ch&i associates

Investigation into a complaint against Councillor James Cartwright, East Herts Council

A report for the Monitoring Officer of East Herts Council

27 October 2016

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1 Executive Summary

1.1 ch&i associates was appointed by Catherine Whitehead, who was at that time the Interim Head of Legal and Democratic Services at East Hertfordshire District Council (the Council), to investigate a number of complaints about the conduct of Councillor James Cartwright¹, a member of the Council.

Scope and focus of the investigation

- 1.2 On 28 January 2016 the Council's Standards Sub-Committee considered a Code of Conduct complaint in respect of Councillor James Cartwright². The Sub-Committee endorsed the Investigating Officer's view that Councillor Cartwright had "failed to treat people with respect" when, on 29 October 2015, he referred to a number of identifiable individuals³ on his Twitter account as "thick" and "illiterate". In his report⁴ Councillor Cartwright acknowledged that he had made the comments attributed to him, however he defended the remarks by drawing attention to what he claimed to be the 'deeply offensive' conduct of others towards him.
- 1.3 It is not within the scope of this investigation to further consider whether Councillor Cartwright's comments on 29 October 2015 amounts to a breach of the Code. However, having become aware of Councillor Cartwright's attempts to defend his conduct, Mr David Bromage, Mr Scot Ramsay and Mr Adrian McNeece submitted additional complaints to the Council. These are the focus of this investigation and are summarised as follows:
 - Mr David Bromage and Mr Scott Ramsey alleged that Councillor Cartwright made false, disrespectful assertions about them during the investigation into Mr McNeece's earlier complaint;
 - ii. Mr Adrian McNeece alleged that during the course of the aforementioned investigation, Councillor Cartwright sent him offensive text messages and ignored his request to stop;
 - iii. Mr Bromage and Mr McNeece alleged that Councillor Cartwright continued to make derogatory comments about them and others on Twitter, both during the investigation and immediately after the Standards Sub-Committee considered the matter.
- 1.4 As part of my investigation I have considered whether Councillor Cartwright failed to treat others with respect. I have also considered whether Councillor Cartwright has shown the necessary regard for the core principles of public life; in particular Leadership.

¹ Councillor Cartwright resigned from the Council on 19 July 2016, however for the purposes of this report I will continue to refer to him as Councillor Cartwright.

² The original complainant was made by former Councillor Adrian McNeece on 2 November 2015

³ Including Mr David Bromage and Mr Scot Ramsey

⁴ Found at Annex A of this report

Recommendations

- 1.5 My approach in this case has been to equip the Council to determine the allegations through any of the routes open to it, namely:
 - a. The member *was not* acting in councillor capacity therefore the code was not engaged and the member did not breach it;
 - b. The member was acting in member capacity, but did not through their conduct breach any Code paragraph;
 - c. The member was acting in member capacity and breached the Code⁵.
- 1.6 It is my view that Councillor Cartwright was acting in his official capacity and did fail to comply with the Council's Code of conduct. This investigation has found that Councillor Cartwright:
 - made false, disrespectful assertions about Mr Bromage and Mr Ramsey during the investigation into the earlier complaint about his conduct;
 - sent Mr McNeece offensive text messages; and
 - continued to make derogatory comments about identifiable individuals on Twitter, both during the investigation and immediately after the Standards Committee considered the matter.
- 1.7 In considering what action the Monitoring Officer should take; I am mindful that Councillor Cartwright has now resigned from office and therefore is not bound by any of the limited sanctions available to the Council. Having said that, his dismissive response to the findings of the previous investigation and lack of involvement in this one suggests that there is little prospect of resolving these matters informally.
- 1.8 My recommendation therefore is that the Monitoring Officer refer this matter to the Council's Standards Sub-Committee so that they can determine whether Councillor Cartwright failed to comply with the Council's Code of Conduct.

2 Official details of Councillor James Cartwright

- 2.1 Councillor James Cartwright was elected to East Hertfordshire District Council in May 2015 as the Conservative member for Puckeridge. He resigned from office on 19 July 2016.
- 2.2 Councillor Cartwright served on the Corporate Business Scrutiny and Audit Committees. He was also a member of the Conservative Party.

⁵ Please note that I am not a lawyer; my considerations of Councillor Cartwright's conduct against the Code of Conduct are based on my extensive experience of conducting standards investigations and is not legal advice.

3 The relevant legislation & protocols

Localism Act 2011

- 3.1 By section 27(1) of the Localism Act 2011 (the Act) a "relevant authority" is placed under a statutory duty to "promote and maintain high standards of conduct by members and co-opted members of the authority".
- 3.2 By section 27(2) of the Act a relevant authority "must in particular, adopt a code dealing with the conduct that is expected of members and co-opted members of the authority when they are acting in that capacity".
- 3.3 Under section 28(1) of the Act a relevant authority must secure that a code adopted by it is, when viewed as a whole, consistent with prescribed principles of standards in public life the so called "Nolan principles".
- 3.4 The intention of the legislation is to ensure that the conduct of public life in local government does not fall below a minimum level which engenders public confidence in democracy, as was recognised by Beatson J, as he then was, in R (Calver) v The Adjudication Panel for Wales [2012] EWHC 1172 (Admin) when he held that there was a clear public interest in maintaining confidence in local government while at the same time bearing in mind the importance of freedom of political expression or speech in the political sphere.
- 3.5 Under 28(6) of the Act, Local Authorities must have in place (a) arrangements under which allegations can be investigated and (b) arrangements under which decisions on allegations can be made. By section 27(7), arrangements put in place under subsection (6)(b) must include provision by the appointment of the authority of at least one "independent person" whose views are to be sought, and taken into account, by the authority before it makes its decision on an allegation that it has decided to investigate.
- 3.6 Section 28(11) of the Act provides that if a relevant authority finds that a member or a co-opted member of the authority has failed to comply with its code of conduct it may have regard to the failure in deciding (a) whether to take action in relation to the member or co-opted member and (b) what action to take.

East Herts Council's Code of Conduct

- 3.7 Under Section 27(2) of the Localism Act the Town Council established a Code of Conduct for members (the Code).
- 3.8 The Code adopted by the Council includes the following paragraphs:

As a member or co-opted member of East Hertfordshire District Council I have a responsibility to represent the community and work constructively with our staff and partner organisations to secure better social, economic and environmental outcomes for all.

In accordance with the Localism Act provisions, when acting in this capacity I am committed to behaving in a manner that is consistent with the following principles to achieve best value for our residents and maintain public confidence in this authority.

A. General obligations

Whenever you are acting as a member or co-opted member of this Council you must act in accordance with the following obligations: ...

Leadership: Holders of public office should promote and support these principles by leadership and example...

As a Member of East Hertfordshire District Council, my conduct will in particular address the statutory principles of the code of conduct by: ...

Always treating people with respect, including the organisations and public I engage with and those I work alongside.

4 The investigation

- 4.1 This investigation was conducted by Alex Oram on behalf of the Council's Monitoring Officer. Alex is a director of ch&i associates, a company with a successful track record of conducting complex investigations, assessments and case reviews within the regulatory, charity, NHS and local government sectors. Alex has been conducting member conduct investigations since 2003. He was previously employed by Standards for England as a principal investigator responsible for conducting many of their most complex, politically sensitive and high profile investigations into member conduct.
- 4.2 During the course of this investigation I have; considered various documents received from the complainants and the Council; interviewed Mr McNeece and examined Councillor Cartwright's use of Twitter (there are two Twitter accounts used by Councillor Cartwright that are relevant to this investigation; @james_cllr and @jamesfec6.) Councillor Cartwright indicated that given his resignation he did not wish to comment on the allegations against investigation, however reserved the right to do so after considering my draft report and provisional recommendations. The draft report was emailed to the complainants and Councillor Cartwright on 13 October 2016; only Mr McNeece commented on my provisional findings and his comments have been reflected in this final report.

