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The Monitoring Officer
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14th November 2012

For the Attention of: Ian Gibbons

Dear Sir

Case Ref: WC 03/12
Updated Response to an Investigation Report

Further to the Investigation Report dated 24th August 2012 written by your appointed investigator, Mr Roger Wiltshire, and further to my original response letter dated 16th October 2012, I now submit this updated and revised letter containing my comments to you.

It has been necessary to submit this revised response, because the previous letter dated 16th October contained several mistakes and insufficient detail on some issues.

Thank you for bearing with me whilst I took time to think about what to say in this updated Response.

I disagree with large parts of the report because many issues have been inadequately and / or improperly investigated with the result that much of the evidence presented in the report - and the investigator's subsequent analysis of it - is highly and unfairly selective, bizarre, out of context, misleading and /or wrong. Indeed, much of it has not been shown to me before so that I have had no previous chance to comment. This must be a fundamental failing in an investigation process that does not involve any draft report inviting comments prior to being issued as a so-called finished report.

In any other situation where an investigation does not ask for the opinion of the person under investigation about all or parts of what happened and any perceived evidence under consideration this would be regarded as a stitch up.

There approach taken by the investigator is clearly biased. He has not followed up lines of enquiry that I gave him during the interview session (ie. witnesses who could explain whether my claims are true – see the end of my statements) and has presented extensive new evidence in this report that he never previously mentioned or gave me a chance to comment on. If I had known about many issues that have been put to me for the first time in the report, I would have put forward my evidence, including relevant witness statements / comments, to answer and explain the relevant points earlier. As it is, the report presents a highly distorted picture and looks like it was designed to achieve a

negative result at a hearing almost as if an unfair and corrupt approach like this will not have consequences.

The investigator's analysis of the meaning of some words I have used has been undertaken without properly quoting from any recognised dictionary. In the case of the word "fraudster", he has failed to acknowledge or simply dodged obvious meanings that I meant in the relevant context at the time, and which I described at my interview (and which is set out in my statements)..

His analysis of case tribunal decisions and consideration of whether some points within them properly relate to or compare with the circumstances being investigated is so flawed that the bias against me looks like it was driven with a determined zeal.

The report is clearly not the result of a fair investigation. The investigator did not properly set out to find the truth. The investigator has clearly worked with the complainant to stitch me up with an ambush via a report to present a biased and misleading selection of previously unseen evidence along with a biased analysis of that evidence.

The Appeals Tribunal Decision APE 0441 (2009) considered the need for Standards Committee proceedings to be fair and at [26.3] states:

"The Standards Committee are alleged not to have considered the relevance of the evidence to be given by potential witnesses. The Appeals Tribunal considers that a Standards Committee has a duty to consider such relevance and to give reasons for not calling witnesses. The same considerations apply to an Investigating Officer's refusal to interview potential witnesses."

At [24] it states:

"The starting point in any proceedings which have a judicial or quasi-judicial element is fairness which is a fundamental feature of English law. The guiding principle was expressed by Lord Hewart CJ in R -v- Sussex Justices, ex parte McCarthy [1924] 1KB 256, in the following terms,

'...it is not merely of some importance but is of fundamental importance that justice should not only be done, but should manifestly and undoubtedly be seen to be done.'

At [25] it states:

In addition, regard must be had to Article 6 the 1950 Convention for the Protection of Human Rights and Fundamental Freedoms as given effect in English law by the Human Rights Act 1998 which gives a right to a fair trial.

I am certainly reserving the right to complain formally about the very unfair, improper and corrupt way that this investigation has been conducted.

It may be that the right and fair way to proceed from this point is to re-open the investigation to properly examine all aspects of the matter. Alternatively, I would be happy with a finding of no

breach of the code of conduct made by the Monitoring Officer based on the evidence I have already sent you (referred to in this letter).

My Comments on specific parts of the Report

My comments below follow the headings and paragraph numbers used in the report from section 2 (The Complaint) onwards, in the same sequence as they appear.

The Complaint

2.1 Ian Taylor did ruin progress with the refurbishment project by putting himself forward as a non-councillor (ie. as someone with relevant skills to offer) in September 2006 as a project leader where the council relied on him to obtain grants and then he failed to achieve any grants through his own utter incompetence. This caused a loss of confidence in the project, years of delays and the closure of the hall to normal public hire. Mr Taylor is fundamentally in denial of the truth. His complaint is based on the false notion that my statement at the Laverton Re-Opening event was false. My evidence, which includes an expert witness statement, will show what the real truth is. I told the truth, which I was entitled to do. I was fully justified and freedom of expression rights apply with the higher protection afforded to political statements. My statement at the Laverton re-opening event was true and relevant and did not involve vulgar or gratuitous personal abuse. It was a factual statement praising some people for moving the refurbishment project forward and mentioning that two un-named people also seriously tried to kill off the project (Bill Braid) or seriously ruined progress of the project (Ian Taylor) until John Parker put the project back on its tracks.

Mr Taylor's complaint is essentially politically-motivated and is part of a determined attempt to discredit me organised by Mr Taylor and his Conservative accomplices.

In essence, Mr Taylor misled the Laverton management committee (LITMC) right from the start when he became involved by leading most members of the LITMC to believe that he would and could obtain the grants needed to progress the refurbishment project, when in fact he had no proper idea or understanding of the relevant processes. This will be explained later.

2.2 Mr Taylor was lying by saying that what I had said was untrue. I had nothing to apologise for. This will become clear later.

2.3 My email followed the smear campaign launched by Mr Taylor which involved him appearing at the town council and making a totally false statement about me which resulted in the consequent disparaging article in White Horse News on 24th November 2011 (Appendix G3 in the report) and his letter in the same issue of the newspaper (G1) which contained several blatant lies about me. This is the background context to my email. No-one pressed me to explain every lie made by John Clegg or Ian Taylor, so I have not yet seen the need to bother with this.

2.5 The council has no jurisdiction to deal with allegations of defamation. Everything I have said about Mr Taylor is true and can be justified.

Preliminary Issues

3.5 I am happy that this investigation includes the Laverton Re-opening Event on 21st October 2011 as it was a reminder of the fact that Mr Taylor had caused the closure of the building to normal public hire several years earlier. The “Re-Opening” was not just the re-opening after a period of complete closure due to the refurbishment works, but was the moment when the building became properly open to the public again (after being closed to normal hire in November 2007). This is the unpalatable truth that Mr Taylor and his Conservative pals are desperate to deny and forget. It is a proper matter of public interest.

