

# Report 05-21 by the Committee on Standards of Conduct to the Senedd under Standing Order 22.9

March 2021



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# Report 05-21 by the Committee on Standards of Conduct to the Senedd under Standing Order 22.9

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# About the Committee

The Committee was established on 28 June 2016. Its remit can be found at:  
[www.senedd.wales/SeneddStandards](http://www.senedd.wales/SeneddStandards)

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## Committee Chair:



**Jayne Bryant MS**  
Welsh Labour

## Current Committee membership:



**Rhun ap Iorwerth MS**  
Plaid Cymru



**Andrew RT Davies MS**  
Welsh Conservatives



**David J Rowlands MS**  
Independent Alliance for Reform  
Group

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## Recommendations

**Recommendation 1.** The Committee recommends to the Senedd, in accordance with 7.12(iv) of the Procedure for Dealing with Complaints against Members of the Senedd, that a breach has been found and the Member is censured under Standing Order 22.10 (i).....Page 9

# 1. Introduction

**1.** The terms of reference of the Standards of Conduct Committee (the Committee) are set out in Standing Order 22<sup>1</sup> In accordance with functions set out in Standing Order 22.2 the Committee must:

“investigate, report on and, if appropriate, recommend action in respect of any complaint referred to it by the Commissioner for Standards.”<sup>2</sup>

**2.** This report is made to the Senedd under Standing Order 22.9 and paragraph 8.1 of the Procedure for Dealing with Complaints against Members of the Senedd<sup>3</sup> (the Procedure), in relation to a complaint made against Helen Mary Jones MS.

**3.** The report from the Acting Commissioner for Standards (the Commissioner) on his investigation of the complaint is attached at Annex A. It sets out the details of the complaint and the findings of the Commissioner’s formal investigation.

**4.** This report sets out the details of the complaint and the way in which the Committee arrived at its recommendation.

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<sup>1</sup> Standing Orders

<sup>2</sup> Standing Order 22.2(i)

<sup>3</sup> The Senedd’s Procedure for Dealing with Complaints Against Members of the Senedd



## 2. Consideration of the Complaint

**5.** Helen Mary Jones MS, re-tweeted a post in relation to an ongoing murder trial, and was found in contempt of court for doing so and was admonished by the trial judge at Swansea Crown Court.

**6.** The Acting Commissioner considered this conduct was ‘a flagrant contempt of court’ and:

“... was not conduct that tended to maintain and strengthen the public’s trust and confidence in the integrity of the Senedd.”

**7.** The complaint engaged paragraph 4 b and g of the Code of Conduct, which state:

Paragraph 4 (b) Integrity: Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

Members of the Senedd should at all times conduct themselves in a manner which will tend to maintain and strengthen the public’s trust and confidence in the integrity of the Senedd and refrain from any action which would bring the Senedd, or its Members generally, into disrepute. Members should not ask Senedd Commission or Welsh Government staff to act in any way which would compromise the political impartiality of the Civil Service and/or Senedd Commission staff or conflict with the Civil Service Code and/or the Senedd Commission Staff Code of Conduct.

Paragraph 4 (g) (g) Leadership: Holders of public office should promote and support these principles by leadership and example.

**8.** The Committee met on Tuesday 2 and 9 March 2021 to consider and reach its conclusion in respect of this complaint.

### 3. Committee's Consideration of its Decision

**9.** The Committee considered whether the Member was in breach of Standing Order 22.2(i).<sup>4</sup>

**10.** In considering whether a breach took place, the Committee reviewed the facts found by the Commissioner and set out in his report, the Commissioner's opinion that a breach had taken place, representations from Helen Mary Jones MS to the Commissioner.

**11.** Helen Mary Jones MS did not avail herself of the opportunity to give oral evidence to the Committee.

Having reviewed the report from the Acting Commissioner for Standards the Committee finds a breach of paragraph 4 (b) and (g) of the Code of Conduct by Helen Mary Jones MS.

#### Committee's Recommendation – Sanctions available.

**12.** The Committee considers that a breach by any Member of the Senedd is a serious matter. The reputation of the Senedd as an institution, and the public's trust and confidence in it, rely upon Members demonstrating integrity and leadership by their actions.

**13.** In reaching its recommendation, the Committee noted that Helen Mary Jones MS fully acknowledged that her actions constituted a breach of the Code of Conduct and has fully co-operated with the Commissioner's investigation.

**14.** The Committee also noted that Helen Mary Jones referred herself in a timely manner to the Commissioner on this matter, and fully apologised to both the court and Commissioner for her actions. The Commissioner noted that:

“It is to her credit that her conduct was reckless rather than deliberate and that she immediately accepted her error and apologised for it both to the court and in her letter to me.”

**15.** Being found in contempt of court is a serious matter and one which the Committee believes requires the Member to be censured. In reaching this

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<sup>4</sup> Standing order 22.2(i)

decision, the Committee considered that the conduct of Helen Mary Jones MS has already been dealt with in court.