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⁶ All Councillor Cartwright's Tweets relevant to this investigation can be found at Annex B of this report

5 The evidence

Background

- In May 2015 Mr McNeece, after attending his first meeting as an elected member of the Council, informally approached Councillor Linda Haysey (Leader of the Council) to express his concern about the Council's practice of opening its meetings with prayers. Councillor Haysey told Mr McNeece that while she would give the matter her attention, the prayers were not actually conducted as a formal part of the meeting; they took place before the meeting (and webcast) started.
- Mr McNeece told me at interview that he initially agreed to raise his concerns about prayers privately within the Conservative Group⁷, however he became frustrated at Councillor Haysey's subsequent lack of willingness to discuss the matter further.⁸ Mr McNeece said that he strongly felt that the Council chamber was no place for Christian worship, particularly given that members are meant to be representing their entire community. As a result, on 28 October 2015, Mr McNeece submitted the following motion to full Council:

"The meetings of East Herts District Council should be conducted in a manner equally welcoming to all attendees, regardless of their individual religious beliefs or lack of belief. Religious worship should therefore play no part in the formal or informal business of council meetings, on council premises."

The meeting was adjourned so that a secret ballot on the motion could be held; it was defeated with 5 voting for and 42 against.

- 5.3 In the days immediately preceding the Council meeting, Councillor James Cartwright became involved in a discussion on Twitter with several other users about the practice of saying prayers before meetings⁹. Councillor Cartwright was clearly in favour of the practice and challenged a number of Twitter users who promoted the secular argument; these included Mr Scot Ramsey and David Bromage¹⁰.
- 5.4 After attending the Council meeting of 28 October 2015, Councillor Cartwright tweeted: "@StortSkeptic @ScotRamsay @galdam @NatSecSoc @ReynardineFox @davebromage common sense prevails 5 for 42 against the majority has spoken".
- 5.5 There followed a heated exchange on Twitter between Councillor Cartwright and numerous Twitter users about both his comment and religion more generally.

⁷ All the members of the Council are in the Conservative Group

⁸ Mr McNeece told me that he also emailed Councillor Graham McAndrew in July 2015 requesting that the matter be discussed at the next Conservative Group meeting, to be told that there was no room for it on the agenda.

⁹ Using the Twitter account @james_cllr.

¹⁰ @ScotRamsay and @davebromade

During the exchange Councillor Cartwright referred to Mr Bromage and Mr Ramsay (among others) as 'thick', 'illiterate' and 'pathetic'. 11

5.6 After the rejection of his motion, Mr McNeece resigned from both the Council and the Conservative Party. He told me at interview that he had been shocked not so much by the lack of support for his motion, but by the fact members actually stood and applauded after it had had failed. Mr McNeece said that he had been appalled by Councillor Cartwright's offensive behaviour toward members of the public on Twitter afterwards; as a result, on 2 November 2015, Mr McNeece submitted a formal complaint about Councillor Cartwright's conduct.

Matters related to the allegation at 1.4(i) that Councillor Cartwright made false, disrespectful assertions about Mr Bromage and Mr Ramsay during the investigation into the earlier complaint about his conduct;

- 5.7 On 1 December 2015 the investigator appointed to examine Mr McNeece's allegations invited Councillor Cartwright to respond to his complaint of 2 November 2015; primarily an allegation that he had called non-religious members of the public 'thick' and 'illiterate'.
- 5.8 Councillor Cartwright replied by email:

"Thank you for the opportunity at being able to provide some context around this matter. My comments were directed at three members of the public (only) who were providing deeply offensive remarks aimed at myself and ALL EH councillors involved in the vote regarding prayers. Specifically, all the EH Councillors were called "Ars*hol*s" and "C*nts" by these three tweeters and other remarks such as "I can't believe they f*cking clapped" referring to the reaction of the Councillors to a speech made by the Deputy Leader of the Council, ClIr Gary Jones. - Please note, I have replaced some letters of these words with asterisks, but these were not replaced in the original tweets which can be seen if you follow the Tweet trail - but interestingly not included in the selection of tweets included within the complaint submitted by former Councillor Adrian McNeese [sic].

I have apologised to any other person / member of the public who were mislead by these three trouble makers in making it appear as if the hashtags I used (#Pathetic #Illiterate and #Thick) were directed at atheists in general. They were clearly not, but at these three individuals only. In the context of these exchanges, these three descriptions were factually accurate and appropriate descriptions of these individuals.

#Pathetic - dictionary definition - miserably inadequate (or feeble, woeful, sorry, poor, pitiful, lamentable, deplorable, miserable, wretched, contemptible, despicable, inadequate, meagre, paltry, insufficient, negligible, insubstantial, unsatisfactory, worthless

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¹¹ As found as fact in the previous investigation report and by the Council's Standards Sub-Committee on 28 January 2016

I maintain many of these attributes were accurate when considering the attitude of these three people towards myself and fellow councillors, especially the ones highlighted by myself above.

#Illiterate - you will notice in one of the tweets they used the word "there" meaning "they are" and they failed to acknowledge many of the arguments I put forward, dictionary definition is "unable to read or write"

#Thick (in this context) meaning "of low intelligence, stupid" - when presented some factual statistics they repeatedly added up the numbers incorrectly to augment their case.

On that basis, I feel entirely justified in using these words towards these three individuals (only) as they are accurate and well deserved. Any inference that I meant atheists in general was not intended and I have already apologised for this misinterpretation."

- 5.9 On 3 December 2015 the investigator emailed Councillor Cartwright to inform him that he could find no record on Twitter of any of the abusive language to which he referred. Councillor Cartwright was asked to provide the evidence to support his accusations against the three members of the public.
- 5.10 On 8 December 2015 Councillor Cartwright emailed the investigator screenshots of the following Tweets:
 - i. "@james_cllr¹² @galam @davebromage¹³ @ScotRamsay¹⁴ @NatSecSoc The chamber fucking clapped against the motion. Utterly disrespectful". Posted on Twitter by David James (@StortSkeptic)
 - ii. "@james_cllr @galam @davebromage @ScotRamsay @NatSecSoc Politicians who abuse their position to promote religion are assholes." Posted on Twitter by Carl (@EtTuCarl)

Councillor Cartwright explained that he could not find the most serious abuse ("use of the "C" word") because it had been removed by Twitter after being reported as offensive.

5.11 The investigator contacted Councillor Cartwright to express his concern that the evidence provided did not support his contention that Mr Bromage and Mr Ramsay in particular had made offensive remarks about him. The investigator concluded in his report:

'I have attempted to discover in the interest of fairness the abusive tweets referred to by Councillor Cartwright and confirmed with him that he has no record of any such abusive material originating from those individuals which he has characterised as "thick", "illiterate" and "pathetic".

¹² Councillor James Cartwright

¹³ Mr David Bromage

¹⁴ Mr Scot Ramsay

5.12 In his complaint Mr Ramsay stated:

"It is clear that Cllr Cartwright has made serious allegations about members of the public that he knew, or should have known, to be false. Furthermore, he has made these allegations within evidence submitted to an independent investigation of his conduct as a councillor. In these circumstances, Cllr Cartwright had a significant duty of care to ensure that information he provided was accurate, complete and true. This duty of care was particularly relevant since Cllr Cartwright knew, or should have known, that his statements would be made public because of the transparency required of Councils when dealing with complaints."

5.13 Mr Bromage made much the same point in his complaint, stating:

"Although the Twitter debate on 29 October was at times heated (after Cllr Cartwright had taken to Twitter to gloat about the 42-5 vote to keep prayers), none of those cited for harassment by Cllr Cartwright used any of the alleged terminology or similar. There were others in the debate and I did see the word "arsehole" used to describe Cllr Cartwright. However, I repeat, this was not used by myself, Scot Ramsay or Gary Aldam, the three tweeters at whom Cllr Cartwright maintains he aimed the "thick" and "illiterate" tweets."