The relevant legislation and guidance

There is much “guidance” from the much discredited and now closed Standards Board for England (aka “Standards for England”) on what it thought does and what it thought does not constitute official capacity and respect. But, as always, the correct interpretation and meaning of the now defunct code was matter of Law at first instance for case tribunals (of the Adjudication Panel for England and then the First-Tier Tribunal), and was ultimately for the Courts (see **Scrivens v ESO [2005] EWHC 529 (Admin) (11 April 2005 – Stanley Burnton J)** esp. at [35] and [44]).

4.3 No reference been made to my own blog which is at <http://russellhawker.wordpress.com>

The investigator seems to think that the “Westbury Town Forums (v.4)” at www.westburytownforums.co.uk is a “blog”.

It is actually a web-based private chat forum open for anyone online to join as a member, subject to approval by the owner, and open for anyone to view (ie. open for public viewing). A blog run by a councillor labelled as that councillor’s own blog would obviously contain blog posts mainly about council business. A web chat forum involving all sorts of different people posting comments on various subjects is a different environment, especially if the councillor member makes clear that he is there in his private capacity only on all his posts.

The First-Tier Tribunal Decision LGS/2011/0537 was presided over by the former president of the Adjudication Panel for England and recent lead judge of the (Local Government Standards in England) First-Tier Tribunal, David Laverick. This case contains numerous important and highly pertinent points on a variety of issues.

4.7 The First-Tier Tribunal Decision LGS/2011/0537 at [40] states:

“The Code of Conduct provides that a member must not bully anyone. The Tribunal has noted the description of bullying set out in paragraph 7.49 of the ESO’s report of her investigation. The Tribunal understands that this paragraph or something similar appears in guidance issued by Standards for England. However, bully is defined in the Shorter Oxford dictionary as “to act the bully towards; to intimidate, overawe.” That is a much narrower definition than the guidance used by the ESO. The Tribunal takes the view that if the Secretary of State wishes the Code of Conduct to apply to conduct which falls outside the dictionary definition then he needs to draft the Code in a way which achieves that aim. As presently drafted, the Code does not. There is no evidence that the Town Clerk was overawed or that he was intimidated. Undoubtedly he was criticised and in a more public

way than was appropriate. It may well be the case that the criticism was itself unfair and a reflection of the Respondent's difficulty in taking a more balanced view. However, the Tribunal is also mindful that the Town Clerk was occupying the most senior post in the Council and, notwithstanding the ESO's observations on this matter at paragraph 7.52 of her report, in the Tribunal's view the threshold for a bullying relationship to be proven must be a high one. The Tribunal's conclusion is that the Respondent's conduct, though disrespectful, fell short of bullying."

There is no evidence that Mr Taylor was over-awed or intimidated by anything I've said or done. He simply dislikes what I've said, has denied the truth in what I've said and is playing politics with his public statement about the matter designed to discredit me at a public meeting of the town council and his letter in the local newspaper. The reason I've had to repeat what I've said about Mr Taylor's actions is that he has denied them, attacked me with false claims based on his denials of the truth, and caused me to have to respond to him and to explain the issues to others.

He is now clearly a serial liar and fraudster. Not only was he a fraud to claim that he was able to obtain grants for the project, but now he's falsely claiming to be a victim and is abusing the standards system via his false complaints based on his own lies and deceit.

4.9 The Appeals Tribunal Decision APE 0441 (2009) at [7] states:

"In relation to the Appellant's ground of appeal that he did not show disrespect, the Appeals Tribunal consider that the approach adopted both by the Investigating Officer and by the Standards Committee was flawed. They have considered simply whether or not the word 'liar' 'went beyond political expression, was rude and offensive and amounted to an expression of anger and personal abuse.' They do not appear to have considered whether or not the Appellant was justified in using the word on the basis that it might be true. In fact, they specifically determined that such possibility did not concern them."

At [8] it states:

"There are aspects of the evidence which suggest that the Appellant might have been justified ..."

At [14] it states:

"These were all matters which should have been taken into account by the Standards Committee in assessing whether or not the use of the words 'liars' was disrespectful. ... it was not open to the Standards Committee to ignore them given their clear relevance to the Appellant's words ... The Committee should have assessed whether or not the untruths could properly be described as lies by exploring whether or not they were deliberate or negligent falsehoods. If they were, the description 'liars' would have been apt and justifiable, albeit unpleasant."

At [15] it states:

"There is insufficient evidence for the Appeals Tribunal to determine whether or not the Appellant's words were justifiable. There was insufficient evidence before the Standards

Committee to make such a determination. ... In the absence of the relevant evidence ... the decision of the Standards Committee cannot be sustained. The appeal must succeed”

It is quite clear from this decision that it is perfectly reasonable for a councillor to use words that may appear offensive if they are true and justified and not used in a gratuitously offensive way – ie. to simply describe a true and relevant point.

It is relevant to bear this in mind when reading what I said in some emails when I was defending myself against Ian Taylor’s false claims.

4.10 The investigator has sought to draw a contrast with Case Tribunal Decision APE 0427 (2009) as if the facts in that case align more closely with the facts in this investigation. But, they do not.

The Appeals Tribunal Decision APE 0441 (2009) at [16] states:

“The Standards Committee have referred to the Case Tribunal’s decision in Mason (Needham Market Town Council – APE0427). The Appeals Tribunal is not bound by that decision, but, in any event, the facts can be distinguished. In Mason, the councillor made a pre-meditated attack on the mayor-elect and an officer of the Council. He called them ‘proven liars’ although there has been no finding by any Court, Tribunal or other competent body to that effect. The Appellant in the present case did not initiate an attack but responded to a question. He did not imply that the term ‘liar’ was other than his own belief. The Case Tribunal in Mason, acknowledged the relevance of truth in addressing the issue of breaching the Code of Practice. It said (at paragraph 5.3):

‘While the truth of comments will often have a direct bearing on whether comments amount to a failure to show respect, in this case the Tribunal was satisfied that the comments of the Respondent were, in the particular circumstances, a breach of the Code whether or not they were true.’

That case turned on its own particular facts, as, indeed must the present case.”

In the situations (only emails) where I am accused of disrespectfully using strong words, such as “liar” or “fraudster”, I was defending myself against Ian Taylor’s false claims that he had made in public that I had misled people in my speech at the Laverton Re-opening Event (similar to the way the councillor in APE 0441 defended himself with strong but true words) rather than launching an unprovoked attack at a particularly sensitive moment in a public meeting on an officer and a councillor who is about to be appointed as mayor, as in APE 0427.