**16.** The Committee welcomes the apologies made to date by Helen Mary Jones MS, and would suggest that the Member considers apologising to the Senedd for her conduct as well.

**Recommendation 1.** The Committee recommends to the Senedd, in accordance with 7.12(iv) of the Procedure for Dealing with Complaints against Members of the Senedd, that a breach has been found and the Member is censured under Standing Order 22.10 (i).

**17.** A copy of this report has been provided to the Member concerned, who was also notified of the right to appeal under section 8 of the procedure, which was not pursued.<sup>5</sup>

**18.** The Committee Chair has tabled a motion (in accordance with Standing Order 22.11 and paragraph 9.1 of the procedure) calling on the Senedd to endorse the Committee's recommendation.

### Matters arising from this complaint

**19.** This matter reinforces the need for all Members to be mindful of their conduct on social media and especially Twitter. As high profile public figures, our presence on social media has significant influence and impact. In this instance, by re-tweeting a post in relation to an ongoing murder trial a Member risked prejudicing the conduct of the trial. It is incumbent upon us all to act responsibly in these forums and give proper consideration to anything we post or associate ourselves with publicly.

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<sup>5</sup> The Senedd's Procedure for Dealing with Complaints Against Members of the Senedd.



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**Annex A: Report from the Commissioner for  
Standards**

**REPORT**

**by**

**THE ACTING SENEDD COMMISSIONER FOR  
STANDARDS**

**of the investigation of a complaint**

**against**

**HELEN MARY JONES MS**

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## INTRODUCTION

1.1 By email dated 19 February 2021 Helen Mary Jones referred to me her conduct in relation to a trial for murder.<sup>1</sup> In accordance with precedent I decided to regard her email as a complaint.<sup>2</sup> This is the report of my investigation of that complaint.

1.2 Footnote references to the documents listed at Annex A that I have relied on are provided. Quotations are italicised.

## THE INVESTIGATION

21. On 22 February, having considered the information provided by Ms Jones and from media reports I decided that the complaint was admissible but did not consider that any further investigation of it was necessary. I informed Ms Jones of my decision and provided her with a copy of the final draft of this report.

## FACTS ESTABLISHED

2.1 I found the following facts established –

- i. On 8 February 2021 a man went on trial at Swansea Crown Court on a charge of the murdering his wife. Unlawful killing was admitted but the defendant claimed that due to diminished responsibility he should be convicted of manslaughter rather than murder;<sup>3</sup>
- ii. On Saturday 13 February, whilst the jury had been sent away for the weekend and had not yet reached a decision on whether their verdict should be guilty of murder or of manslaughter, a domestic abuse campaigner posted a tweet that included the words *Another perp using the "I just snapped." It is complete bullshit. As so many of us will know, there will be a history of domestic abuse. I hope this jury finds him guilty of murder. Rest in peace, Ruth;*<sup>4</sup>
- iii. Ms Jones shared that tweet later the same day;<sup>5</sup>
- iv. When contacted by the police on Monday 14 February Ms Jones deleted her tweet;<sup>6</sup>
- v. On 15 February the man was found guilty of manslaughter. Sentence was deferred to 18 February when the man was sentenced to five years imprisonment;<sup>7</sup>

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<sup>1</sup> Email Jones – Acting Commissioner 19 February 2021

<sup>2</sup> <http://www.assembly.wales/laid%20documents/cr-ld11651/cr-ld11651-e.pdf>

<sup>3</sup> [BBC Wales report 18 February 2021 with links to other reports](#)

<sup>4</sup> [BBC Wales report 18 February 2021 with links to other reports](#)

<sup>5</sup> [Belfast Telegraph article 20 Feb 21](#)

<sup>6</sup> Email Jones – Acting Commissioner 19 February 2021

<sup>7</sup> [BBC Wales report 18 February 2021 with links to other reports](#)

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- vi. Ms Jones and the individual who had posted the original tweet were ordered to appear before the court on 18 February when His Honour Judge Paul Thomas QC considered their contempt of court;<sup>8</sup>
- vii. Counsel for Ms Jones told the court that the politician only *glanced at it [the original tweet before retweeting it]* and that *She did not read it properly and two days later she was contacted by the police and took it straight down. She is mortified by this careless, negligent tweet and realises she is completely at fault;*<sup>9</sup>
- viii. Ms Jones told the court: that she had not *read the original tweet carefully*<sup>10</sup> but that entirely her fault for not realising that the case was ongoing. .... *It is entirely my fault that I failed to realise the case was ongoing, I realise that this is a very serious matter indeed and I wish to offer my fullest and sincerest apologies to the court. .... I can assure the court that I understand that my position as a person holding office makes this matter even more serious. .... The reposting was done in genuine error but I accept that this is no way, changes the seriousness of the matter. I profoundly regret my actions, and I am truly sorry;*<sup>11</sup>
- ix. Having heard from both women the learned judge decided not to invoke summary proceedings against either of them but held them both to be in contempt of court. In admonishing Ms Jones and the other person the learned judge observed that –
  - Their conduct *ran the risk of influencing the jury* had they become aware of it, particularly as the catchment area for Swansea Crown Court juries included Ms Jones's constituency;<sup>12</sup>
  - *On the face of it' your conduct amounts to a clear contempt of court. You both abused your social media, political influences and high profiles.*<sup>13</sup>
  - *In your case Helen Mary Jones, I accept that you actually acted thoughtlessly, but somebody in your prominent public position, simply should not have done so. Your gross irresponsibility sets a very bad example to others.*<sup>14</sup>
- x. The conduct of MS Jones received significant broadcast and printed media coverage.<sup>15</sup>
- xi. Ms Jones self-referred herself to me at the earliest opportunity. In her email she rehearsed what had taken place and apologised for her conduct which