Matters related to the allegation at 1.4(ii) that Councillor Cartwright sent Mr McNeece offensive text messages and ignored his request to stop

- 5.14 Between the 21- 27 December 2015 Mr McNeece published extracts of the investigator's report (as found at Annex A) on Twitter.
- 5.15 On 27 December 2015 there was an exchange between various Twitter users about these extracts; Councillor Cartwright made it clear that he did not intend on commenting as the extracts had been taken from a confidential report.
- 5.16 Mr McNeece had previously used Twitter to question Councillor Cartwright's involvement with the Council's Development Control Committee, suggesting that he had shown bias. During the aforementioned exchanges about the investigation report, Mr McNeece tweeted: "@StortSkeptic @ScotRamsay @james_cllr Cllr Cartwright is not now known for his honesty, consistency or impartiality on planning applications."
- 5.17 Councillor Cartwright responded to Mr McNeece's on Twitter by asking him to evidence his assertion; Mr McNeece tweeted that he had already provided it to the Council. Councillor Cartwright responded on Twitter:
 - "Look out all the hapless former Cllr @AdrianMcNeece fresh on the heels of a string of failures is looking for another lost cause!!"
- 5.18 During these Twitter exchanges Mr McNeece wrote: "Your actions and sentiments James [Councillor Cartwright] since my resignation should sicken you as much as they do me. You should be ashamed of yourself."

- 5.19 Councillor Cartwright responded to Mr McNeece directly (and privately) by text message: "Ashamed? Not a bit of it pot calling kettle black! You brought it all on yourself. I continue to enjoy overwhelming support."
- 5.20 There followed a text message exchange between the two men¹⁵ which included the following comments by Councillor Cartwright:
 - i. "You are a sad deluded man who deserves every insult earned by his pathetic behaviour"
 - ii. "At least I have a personality and intellect. Go away and find yet another lost cause to champion it is all you excel at!"
- 5.21 Mr McNeece ended the exchange by indicating that he intended to submit another Code of Conduct complaint about Councillor Cartwright's conduct. He instructed Councillor Cartwright not to text him again.
- 5.22 Three days later, on 30 December 2016, Councillor Cartwright and Mr Ramsay has a conversation on Twitter about the investigation into Councillor Cartwright's conduct. During the exchange Mr McNeece tweeted: "@james_cllr @ScotRamsay There might even be something in tomorrow's local press that sheds further light"
- 5.23 Councillor Cartwright responded to Mr McNeece by text message (rather than Twitter); "Very much doubt that rarely anything of interest in there and no-one reads it anyway..."
- 5.24 Mr McNeece replied by text "You were asked not to text me again. Do not under any circumstances text me. Do not reply"; to which Councillor Cartwright retorted: "I reserve the right to text you at any time". Mr McNeece informed Councillor Cartwright that the Police had been notified, to which he responded "No Problem".
- 5.25 Mr McNeece told me that at no time had he invited Councillor Cartwright to contact him directly and that his text messages were "unexpected and unwelcome".
 - Matters related to the allegation at 1.4(iii) that Councillor Cartwright continued to make derogatory comments about them and others on Twitter, both during the investigation and immediately after the Standards Committee considered the matter.
- 5.26 In their respective complaints, Mr Bromage and Mr McNeece highlighted a number of Tweets posted by Councillor Cartwright¹⁶ during the previous investigation into his conduct¹⁷, including:

¹⁵ Found in full at Annex C

¹⁶ Using two different Twitter accounts: @cllr_james and @jamesfec

¹⁷ Full exchange at Annex A

- i. "@davebromage @mickynads @galdam "Jeez" an abbr of Jesus. Interesting. Reading the bible and finding it lacking shows a lack of intelligence."
- ii. "@davebromage @galdam @adrianmcneece @scotramsay better to be a sheep than an ass!"
- iii. "@galdam @davebromage @adrianmcneece @scotramsay my belief is entirely based on fact. Perhaps the minority of non-believers are deluded"
- iv. "@davebromage @galdam @adrianmcneece @scotramsay yes I can. Google it. Read a book (if you can)"
- 5.27 Mr Bromage said that Councillor Cartwright's ongoing conduct demonstrated that he held disparaging views about atheists and was not able to treat them with respect.
- 5.28 On 28 January 2016 the Council's Sub-Committee considered the report into Mr McNeece's earlier complaint. Members concluded that Councillor Cartwright had failed to treat others with respect when referring to identifiable members of the public as 'thick', 'illiterate' and 'pathetic'. They determined that the Council be invited to pass a formal motion of censure against Councillor Cartwright, and that Councillor Cartwright be required to attend social media training by 28 February 2016.¹⁸
- 5.29 On the evening of the 28 January 2016 Councillor Cartwright tweeted:
 - '@EastHerts EHDC clearly condone the behaviour of rude, abusive, intimidating bullies directed towards the majority of their elected members.'
- 5.30 When challenged on Twitter by both Mr Bromage and Mr Ramsay over his response to the Council's consideration of his conduct, Councillor Cartwright tweeted that the Council had not found that his words were either insulting or rude. Councillor Cartwright also tweeted that his use of the words 'thick' and 'illiterate' when describing Mr Bromage and Mr Ramsey had been 'accurate and appropriate descriptions well deserved".
- 5.31 On 3 February 2015 Councillor Cartwright made it clear on Twitter that he did not intend to apologise for his conduct and that the proposed training would not make any difference as to his views on the matter. Mr Bromage, who is a local journalist, asked Councillor Cartwright to evidence his ongoing assertions that he and Mr Ramsay were bullies; Councillor Cartwright responded "journalists never seem to be interested in using evidence so I don't feel I have anything to answer to you!!"

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¹⁸ They added that should Councillor Cartwright fail to do so the Council's Conservative Political Group, of which he was a member, be requested to remove him from any seats to which he had been appointed to on committees in accordance with the wishes of that political group until such time as the required training had been satisfactorily concluded.

- 5.32 In response to Councillor Cartwright's comment Mr Ramsay tweeted: "Our lovely local Councillor likes to insult journalists too. Is there anyone this man doesn't feel is beneath him?". Councillor Cartwright responded: "@ScotRamsay @davebromage @sjpinches @galdam not present company, no!"
- 5.33 Mr Bromage and Mr Ramsey went on to again challenge Councillor Cartwright on Twitter about the evidence he had provided the investigator to supposedly prove that they had insulted him. Councillor Cartwright insisted that the evidence he had provided proved his case; he also challenged them to wait for the minutes of the Standards Committee meeting to be publicised as they would demonstrate that the investigator had accepted that it supported his claims.
- 5.34 During the exchange, which continued the following day, Councillor Cartwright tweeted the following:
 - i. @ScotRamsay @davebromage @galdam @sjpinches evidence was produced and is in the public domain - and you have the audacity to call me a liar!
 - ii. @davebromage Ask the reporter you sent to the meeting. He has a copy of all the evidence you have chosen to ignore and mislead the public.
 - iii. @davebromage @ScotRamsay @galdam trawl back through all your pathetic tweets you'll find the evidence I did and I produced it
 - iv. @ScotRamsay @davebromage @galdam they all saw the evidence in the meeting that was not the issue. They decided that whatever the... clearly evidenced provocation I should show you "respect" I disagreed (and still do)
 - v. @davebromage @ScotRamsay @galdam he [God] knows I am not lying and so do I. No need to apologise as the committee agreed.
 - vi. @sjpinches @ScotRamsay @davebromage @galdam the people my remarks are directed to are clearly not decent people nor do I represent them.
 - vii. @sjpinches all normal decent human beings have my utmost respect... @sjpinches @ScotRamsay @davebromage @galdam the shameful behaviour of a small number don't so they will not get any apology.
- 5.35 Twitter user @sjpinches tweeted: "@james_cllr I give up. However very unhappy my council tax will end up paying for your Twitter training. No wonder young people disengage." Councillor Cartwright responded: "@sjpinches I agree total waste of public money I have declined to attend on that basis."

