

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK**STANDARDS COMMITTEE**

**Minutes from the Meeting of the Standards Committee held on Thursday,
3rd November, 2022 at 9.30 am in the Council Chamber, Town Hall,
Saturday Market Place, King's Lynn PE30 5DQ**

PRESENT: Councillor B Ayres (Chair), Mrs J Collingham and S Squire

Alex Oram	-	Investigator
Mark Bridges	-	Assistant to the Investigator
Amanda Orchard	-	Independent Person
Alexa Baker	-	Monitoring Officer
Wendy Vincent	-	Democratic Services Officer

1 **WELCOME AND INTRODUCTIONS**

The Monitoring Officer welcomed everyone to the meeting and explained that the Panel was not quorate and that the Hearing would adjourn for 15 minutes for the third Panel Member to arrive.

The Panel Hearing adjourned at 9.30 am and reconvened at 9.45 am.

The Monitoring Officer explained that late correspondence had been received. At 9.46 am the hearing adjourned to consider the submission of late correspondence.

At 9.52 am the Panel reconvened.

2 **TO APPOINT A CHAIR FOR THE HEARING**

RESOLVED: Councillor B Ayres be appointed as Chair for the Hearing.

3 **APOLOGIES**

There were no apologies for absence.

4 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

5 **EXCLUSION OF PRESS AND PUBLIC**

RESOLVED: That under Section 100(A)(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely

disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A to the Act.

6 **TO CONSIDER THE LOCAL INVESTIGATION AS TO AN ALLEGATION AGAINST DOWNHAM MARKET TOWN COUNCILLOR DOUG LAWSON**

The Chair welcomed everyone to the Hearing and invited those present to introduce themselves.

The Monitoring Officer referred to the three items of late correspondence:

- Email from the subject Member dated 1 November 2022. **The Panel accepted this item of late correspondence.**
- Email from a Borough Councillor, personal reference for the subject member dated 2 November 2022. **The Panel accepted this item of late correspondence.**
- Submission from the Subject Member's representative dated 3 November 2022. **The Panel did not accept this item of late correspondence.**

At the invitation of the Chair, the Investigating Officer presented his report.

The Panel was invited to ask questions of the Investigating Officer.

The Investigating Officer responded to questions from the Panel, the Independent Person and the Monitoring Officer.

In the absence of the Subject Member, the Monitoring Officer presented the Subject Member's written submission.

The Panel was invited to ask questions of the Monitoring Officer.

The Monitoring Officer responded to questions from the Panel, the Independent Person and the Investigating Officer

The Investigating Officer summed up the complaint.

The Monitoring Officer outlined her role and the Independent Person's role in the decision making process to all parties.

At 11.52 am the Panel retired to consider the decision in private.

The Panel reconvened at 1.20 pm

The Chair read out the Decision.

The Monitoring Officer advised that as the Panel had determined that there had been a breach of the Code of Conduct, the Panel may wish to confirm that it had agreed to take the late correspondence received - personal reference from the Borough Councillor into account.

The Panel confirmed the personal reference had been considered.

The Chair invited the Investigation Officer to comment on the sanctions available.

The Investigating Officer commented on the sanctions available to the Panel.

The Monitoring Officer read out the full list of sanctions available.

The Panel retired at 1.28 pm to consider appropriate sanctions. The Panel reconvened at 1.45 pm and the Chair read out the sanctions which would be recommended to Downham Market Town Council.

The Chair confirmed that a formal decision notice (copy attached to the minutes) would be prepared by the Monitoring Officer and published within 7 working days following the Hearing. A copy would be sent to the complainant, and to the Member of the Town Council.

The Chair also confirmed that the decision notice would be made available for public inspection and reported to the next meeting of the Standards Committee.