In APE 0427, the councillor brought up old issues which had been previously investigated and called the mayor-elect a proven liar just as she was being appointed mayor. The Laverton re-opening event was not about Ian Taylor, the project is still underway (John Parker is still applying for grants to help us make more progress), and these issues have not been investigated before. Also my speech did not contain personal abuse or claims about lying (and I did not say “proven”).

In any event, my speech at the Laverton re-opening event did not include any personal abuse or strong words such as “liar”, so APE 0427 is certainly irrelevant to that event. Therefore, it is relevant to look at whether what I said at the Laverton Re-Opening event was justified, but the investigation report fails to look at this properly.

In other words, the investigator has failed to investigate properly the key issue upon which this whole case revolves – whether what I said was true or justifiable or not. The investigation simply has not attempted to seek the truth in a proper and meaningful way. This is unfair. It is an incompetent and / or corrupt way to investigate anything as serious as an allegation that a councillor is in breach of the code of conduct.

4.11 The First-Tier Tribunal Decision LGS/2011/0537 at [34] states:

“It was not for the Tribunal to determine the validity or otherwise of the Respondent’s criticisms but the Tribunal observe that the facts which seem to lie behind allegations that the Council had incurred unnecessary expenditure and had received a lesser number of tenders than expected did not inexorably lead to the conclusion, as asserted by the Respondent, that the Town Clerk was thereby at fault.”

This means that it was not for the tribunal to determine whether the clerk had failed in any way as he was not under investigation, but the tribunal was able to “observe” the relevant evidence to help determine the case in hand. The tribunal also noted that in that case their observation was that the clerk was not necessarily at fault. This latter point reflects the issues in that case. It does not mean that whenever a councillor criticises anyone that their criticism is always unjustified. I can show that my criticism of Ian Taylor is justified and can be proven with relevant documentary and witness (including an expert witness) evidence.

Evidence gathered

Noted. I will be referring to some of this evidence to explain that the investigator’s analysis of the meaning of this “evidence” is largely illogical, wrong, biased and misleading.

Summary of Evidence and findings of material facts

The Laverton Launch Event

6.10.7 The point about “killing the project off” was made by me in relation to Cllr Bill Braid who had resigned as Mayor in January 2003 as public stunt against The Laverton a result of his failed attempt to kill off the project at birth, when the council first decided by a majority vote to become the trustee of The Laverton Institute charity which owns The Laverton building.

I had accused Ian Taylor of ruining the refurbishment project through failing to obtain grants, which was the key issue he had become involved in the project to handle in September 2006.

I disagree with the misleading wording of the finding of fact here. I criticised Ian Taylor’s actions. I did not make any attack on his personal character. The finding mentions that I criticised “Mr Taylor and the actions of Mr Taylor” as if I attacked him personally as well when I did not.

NB. The investigation report contains no evidence that supports the idea that I made a personal attack on Ian Taylor apart from an unsubstantiated claim in the statement from Cllr Andrews who was not there at the event anyway!

6.10.8 Only Ian Taylor and wife plus their 2 friends walked out after the speeches. I saw this myself. The statements from everyone else on this are unclear. The only people annoyed with my speech were Conservatives who did not like the criticism I had made of 2 former Conservatives who had either tried to stop the project (Bill Braid) or who had spoiled the project (Ian Taylor). An opinion that a council event is not the place to mention a home truth about who made a negative contribution to an important project is just an opinion that is of no consequence for the purposes of the code of conduct unless someone is pretending that my speech contained gratuitous insults, which it did not.

There is nothing in the code of conduct saying that councillors cannot say contentious matters outside standard council meetings. The investigator has not supplied any evidence that demonstrates that it is inappropriate or would be disrespectful to discuss contentious issues outside a council meeting, whether in public or not.

The finding that my speech caused “some upset” is based on the behaviour of a very small number of people who over-reacted to hearing the truth about Ian Taylor’s involvement. “Some upset” sounds close to “a bit upset”. Causing upset and offence is not in itself a breach of the code, especially if what was said was true and relevant.

Article 10 of the European Convention on Human Rights (Freedom of Expression) protects political comments. My comments were about a local political issue, were carefully made without gratuitous insults, were true and so benefit from the higher protection afforded to political comment.

The investigator should be ashamed of himself for suggesting otherwise.

NB. The report does not offer any evidence based on case law or SBE guidance (not that I regard the latter as necessarily valid, given that the SBE regularly wrote utter nonsense that was overturned by tribunals and high courts) to properly support the idea that criticising someone in a factual and truthful way could end up as a breach of the code in any situation at all.

“Freedom of Speech” law is based on the reality that some people will take offence at anything, even the truth, so it is entirely unrealistic to claim that it is disrespectful to mention anything simply because it causes “some upset”.

The Westbury Town Forums

6.11.1 There is no evidence in the report that the relevant “Westbury Town Forums” calls itself “official” or claims anything at all about itself. The printout of one discussion thread in Appendix E1 is of “Westbury Town Forums v.4” which is located on the web on a .co.uk domain. The investigator is confused with another similar forum which calls itself “official”, is located on a .com domain and which does make numerous and doubtful claims about itself. I am not a member of the .com forum.

6.11.2 My ID is “baldy” not “Baldy”.

6.11.3 I said “baldy” not “Baldy”.

6.11.4 I do not use a “header” above my posts at all. The line saying “I may disagree with your views but I am NOT attacking YOU!” is the “signature” line that Mike Hawkins (a twice former Westbury Mayor) uses so that it appears as a footer on all his posts. The investigator must be confused by a post from Mike Hawkins that appeared above a post from me so that Mike’s “footer” appears to be my “header”.

The content of the forum posts

6.11.6 I did not make any “report” of anything. A “report” is more structured and formal than a simple reply in an informal chat forum. I simply replied to a question from Mike Hawkins. Although he referred to me as the chairman (of the Laverton management group), I did not say I was responding as a councillor or as the chairman. Indeed, my signature (what the investigator has called a “footer”) in all my posts says “I am here in my private capacity as a local resident only (unless stated otherwise)”. Mike Hawkins and all the other participants in that thread (shown in Appendix E1) know very well that I am there in my private capacity. It would be illogical to argue that I am appearing to represent the council when I am explicitly saying that I am not.

6.11.7 Appeals Tribunal Decision APE 0421 (2009) at [30] states:

“It was noted that Councillor McTigue had used a pseudonym, and that she states in at least one of the postings that she is on the forum as a resident who just happens to be a councillor. However, taking the contents of the postings on the Evening Gazette forum as a whole the Appeals Tribunal concluded that the Appellant did give the impression that she was acting in the role of councillor and thus representing the council.”

