

Hearing of the Isle of Anglesey County Council's Standards Committee into allegations relating to the conduct of Councillor Ieuan Williams of the Isle of Anglesey County Council

Public Services Ombudsman for Wales Case Reference 202302251.

Decision of the Isle of Anglesey County Council's Standards Committee with written reasons

1. Introduction

- 1.1 A Hearing of the Isle of Anglesey County Council's Standards Committee ("the Standards Committee") was held on 16/05/2025 to consider allegations that Councillor Ieuan Williams of the Isle of Anglesey County Council had breached the Code of Conduct for members and to give Councillor Williams ("the Member") the opportunity to make representations in respect of those allegations.
- 1.2 Councillor Williams referred himself to the Public Services Ombudsman for Wales (the "PSOW") after commenting in a meeting "*bod angen saethu pob Tory*" ("that all Tories should be shot") at a Current Developments Programme Board meeting on 12/06/2023.
- 1.3 The PSOW had arranged for the allegations to be investigated, pursuant to her powers under section 69 of the Local Government Act 2000, and produced a Report on the investigation. The PSOW concluded that evidence was found suggesting breaches of paragraphs 4(b) and 6(1)(a) of the Code of Conduct for Members of the Isle of Anglesey County Council. The PSOW referred her Report to the Monitoring Officer of the Isle of Anglesey County Council ("the Council") with a direction that the matter be referred to the Standards Committee.
- 1.4 A Standards Committee meeting was held on 26/02/2025 for an initial determination of the complaint referred by the PSOW to the Committee. In accordance with the Council's Procedure for Local Standards Hearings (the "Procedure") the Standards Committee resolved, at the initial determination stage that:
- The matter be referred to a local hearing of the Committee to enable the relevant Member to make representations, orally or in writing, in respect of the findings of the investigation and any allegation that the Member has failed, or may have failed, to comply with the Code of Conduct.
 - The Monitoring Officer conducts the Pre-Hearing process in accordance with the Procedure.
- 1.5 The Standards Committee Hearing was arranged for the 16/05/2025. The Hearing was held in accordance with the Procedure. This Hearing was required to determine, on the balance of probabilities, whether the Member had or had not failed to comply with the relevant paragraphs of the Code of Conduct. In the event of a finding of a breach of the

Code of Conduct, the Hearing was required to determine any sanction and / or recommendation to the Council.

1.6 Councillor Williams attended the Hearing on 16/05/2025. Councillor Williams was not legally represented.

1.7 Ms Llinos Lake and Ms Annie Ginwalla from the PSOW's Office attended the Hearing on 16/05/2025 and made representations on behalf of the PSOW.

1.8 No witnesses were asked to attend the Hearing.

1.9 The Hearing was held in public save for the exclusion of the press and public owing to the disclosure of personal and sensitive information in Councillor Williams' personal impact statement.

2. Findings of Fact

2.1 Councillor Williams accepted the Investigating Officer's Report and so there were no facts in dispute between the parties.

2.2 Accordingly, there were no disputed facts in respect of which the Standards Committee was required to make findings.

3. Decision as to whether there has been a breach of the Code of Conduct

3.1 Councillor Williams accepted that he had failed to adhere to the Council's Code of Conduct, as detailed in the Investigating Officer's Report.

3.2 Having considered this admission by Councillor Williams, in accordance with paragraph 10.4 of the Procedure, the Standards Committee took the Investigating Officer's Report as read and determined that the Member had failed to comply with the Code of Conduct in the manner described in the Investigating Officer's Report.

3.3 On this basis, the Standards Committee decided that:

- Councillor Williams had breached paragraph 4(b) of the Code of Conduct: – [members] must show respect and consideration for others; and
- Councillor Williams had breached paragraph 6(1)(a) of the Code of Conduct – [members] must not conduct [themselves] in a manner which could reasonably be regarded as bringing [their] office or authority into disrepute.

4. Decision as to sanction

4.1 As a result of the determination that the Member failed to comply with the Code of Conduct in the manner described in the Investigating Officer's Report, the Standards Committee sought representations from the Member and Investigating Officer on sanction, and ensured all members of the Standards Committee had sufficient information to reach an informed decision as to:

- whether to impose a sanction;
- having due regard to the Adjudication Panel for Wales' Sanctions Guidance (where a sanction is to be imposed) what sanction to impose;
- when that sanction must take effect; and
- any recommendations which the Standards Committee would make to the Council.