The meeting closed at 1.46 pm

Borough Council of
**King's Lynn &
West Norfolk**



Borough Council of King's Lynn and West Norfolk

**Standards Committee Hearing
(held in exempt session)**

Date: 3 November 2022

Downham Market Town Councillor Doug Lawson

DECISION NOTICE

Standards Committee Members	Borough Councillor B Ayres Borough Councillor J Collingham Borough Councillor S Squire
Council Officers	Wendy Vincent, Democratic Services Officer
Independent Person	Amanda Orchard
Monitoring Officer	Alexa Baker, Monitoring Officer
Investigator	Alex Oram

Decision Notice

Standards Committee Hearing

Borough Council of King's Lynn and West Norfolk ("the Borough Council")

Date: 3 November 2022

1. Summary of the Complaints:

This hearing was convened to consider three complaints against Cllr Lawson of Downham Market Town Council (DMTC). The complaints were submitted by three former Councillors of DMTC. One complaint was submitted by the former Mayor, pursuant to a resolution of DMTC on 22 September 2020 to make a collective complaint.

The three complaints centred around Cllr Lawson's comments on social media and in emails in which Cllr Lawson was accused of being insulting, offensive, intimidating, demeaning, undermining and/or bullying. This conduct was alleged to have been targeted towards fellow Councillors, officers and members of the public who did not agree with Cllr Lawson's views.

One of the central allegations was that of a targeted bullying campaign against the former DMTC Town Clerk by Cllr Lawson.

2. Relevant sections of the Downham Market Town Council Code of Conduct

The Code contains the following provisions that are relevant to these complaints:

- Championing the needs of residents – the whole community and in a special way my constituents, including those who did not vote for me – and putting their interests first.
- Being accountable for my decisions and co-operating when scrutinised internally and externally, including by local residents.
- Listening to the interests of all parties, including relevant advice from statutory and other professional officers, taking all relevant information into consideration, remaining objective and making decisions on merit.
- Valuing my colleagues and staff and engaging with them in an appropriate manner and one that underpins the mutual respect between us that is essential to good local government.
- Always treating people with respect, including the organisations and public I engage with and those I work alongside.
- Behaving in accordance with all our legal obligations, alongside any requirements contained within this Authority's policies, protocols and procedures, including on the use of the Authority's resources.
- Providing leadership through behaving in accordance with these principles when championing the interests of the community with other organisations as well as within this authority.

3. Summary of evidence considered and representations made

In addition to the papers that had been issued with the agenda, the Hearing Panel agreed to accept as late correspondence an email dated 1 November 2022 from Cllr Lawson with submissions to the Hearing Panel and a 'Personal Character Reference Statement' from a witness on behalf of Cllr Lawson.

The Hearing Panel decided not to accept as evidence before them a statement that had been received late the previous day from Cllr Lawson's representative, as it was considered that the content within it was more relevant to be raised with the police.

The Investigator presented their report and made representations addressing the following procedural and jurisdictional issues:

1. The former Mayor met the requirements of the Localism Act 2011 when submitting a Code of Conduct complaint as an individual which referenced collective complaints.
2. That when determining whether a Councillor was acting in an official capacity or not, the content of the comments made was the determining factor, and when posting or communicating about Council business, then Cllr Lawson was acting in an official capacity and was subject to the Code of Conduct. The investigator considered that Cllr Lawson was acting in an official capacity in relation to the social media posts contained in the complaints.
3. Decisions cannot be provided by the Investigator on the governance concerns Cllr Lawson raised and it was not the Investigator's role to do so – it was the way in which Cllr Lawson expressed his concerns rather than the validity of the concerns that was the subject of the investigation.
4. The Investigator cited the case of *R (Harvey) v Ledbury Town Council [2018] EWHC 1151 (Admin)* as demonstrating that DMTC did not have authority to convene their own Standards Committee to consider complaints against their own Councillors, as stated in their Code of Conduct. This was the Borough Council's responsibility under the Localism Act 2011.

The Investigator confirmed that in their view the following sections of the DMTC Code of Conduct were engaged:

- Valuing my colleagues and staff and engaging with them in an appropriate manner and one that underpins the mutual respect between us that is essential to good local government
- Always treating people with respect, including the organisations and public I engage with and those I work alongside.
- Behaving in accordance with all our legal obligations, alongside any requirements contained within this Authority's policies, protocols and procedures, including on the use of the Authority's resources.
- Providing leadership through behaving in accordance with these principles when championing the interests of the community with other organisations as well as within this authority.