Paragraph 2 (1) of the code of conduct says that the code applies whenever you

- (a) conduct the business of your authority or office, or
- (b) act, claim to act or give the impression you are acting as a representative of your authority.

The Appeals Tribunal Decision APE 0421 does not discuss what constitutes “conducting the business of the authority” or whether Cllr McTigue conducted any such business. The Decision confines itself to an analysis of what Cllr McTigue did that gave an impression that she was acting as a representative of her authority.

There are several key differences between that case and this. To start with, Cllr McTigue had initiated the discussion topic (called a “thread” in westburytownforums.co.uk), whereas I did not – See [17] of APE 0421. Her pseudonym of “Indie” is basically reflecting her real role as an Independent councillor. My ID is “baldy” which has no connotations of acting as a councillor. My profile signature (“footer”) appears on every post – Cllr McTigue’s comments that she was not acting as a councillor were only posted occasionally (See [30]). Her postings continued well after it had been made clear by people making posts that her posts were inappropriate – this was not the case here as no-one said they saw anything wrong with my posts.

6.11.8 I was not posting a report on a meeting to my own blog as Cllr Brookes was. I was replying to a question in an informal chat forum, where neither the forum nor the thread in question refers to

me by name. Only a post from another contributor mentions me by reference to the fact I was the chairman of the relevant working group.

6.11.9 Referring to Paragraph 2 (1) of the code of conduct (see above comment at 6.11.7), the code applies if the councillor is conducting the business of their authority or office - or if the councillor acts, claims to act or appears to act as a representative. The investigator offers no evidence that I was conducting the business of my office etc, but tries to show that I was acting as a representative of the council.

The First-Tier Tribunal Decision LGS/2011/0537 at [4] states:

“... The Tribunal accepts that a councillor may do things which affect the reputation of the Council but it is only if those things are done in his official capacity that any breach of the Code of Conduct can arise. There will be times when a councillor acts as a representative of the Council of which he is a member. But that will usually be where he is asked, by the Council, to undertake that representative role. The Tribunal is not persuaded that the word “representative” should generally be given a wider meaning, and in particular is not persuaded that a wider meaning can be construed in the circumstances of this case.”

At [21] it discusses the meaning of “representative” and says that none of the actions of the councillor under consideration involve his acting or claiming to act as a representative of the council.

At [22] it states:

“Miss Kentridge submitted, that although signing himself as “Councillor” is not itself sufficient to establish that the Respondent’s action is undertaken in an official capacity it is highly indicative of this, although if the particular entry is entirely extraneous to Council business this might offset that initial assumption.”

At [23] it states:

*“The Tribunal takes a more cautious approach. If the particular entry is entirely extraneous to the Council’s business it is hard to see how the writer can be said to be acting in his official capacity. Even where he is writing about the Council he is * necessarily acting in his official capacity in so doing. The particular circumstances need to be carefully examined.”*

Unfortunately, there appears to be a typo in [23] because the word “not” has been missed out where I have placed the *. As the second sentence starts with the word “Even” and the first sentence talks about a more cautious approach, it is clear that the tribunal meant to say that a councillor is not necessarily acting in his official capacity if he is writing about the council. There is no other logical interpretation. It is worth noting that another typo exists in the same decision at [3] in the first sentence where the word “phrase” is miss-spelt as “phase”, so a typing mistake is entirely plausible at [23] as well.

The meaning of [4] (above) in the context of this case is that I am not acting as a representative of the council if I'm not appointed as one. I was not appointed as a representative of the council to the forum. There is no evidence for this.

Having corrected the typo in [23], the overall meaning of [22] and [23] in the context of this case is that even if I am talking about the council, I am not necessarily acting in my official capacity. This can be construed to mean that I am not necessarily acting or appearing to act as a representative. The particular circumstances need to be examined.

The investigator is left with only one angle to try to say that the code applies; that I gave the impression of acting as a representative (as opposed to actually being a representative). But, my profile signature at the foot of all my posts makes clear that I am not posting as a councillor. Only someone determined to ignore this advice would twist the circumstances and allege that, regardless, I "appeared to be acting" as a representative of the council, when all I was doing was replying to a question that came at me because I happen to use the forum as a private individual.

Councillor Hawker's letters published in White Horse News

6.17.3 It is not relevant whether Cllr Andrews made the original proposal or not. The issue is whether I was correct to say that it was untrue for Ian Taylor to claim that I made the proposal. The evidence in G6 and G7 simply shows that all I did was put the Laverton Management group's proposal forward in my role as chairman regardless of where the ideas originated. I'll explain this more later.

The Westbury Town Council meeting on 9th January 2012

6.18.6 Cllr Andrews did say I was telling lies about Ian Taylor. What I said was true and justified as a response to Cllr Andrews untrue and unjustified public attack. The reason why the investigator is letting this particular event slide may be that he is trying to find me in breach at every opportunity whilst trying not to cast aspersions on Ian Taylor or any of his Conservative friends, such as Cllr Andrews. We will certainly be returning to this whole point one day.

NB. The paragraphs 6.18.7 – 6.18.10 below have nothing to do with the above heading about a full council meeting on 9/1/12.

6.18.7 The evidence in Appendix J3 described as "minutes of the LITMC working group meeting held on the 1st November 2006" are "Notes" not Minutes. Please look at the heading of the notes. This is an important difference as "Notes" of working groups were circulated to members of the group attending the next meeting. The town council has only become used to emailed agendas and notes for working groups in the last 2 or 3 years. "Notes" are not presented to full council meetings and are not available for general public circulation.

6.18.8 These "Notes" (not "Minutes") show that I was not at the meeting. I did not agree to what was agreed about me by others who did attend the meeting. Soon after, I saw these notes and I asked the then town clerk (Les Fry) as to what he thought "Financial Viability and development

funding” as allocated to me, him and his assistant meant. He explained that this meant cash flow analysis and budget planning and did not include grant applications because the Heritage Lottery Grant was to be handled by the group overall with Ian Taylor leading (see the notes at the first paragraph in point 2) and Ian Taylor was going to handle other grants as well (see who got allocated “J & K”) apart from “Helen” (the then hall manager) who would handle a Landfill Tax Credit grant.

In other words, the task allocated to me was a non job as the clerk (who was perfectly capable) and his assistant had the spot covered anyway.