- 5.36 Mr Ramsay said in his complaint that Councillor Cartwright's response to the findings of the Council's Standards Sub-Committee was inappropriate in a number of ways:
 - "(i) It is disrespectful to all of the councillors, officers and staff of EHDC, accusing them, without justification, of condoning rude, abusive, intimidating and bullying behaviour.
 - (ii) It is disingenuous in that it states that "EHDC clearly condone" such behaviour. The Standards sub-committee, (whose decision prompted the outburst from Councillor Cartwright), was considering and opining upon Councillor Cartwright's behaviour, not that of anyone else.
 - (iii) The Investigating Officer did not find that there was any "rude, abusive, intimidating bullying behaviour directed towards the majority of their elected members...
 - (iv) It is dismissive of, and shows contempt for the Councillors Code of Conduct, repeating in more extreme form the disrespectful behaviour for which Councillor Cartwright had only just been censured by his colleagues on the Standards sub-committee, based upon a report by an Independent Investigating Officer. Councillor Cartwright has also extended his disrespectful conduct to include his colleagues and the officers and staff of EHDC in addition to members of the public."
- 5.37 Mr Bromage pointed out in his complaint that Councillor Cartwright has insisted on repeatedly accusing him, Mr Ramsey and Mr Aldam of bullying and harassment without any evidence. Mr Bromage said that in his view Councillor Cartwright's derogatory comments about the members of the public he is bound to serve are indefensible.
- 5.38 Mr Bromage added that in his view Councillor Cartwright targeted him specifically, implying that he was both unintelligent (because he does not believe in the Bible) and immoral (because he is a journalist). Mr Bromage said that he took issue with this, asking Councillor Cartwright to publicly retract his accusation. Mr Bromage highlighted his exchange with Councillor Cartwright as follows:

[Councillor Cartwright] added that as I was a journalist, I was at the "opposite end of the moral spectrum". I responded pointedly that: "It's so black & white. Journalist = immoral; atheists = thick; secularism = pathetic; disagreement= bullying", to which Cllr Cartwright replied: "You're learning fast."

5.39 Mr McNeece told me that Councillor Cartwright's conduct was particularly concerning given that much occurred after it had been made clear by those involved that his comments were unacceptable. Mr McNeece said that Councillor Cartwright's response to the findings of the Standards Committee brought the entire Council and the standards framework into disrepute.

6 Have there been failures to comply with the Code?

Official Capacity

- 6.1 Before I make a recommendation as to whether Councillor Cartwright's conduct amounts to a failure to comply with the Code of Conduct, I need to decide if he was acting as a councillor (i.e. acting in his official capacity) when posting the comments relevant to this investigation on Twitter.
- 6.2 Section 27(2) of the Localism Act 2011 requires all relevant authorities to adopt a code of conduct "dealing with the conduct that is expected of members ... when they are acting in that capacity" (my emphasis). The Council has reiterated this in its own Code.
- 6.3 The essence of these complaints relate to Councillor Cartwright's social media posts and private text messages, where the capacity issue is far from clear cut. Members may use social media or text each other in their official capacity or in a personal capacity; some may participate in both capacities. In offering my views on this I recognise that the Localism Act is vague on the key point of what 'acting in that capacity' means. In addition, we have no case law arising from the Localism Act to assist us in this. Having said that, while the wording in the current Code varies slightly from the previous codes of conduct, cases concerning the previous codes remain of relevance to what 'official capacity' means and we have well-established case law from earlier hearings to assist us.
- 6.4 Previous rulings have consistently found that the range of activities that might be considered within capacity should be *'narrowly construed'*. In the decision of the Adjudication Panel for England in APE0458 (Sharratt), the tribunal observed:

"The dedication of many councillors to activities in public life means that often their social and professional lives are shaped by their roles as councillors and in turn shape how they approach those activities. However, while they may always be conscious of their office as councillor and carry out a wide range of activities in which that is a factor in their thinking, no reasonable observer would conclude that they are carrying out the business of the office of councillor; a test which, in the light of the decision in Livingstone¹⁹, should be narrowly construed."

- The Livingstone judgment was considered in detail in 'Bartlett v Milton Keynes Council [2008] APE 0401' in an appeal from the local standards committee. In the Tribunal's view, the Livingstone judgment established that for a councillor to be acting in an official capacity:
 - (a) the councillor should be engaged in business directly related to the Council or constituents:
 - (b) the link between the councillor's office and the conduct should have a degree of formality.

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¹⁹ Livingstone v Adjudication Panel for England [2006] EWHC 2533

- 6.6 Clearly those who engaged with him on Twitter knew that Councillor Cartwright was a member of the Council. Case precedents are clear however that being known as a councillor in the relevant situation is not sufficient to engage the Code of Conduct unless the context is sufficiently related to council or constituency business to bring the individual within the ambit of the Code.
- As part of this investigation I have reviewed Councillor Cartwright's use of Twitter. Most of the tweets relevant to this investigation relate to his '@james_cllr' account. Councillor Cartwright could hardly be said to have been directly conducting Council business when posting on Twitter; he had never been instructed by the Council to comment on the original motion submitted by Mr McNeece or engage further with other Twitter users. In addition, Councillor Cartwright never purported to be representing the Council when expressing his views. Clearly his opinion was his own and not that of his authority. Members are free to engage with others using social media in their private capacity and I note that it was Councillor Cartwright and not the Council who set up the Twitter account.
- 6.8 Having said that, I consider it relevant to my considerations that Councillor Cartwright chose to use the 'cllr' abbreviation within the name of his Twitter account and that his profile stated: "East Herts District Councillor representing Puckeridge Ward". This account was set up despite Councillor Cartwright already having a Twitter account (@jamesfec), which pre-dated his election to office. This suggests he created the account @jame_cllr so that he could Tweet in his elected role as a representative of his community. The nature of the tweets on each account supports this view, with @jamesfec being largely used for personal tweets and @james_cllr for council related business.
- Turning to the specific tweets relevant to this investigation: There is no doubt that the initial interactions between the relevant parties directly concerned Council business; Mr McNeece's motion to end prayers before Council meetings. In considering Mr McNeece's complaint of 2 November 2015, the Council's Standards Sub-Committee concluded that Councillor Cartwright had been acting in his official capacity when referring to members of the public as 'thick' and 'illiterate' on Twitter. I agree with this conclusion and consider that all of the subsequent tweets relevant to this investigation are an extension of that conduct.
- 6.10 In my view, if a member wants to try to involve themselves in their personal capacity in matters closely related to council business, they should make it explicitly clear when doing so that they are not acting as a councillor. Councillor Cartwright did not do this; indeed, nearly all his tweets were posted on the Twitter account most closely associated with his role as a councillor. Given the concrete links between Councillor Cartwright's Tweets and Council business, it is my view that he was acting in his official capacity in relation to all the Tweets referred to above, including those left on his @jamesfec Twitter account.

Was Councillor Cartwright's conduct contrary to the Code?