The Investigator drew the Hearing Panel's attention to the following parts of his report in relation to the conclusions reached:

5. The examples of conduct referred to at paragraphs 5.29 to 5.32 of the Investigation report were specifically referenced. Examples included (not an exhaustive list):
 - a. Cllr Lawson's email to DMTC Councillors, copying in two Borough Councillors and the former Town Clerk, dated 22 September 2020, in which he stated that DMTC's Bullying and Harassment policy was not engaged with regards to his conduct against the former Clerk as that policy did not explicitly provide for situations where the conduct related to alleged wrongdoing, and went on to list serious allegations and accusations against the former Clerk. An extract of the

email: *“Therefore, as none of these points in the list above is mentioned in the DMTC Bullying and Harassment Policy, then if the clerk has been implicated in any of these it cannot be bullying or harassment.”*

- b. Referring publicly on Facebook about the former clerk being on sick leave due to stress, posting *“poor little wee lamb, she’s off sick”* and referring to the absence as *‘self-inflicted’*.
- c. In an email dated 19 August 2020, Cllr Lawson suggested some of his colleagues were: *“self-serving councillors who are on the make or take, bombastic ego trippers and little dictators with delusions of power and I wish to distance myself from such disagreeable types.”*
- d. Within an email dated 19 April 2021 to multiple recipients, including all Town Councillors and to two journalists, Cllr Lawson attached a spreadsheet entitled: *‘DOWNHAM MARKET MAYORAL CANDIDATES – 2021-2022 – RUNNERS AND RIDERS’* in which Cllr Lawson said of two Councillors *‘Guilty of committing a petty criminal offence and DMTC does not want to be represented by a known crook.’*
- e. At various times in Facebooks posts, including when he referred to fellow councillors as *‘Dipstick’*, *‘the Mamba’*, *‘the beige nodding dog’* and *‘Tweedle Doo-Doo and Tweedle Dumber’*, likened the Town Council to a KKK Kangaroo Court, accused councillors of telling lies, referred to fellow councillors as *‘left leaning intellectually challenged types’* and likened them to Nazi’s.
- f. In a Facebook exchange about various Town Councillors, Cllr Lawson made the following comments to a member of the public:
[to Ms X, a member of the public, who accused Councillor Lawson of insulting her intelligence] *“do you have any intelligence to insult?”* And after Ms X responded by accusing Councillor Lawson of resorting to abuse rather than evidence, *“[Ms X] if you had mental intelligence, you would know that operational intelligence is not something one can prove all the time, as it is often verbal from sources who do not wish to be identified in a public forum”*
- g. Making the following comment to a member of the public on Facebook (who happened to be a serving Councillor’s son):
“I realise that biologically you are a young male member of some community somewhere, but not from Downham Market and with no specific links to Downham Market apart from through some familial link through some feeble-minded relative. Have you ever had a job? Are you old enough to be on Facebook? Do you understand what social responsibility means? Do you understand what common decency means?”
- h. In an email from Cllr Lawson to fellow Councillors dated 14 March 2020 in relation to LGBT awareness training proposed to be delivered by the Council, Cllr Lawson referred to the LGBT community as an *“optional lifestyle preferences grouping”* and went on to compare the LGBT community’s relevance to that of, *“morris dancers, Wee Frees, Goths, necrophiliacs, bestialists, Ipswich Town supporters, WI jam makers, ramblers, etc”*

6. The Investigator drew attention to the following paragraph of his report:

5.27 Councillor Lawson believes that his conduct is justified and that where it has offended, that offence has been deserved. To quote some of his responses as shown at Annex B: *“If a public sector employee acts knowingly and deliberately in a manner that contradicts the norms and / or agreed ways of working, the individual concerned has made himself / herself a target and deserves all the criticism that arrives.”* Indeed, Councillor Lawson expands on this, stating: *“Because the Clerk place herself as a target after acting unlawfully and unacceptably, everyone who supports such an individual becomes another target, quite legitimately. This is normal in every form of warfare.”*

