



STANDARDS SUB-COMMITTEE (HEARING)

1 MARCH 2021

DECISION NOTICE

Attendance

Sub-Committee:	Councillor Brackenbury (Chair) Councillor Jenkins Councillor Wallis Parish Councillor Winsor
Independent Person:	John Jones
Investigating Officer:	Rachel Ashley-Caunt
Legal Advisor:	Janet Kealey (Head of Legal Services)
Also Present:	Rachel Olanrewaju (Lawyer) Ellenor Scott (Solicitor)
Committee Manager:	Jane Crighton
Complainant:	Parish Councillor Ed Hume (Bletchley and Fenny Stratford Town Council)

Details of the Complaint

On 2 September 2020, the Monitoring Officer received a complaint that Councillor William Hewitt (“the Subject Councillor”) had breached the Bletchley and Fenny Stratford Town Council Code of Conduct due to the content of three separate tweets posted by him:

Tweet A:

*“Pure f***ing* scum attacking the Police. We should have sent in the Army with water cannons to disperse those mindless thugs. May the fleas of 1000 Covid-19 victims invade their arse and they all suffer a painful death.”*

*This word was not disguised in the original Tweet by the Subject Councillor.

Tweet B:

*“I really hope every one of them gets riddled with Covid-19. All the isolation and Furlough ruined in one f***ing* afternoon. Bring back total isolation everywhere please Boris.”*

*This word was not disguised in the original Tweet by the Subject Councillor.

Tweet C:

In response to a tweet made by celebrity Amanda Holden which had stated “something bit me on the [emoji]” (reference to her cleavage):

“if you need any volunteers to help you look....?”

Standards Assessment Sub-Committee

On 17 November 2020, the Standards Assessment Sub-Committee of the Milton Keynes Council Standards Committee met to assess the allegations.

The Assessment Sub-Committee unanimously found that the Subject Councillor was acting in his capacity as a Councillor at the time Tweets A and B were made and that it may, if proven, have breached Rules 1 and 2 of the Bletchley and Fenny Stratford Town Council’s Code of Conduct.

The Assessment Sub-Committee found, by majority, that the Subject Councillor was acting in his capacity as a Councillor at the time that Tweet C was made and that it may, if proven, have breached Rule 1 of the Bletchley and Fenny Stratford Town Council the Code of Conduct.

Following the determination, the Assessment Sub-Committee requested the Monitoring Officer to arrange for the following to be investigated:

1. Was Councillor Hewitt acting in his capacity as a Councillor when the Tweets were posted?
2. If so, do the Tweets posted by the Subject Councillor constitute a breach of Rules 1 and 2 of the Bletchley and Fenny Stratford Town Council?

The Hearing Sub-Committee

The Subject Councillor was unable to attend the meeting of the Hearing Sub-Committee which took place on 1 March 2021. The Investigating Officer and the Independent Person were in attendance and the meeting was held in public.

Findings of Fact and Reasons

The facts of the case were accepted by the Hearing Sub-Committee as they appeared in the Investigator’s Report.

The Hearing Sub-Committee agreed with the Investigating Officer’s determination that the Subject Councillor was acting in an official capacity when posting the Tweets. The Subject Councillor had not contested this finding and had expressed regret that he has been identified as a Councillor when posting his tweets.

Decision on Breach

Taking into account the findings of the Investigator and the view of the Independent Person, in relation to Tweets A and B, it was noted by the Sub-Committee that the Subject Councillor had become incensed by the protestors’ behavior because he has family members who had been affected by the pandemic. It was also noted that the

Subject Councillor had expressed regret for his action and had told the Investigator that he would offer his apologies.

The Sub-Committee, however, decided that the tweets could reasonably be seen as disrespectful, offensive and intimidating and were therefore a breach of the Code of Conduct.

In relation to Tweet C, the Hearing Sub-Committee concluded “although it was an inappropriate comment to be made in the capacity as a Councillor, it was not sufficiently serious” to be regarded as a breach of the Code.

Decision on Sanctions

Having considered all available sanctions, the Hearing Sub-Committee decided:

1. That the findings of the Hearing Sub-Committee shall be published.
2. That the Sub-Committee recommends that Bletchley and Fenny Stratford Town Council should censure the Subject Councillor and the Subject Councillor should submit a formal, public written apology to the Parish Council, via the Parish Clerk, to be published as part of the Parish Council Meeting agenda.
3. That the Sub-Committee recommends to Bletchley and Fenny Stratford Town Council that the Subject Councillor should attend Social Media training.

Appeals

If either the Complainant or the Subject Councillor against whom a complaint has been made is dissatisfied with the outcome, they may submit an Appeal to the Monitoring Officer.

Any Appeal, setting out full reasons, must be received in writing within 10 working days of issue of the written decision notice and may only be made on the grounds of:

- (a) the procedure being wrongly applied; or
- (b) significant new evidence has come to light since the Hearing Sub-Committee which has resulted, in the Appellant’s view, in an unfair decision.

The Monitoring Officer, in consultation with the Chair and Vice-Chairs of the Standards Committee, will decide if the Appellant has set out sufficient grounds for appeal under (a) and/or (b) above.

Appeal Sub-Committee

An Appeal Sub-Committee will be convened to hear the appeal consisting of no less than three members of the Standards Committee (who must not have been involved in the Hearing Sub-Committee) on a politically balanced basis, where possible.

The Standards Committee Hearing Procedure will apply to the Appeal Sub-Committee.