- 6.11 The intention of the Code is to ensure that the conduct of public life at the local government level does not fall below a minimum level which engenders public confidence in democracy. In adhering to the principles set out in the Code there is an expectation that members will treat their fellow councillors, Council officers and members of the public with respect. This is not to say that councillors should not be encouraged to engage in vigorous public debate on matters pertaining to the Council, however the impact of such debate is diminished, rather than accentuated, when it is cast in abusive or offensive terms.
- 6.12 Failure to treat others with respect will occur when unreasonable or demeaning behaviour is directed by one person against or about another. The circumstances in which the behaviour occurred are relevant in assessing whether the behaviour is disrespectful. The circumstances include the place where the behaviour occurred, who observed the behaviour, the character and relationship of the people involved and the behaviour of anyone who prompted the alleged disrespect.
- 6.13 In considering whether Councillor Cartwright failed to comply with the Code, a line must be drawn between the requirement for members to treat others with respect and the freedom members have to disagree with the views opinions and actions of others. It is inevitable that members with disagree with members of the public from time to time and these disagreements may manifest themselves in criticism of each other. While ideas, policies, recommendations and advice may be challenged and criticised, individuals should not be subject to unreasonable or excessive personal attack.
- 6.14 During the previous investigation Councillor Cartwright was given the opportunity to respond to the complaint that he had failed to treat atheists in general with respect by referring to them as 'thick' and 'illiterate'. Councillor Cartwright's response was to insist that his comments were targeted at specific individuals, including Mr Bromage and Mr Ramsay. His justification was that these individuals had abused him (along with members of the Council generally) first and in a more offensive manner.
- 6.15 As stated previously, it is not within the scope of this investigation to further consider whether Councillor Cartwright's comments on 29 October 2015 amounts to a breach of the Code; this decision was made on 28 January 2016. I do think it would be useful though to repeat the considerations of the investigator who reported on that matter:

"Provocation which might explain the use of language such as 'thick' or 'illiterate' in exchanges between members of the public cannot excuse such use by Councillors. The Members Code requires a higher standard of behaviour on the part of Councillors. The attempt to justify the use of such language by reference to dictionary definitions is not helpful. Even if the language used were accurate it can nevertheless be disrespectful. I understand that Councillor Cartwright did not attend the Members training session on social media. This is regrettable. A brief review of

examples of Guidance to Members online on the subject of the dangers of social media discloses warnings such as 'Don't enter into unhelpful online arguments; remember all of your followers and friends will be witnessing this on line. Ignore people or block them if they persist in vexatious comment'. One mans vexatious comment is another's reasonable comment and Members need to avoid being drawn in to heated exchanges on social media during which the quality of comment deteriorates." [sic]

- 6.16 In considering whether Councillor Cartwright's attempts to justify his earlier conduct by making disparaging comments about others amounts to a breach of the Code, I am mindful of the fact that he was under investigation and had a right to defend his own actions. It is not disputed that Councillor Cartwright did face a certain amount of hostility on Twitter after publicly stating his opposition to Mr McNeece's proposal. The investigator was correct in saying though that while such provocation might be used in mitigation, it is not material when considering whether a councillor failed to comply with the Code. Councillors are required to set standards and not descend to the level to which they perceive others may have fallen.
- 6.17 When defending his earlier conduct Councillor Cartwright made a number of specific allegations against the people he had referred to as 'thick' and 'illiterate'. When subsequently challenged as to the truthfulness of these assertions, Councillor Cartwright continued to argue their veracity on Twitter despite all the available evidence to the contrary. Councillor Cartwright appears to have interpreted the investigator's reference to 'provocation' in his reasoning as confirmation that his evidence had been accepted. The earlier investigation clearly established however that the people Councillor Cartwright targeted were not responsible for the offensive comments he cited to justify his own conduct.
- 6.18 When considering Councillor Cartwright's conduct against the Code, a key consideration ethically is whether he made these accusations against the complainants in good faith did Councillor Cartwright genuinely believe that they were the Twitter users who were personally responsible for making the offensive comments referred to above? Despite Councillor Cartwright's determined stance, it seems to me that this would be difficult to argue; particularly given that it was Councillor Cartwright himself who provided the evidence that disproved his own assertions. While it is clear that the complainants were involved in argumentative exchanges with Councillor Cartwright and were mentioned in the relevant tweets, the offensive comments which Councillor Cartwright cited as provocation were obviously made by others.
- 6.19 Based on the evidence I have seen I am satisfied that Councillor Cartwright could not have reasonably believed in the truth of the allegations he was making against Mr Bromage and Mr Ramsay. Two of the key underlying principles of public life (the Nolan principles), which the Council's Code explicitly requires its members to uphold, are the principles of honesty and leadership. It is the duty of Councillors not merely to give voice to concerns they may have; they should reflect on them, consider their validity, apply critical thinking and consider the evidence on which they are based. I do not believe that Councillor Cartwright did

so in this case. Rather than take responsibility for his own conduct, Councillor Cartwright chose to unfairly denigrate the two members of the public he had already publicly insulted. In addition, I consider that Councillor Cartwright's use of the various dictionary definitions in his response to the investigator compounded the offence.

- 6.20 In considering Councillor Cartwright's exchange with Mr McNeece via text message, it is in my view relevant that Mr McNeece was not a regular member of the public; he had until recently been a member of the Council and Councillor Cartwright's political group. When becoming a councillor and then publicly involving himself in the ongoing 'debate', Mr McNeece to an extent opened himself up to be robustly criticised; indeed, it could be argued that such criticism is preferably made privately via text rather than publicly on Twitter.
- Having said that, Councillor Cartwright had agreed to abide by the Council's Code and an aspect of that is being respectful of others. Councillor Cartwright appears to be of the view that he can choose which people deserve his respect; the Code however makes no such provision. In my view while the circumstances set out in paragraph 6.20 allowed Councillor Cartwright to argue robustly with Mr McNeece about the issues at hand, it did not allow him to personally abuse Mr McNeece in the manner that he did. I consider the texts set out in paragraph 5.20 to be examples of such abuse. Further, when he was told in no uncertain terms to desist, Councillor Cartwright refused.
- 6.22 It was also alleged that Councillor Cartwright continued to make derogatory comments about the complainants and others on Twitter, both during the investigation and immediately after the Standards Committee considered the matter.
- 6.23 Having reviewed the various tweets by Councillor Cartwright, my own view is that the majority would be considered acceptable in the context of a vigorous debate. Councillors should be passionate about issues they care about and are perfectly entitled to 'take a side'. Some of the Tweets highlighted in this report however demonstrate further examples of Councillor Cartwright attacking an individual's personal characteristics rather than their opinions; it is important that a councillor differentiates between the two and that any 'attacks' are aimed at the opposing arguments and not the person making them.
- 6.24 Of additional concern to me is Councillor Cartwright's dismissive response to the Standards Committee's findings and recommendations of 28 January 2016. Councillor Cartwright not only misrepresented their conclusions on Twitter, he publicly rejected their recommendations. Furthermore, he continued to demonstrate the behaviours that the Council had made clear were not acceptable. I fail to see how this can have done anything but damage the reputation of the Council and in particular the effectiveness of the standards regime.

Freedom of expression

- 6.25 In considering whether Councillor Cartwright breached the Code I must also have regard to Article 10 of the European Convention on Human Rights (ECHR) which provides:
 - "(1) Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers....
 - (2) The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of...the protection of the reputation or rights of others ..."
- 6.26 In considering these matters it is also important to note the words of Collins J in Livingstone v The Adjudication Panel for England [2006] EWHC 2533 (Admin) [at para.39]:

"The burden is on [the Adjudication Panel for England] to justify interference with freedom of speech. However offensive and undeserving of protection the appellant's outburst may have appeared to some, it is important that any individual knows that he can say what he likes, provided it is not unlawful, unless there are clear and satisfactory reasons within the terms of Article 10(2) to render him liable to sanctions".

- 6.27 The right to freedom of expression is a crucially important right in a democratic society and it is clear that it may only be interfered with where there are convincing and compelling reasons within the terms of Article 10(2) justifying that interference. A key issue for determination is thus whether a finding of a breach of the Code on the facts as found, would represent no greater an impairment to an elected member's right to freedom of expression than is necessary to accomplish the legislative objective of the Code. In assessing the extent to which a councillor's use of Twitter should be restricted, I have to bear in mind the importance of freedom of political expression in the political sphere.
- 6.28 In Heesom v Public Service Ombudsman for Wales Mr Justice Hickinbottom considered a councillor's right to free speech in some detail.²⁰ His considerations drew attention to a number of earlier cases in which the following propositions could be derived:
 - While freedom of expression is important for everyone, it is especially so for an elected representative of the people. He represents his electorate, draws attention to their preoccupations and defends their interests.