7. The Investigator highlighted Cllr Lawson's use of the word '*warfare*' and expanded on this to explain that in the Investigator's view, Cllr Lawson believed that he was at war and that his intended ends justified all means to achieve success in his war and campaign against the perceived wrongdoing by the former Clerk and those Councillors he saw as being against him and/or his views.
8. The Investigator confirmed that in his view, Cllr Lawson did hold genuine concerns about the issues he had raised, yet Cllr Lawson appeared to have failed to follow any due process to properly advance these concerns such as making a grievance complaint against the former Clerk, opting instead to reach his own conclusions and to publicly convey these in emails and social media posts. Reference was made to the following paragraph of the Investigator's report:

"5.28 It is difficult to express quite the extent to which we disagree with Councillor Lawson. It is not the role of a Town councillor to repeatedly seek to challenge and undermine their professional officers. The Town Council has policies in place to ensure that any concerns around staff conduct and performance are dealt with professional and in a way that respects the rights of their employees. We understand that Councillor Lawson has been encouraged to pursue his grievances via this route and yet had consistently refused, instead preferring to express them in emails to all councillors or on Facebook. While we understand that Councillor Lawson's reticence is in part due to his own lack of trust in his colleagues on the Town Council to deal properly with his allegations, this does not allow him to publicly denigrate an officer within his own authority."
9. The Investigator commented that overall he found Cllr Lawson's response to any criticism is to attack, rather than reflect on his behaviour and objectively consider whether any of the criticism is justified. He was given the impression that Cllr Lawson believes the Code of Conduct has a caveat that states he is able to abuse and intimidate those who he disagrees with. The Investigator questioned what the point in having a Code of Conduct is if Members only have to abide by it towards those they already respect and agree with.
10. The Investigator considered that Cllr Lawson had brought his office into disrepute.
11. The Investigator concluded that even if, hypothetically, it was found that Cllr Lawson was correct in all the allegations of wrongdoing and all the governance issues he had raised, the Investigator would still have found a breach of the Code of Conduct due to the manner in which Cllr Lawson had gone about advancing his concerns.

The Investigator addressed the Panel on the following legal considerations:

12. Freedom of Speech – the Investigator referenced Cllr Lawson's Article 10 right to free speech and the enhanced protection of political free speech. The Investigator confirmed that this right extended to being offensive, however there are limits that can be legitimately applied under Article 10, and the right to free speech did not extend to protecting personal attacks, abuse and bullying. The Investigator confirmed that it was Cllr Lawson's conduct that extended beyond the protection afforded by the Article 10 right to free speech that amounts to a breach of the Code of Conduct.
13. The Investigator's report states there is no reason councillors should not be able to undertake a scrutiny role, represent the public and any constituents, or make a political point in a respectful, courteous, and appropriate manner without resorting to personal attacks, being offensive, abusive and / or unduly disruptive.

14. The Investigator stated that Councillors are required to adhere to their Authority's legal duty as an employer and its Public Sector Equality Duty under the Equalities Act 2010, subject to their Article 10 rights to free speech.

The Investigator confirmed they reached the following conclusions:

15. The investigation has evidenced multiple occasions where Cllr Lawson's conduct towards the former Clerk was blatantly disrespectful and undoubtedly amounted to bullying behaviour / failure to demonstrate leadership.
16. Cllr Lawson repeatedly strayed way beyond what they would consider acceptable within the 'rough and tumble' of local politics.
17. At times, Cllr Lawson's offensive comments have also been directed at members of the public, who councillors have a particular responsibility to treat with respect.
18. The Investigator was alarmed by the way in which Cllr Lawson chose to respond to the Equalities training that was offered. Town Councils, and by extension their councillors, have a duty to foster good relations between people who share a protected characteristic and those who do not. In the Investigator's view, Cllr Lawson's language and comparators were hugely offensive and perhaps demonstrated why there was such a need for him to have attended the training.
19. The Investigator considered that Facebook posts and emails gathered during the investigation evidenced multiple and serious breaches of the Town Council's Code of Conduct by Cllr Lawson which was most starkly demonstrated by Cllr Lawson's conduct towards and about the former Clerk, which represents a clear pattern of aggressive, intimidating behaviour that amounted to deliberate and persistent attempts to undermine and humiliate her.
20. The Investigator concluded Cllr Lawson's offensive and disrespectful comments are by no means limited to the former Clerk, with multiple examples of him making offensive and abusive comments to and about other councillors, former councillors and members of the public. Cllr Lawson seems to revel in failing to value his colleagues or staff, repeatedly treating them, members of the public with whom he disagrees in a disrespectful manner. While Cllr Lawson purports to be championing the interests of his community, the Investigator considered that the way in which he seeks to go about it demonstrates a complete lack of leadership and brings his office and authority into disrepute.

Cllr Lawson was not in attendance at the hearing and nor did he have a representative attend on his behalf. The Hearing Panel therefore went on to consider Cllr Lawson's defence of the complaints raised against him, which were set out in various parts of the hearing papers as follows:

21. Cllr Lawson had provided an annotated copy of the Investigation report with his comments in defence throughout, which was included in the Hearing Panel's papers.
22. Cllr Lawson had provided responses to pre-hearing questions from the Monitoring Officer in writing about whether he agreed with the Investigator's findings and conclusions, which were included in the Hearing Panel's papers.
23. Cllr Lawson's email of 1 November 2022 in which he set out various submissions to the Hearing Panel on procedure and governance was considered in detail by the Hearing Panel.

24. Cllr Lawson, in one of his responses to the Investigation report, stated as follows: *It is not possible to find a posting or any other record where I have made any personal remarks about the Clerk, as these do not exist. I have confined my remarks about the Clerk to her professional competence and her obligations as an office holder to the members and the electorate that pays the Clerk's salary. I have not called the Clerk's personal phone or contacted her at her home address and have limited my communications with the Clerk to matters pertaining to a clerk's job description. It is not possible to find a single remark concerning anything apart from in relation to the Clerk's ability to deliver against the job description of the role the Clerk accepted of her own free will. Employees in the public domain whose salaries are linked directly to the taxes collected locally are much more accountable to the public than others and therefore must work to a standard that stands up to examination at the local level.*

25. In relation to the email to fellow Councillors dated 14 March 2020 in relation to LGTB awareness training proposed, Cllr Lawson stated as follows in his responses to the Investigation report: *As the evidence shows, my efforts were focussed totally on protecting the council from adverse publicity and to prevent expenditure of taxpayer funds on minority interests. Further: I do not need more Equalities training, as I have received an ample quantity in the recent past and know the relevant rules and processes well. In my recent past Equality was a subject on which we as lime managers were tested on a regular basis and I never failed. I have run many multi-cultural, mixed race and mixed gender teams over many years in different countries, probably more than all of the rest of the members of DMTC combined.*

26. In response to the following question: *'Do you agree with the recommendations of the investigator, set out at section 6 of the Investigation Report which provisionally conclude that you breached the Code of Conduct? If not, state what you do not agree with and why (this can be in a separate document if you wish).'* Cllr Lawson responded:

No – as the investigator failed to comply with his brief, previous case history in relation to social media, and my rights of freedom of speech and freedom of expression. Plus, there was nothing in breach on the Nolan principles in any other material that was not under the inadmissible social media content or that is not complete and utter nonsense or fabrication.

The investigator failed to perform his job in a consistent manner and failed to take account of any of the extenuating circumstances, meaning he did only part of the job.