4.2 The Standards Committee had regard to the representations made by the Member and the PSOW as to whether a sanction should be imposed on the Member for his breaches of the Code of Conduct.

4.3 Councillor Williams' representations:

Representations were not made in public by the Councillor. Representations were made with the press and public excluded and included details of the impact of this matter on the Councillor's personal wellbeing. Councillor Williams expressed his remorse for making the comment and his regret for saying 'such a stupid thing' ('peth mor wirion'). When questioned, Councillor Williams confirmed that the length of time taken between his self-referral to the PSOW, and reaching this point, added to the strain.

4.4 PSOW's representations:

The PSOW, represented by Ms Llinos Lake, expressed the view that to take "no action" was not appropriate in the circumstances, bearing in mind the principles in the APW's Sanctions Guidance. The PSOW explained that, owing to the damage done to the Council and/or the Councillor's reputation as a result of the comment Councillor Williams made, a sanction should be imposed.

The PSOW suggested that the Standards Committee consider the following mitigating factors:

- Councillor Williams has provided good service to the Authority;
- this was an isolated incident and the comment was made as an expression of the Councillor's passion or frustration;
- the comment was not directed towards an individual and the Councillor had not intended to cause any harm;
- the witnesses present when Councillor Williams made the comment did not consider the Councillor meant the comment literally;
- Councillor Williams took immediate corrective action by apologising, standing down

from his role as Deputy Leader and self-referred the matter to the PSOW;

- Councillor Williams has fully co-operated with the PSOW and the Standards Committee with the complaint process;
- Councillor Williams accepts that the comment he made breached the Code and he has expressed his regret for making the comment and he accepts that he needs to be more careful when expressing his opinion in the future.

The PSOW suggested that the Standards Committee consider the following aggravating factors:

- Councillor Williams is an experienced Councillor having been a member since 2008 and at the time the comment was made, Councillor Williams was in a senior role.
- Councillor Williams has previously been a member of the Standards Committee.
- The nature of the comment made was inflammatory and offensive and it had the effect of being reported extensively in the media. As a result, the comment had brought the Council into disrepute.

The PSOW referred to Article 10 of the ECHR. It was submitted that to sanction Councillor Williams, owing to the seriousness of this matter, would be proportionate in order to protect the rights of others, including the wider public. The PSOW referred to the case of [Heesom V Public Services Ombudsman for Wales \[2014\] EWHC 1504 \(Admin\)](#) case which requires a balance between the right of electors to have local representation with the need to preserve public confidence in elected members. The PSOW suggested that there were other members of the Council who could meet the needs of electors during any time when the Councillor would be suspended and so the public would not be prejudiced.

The PSOW said that there were decision notices available from previous Standards Committee cases and, whilst not direct comparators, demonstrated a range of seriousness and demonstrated different sanctions.

4.5 The Standards Committee considered all the possible sanctions available to it, namely:

- that no action is required; or
- to censure the Member; or
- partial suspension of the Member for a period up to a maximum of six months or the remainder of the Member's term of office, whichever is the shorter period; or
- suspension of the Member for a period up to a maximum of six months or the remainder of the Member's term of office, whichever is the shorter period.

4.6 The Standards Committee reviewed the APW's Sanctions Guidance and ensured that the sanction imposed considered the underlying principles of:

- Fairness

- Public interest
- Proportionality
- Consistency
- Equality and impartiality
- Human Rights (Article 6 fair hearing and Article 10 freedom of expression)

4.7 The Standards Committee was also mindful of the purpose of sanctions when reaching its decision. As summarised in the APW's Sanctions Guidance, the purpose of the sanction imposed should:

- provide a disciplinary response to the Member's breach of the Code;
- place the misconduct and appropriate sanction on public record;
- deter future misconduct on the part of the individual and others;
- promote a culture of compliance across the relevant authorities; and
- foster public confidence in local democracy.

4.8 When determining its position on sanction, the Standards Committee:

- Assessed the seriousness of the breach and any consequences for individuals and/or the Council;
- identified the broad type of sanction that the Committee considers most likely to be appropriate having regard to the breach;
- considered any relevant mitigating or aggravating circumstances and how these might affect the level of sanction under consideration; and
- considered any further adjustment necessary to ensure the sanction achieved an appropriate effect in terms of fulfilling the purposes of the sanctions.

