

COPELAND BOROUGH COUNCIL

STANDARDS AND ETHICS COMMITTEE – 31st JULY 2019.

Notice of decision to a complaint concerning Parton Parish Councillor Joseph
Williamson

1. Decision on whether the hearing should be in private and anonymity.

1.1 The Sub-Committee agreed that members of the press and public should be excluded from the hearing under paragraph 1 of part 1 of schedule 12A of the Local Government Act 1972. This was on the basis that the hearing will be considering information relating to an individual and that, in this case, it would not be in the public interest to consider such information in public.

1.2 It was noted that no application for anonymity had been made.

2. Attendances

2.1 The following persons were present at the hearing:

Members of the Committee:	Councillor David Banks (Chair) Councillor Ged McGrath (Deputy Chair) Councillor Joan Hully Councillor Graham Calvin Councillor Steven Morgan Councillor Doug Wilson
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Independent Person:	Anthony Payne
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Member:	Councillor Joseph Williamson
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Monitoring Officer:	Sarah Pemberton
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Legal Officers:	Clinton Boyce and Michaela Peet
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Democratic Services Officer:	Stephanie Shaw
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Clerk to Sub-Committee:	Clive Willoughby
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3. Preliminary issues

- 3.1 In accordance with paragraph 12 of the procedure adopted by Council on the 14th September 2018 for dealing with complaints the Committee made the following initial decision.
- 3.2 The Committee agreed the procedure had to be adjusted as the complaint had been received anonymously, not on the correct form, and had subsequently been withdrawn. Notwithstanding this the Committee considered it reasonable to do so to facilitate the consideration of the matter and it was in the public interest to do so.
- 3.3 The complaint against Councillor Joseph Williamson could be adequately summarised as follows:

“That Councillor Williamson has acted in a manner which ‘borders on inciting racial hatred and completely flouts that acceptable behaviour rules’ and ‘is hateful towards Muslims and black people’. Councillor Williamson has done this through various posts on his Facebook page and on the Facebook group page known as “Az Frae Parton An Prood avit!”
- 3.3.1 That the evidence was screenshots of Facebook posts made by Councillor Williamson to his own Facebook page and the Facebook page “Az Frae Parton An Prood avit!” and other than hearing from the Member no further evidence was likely to be required.
- 3.3.2 That it was not necessary to appoint an external investigator.
- 3.3.3 That the complaint could be considered at the convened meeting and that no adjournment was required.
- 3.4 The Committee then considered whether Councillor Williamson was acting in the capacity as a member at the time of alleged offence and whether the Parish Council code of conduct applied to him. On consideration of the evidence it was decided that Councillor Williamson had referred to himself as a Councillor in some posts on the Facebook page “Az Frae Parton An Prood avit!” therefore establishing and identifying himself to be a Councillor. The Parish’s Code of Conduct therefore applied to him.
- 3.5 The Committee agreed that the hearing should proceed.

4. Hearing

- 4.1 The Committee considered the documents put forward. The complaint against Councillor Williamson was that he had “acted in a manner which borders on inciting racial hatred and completely flouts

the acceptable behaviour rules and is hateful towards Muslims and black people”.

4.1.1 As the Complainant was anonymous and therefore not in attendance, the Committee asked the Member questions regarding the evidence. The Member confirmed he stood by the posts he had made, and, did not consider he had done anything wrong and therefore had not breached the code of conduct.

5. Decision

5.1 The Committee decided that the evidence presented did show that Councillor Williamson had breached the Code of Conduct.

6. Sanctions

6.1 In accordance with paragraph 11 (j) of the procedure adopted by Council on the 14th September 2018 for dealing with complaints the Committee considered, and unanimously agreed, the following actions necessary:-

a) That the Member be issued with a conditional warning in respect of future behaviour for a period of 2 years. This shall mean that if a further complaint is received against the Member which is substantiated that any sanction imposed for that breach will take into account the present breach as well;

b) That appropriate training with regard to social media should be arranged for the Member by the Parish clerk.

c) That the decision notice, together with the evidence considered, be referred to the Police in order to consider if further action is necessary.

Signed: 

Sarah Pemberton, Monitoring Officer, Copeland Borough Council

Date: 02nd August 2019

Note

There is no internal appeal against this decision. A right of appeal may lie for judicial review of the decision to the High Court or to the Local Government Ombudsman in respect of maladministration.