27. In response to the following question: *'If you will not be attending the hearing, are there any written submissions you would like to be taken account of, over and above the submissions you have already provided? If so please provide these.'* Cllr Lawson responded:

I dispute the relevance and validity of this particular CoC charade on the grounds:

- 1. That the CoC complaints are all politically motivated as an attempt to frighten me off and silence me while I was exposing all the malpractice and corruption that led finally to all the resignations*
- 2. That my rights of freedom of speech as a member of the public permit me to say almost whatever I like, providing it remains lawful and / or noting is criminal*
- 3. That for the most part the CoC complaints are works of fiction / fantasy or from exempted social media postings.*
- 4. That the end to end process from the lack of proper paperwork, the invalidated investigation process, and the failure to convene the Standards Board properly all render the CoC as a breach of proper procedures and therefore null and void.*

As we know, many of the complainants were involved in unlawful and / or illegal activities, such as submission of false declarations or conspiring to present falsified witness statements, and I was the person who exposed much of this corruption.

It is not really in the interest of BCKL&WN to be seen to be trying punish the person who led the campaign to get rid of corruption, as this gives all the wrong signals to the electorate and the daily Red Top journalist who supported the campaign will be able to use it as a leader article to show how different parts of local government get things so wrong.

28. Cllr Lawson also raised the following procedural points that had not been raised previously in his responses:

- a. The decision of Downham Market Town Council of 22 September 2022 which resolved to make a collective complaint was unlawful.
- b. That Downham Market Town Council had responsibility for its own Code of Conduct complaints and therefore the Hearing Panel had no jurisdiction to determine the three complaints made against Cllr Lawson. Cllr Lawson also raised there was no obligation on the Borough Council to follow up on Code of Conduct complaints.
- c. Some of the evidence in the bundle of papers for the hearing had not been seen by Cllr Lawson previously.

4. Conclusions and Reasons

The Panel carefully considered the hearing papers and submissions made, and reached the following conclusions:

1. In relation to the governance and procedural issues that had been raised:
 - a. The Hearing Panel found that all three complaints had been made legitimately and were valid, including the complaint submitted by the former Mayor as an individual. It is irrelevant to the determination of the complaints whether the decision of DMTC dated 22 September 2020 to make a collective complaint was unlawful or not as the complaint was ultimately made by the former Mayor in an individual capacity.
 - b. The Hearing Panel considered that when determining whether Cllr Lawson was acting in an official capacity in relation to the social media postings, it was the content of those postings that was determinative and not how Cllr Lawson identified his Facebook account. In relation to Cllr Lawson's public Facebook postings (including in groups) the Hearing Panel found that Cllr Lawson was acting in an official capacity (and therefore subject to the Code of Conduct) when he was discussing Council business and engaging with or about DMTC Councillors and officers in relation to Council business.
 - c. The Hearing Panel did not consider any prejudice had been caused to Cllr Lawson in respect of the section of the papers Cllr Lawson says he had not previously seen, because to the extent they were relied on within the Investigation report, the relevant sections of the papers are set out within the Investigation report (which Cllr Lawson had received in draft and final format) and/or Cllr Lawson was interviewed about them. The Hearing Panel therefore did not strike out any evidence before them in the hearing papers.
 - d. The Hearing Panel was not convened to determine the governance issues or allegations of wrongdoing made by Cllr Lawson. Its role was to consider

whether Cllr Lawson had met the standards expected of him when acting in an official capacity, even where he disagreed with others.