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²⁰ Full judgment http://www.landmarkchambers.co.uk/userfiles/Heesom.pdf

- The enhanced protection applies to all levels of politics, including local.
- Article 10 protects not only the substance of what is said, but also the
 form in which it is conveyed. Therefore, in the political context, a
 degree of the immoderate, offensive, shocking, disturbing,
 exaggerated, provocative, polemical, colourful, emotive, non-rational
 and aggressive, that would not be acceptable outside that context, is
 tolerated
- Whilst, in a political context, article 10 protects the right to make incorrect but honestly made statements, it does not protect statements which the publisher knows to be false.
- The protection goes to "political expression"; but that is a broad concept in this context. It is not limited to expressions of or critiques of political views, but rather extends to all matters of public administration and public concern including comments about the adequacy or inadequacy of performance of public duties by others.
- Past cases draw a distinction between fact on the one hand, and comment on matters of public interest involving value judgment on the other. As the latter is unsusceptible of proof, comments in the political context amounting to value judgments are tolerated even if untrue, so long as they have some any factual basis. What amounts to a value judgment as opposed to fact will be generously construed in favour of the former; and, even where something expressed is not a value judgment but a statement of fact (e.g. that a council has not consulted on a project), that will be tolerated if what is expressed is said in good faith and there is some reasonable (even if incorrect) factual basis for saying it, "reasonableness" here taking account of the political context in which the thing was said
- As article 10(2) expressly recognises, the right to freedom of speech brings with it duties and responsibilities. However, any restriction must respond a "pressing social need".
- 6.29 Any finding that Councillor Cartwright breached the Code in relation to his comments on Twitter would automatically amount to a restriction to his right of freedom of speech. In this investigation I have considered whether his comments related to matters within his legitimate concerns as a councillor (political or quasi-political comment which would benefit from a high level of protection), or whether they were no more than an expression of personal anger and personal abuse. In the latter case, the high degree of protection set out in case law would not be engaged.
- 6.30 In considering whether a breach finding would amount to a disproportionate restriction on Councillor Cartwright's right to freedom of expression I am firstly mindful that under the Localism Act the range of sanctions is very limited; as such any interference is likely to be minimal. In addition, I consider that the

circumstances of this case warrant intervention; while some of Councillor Cartwright's comments would receive the higher level of protection afforded political debate, the specific concerns raised by the complainants do not relate to those aspects. Their concerns relate to comments about themselves and others that could be better described as personal insults and abuse. As such it I have no doubt that Councillor Cartwright would have little protection under Article 10 of the ECHR.

7 Recommendations

- 7.1 It is my view that Councillor Cartwright was acting in his official capacity and did fail to comply with the Council's Code of conduct. The Code provides that a councillor has a duty to conduct themselves in a way that demonstrates they are:
 - 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.
 - 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.

For the reasons stated above I have found that Councillor Cartwright breached these provisions when he:

- made false, disrespectful assertions about Mr Bromage and Mr Ramsey during the investigation into the earlier complaint about his conduct;
- sent Mr McNeece offensive text messages; and
- continued to make derogatory comments about identifiable individuals on Twitter, both during the investigation and immediately after the Standards Committee considered the matter.
- 7.2 In considering what action the Monitoring Officer should take in relation to these matters; I am mindful that Councillor Cartwright has now resigned from office and therefore is not bound by any of the limited sanctions available to the Council. Having said that, his dismissive response to the findings of the previous investigation and lack of involvement in this one suggests that there is little prospect of resolving these matters informally.
- 7.3 My recommendation therefore is that the Monitoring Officer is left with little choice but to refer this matter to the Council's Standards Sub-Committee so that they can formally determine whether Councillor Cartwright failed to comply with the Council's Code of Conduct.

East Hertfordshire District Council

REPORT OF AN INVESTIGATION INTO Alleged Breach of the Members Code of Conduct by George Robertson appointed by Monitoring Officer for East Hertfordshire District Council INTO ALLEGATIONS CONCERNING COUNCILLOR J CARTWRIGHT

DATE: 12 January 2016

CONTENTS

- 1. Executive Summary
- 2. Councillor Cartwrights official details
- 3. The relevant legislation and protocols
- 4. The evidence gathered
- 5. Summary of material facts
- 6. Reasoning as to whether there have been failures to comply with the Code of Conduct
- 7. Finding

Appendix A Schedule of evidence taken into account

1 Executive summary

1.1 Allegations

The complaint is that that Councillor J Cartwright breached the Members Code when making comments on his twitter account on the 29th October 2015 referring to a number of individuals as ' thick' and 'illiterate'. It is alleged that the Councillors behaviour breached the requirement to 'always treat people with respect'.

I have investigated the complaint made and in doing so have reviewed the evidence produced by the complainant and the responses provided by Councillor Cartwright.

1.2 Finding

My finding is that there has been a breach of the Members Code of Conduct.

2 Councillor J Cartwright's official details

- **2.1** Elected to District Council in May 2015. Chairman of Standon Parish Council
- **2.2** Serves on Corporate Business Scrutiny and Audit Committees.

3. The relevant legislation and protocols

The relevant clause in the Members Code is contained in Clause 3 Other – 'Always treating people with respect, including the organisations and public I engage with and those I work alongside.'

4. The evidence gathered

4.1 I have taken account of the written evidence of the complainant Adrian McNeece and the responses from Councillor Cartwright

5. Summary of the material facts

5.1 The facts forming the background to the complaint are to a large extent not in dispute. The complainant refers to comments made by Councillor James Cartwright on his twitter account made at 15.19 hrs on 29 October 2015 namely' @davebromage@ScotRamsay@StortSkeptic@galdam 27% no religion, #thick and # illiterate ".

- 5.2 The comment was made during exchanges on twitter following consideration of a motion proposed by the complainant and former Councillor Adrian McNeece to discontinue Christian prayers prior to meetings of the District Council. The comment appears to be aimed at a number of individuals including journalist Mr Dave Bromage, and Mr Scot Ramsey.
- 5.3 Councillor Cartwright does not dispute the content of the tweet nor that it was aimed at Mr Bromage and Mr Ramsey nor indeed that he intended to accuse them of being 'thick' and 'illiterate'. In his defence Councillor Cartwright points to a stream of abusive comment directed at local members following the defeat of the motion to end prayers. He claims;

In defending the words used he claims;

'I have apologised to any other person / member of the public who were mislead by these three trouble makers in making it appear as if the hash-tags I used (#Pathetic #Illiterate and #Thick) were directed at atheists in general. They were clearly not, but at these three individuals only.

In the context of these exchanges, these three descriptions were factually accurate and appropriate descriptions of these individuals.

#Pathetic - dictionary definition - miserably inadequate (or feeble, woeful, sorry, poor, pitiful, lamentable, deplorable, miserable, wretched, contemptible, despicable, inadequate, meagre, paltry, insufficient, negligible, insubstantial, unsatisfactory, worthless)

I maintain many of these attributes were accurate when considering the attitude of these three people towards myself and fellow councillors, especially the ones highlighted by myself above

#Illiterate - you will notice in one of the tweets they used the word "there" meaning "they are" and they failed to acknowledge many of the arguments I put forward, dictionary definition is "unable to read or write"

#Thick (in this context) meaning "of low intelligence, stupid" - when presented some factual statistics they repeatedly added up the numbers incorrectly to augment their case."

I have attempted to discover in the interest of fairness the abusive tweets referred to by Councillor Cartwright and confirmed with him that he has no record of any such abusive material originating from those

^{&#}x27;My comments were directed at three members of the public (only) who were providing deeply offensive remarks aimed at myself and ALL EH councillors involved in the vote regarding prayers.

individuals which he has characterised as ;thick', 'illiterate' and 'pathetic'.