6.18.9 The investigator’s analysis here is just complete nonsense because, like Ian Taylor, he does not understand the process for applying for a Heritage Lottery Fund grant or what actually happened after Ian Taylor took control of the HLF grant application.

It is important to understand the following points:

a) I made a pre-application bid for HLF funding in 2004 and the formal reply by HLF was made in a letter dated 3rd September 2004 (see attached copy), which acknowledged the pre-application. This was a successful response. The next logical step at the time was to organise the project and produce a business plan and get the council to support this business plan. This was achieved at the September 2006 full council meeting. The next logical step was to proceed towards a full main grant application, which would involve serious public consultations and careful consideration about how to present the project to HLF so that it complied with every exact detail of their funding criteria.

b) Ian Taylor took control of the process, after hoodwinking the LITMC group that he knew what he was doing, and had a conversation with one of the HLF advisers asking if HLF would like to fund our project. Ian simply had no idea what he was talking about in terms of how to ensure the project complied with HLF criteria and so the response from HLF was bound to be generic and basic.

c) There is no evidence that Ian Taylor made any proper “application” to HLF at all – not a proper pre-application on the relevant form or a full main application (the latter was impossible as he never made any progress with the relevant detailed work needed anyway to make a main application).

See the attached document labelled as “HLF reply to Ian Taylor - Jan 2007”. This is what Ian Taylor claims to have been the reply that HLF sent him in response to his “application”. It is not on any headed notepaper and it does not acknowledge an application. It simply reflects a basic conversation where Ian Taylor obviously gave the impression that he has no idea whether the Laverton Refurbishment Project could comply with the relevant HLF criteria at all. It effectively confirms that Ian Taylor had no idea what he was doing or saying in relation to the criteria used by the HLF as to whether a project would qualify for a HLF grant.

d) Please see the attached email strings marked “private and confidential” which contain witness evidence from former councillors Charlie Finbow and Mike Hawkins and from John Parker, the town council’s expert project consultant. Please also see the attached copy of the business plan (2006) which is referenced in the email dialogue with John Parker.

NB. This evidence confirms that Ian Taylor did misrepresent his abilities to the LITMC in September 2006 when he offered to handle the grants and act as overall project co-ordinator.

If this matter proceeds to a hearing, I will call these three and others as witnesses. I would expect them to say more than has already been said in the emailed comments.

NB. All three are willing to be approached by you for purposes of verifying their comments. You can simply open the emails and use their email addresses to “forward” the email string to them asking them to verify anything to your satisfaction. The investigator simply failed to contact them. Although I did not suggest to the investigator that he should contact John Parker, he should have realised that John Parker is in the best position to explain the process for applying for grants.

The overall meaning of the above three witness comments is that Ian Taylor knew that the project was important, involved considerable sums of money, needed to be handled in a business-like manner with appropriate expertise and ability and needed to make positive progress by obtaining grants. He claimed to have the particular skills necessary to obtain grants.

There is no other logical reason for appointing an external person (ie. a non councillor) to the LITMC to co-ordinate the project. He had claimed to be the person LITMC needed to handle grants and coordinate the project.

His claims about his ability to handle the project and obtain grants were in fact false in every way. His actions demonstrated complete incompetence. The project only made forward progress once John Parker was engaged to provide project leadership and apply for grants.

Ian Taylor did not understand the point about the lift being an improvement intended to enhance accessibility to the building and its heritage beyond simple DDA compliance works.

Ian Taylor misled the LITMC about his abilities and failed to obtain any grants. He did not understand the grants he was trying to deal with in any way at all. He bungled every aspect of what he actually did in relation to grants.

If this matter proceeds to a hearing, I will publicise the fact that Ian Taylor bungled the project and caused the town council to lose grant funding that it would have obtained. In particular, he caused the town council to have to raise a large Public Works Loan Board loan to pay for the lift, which would otherwise have been included in a HLF grant if Ian Taylor had not messed up the project by messing up the grant applications.

6.18.10 Since sending the email to the investigator on 19/6/12, I have obtained much better evidence which completely supersedes the material I was referring to then. The expert witness evidence obtained from John Parker (project manager) does prove that an application for a grant to the HLF would have been successful if it had actually been made at the right time in the right way.

Reasoning

7.1.1 and 7.1.2 The First-Tier Tribunal Decision LGS/2011/0537 at [34] states:

“It was not for the Tribunal to determine the validity or otherwise of the Respondent’s criticisms but the Tribunal observe that the facts which seem to lie behind allegations ... as asserted by the Respondent ...”

The Appeals Tribunal Decision APE 0441 (2009) at [7] states:

“In relation to the Appellant’s ground of appeal that he did not show disrespect, the Appeals Tribunal consider that the approach adopted both by the Investigating Officer and by the Standards Committee was flawed. They have considered simply whether or not the word ‘liar’ ‘went beyond political expression, was rude and offensive and amounted to an expression of anger and personal abuse.’ They do not appear to have considered whether or not the Appellant was justified in using the word on the basis that it might be true. In fact, they specifically determined that such possibility did not concern them.”

At [8] it states:

“There are aspects of the evidence which suggest that the Appellant might have been justified ...”

At [14] it states:

“These were all matters which should have been taken into account by the Standards Committee in assessing whether or not the use of the words ‘liars’ was disrespectful. ... it was not open to the Standards Committee to ignore them given their clear relevance to the Appellant’s words ... The Committee should have assessed whether or not the untruths could properly be described as lies by exploring whether or not they were deliberate or negligent falsehoods. If they were, the description ‘liars’ would have been apt and justifiable, albeit unpleasant.”

In other words, the investigator should have considered whether I was justified in what I said without purporting to have the power, or that the standards committee has the power, to make a formal determination. The investigation can “observe” the facts and let them allow a logical analysis of whether I was justified in what I said.

The investigator’s approach is illogical and designed to find a breach of the code by pretending that the investigation is not supposed to find the truth as if the truth is irrelevant.

The court of public opinion would regard this nonsense as a corrupt approach to any serious investigation.

7.2.2 The circumstances in that case were different to the circumstances that the investigator is supposed to be considering. My point about Ian Taylor’s incompetence and misleading claims about his ability to obtain grants has never been formally raised to any council meeting or event before, largely because Ian Taylor resigned off the council before I could do so. I did not have the relevant evidence until later. The project only succeeded in obtaining grants when they were actually applied for properly – this only happened after Ian Taylor left the council and not before.