- e. It was the Borough Council that had authority to determine the complaints in accordance with the Localism Act 2011, which provides that the principal authority will appoint an Independent Person to provide views on allegations that have been investigated before making a decision.
 - f. The Independent Person was in attendance at the hearing and provided her views throughout to the Hearing Panel.
2. The Hearing Panel found that there were numerous examples of conduct that could have been relied on as falling below the required standards, but for the purposes of proportionality it relied on the following examples of conduct:
- a. Cllr Lawson's email to DMTC Councillors, copying in two Borough Councillors and the former Town Clerk, dated 22 September 2020, in which he stated that DMTC's Bullying and Harassment policy was not engaged with regards to his conduct against the former Clerk as that policy did not explicitly provide for situations where the conduct related to alleged wrongdoing, and went on to list serious allegations and accusations against the former Clerk. An extract of the email: *"Therefore, as none of these points in the list above is mentioned in the DMTC Bullying and Harassment Policy, then if the clerk has been implicated in any of these it cannot be bullying or harassment."*
 - b. Referring publicly on Facebook about the former clerk being on sick leave due to stress, posting *"poor little wee lamb, she's off sick"* and referring to the absence as *'self-inflicted'*.
 - c. In an email dated 19 August 2020, Cllr Lawson suggested some of his colleagues were: *"self-serving councillors who are on the make or take, bombastic ego trippers and little dictators with delusions of power and I wish to distance myself from such disagreeable types."*
 - d. Within an email dated 19 April 2021 to multiple recipients, including all Town Councillors and to two journalists, Cllr Lawson attached a spreadsheet entitled: 'DOWNHAM MARKET MAYORAL CANDIDATES – 2021-2022 – RUNNERS AND RIDERS' in which Cllr Lawson said of two Councillors *'Guilty of committing a petty criminal offence and DMTC does not want to be represented by a known crook.'*
 - e. At various times in Facebooks posts, including when he referred to fellow councillors as *'Dipstick'*, *'the Mamba'*, *'the beige nodding dog'* and *'Tweedle Doo-Doo and Tweedle Dumber'*, likened the Town Council to a KKK Kangaroo Court, accused councillors of telling lies, referred to fellow councillors as *'left leaning intellectually challenged types'* and likened them to Nazi's.
 - f. In a Facebook exchange about various Town Councillors, Cllr Lawson made the following comments to a member of the public:
[to Ms X, a member of the public, who accused Councillor Lawson of insulting her intelligence] *"do you have any intelligence to insult?"* And after Ms X responded by accusing Councillor Lawson of resorting to abuse rather than evidence, *"[Ms X] if you had mental intelligence, you would know that operational intelligence is not something one can prove all the time, as it is often verbal from sources who do not wish to be identified in a public forum"*
 - g. Making the following comment to a member of the public on Facebook (who happened to be a serving Councillor's son):
"I realise that biologically you are a young male member of some community somewhere, but not from Downham Market and with no specific links to Downham Market apart from through some familial link through some feeble-minded relative. Have you ever had a job? Are you old enough to be on

Facebook? Do you understand what social responsibility means? Do you understand what common decency means?"

- h. In an email from Cllr Lawson to fellow Councillors dated 14 March 2020 in relation to LGTB awareness training proposed to be delivered by the Council, Cllr Lawson referred to the LGBT community as an “*optional lifestyle preferences grouping*” and went on to compare the LGBT community’s relevance to that of, “*morris dancers, Wee Frees, Goths, necrophiliacs, bestialists, Ipswich Town supporters, WI jam makers, ramblers, etc*”
3. The Hearing Panel found that the above examples of conduct demonstrated breaches of the following parts of DMTC’s Code of Conduct:
 - Valuing my colleagues and staff and engaging with them in an appropriate manner and one that underpins the mutual respect between us that is essential to good local government
 - Always treating people with respect, including the organisations and public I engage with and those I work alongside.
 - Behaving in accordance with all our legal obligations, alongside any requirements contained within this Authority’s policies, protocols and procedures, including on the use of the Authority’s resources.
 - Providing leadership through behaving in accordance with these principles when championing the interests of the community with other organisations as well as within this authority.
 4. The Hearing Panel found that additional parts of DMTC’s Code of Conduct were engaged and had also been breached. These areas were as follows:
 - Championing the needs of residents – the whole community and in a special way my constituents, including those who did not vote for me – and putting their interests first.
 - Being accountable for my decisions and co-operating when scrutinised internally and externally, including by local residents.
 - Listening to the interests of all parties, including relevant advice from statutory and other professional officers, taking all relevant information into consideration, remaining objective and making decisions on merit.
 5. The reasons the Hearing Panel found breaches of these additional parts of the Code of Conduct are:
 - a. The theme running through the evidence before the Hearing Panel is that Cllr Lawson is only interested in championing the needs of those he agrees with. Cllr Lawson marginalises, belittles and disrespects the views and needs of those who do not agree with him or he does not consider worthy enough, for example the manner in which Cllr Lawson sought to draw correlation between the LGBT community and other identified groups in his email of 14 March 2020.
 - b. The above reason is linked to Cllr Lawson’s apparent inability to listen, take account of all relevant information and remain objective. Cllr Lawson almost universally within the papers failed to reflect on his behaviour at any time and consider the views of others, for example the impact of his behaviour on the former Clerk.
 - c. Cllr Lawson is entirely misguided in his views that a Bullying and Harassment policy would not apply to him if he is raising allegations of wrongdoing against fellow Councillors or officers. The Code of Conduct and policies such as this apply at all times when a Councillor is acting in an official capacity. There are no ‘get out clauses’ or caveats.