6 Reasoning as to whether there have been failures or not to comply with the Code of Conduct

- **6.1** I must now consider whether by his actions Councillor Cartwright failed to comply with the Members Code of Conduct.
- 6.2 The term Cllr used by Councillor Cartwright on his twitter account when describing himself and the nature of the twitter discussion make it clear that Councillor Cartwright was acting as a representative of the Council when using twitter in these exchanges. The Member Code of Conduct and in particular the requirement to 'treat people with respect' applies to the exchanges that took place following the vote on the motion to cease prayers. For disrespect to be shown the comments made have to be such that, when viewed objectively they are considered to be a personal attack or slight on an individual, or individuals.
- **6.3** Provocation which might explain the use of language such as 'thick' or illiterate' in exchanges between members of the public cannot excuse such use by Councillors. The Members Code requires a higher standard of behavior on the part of Councillors.
 - **6.4** The attempt to justify the use of such language by reference to dictionary definitions is not helpful. Even if the language used were accurate it can nevertheless be disrespectful.
 - **6.5** I understand that Councillor Cartwright did not attend the Members training session on social media. This is regrettable. A brief review of examples of Guidance to Members on line on the subject of the dangers of social media discloses warnings such as 'Don't enter in to unhelpful online arguments; remember all of your followers and friends will be witnessing this on line .lgnore people or block them if they persist in vexatious comment'.

One mans vexatious comment is another's reasonable comment and Members need to avoid being drawn in to heated exchanges on social media during which the quality of comment deteriorates.

7 Finding

7.1 My finding in all the circumstances of this case is that there has been a failure to comply with the Members Code in that the comment made on twitter on the 29 October 2015 failed to treat those involved in the twitter exchange with respect.

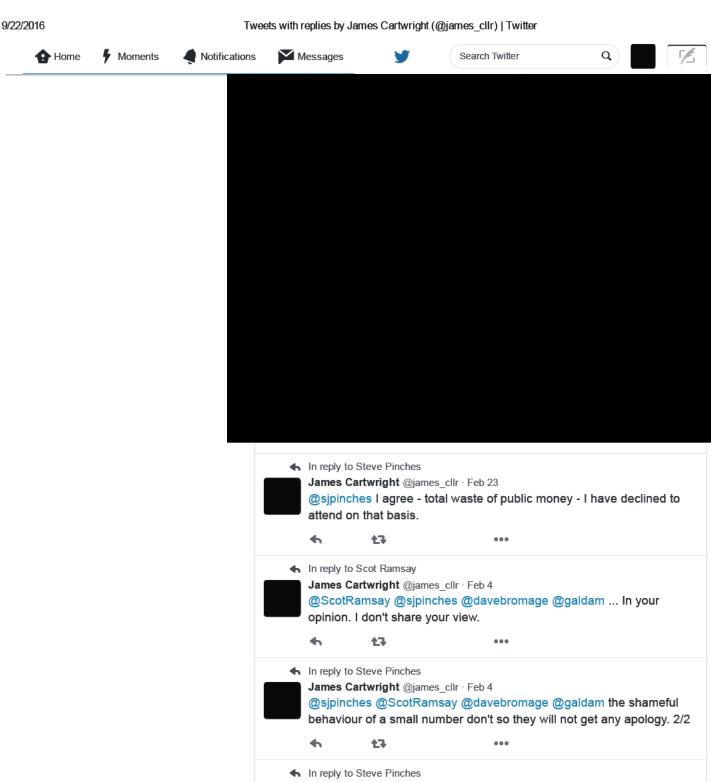
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James Cartwright @james_cllr · Jul 15

Just resigned as District Councillor (Puckeridge) for @EastHerts

Seupeil Service Progressed to live and work in Kenyele Creek Biff



James Cartwright @james_cllr · Feb 4

James Cartwright @james_cllr · Feb 4

James Cartwright @james_cllr · Feb 3

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14

♠ In reply to Steve Pinches

♠ In reply to Steve Pinches

supportive.

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them.

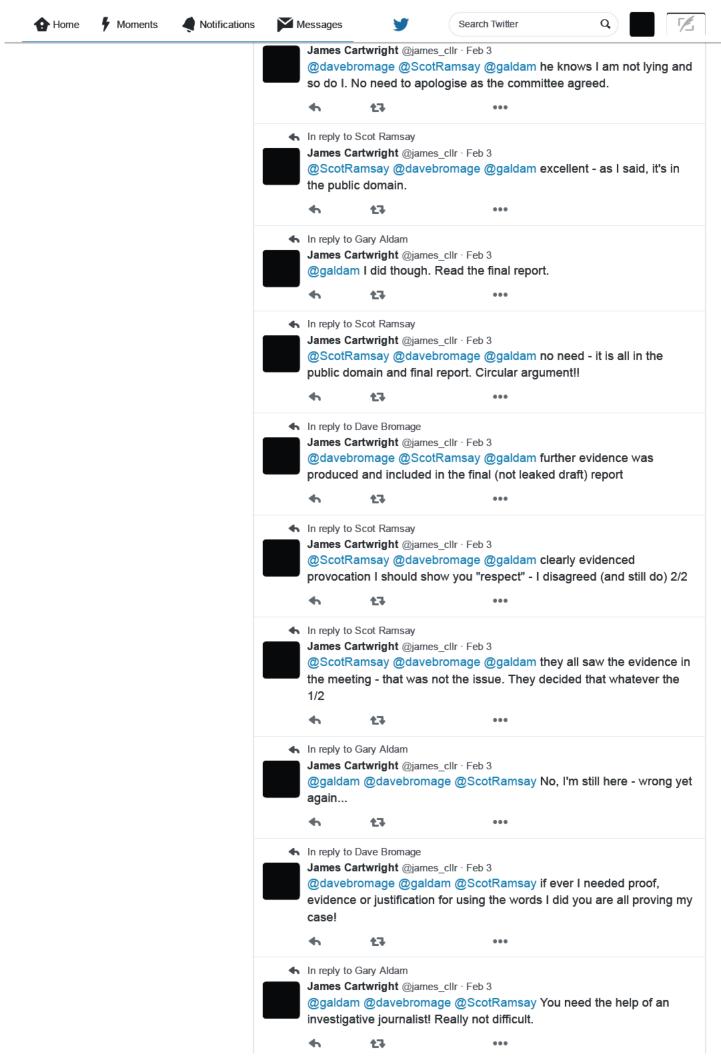
@sjpinches all normal decent human beings have my utmost respect -