7.2.3 It was not relevant to make a finding on whether the councillor’s words were true in that case because of the particular circumstances in that case. In essence, he had launched a very personal attack on the integrity of the mayor-elect at the annual town council meeting just at the point where she was the focus of the meeting and about to be elected mayor and what he said was patently not

justified as he accused her of being a “proven liar” when in fact this point had never been proven.

My circumstances were different. I have not claimed that Ian Taylor has been “proven” to be anything and I never said anything when the event itself was focussed on him. For example, the Laverton Re-opening event was not about Ian Taylor and he was not mentioned by name. Also, Ian Taylor had never previously disputed the point that I had raised with him at various times that he was failing to achieve grants or was a fraud etc. I always thought his lack of response was an avoidance of an admission of the truth.

7.2.4.1 I contend that the investigator is simply talking nonsense because he has failed to analyse and compare the circumstances properly and because he is trying his best to find breaches of the code of conduct.

7.3.1 I agree that the fact that Westbury Town Council failed to obtain a grant when Ian Taylor was involved does not by itself prove that Ian Taylor was at fault. This is simply a matter of straightforward logic. The investigator’s attempt to legitimise this entirely obvious point, as if it needs to be legitimised, by referring to a tribunal case where a similar obvious point was made illustrates the weird nature of his analysis.

The only reason the investigator makes this point is because he failed to investigate the issues properly. He would have found out more if he had actually asked me the relevant questions or shown me / told me what he was thinking and given me an opportunity to explain everything.

7.7 The investigator has failed to show adequate reasoning to explain his conclusion.

In any event, nothing in my posts on Westbury Town Forums was disrespectful under the code of conduct as it was all true. Anyway, it is protected by Article 10 of the European Convention on Human Rights (Freedom of Expression) because it was all about local politics.

7.13.4 My comments were true and justified. My comments at the Laverton Re-opening Event were a matter of public interest as well. My comments on the chat forum were simply replies to points raised by others and, again, were true and justified. My comments in emails were all justified as well. This will become clear later when we consider the meaning of relevant words properly.

Therefore, my political comments are protected by freedom of speech. This whole saga revolves around local politics and me telling the truth. Ian Taylor and the investigator are avoiding the truth. The investigator has not grasped what the relevant issues are. His report is riddled with deep flaws from top to bottom. He has even claimed that the truth is not relevant!

7.14.1 My speech praised numerous people before dealing with the point that two un-named people caused problems and tried to stop the project or actually did ruin the project until it was put back on its tracks by John Parker.

7.14.2 This is irrelevant. My speech was simply stating facts and I was entitled to criticise. Even in a council debate, Ian Taylor, as a non-councillor, would have had no right of reply as members of

the public cannot take part in debates. Members of the public can only speak in a public forum and Ian Taylor did so at the next opportunity at the full council meeting less than three weeks later and he had a letter criticising me in a misleading way printed in White Horse News.

7.14.2 (mis-typed as 7.13.2) The investigator is pursuing further the idea that criticism can only be made within a debate. This is ludicrous nonsense. By resigning from the council, Ian Taylor does not prevent criticism of his actions as a councillor in situations where it is relevant to raise the issue as a matter of public interest in setting straight how something went wrong or got seriously delayed. The SBE guidance distinguishes between personal abuse and criticism of actions. My contentious comments at the Laverton Re-Opening event were all about Ian Taylor's actions. There was no personal abuse. The investigator is mixing the two up.

7.14.3 My speech contained perfectly reasonable and truthful criticism of the actions of two people. There was no "personal attack". Ian Taylor replied in several ways soon after, so the whole issue of the "right of reply" is misleading. The event was my first opportunity to publicly explain the truth of the matter at a council event. The event was about the project, which had started years before. Just because several years have gone by, the earlier years of the project are no less relevant.

It seems that the investigator is trying to draw a parallel with the tribunal case APE 0427 where the councillor brought up old issues, which had been previously investigated, and called the mayor-elect a proven liar just as she was being appointed mayor. The Laverton re-opening event was not about Ian Taylor, the project is still underway (John Parker is still applying for grants to help us make more progress) and these issues have not been investigated before. My speech did not contain personal abuse or claims about lying.

7.14.4 This whole saga started with my Laverton speech, so any pattern of behaviour that the investigator is referring to (within the confines of this investigation) is simply me responding to Ian Taylor's false claims (ie. untrue denials) about what I said at the Laverton event. In reality, everything I've said is true, correct, justified and I was entitled to say it.

7.15.1 My posts do not have any "header". The phrase "*I may disagree with your views but I am NOT attacking YOU*" belongs to another member of the forum, Mike Hawkins.

The investigator is trying to say that I claim not to attack people yet I did attack Ian Taylor. But, his argument is wrong because I do not have a header saying what the investigator alleges.

What I said about Ian Taylor was true and correct.

7.15.2 My criticism of Ian Taylor was relevant in the context of an ongoing project. Whilst specific events took place years ago, they are still relevant in the context of a project that is still discussed in public. My views may not be "proven" but they are true and justified and I have now obtained the relevant evidence to show that my criticism of Ian Taylor is well-founded.

7.15.4 I contend that the investigator has engaged in a pattern of behaviour that involves him in repeatedly failing to understand that he should be establishing what the truth is before attempting to

analyse whether a breach of the code of conduct occurred.

There is no breach of the code in what I posted online in the forum anyway as what I said was true and I was not acting as a representative for the council (I was not appointed to act as one) and I have made clear via my “footer” that I am not acting as a councillor. As I have said before, I was replying to other comments raised in a thread that I did not start.

The First-Tier Tribunal Decision LGS/2011/0537 at [23] states:

“... Even where [the councillor] is writing about the Council he is [not] necessarily acting in his official capacity in so doing. The particular circumstances need to be carefully followed.”*

* I explained in my comment about paragraph 6.11.9 of the report that the word “not” should be read into the sentence.

In my case, I was replying in a chat forum to someone else’s questions and I was not saying that I was replying as a councillor. Contrary to case 0537, I was not posting a “report” in my own political blog. If I had put a post in my own blog (where I am clearly identified as a councillor and it is clear that the blog is about my activities and views as a councillor), where I have no footer saying I am there in a private capacity, I would agree that I was acting in my official capacity.

The First-Tier Tribunal Decision LGS/2011/0537 at [29] states:

“On 13 May, the day after the Town Council’s Annual Meeting, the Respondent had written his own detailed account of the meeting. The Tribunal sees that as being action undertaken in his official capacity – he was using his blog to communicate, as a councillor, with the electorate in the Parish. The blog of 14 May can be seen as an extension of that process and does of course begin with the publication of a letter he had received in his official capacity. The Tribunal takes the view that these actions of the Respondent do lie within the scope of the Code of Conduct.”