- d. Officers of the Council are not just 'fair game' because they work for the Council. Officers should expect to be subject to a higher level of scrutiny and accountability, but this does not justify a targeted, persistent public campaign to remove them by a Councillor. Grievance procedures are in place for a reason – and they should be used where serious concerns are raised by Councillors about officers.
- e. The papers show Cllr Lawson makes his own conclusions on his own allegations and broadcasts them widely and publicly, considering himself to have the right to do so. However, Cllr Lawson showed little regard to following a formal procedure where such allegations could be objectively determined, and equally was unwilling to follow informal procedures such as meeting with and speaking with the former Mayor about the very serious accusations he was making. This shows a total lack of accountability for the very serious accusations Cllr Lawson was happy to broadcast as if they were concluded facts.

5. Decision

The Panel found that as a result of the 'Conclusions and Reasons' set out at paragraph 4 above, Cllr Lawson breached the identified parts of the Downham Market Town Council Code of Conduct.

The Hearing Panel observed that the style of conduct adopted by Cllr Lawson was the type of behaviour that will discourage others from standing for public office, and thereby undermines local democracy as a whole. The type of woeful behaviour evidenced in these complaints has no place in local government.

Cllr Lawson's intended ends did not justify the means. The Code of Conduct applies at all times, even where we disagree with those we work with. The Hearing Panel were most concerned with Cllr Lawson's belief he was engaged in 'warfare' with those he was supposed to work alongside. The Hearing Panel wholly disagrees with this view and considers that local government should be a place where, even when Councillors are in different groups and have differing views, all Councillors ultimately work together for the public interest and in compliance with the minimum standards expected.

6. Sanctions

1. The Hearing Panel heard representations from the Investigator and noted the representations made on behalf of Cllr Lawson. The Hearing Panel observed that the evidence before it showed that Cllr Lawson's acumen had been used in a destructive way and the Hearing Panel hoped for the future that his behaviour is used for constructive means rather than destructive.
2. The Standards Committee at the Borough Council of King's Lynn and West Norfolk exists to maintain high standards of conduct amongst elected members in line with the Code of Conduct and the expectations that the public have of elected members.
3. In respect of Town and Parish Councils, the Hearing Panel can only make recommendations to the Town or Parish Council on action to be taken in respect of their Member. Town/Parish Councils will be under no obligation to accept any such recommendation. It is however expected by the Hearing Panel that due regard will be paid by DMTC to the outcome of the hearing and the recommendations.

4. The following sanctions are recommended to DMTC by this Standards Committee Hearing Panel in respect of Cllr Lawson's breaches of the Code of Conduct:
 - a. Removal of Cllr Lawson from all Committees and Sub-Committees to which he is appointed;
 - b. That a report to DMTC of this hearing outcome is made and that Cllr Lawson is censured by DMTC;
 - c. That DMTC resolves to remove Cllr Lawson as Deputy Mayor; and
 - d. That Cllr Lawson undergo ethics and standards training.
5. The Hearing Panel also recommend to DMTC that they amend their Code of Conduct to remove the reference that they establish a Standards Committee to hear breaches of the Code, as this is incorrect in law. This should refer to the Borough Council of King's Lynn and West Norfolk instead.
6. DMTC are requested to report back to the Borough Council's Standards Committee with their response to these recommendations.

Signed.  Date: 11 November 2022
(Councillor Ayres, Chair of the Standards Committee Panel Hearing)