



HAMPSHIRE &
ISLE OF WIGHT
POLICE & CRIME PANEL

**Tuesday 1 October 2024 at 2.00 pm
Held in Ashburton Hall, Winchester
(Hampshire County Council)**

Chairman

p Shirley Young
Co-opted
Independent Member

Councillors:

p Vivian Achwal
(Winchester City Council)
P Joanne Burton
(Fareham Borough Council)
p Gwen Robinson
(Havant Borough Council)

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.

16. WELCOME AND APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Becky Williams.

17. DECLARATIONS OF INTEREST

No declarations were made.

18. MINUTES OF THE PREVIOUS MEETING

The minutes of the last meeting were.....

(Hi Peter, how should the minutes be recorded here, please)

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

The Summary of Powers were noted.

20. **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 items 6, 7 and 8 of the agenda the Sub-Committee agreed not to exclude the press and public.

21. **GOVERNANCE - REPORT ON THE USE OF DELEGATED AUTHORITY BY THE MONITORING OFFICER**

Members received a report from the Monitoring Officer to the Panel which noted that there had been 8 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.

22. **TO REVIEW COMPLAINTS 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 number of complaints received against Donna Jones, in her role as the Police and Crime Commissioner for Hampshire and the Isle of Wight (PCC)

Some 49 complaints had been received on the same topic and therefore had been treated collectively. The complaints related to statements made by the PCC on 3 and 4 August 2024 in response to violent disorder incidents that had taken place across the UK at that time.

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 a letter dated 2 September 2024 in response to the complaint.

In addition to the complaint, 230 supporting comments had been received and had also been anonymised. The Sub-Committee were informed that the supporting comments has no standing with regard to the consideration of the complaints and therefore had been included for information.

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 publishing her statement and therefore the PCC's Code of Conduct was engaged.
- In making her comments the PCC had not breached the Nolan principles.
- 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, I particular 2.1.1, 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 15:03 to 15:35 to allow the Sub-Committee to agree potential wording for a recommendation with legal advice.

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.
- 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.
- It was not dealt with as exempt.
- 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.
- The Sub-Committee Concluded that when the incidents of the 3rd and 4th August occurred that the Police and Crime Commissioner was acting in the course of her duties as the PCC.
- The Sub Committee Concluded that the Code of Conduct was engaged, and having considered the 49 complaints the principle alleged breaches were as follows: 2.1.1. treat others with dignity and respect; 2.1.4 act in a manner which could not reasonably be regarded as bringing the office into disrepute; 2.1.7 not use resources improperly for political purposes (including party political purposes)
- Having considered the evidence and having been advised as to the regulations and in particular having regard to the letter by the PCC dated 2 September 2024, the Sub Committee were of the view that none of the allegations complained about were made out on the evidence. The Panel concluded the PCC had not breached the Code of Conduct.

23. **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 complaint had been received on 1 July 2024 and following consultation with the Monitoring Officer, it had determined that the complaint be treated anonymously as the name and any personal details of the complainant were not relevant to the consideration of the complaint.

The detail of the complaint concerned the PCC's personal X (Twitter) account displaying PCC branding - @DonnaJonesPCC.

In a letter dated 2 July 2024, the PCC confirmed that it was usual for Police and Crime Commissioners and Directly Elected Mayor's to have two 'X' accounts; a political/personal account and an official account on behalf of their office, which is non – political; the PCC confirmed that she had both types of accounts. The Office of the Police and Crime Commissioner (OPCC) had made further investigations with the Association of Police and Crime Commissioners (APCC) around the use of social media and confirmed that there is no guidance or

direction through legislation related to the use of social media for PCC's and as such the social media activity was deemed to be appropriate by the OPCC Monitoring Officer.

The PCC further reported that in the avoidance of doubt and to make a clear distinction between the accounts an amendment was had been made to her personal X (Twitter) - For OPCC account - @HantsPCC.

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 the PCC on 2 September 2024 had responded to the complaint in the form a letter which explained the position and informed the complainant

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 not acting in her capacity as the Police and Crime Commissioner when using the X (Twitter) account, @DonnaJonesPCC which had been amendment.
- The Sub-Committee, therefore, concluded that the complaint did not demonstrate a breach in the Code of Conduct.

RESOLVED:

That the Complaints Sub Committee:

- Note the content of the report and its appendices.
- 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.
- It was not dealt with as exempt.
- Having considered the evidence and having been advised as to the regulations and in particular having regard to the letter by the PCC dated 2 September 2024, the Sub Committee were of the view that the allegation complained about was not made out on the evidence. The Panel concluded the PCC had not breached the Code of Conduct.

Chairman,