4.9 In accordance with the public interest, the Standards Committee also considered sanctions imposed by other Standards Committees, for similar breaches, and the Standards Committee reflected on previous reported matters available through the PSOW website when reaching its decision as to sanction.

- 4.10 After a public Hearing and following private consideration of all relevant facts and matters relating to this case, including having due regard to the APW's Sanctions Guidance, the Standards Committee resolved that a sanction should be imposed.
- 4.11 The Committee determined that the seriousness of this case would result in a sanction which fell between the top end of "no further action", and the lower end of a "suspension".
- 4.12 The Standards Committee identified the following mitigating factors:
- The Member's previous history of good service, especially over a long period, noting the Councillor has been a member of the Authority since 2008.
 - That the misconduct happened once only and was an inadvertent failure to follow the Code. It was an isolated incident and not part of a pattern, and the misconduct had not been repeated since the incident. It was also noted that the comment was made when the Councillor was present at a private, rather than a public meeting, and the Councillor explained he would not have made the same comment in a public meeting.
 - The Member self-referred the complaint to the PSOW.
 - The Member acknowledges and regrets the misconduct and any result arising from the comment he made. It appears that a further failure to comply with the Code on the part of the Member is unlikely.
 - The Member apologised early to anyone who was affected by the comment he made, including by email to those present at the meeting itself. The Committee also concluded, in accordance with the PSOW's representations in relation to the witness' accounts, that, on the balance of probabilities, the Member did not mean the comment literally.
 - The Member has co-operated to correct the effect of the failure. The Member stepped down from a senior role within the Authority and shows insight into the effect his comment has had on others.

As part of this, the Standards Committee also considered it relevant that when Councillor Williams stepped down from his position as Deputy Leader and as Portfolio Holder on the Executive, he suffered a significant reduction in salary. Whilst Councillor Williams did not raise this factor in his mitigation, information was presented by the Monitoring Officer that it is estimated to have resulted in a loss of salary of approximately £37,794.09 gross for the period 13/06/23 to 31/05/25. This was considered to be a significant sum which Councillor Williams voluntarily relinquished by doing what he considered to be the right thing in resigning from his senior role on the Council. This was considered to be evidence of the Member seeking to address the consequences of his actions at an early point in time,

notwithstanding the financial impact.

- The Member has fully co-operated with the Investigating Officer and the Standards Committee. As part of this, the Committee was mindful that the incident had occurred almost 2 years ago, and the Member has had to wait since then for the matter to conclude.
- The Member accepts that behavioural change is needed in the future and accepts that such a comment should not have been made, even if made as a result of his passion or frustration in relation to a conversation about poverty on the Island and, specifically, the 100% increase in reliance on foodbanks.
- The Member has complied with the Code of Conduct since the incident.

4.13 The Standards Committee identified the following aggravating factors:

- The Member's long experience, seniority and position of responsibility. It was thought that the Councillor ought to have known better owing to his experience and senior role, including as a former member of the Standards Committee.
- The substance of the Member's comment, and that it resulted in extensive media coverage, leading to the Councillor bringing the Council into disrepute.

4.14 The PSOW had referred to the case of [Heesom V Public Services Ombudsman for Wales \[2014\] EWHC 1504 \(Admin\)](#) case in submissions on sanction. The Standards Committee considered the case, which assesses the balance between freedom of political expression and the standards of conduct expected of elected members. The case confirms that political speech attracts additional protection, in accordance with Article 10 of the European Convention on Human Rights but is not immune from regulation. Restrictions on this right to freedom of expression can be justified, particularly if the speech targets individuals in a personal or abusive way, undermines public confidence in local government or violates codes of conduct that are proportionate and lawful. The APW's Sanctions Guidance expands on the right to freedom of expression under Article 10 and highlights that "...enhanced protection of freedom of expression applies to political debate,"... and "has the effect of permitting language and debate on questions of public interest that might, in non-political context be regarded as inappropriate or unacceptable." (paragraph 29).