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<sup>8</sup> [BBC Wales report 18 February 2021 with links to other reports](#)

<sup>9</sup> [BBC Wales report 18 February 2021 with links to other reports](#)

<sup>10</sup> [Belfast Telegraph article 20 Feb 21](#)

<sup>11</sup> [BBC Wales report 18 February 2021 with links to other reports](#)

<sup>12</sup> [Belfast Telegraph article 20 Feb 21](#)

<sup>13</sup> [Belfast Telegraph article 20 Feb 21](#)

<sup>14</sup> [BBC Wales report 18 February 2021 with links to other reports](#); [Belfast Telegraph article 20 Feb 21](#)

<sup>15</sup> [BBC Wales report 18 February 2021 with links to other reports](#); [Belfast Telegraph article 20 Feb 21](#)

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she acknowledged fell below the standard she would expect of herself as a Member of the Senedd.<sup>16</sup>

## RELEVANT PROVISIONS

3.1 Paragraph 4 of the Code of Conduct for Members of the Senedd (“the Code”) provides –

*4. Members of the Senedd should observe the seven general principles of conduct identified by the Committee on Standards in Public Life. The seven principles are:*

*(a) .....*

*(b) Integrity: Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.*

*Members of the Senedd should at all times conduct themselves in a manner which will tend to maintain and strengthen the public's trust and confidence in the integrity of the Senedd and refrain from any action which would bring the Senedd, or its Members generally, into disrepute. Members should not ask Senedd Commission or Welsh Government staff to act in any way which would compromise the political impartiality of the Civil Service and/or Senedd Commission staff or conflict with the Civil Service Code and/or the Senedd Commission Staff Code of Conduct.*

*(c) .....*

*(d) .....*

*(e) .....*

*(f) .....*

*(g) Leadership: Holders of public office should promote and support these principles by leadership and example.*

## CONSIDERATION

4.1 Ms Jones’s conduct in re-tweeting a post that was a flagrant contempt of court was not conduct that tended to maintain and strengthen the public's trust and confidence in the integrity of the Senedd. That conduct was likely to bring the Senedd into disrepute. Her conduct was, as the learned judge said, grossly irresponsible. She failed in her duty to set a good example to others. **I have no**

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<sup>16</sup> Email Jones – Acting Commissioner 19 February 2021

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**doubt that Ms Jones contravened both the Integrity and Leadership Principles set out in paragraph 4 of the Code.**

4.2 It is to her credit that her conduct was reckless rather than deliberate and that she immediately accepted her error and apologised for it both to the court and in her letter to me.

4.3 Her conduct reinforces a more general point. Members must take as much care when using social media as they do in conducting their other activities. Momentary failure can, as illustrated here, have very serious consequences. Comments on social media or liking or re-tweeting a post made by another person can often, due to their wide circulation, be much more harmful and hurtful than the same comments made by more traditional means.

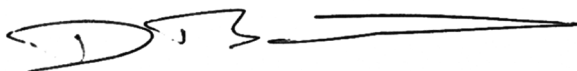
## **MATTERS OF GENERAL PRINCIPLE**

5.1 No matters of general principles arise from my investigation of these complaints.

## **PROCESS**

6.1 Ms Jones has been afforded an opportunity to comment on the factual accuracy of the final draft of this report. She did not avail herself of that opportunity.

6.2 A copy of this final report has today been passed the Member.



**DOUGLAS BAIN CBE TD**

Acting Senedd Commissioner for Standards

1 March 2021

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**DOCUMENTS RELIED ON**

1. Email Jones – Acting Commissioner
2. BBC Wales report 18 February 2021 with links to other reports
3. Belfast Telegraph report 20 February 2021



## Annex B: Correspondence from Helen Mary Jones

16.03.21

Dear Chair

Re Standards Committee Report.

With regard to the Committee's recent report regarding a breach of the Code of Conduct on my part I am writing to confirm that I fully accept the findings of the Commissioner and the Committee and understand that I deserve the censure and I fully accept it.

My conduct fell far short of the standards I expect of myself, as well as those expected of all in public life.

I wish to apologise unreservedly to the Senedd.

Yours sincerely

Helen Mary

Helen Mary JonesMS