In this case, the councillor was using his own political blog. In the second post referred to above, he has started his post by referring to something that he dealt with in his official capacity. My responses to questions by others were about issues that occurred in my official capacity, but I did not raise the issues on the forum and did not start the dialogue.

7.17.1 My email was sent in response to issues raised as a result of (ie. after) the false claims made by Ian Taylor that I had defamed him and should withdraw and apologise for what I had said.

My words can be justified. In any event, this was an email, not a public meeting or event, and is simply a private discussion between me and 2 council officers.

7.17.6 We will look at the relevant evidence later. I will show that what I said was true.

7.17.7.1 The investigator is still engaging in his own pattern of behaviour that results from not establishing what the truth was in the first place.

7.18.3 I have not bothered to reply to every lie made by John Clegg and Ian Taylor as I have been busy with other matters and no-one has asked me to do so anyway.

7.18.4 This is simply a statement of fact. My evidence will show that what I said was well founded.

7.18.5 The Oxford Dictionary of English (3rd Edition – 2010) provides authoritative definitions, as follows:

Fraud

noun

- wrongful or criminal deception intended to result in financial or personal gain
- a person or thing intended to deceive others, typically by unjustifiably claiming or being credited with accomplishments or qualities: *mediums being exposed as tricksters and frauds.*

Fraudster

Noun

- a person who commits fraud, especially in business dealings.

The Concise Oxford Dictionary (9th edition), 1995, provides similar but slightly different meanings as follows:

Fraud

n

- 1 criminal deception; the use of false representations to gain an unjust advantage.
- 2 a dishonest article or trick.
- 3 a person or thing not fulfilling what is claimed or expected of, her, or it.

Fraudster

n

a person who commits fraud, esp. in business dealings.

It was clear from the circumstances at the time that when I wrote the word “fraudster” I did not mean criminal deception. I meant the third main meaning of the word as described in my own dictionary (The Concise Oxford Dictionary) – ie. that Ian Taylor had unjustifiably claimed to have accomplishments or qualities that were crucial to an important project that involved large sums of public money.

Ian Taylor totally misled the Laverton Management committee when he claimed to have the all round skills needed to obtain grants. He was a fraud on this particular issue. I can prove it. Whether others are prepared to say the unpalatable truth is neither here nor there.

It is clear from the comments made by former councillors Mike Hawkins and Charlie Finbow that Ian Taylor did misrepresent his abilities in order to be appointed to the LITMC as if he had the expertise needed when he did not. It is clear that he completely failed to obtain grants.

Although the first dictionary mentioned above does not mention exactly the same definition of “fraud” as the second dictionary, there is plenty of evidence available in form of well known films that contain the phrase “I am such a fraud” when someone realises that they have failed to fulfil what they said they would do.

You should ignore Ian Taylor’s claims to have moved the project forward as this is simply his attempt to muddle up the issues and pull wool over everyone’s eyes. When he was chairman of the LITMC during 2007-9, the project did make some forward progress, but this was due to John Parker’s work as a consultant.

The issue at stake here, and which was highlighted in my Laverton re-Opening speech, was that Ian Taylor ruined progress with the project when he joined the LITMC in 2006. It is not about whether he happened to be chair later when the project was put back on its tracks by John Parker, not least because I explained in my speech that John Parker was brought in for this purpose.

7.18.6 I did not say that Ian Taylor had done anything for personal gain. This idea comes from the way the investigator is using the wrong meaning of the word “fraud” or “fraudster”.

7.13.3 My comments above about paragraph 4.7 in the report explain that the guidance issued by Standards for England on the meaning of bullying is wrong. There is no evidence that Ian Taylor was intimidated by me or over-awed. He was simply upset that I had told the awful truth about him – the truth that I was entitled to say about a political project with a clear public interest in who caused delays and ruined progress with the project.

I contend that the investigator is repeatedly making the same mistakes.

Findings

8.1 Yes, but not on the Westbury Town Forum.

8.2 My comments were perfectly true, reasonable and justified. The investigator has avoided the truth and is biased. It is incredible that the investigator has not only avoided the truth but has tried to justify this by claiming it is not relevant. What type of investigator or investigation is this?

8.3 The guidance is wrong, as explained earlier.

In essence, I did not breach the code at any point. The report is largely nonsense.

It may be sensible to re-open the investigation so that more light can be shed on the relevant issues.

Alternatively, I would be happy with a decision to drop the allegations on the basis that the complainant has fundamentally lied in his complaint because what I've said is fundamentally true.

Appendix A

Schedule of Findings of Fact

15. I was critical of Ian Taylor's actions but I did not attack him personally. I did not refer to him by name.

19. This is untrue. The investigator is mistaken.

22. I answered questions. I did not make a "report" in the manner implied.

23. My footer made clear that I was acting in my private capacity.

56. I was not present at that meeting. The "Notes" (not "Minutes") confirm this. I did not agree with the allocation of work and the bit allocated to me was not about applying for grants (which was reserved to Ian Taylor).

57. This is irrelevant as he never made a HLF application at all. He simply discussed the idea with a HLF officer over the phone and demonstrated his incompetence as well. My evidence will explain all this.

Appendix A2

The reason for the Sub-Committee's decision to refer the matter for investigation appears to be based on the false idea that "there was sufficient evidence to demonstrate that the complaint, if proven, was capable of giving rise to a breach ...". But there was absolutely no evidence at all before the sub-committee. All there was to look at was the complainant's allegations on his complaint form. Allegations are not evidence.

This whole investigation is based on pure nonsense in the first place!

Appendix A7 and A8

The notes of the meeting on 17 October 2011 show that the LITMC agreed to become a standing committee. This meant that this would be a recommendation to be put to the next full town council meeting. Soon after, the clerk asked me (as the new chairman appointed at that meeting) what wording

to use in the recommendation to put as a Notice of Motion item on the Agenda of the next full council meeting.

Just before the meeting on 20 October, Barbara (the clerk's assistant) rang me to ask what to put on the Agenda. I replied that there was only one item to discuss, which was the wording of the recommendation to put to full council. I left it to Barbara to word the item, which she simplified to "Discussion on the LITMC becoming a full standing committee for recommendation to Town Council". In fact, this exact point had already been settled at the previous LITMC meeting. The real business of the 20 October meeting was to set the exact wording of what we had already agreed to do.

