, although he was present at the meeting. The public minutes of the previous meeting were otherwise agreed as an accurate record.

**12. GOVERNANCE - REPORT ON THE USE OF DELEGATED POWERS BY THE MONITORING OFFICER**

Members received a report from the Monitoring Officer to the Panel which noted that there had been no instances where the Monitoring Officer had been required to use delegated powers when taking a decision either not to record or to dissaply the informal resolution procedure in respect of a complaint, or part thereof, since the Sub-Committee last met on 19 May 2023.

**RESOLVED:**

That the report from the Monitoring Officer was noted.

**13. SUMMARY OF POWERS - COMPLAINTS PROCEDURE**

The Summary of Powers were noted.

**14. EXCLUSION OF THE PRESS AND PUBLIC**

Members were asked to consider whether the press and public be excluded from the meeting during the following three items of business, considering whether it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during those items there would be disclosure to them of exempt information within Paragraphs 1 and 2 of Part I of Schedule 12A to the Local Government Act 1972, being information relating to any individual (paragraph 1) or information which is likely to reveal the identity of an individual (2) and, further, that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

**RESOLVED:**

In respect of item 7 of the agenda the Sub-Committee agreed not to exclude the press and public. Following this the Chairman called a 10 minute adjournment to allow for copies of the report for item 7 to be printed and circulated to those observing the meeting.

**15. TO REVIEW A COMPLAINT MADE AGAINST THE POLICE AND CRIME COMMISSIONER FOR HAMPSHIRE AND THE ISLE OF WIGHT**

The Sub-Committee received a report of the Democratic Services Officer outlining the detail of a complaint received against Donna Jones, in her role as the Police and Crime Commissioner for Hampshire and the Isle of Wight (PCC).

The Chairman explained the Sub-Committee would consider whether the complaint being reviewed demonstrated a failure to meet the Code of Conduct, as published on the PCC's website, and that the Sub-Committee's findings would be made on fact.

The Chairman noted that within the report the complainant's identity had been anonymised, and that the PCC had provided no comment to the complaint.

The Chairman asked that the video referenced within the complaint be played to the meeting.

The legal adviser was then invited to raise any comments to the meeting, through which they reminded Members of the process to be followed, as per the Summary of Powers.

The Chairman invited any comment or debate from Members, through which it was agreed that:

- The Sub-Committee would not dissaply part 4 of the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 (the Regulations) in respect of the complaint.
- The PCC was acting in her capacity as the Police and Crime Commissioner when appearing in the news report, and therefore the PCC's Code of Conduct was engaged.
- In making her comments the PCC had not breached the Nolan principles, and further that she had acted in a professional manner throughout the interview.
- There was no expectation that the PCC should have challenged the hosts opening comments, and doing so may have disrupted the purpose of the PCC's attendance at the interview.
- It was noted, following careful consideration of the PCC's commentary, that comments made by the PCC were factual, reasonable and clear.
- In reviewing the Commissioner's actions against the code of conduct, in particular 2.1.4 and 2.1.7, the Sub-Committee noted that there was no evidence to suggest the Commissioner had acted in a manner which had brought the office into disrepute or that she had improperly used resources.
- The Sub-Committee, therefore, concluded that the complaint did not demonstrate a breach in the code of conduct.

The Chairman called a short adjournment to the meeting from 14:34 to 14:37 to allow the Sub-Committee to agree potential wording for a recommendation with legal advice.

Dave Stewart proposed an additional recommendation, as follows, which was seconded by both Councillor's Jones and Woodward:

The Complaints Sub-Committee close the complaint, without any further action being taken, other than a letter of explanation to the complainant and

complained against, on the basis that the complaint does not evidence any failure in the code of conduct by Mrs Jones, in her role as PCC.

Members were asked to vote on the additional recommendation, which received unanimous agreement.

**RESOLVED:**

That the Complaints Sub Committee:

- Note the content of the report and its appendices.
- Close the complaint, without any further action being taken, other than a letter of explanation to the complainant and complained against, on the basis that the complaint does not evidence any failure in the code of conduct by Mrs Jones, in her role as PCC.

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Chairman,