The Standards Committee recognised that when Councillor Williams made political comments that he had enhanced protection to his right to freedom of expression under Article 10 of the European Convention on Human Rights. However, the Committee also recognised that it is legitimate to interfere with an individual's right under Article 10 when this is necessary to prevent interference with the rights of others. The Standards Committee was of the view that, whilst the comment was made in a political context, the comment made by Councillor Williams was not considered to be appropriate or acceptable in a political or non-political context. The Article 10 right to freedom of expression was therefore overridden in this case by the legitimate application of the standards required by the Code of Conduct.

- 4.15 Having assessed the seriousness of the breach, the consequences arising from it, and having weighed up the above mitigating and aggravating factors relating to the Member's conduct, the Standards Committee determined that a **censure** be imposed on Councillor Williams. The Committee considers that censure is a sufficient and reasonable sanction, having due regard to the APW's Sanctions Guidance as is required under the Procedure.

The Standards Committee considered that the act of censuring Councillor Williams is a clear expression of the Standards Committee's disapproval of the Member's conduct and allows the Standards Committee to formally express its criticism of the comment made.

- 4.16 The Standards Committee was of the view that the mitigating factors significantly outweighed the aggravating factors in this matter. On this basis, a suspension was considered excessive.

The Sanctions Guidance states that a suspension of less than one month is unlikely to meet the objectives of the sanctions regime and risks undermining its overall ambitions; a short suspension might therefore have been set at one month. However, this was not considered appropriate based on the arguments heard. The Councillor accepts that the comment was not appropriate, and he is very unlikely to repeat this conduct, and so the Committee concluded that, on the facts, no adjustments were needed to increase the sanction to achieve an appropriate deterrent effect for the Member. The Committee also concluded that the negative publicity around this case will act as a deterrent for the wider Council membership.

- 4.17 Similarly, the Committee was of the view that taking no action would be inappropriate in the circumstances of this case.

The Committee appreciated the seriousness of the matter, the seniority and experience of Councillor Williams when he made the comment, and that it was considering two breaches of the Code of Conduct (for one action). The Committee was of the view that taking no further action would not deter future misconduct on the part of the individual nor others, and it would not promote a culture of compliance amongst Members, bearing in mind the seriousness of the comment that was made and the publicity that followed. A censure was considered to be a deterrent sanction that was both necessary and proportionate in the circumstances.

- 4.18 The APW's Sanctions Guidance states that partial (as opposed to full) suspension is appropriate where the seriousness of the breach merits a suspension, but the circumstances of the case are such that the member is permitted to continue in public office except for the role/function/activity specifically limited by the suspension. The Standards Committee did not consider a partial suspension to be relevant for this case as the conduct complained about is not specific to the role of the Councillor on a specific function or role.

- 4.19 In addition to the censure, the following **two recommendations** were made by the Standards Committee Chair to the Council, in an effort to support the Committee's aim of maintaining public confidence:

- Chair of the Standards Committee discusses further formal support with Councillor Williams in relation to controlling emotion and managing a political role in the public

eye.

- Council ensures that Members are clear that the Code of Conduct is relevant in private meetings, as well as public meetings, and in all other circumstances when a Member is acting in the role of Member, or giving the impression that they are acting in the role of Member.

5. Notification of Decision

5.1 In accordance with Regulation 9 of the Local Government Investigations (Functions of Monitoring Officers and Standards Committees) (Wales) Regulations 2001, notice of the Standards Committee's decisions are to be given to:

(a) Councillor Williams as the subject of the investigation.

(b) The Public Services Ombudsman for Wales.

Regulation 9 also provides for notification to be given to the person who made the allegation. For clarity, Councillor Williams self-referred to the PSOW and so there is no "complainant" to notify.

6. Right of Appeal

6.1 Councillor Williams has the right under Regulation 10 of the Local Government Investigations (Functions of Monitoring Officers and Standards Committees) (Wales) Regulations 2001 to seek permission to appeal against the determinations of the Standards Committee.

6.2 If Councillor Williams wishes to seek permission to appeal, he must give notice in writing within 21 days of receiving this notification of determinations to the president of the Adjudication Panel for Wales. The notice seeking permission to appeal must specify the grounds of appeal and whether or not Councillor Williams consents to the appeal being conducted by written representations.

6.3 Further details can be found on the Adjudication Panel's website at <https://adjudicationpanel.gov.wales/>

Approved by Trefor Owen (Lay Member)

Standards Committee- Chair