The point is that the motion which appeared at the following town council meeting was not my personal motion. It was a motion agreed by the LITMC and I simply moved it in my role as chairman of the LITMC at the next full council meeting.

Appendix C2

Witness Statement from Cllr Andrews

His third paragraph is about a time when he was not involved with the LITMC. Cllr Andrews has not been involved in any discussions about previous delays or the problems that Ian Taylor caused because I did not go around raising the issue outside of the LITMC at the time when Ian Taylor was involved.

His fourth paragraph is about the motion for the LITMC to become a full standing committee. I did move the motion in my role as chairman of the group. The motion was from the LITMC as a whole, not from me personally.

His third paragraph on the second page suggests that all of my speech was about attacking people. This is not true. My speech started with praise for numerous people and their role in the project, including the point that John Parker had joined as project manager and put the project back on its tracks after it had been derailed.

His following paragraph says that he did not need to revive a corpse. But the revival had already occurred before he joined the LITMC when John Parker became involved. Cllr Andrews' comments are misleading. John Parker had done the work needed to revive the project.

His final paragraph on the same page suggest that I had made "consistent and sustained attacks Ian Taylor during the previous 2 years. There is no evidence to support this claim at all.

Ian Taylor was not personally responsible for commissioning the Project Plan. He had no option but to agree to what the whole LITMC wanted after reading John Parker's recommendations. John did the work.

The same comment applies to the ending of the snooker club's tenancy, although the clerk and a solicitor did the work.

The comment about Ian reducing overheads relates to the need to cut our losses as a result of the refurbishment project being stalled by a lack of progress in obtaining grants. The cutting of overheads is not related to the refurbishment project. It relates to the ongoing management of the

building, which is a separate matter. In any event, the claimed increase in income arose principally from Wiltshire County Council using the hall for the Westbury Bypass Public Inquiry and was not attributable to Ian Taylor.

Appendix F1

Agenda of Town Council Meeting on 7 November 2011

Item 10 clearly shows that the motion was received from the LITMC rather than any one councillor.

Appendix F3

Ian Taylor makes clear that he “managed the Laverton HLF and BLF bids in 2006 and 2007”.

So, it’s clear he was responsible. But, in fact, he never made or submitted any proper application for a HLF grant at all. His telephone conversation with a HLF officer was not an application. It was not even a proper pre-application.

Appendix F4

See the attached Reply to Ian Taylor from the HLF dated January 2007, which is missing from the report.

If Ian Taylor had known what he was doing at all, he would not have attempted to submit a pre-application as we had already submitted one.

See the attached Letter from HLF dated 3 Sept 2004. This clearly acknowledges the pre-application that was made in 2004.

I submit that Ian Taylor did not submit a proper pre-application form and / or that if he did, he should not have done as it was unnecessary and he did not appreciate what needed to be said to show to HLF that the project would be aimed at meeting the HLF grant criteria. The fact that the reply from HLF to Ian Taylor is confused about whether the project would qualify for HLF grants and does not refer to any proper pre-application anyway, shows that Ian Taylor did not communicate anything worthwhile to HLF.

See the email between me and John Parker labelled “Private and Confidential. John Parker is making it clear that the project would have qualified for HLF grants of the project at been approached in the correct way.

The reason I did not play any part in the grant applications after September 2006 is because I refused to support the utter nonsense that Ian Taylor was undertaking. Everything he said about grants was wrong. The proof that he did not know what he was doing is in the fact that no grants were achieved when Ian Taylor had the opportunity to apply or any grant.

On page 125 of the report, Ian Taylor claims to have made much progress by November 2009. This was due to John Parker's work.

The point is that my Laverton Re-opening Event speech made clear that someone ruined the project by failing to get grants when we needed them, thus leading to a delay and the closure of the hall to the public for normal hirings. I did not say that Ian Taylor or anyone else had ruined the project for ever. I went on to say that John Parker put the project back on track. By this time, Ian Taylor was not leading the project. John Parker was.

Appendix G1 and G2

The whole letter from Ian Taylor is a smear based on false and misleading claims. It is a "pack of lies". Fact.

MY NEW EVIDENCE AND MY CONCLUSIONS

Please see the 3 email dialogues between myself and:

- 1) John Parker (Project Consultant) – expert witness
- 2) Mike Hawkins
- 3) Charlie Finbow

Mike Hawkins and Charlie Finbow make clear that Ian Taylor claimed to have the all round skills needed to be appointed by LITMC in late 2006 to co-ordinate grant applications.

John Parker makes clear that HLF grants – or other grants – could have been achieved if the project had been managed in the right way. In fact, this point is proved by the fact that John Parker did successfully obtain grants when he dealt with the necessary work and led the project.

It is clear that no grants were achieved whilst Ian Taylor was in charge of obtaining grants. There is no other logical conclusion. He did claim to be the right person, as if he had the right skills and experience, but in fact he made a series of errors and misled the LITMC on what needed to be done to achieve grants. What I said at the Laverton Re-Opening event was true and I was entitled to say it. There is no clear evidence that I was not entitled to say it.

Ian Taylor is in denial and is trying to misdirect everyone on what happened by saying that as the project eventually succeeded, that he did not permanently do any harm. But, I never said he did any permanent harm. My speech made clear that after someone failed (I mentioned no names), that the project was put back on its tracks by our Project Consultant, John Parker.

If everything I've written is seen in its correct context, as a response to questions or issues raised as a result of Ian Taylor's false denials of the truth in the first place last year, it will be appreciated that, in fact, it's me who has been improperly accused of saying falsehoods and who has been repeatedly attacked by Ian Taylor and others on a false and misleading basis.

If this matter goes to a hearing, I will publicise, regardless of the outcome, both on-line and in any co-operative local / national newspaper and via my own local leaflet circulation the following:

- a) the strongly unfair and corrupt nature of the investigation;
- b) the fact that what I have said about Ian Taylor is wholly true;
- c) the fact that the discredited old code of conduct system has been closed down;
- d) the fact that Ian Taylor caused the town council to have to pay large sums for a lift when a grant could have been obtained for this, and I have the proof of this fact;
- e) the fact that Ian Taylor has made a string of false claims in his complaint;
- f) the fact that Ian Taylor is a fraud in this matter and has gone on to establish himself as a serial liar and worse fraud by falsely denying the truth.

I am entitled to tell the truth. The truth deserves to be told. Political statements about the truth about political issues are protected by Article 10 of the European Convention on Human Rights (Freedom of Expression).

Yours faithfully

Russell Hawker
Westbury Town Councillor