



## Independent Investigation Outcome

Case: 2021/C09

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| Subject Member:                         | Cllr Jess Bailey   |
| Authority:                              | East Devon District Council  |
| Complainant:                            | Robert Compton   |
| Background:                             | <p>On 17th September 2021, a decision notice was issued finding that Cllr Bailey, in failing to adhere to the Police's request to leave a site which she had attended in order to protect trees from being felled unnecessarily, had brought her office into disrepute and as such breached paragraph 5(h) of the Code of Conduct.</p> <p>Cllr Bailey did not accept this decision and in accordance with the Council's procedure for dealing with allegations that a member has breached the Code of Conduct, the matter was referred for Independent Investigation.</p>  |
| Independent Investigator's conclusions: | <p>The Investigator carried out a thorough investigation including considering the views of the complainant and subject member, evidence provided as part of the consideration of the initial complaint and the views of the Police as well as the formal representations of Cllr Bailey's legal representatives. The Investigator balanced Cllr Bailey's arguments of legitimate attendance / challenging the Police's position against her community leadership role during lockdown. In conclusion the Investigator stated;</p> <p><i>"I find (very much on balance) that there is insufficient evidence of a breach of the Council's Code of Conduct in relation to paragraph 5h) – "conduct yourself in a manner or behave in such a way so as to give a reasonable person the impression that you have brought your office or the Council into disrepute."</i></p> |
| Final outcome:                          | Cllr Bailey <b>did not</b> breach the Code of Conduct.   |

Dated: 13<sup>th</sup> September 2022