

INDEPENDENT PERSON'S ADVICE

Complainant Cllr Ed Hume

against

Councillor William Hewitt

of Bletchley and Fenny Stratford Town Council

I have read through the documentation in relation to this matter and am of the view that the Subject Member was acting or appearing to act as a Councillor at the time of alleged incident and that the Code of Conduct is applicable. I am aware that this is a Twitter account which is not sanctioned in any formal way to reflect the views of the Town Council. However, all Councillors are known in the community and anyone finding this account (with its statement that the Subject Member is a Parish Councillor) would be likely to take the view that he is giving the impression of acting as a Councillor in expressing those views. I note that the Subject Member has amended the Twitter account to private view only.

At this stage of the complaints procedure I am applying the test as to whether or not there is a case to answer, applying the relevant standard of proof, i.e. the civil standard of balance of probabilities. This is based on the evidence provided by the Complainant alone.

I have looked at the Code of Conduct in force at the time and note the Member Obligations include the following:

When a member of the Council acts, claims to act or gives the impression of acting as a representative of the Council, he/she has the following obligations.

1. He/she shall behave in such a way that a reasonable person would regard as respectful.

I have asked myself the question as to whether a "reasonable person" would consider this series of tweets to be disrespectful. I am of the view that a reasonable person coming across this series, especially those which relate to the Black Lives Matters protests, would consider them not to be respectful of those who hold strong views and have been subject to racism for all their lives.

I note that the Twitter account has now been limited to private viewing only and that there has been no response from the Subject Member.

My advice to the Monitoring Officer is that this matter should be taken further. I suggest that the Standards Committee might consider asking the Monitoring Officer to investigate whether an informal resolution is possible.

In conclusion my advice is that the Code of Conduct applies and that this matter should proceed.

John Jones, Independent Person

29 September 2020