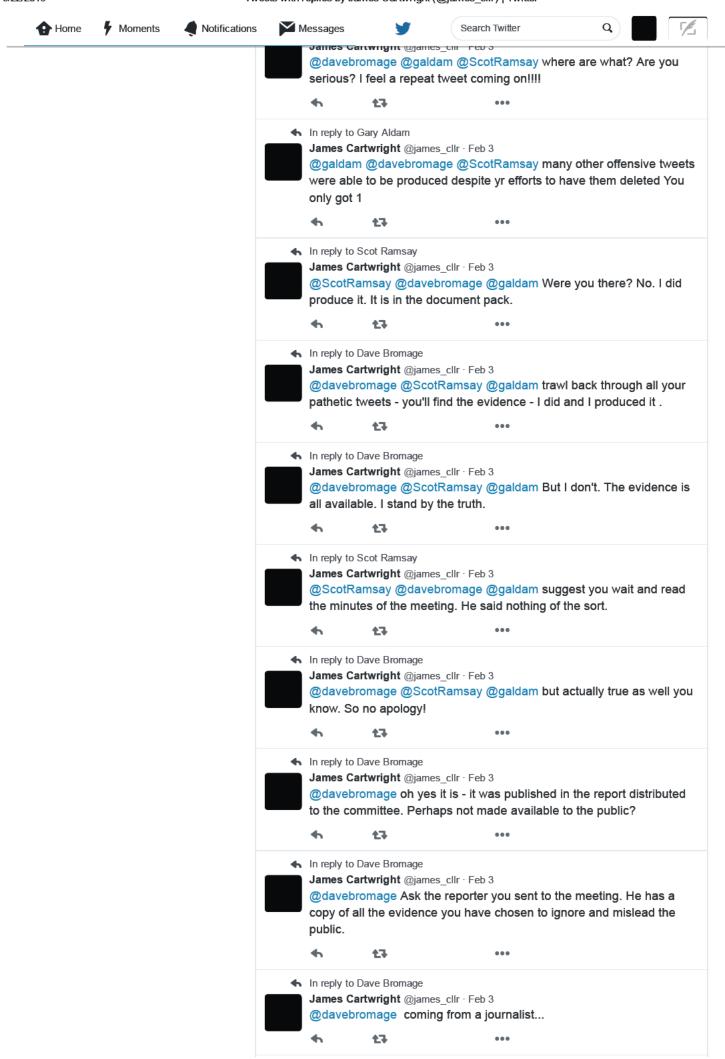
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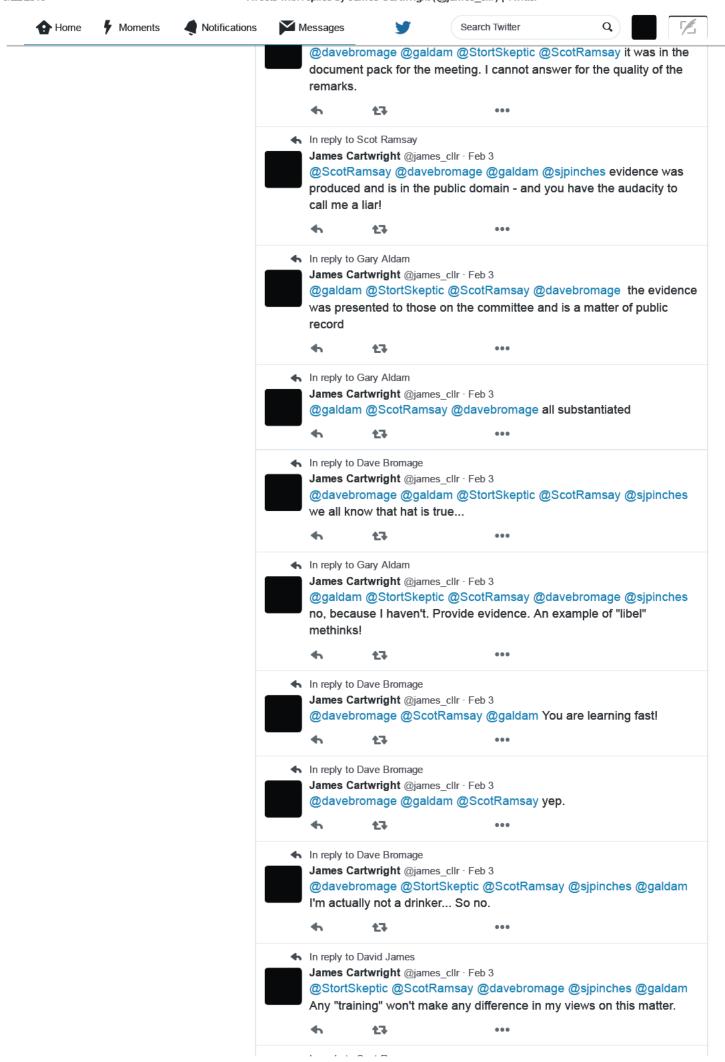
@sjpinches @ScotRamsay @davebromage @galdam the people my remarks are directed to are clearly not decent people nor do I represent

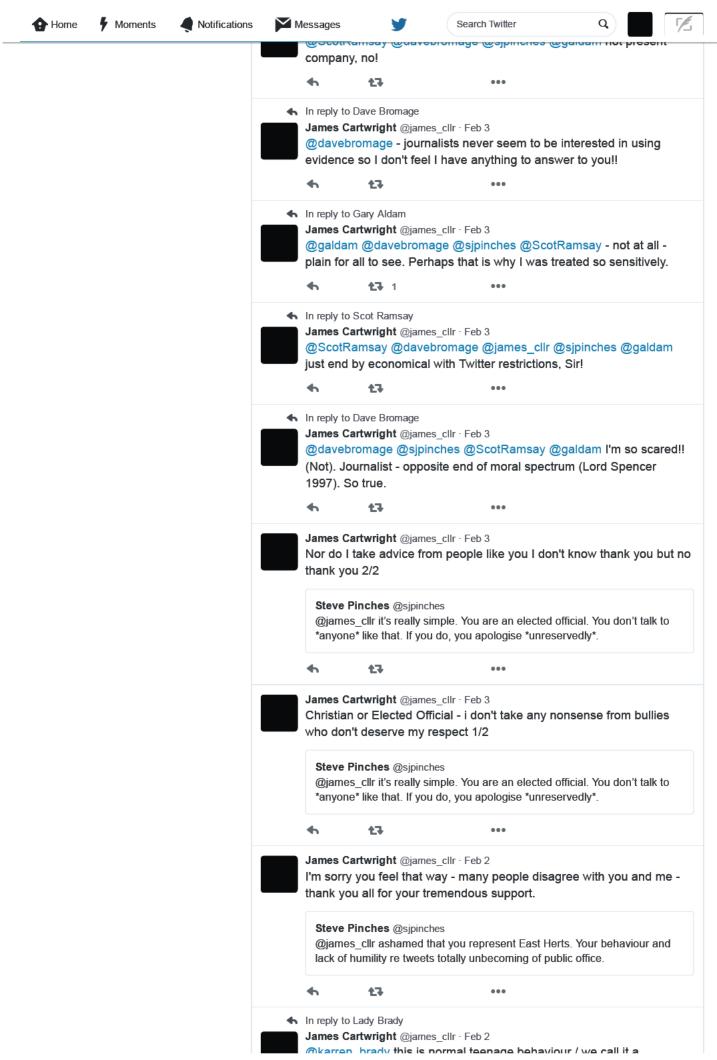
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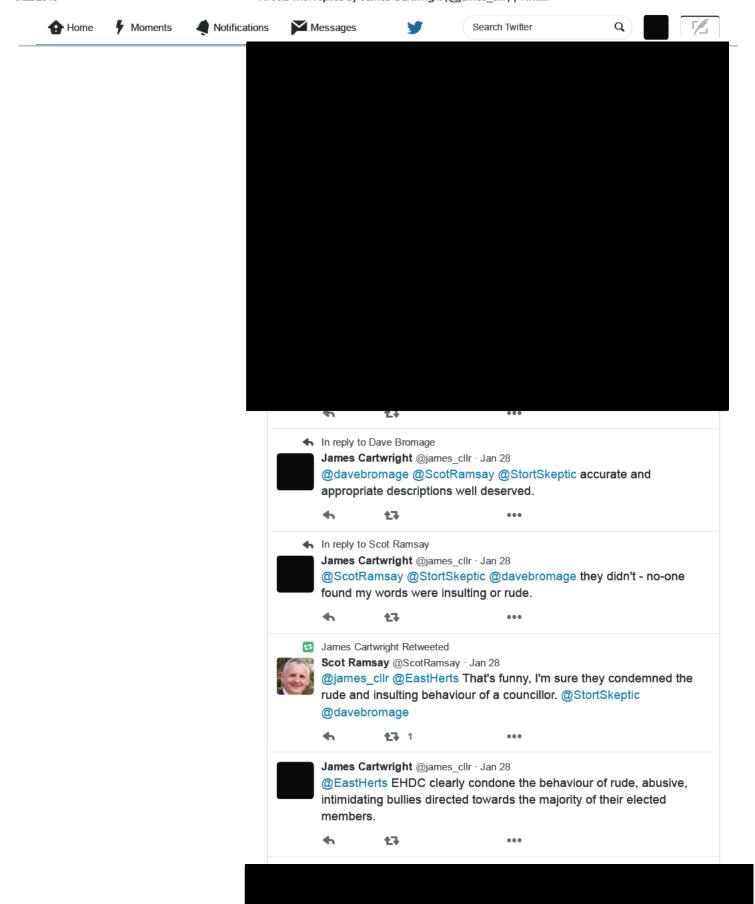
@sjpinches @ScotRamsay @davebromage @galdam the. Decent people I represent are an honour and pleasure to serve and are very

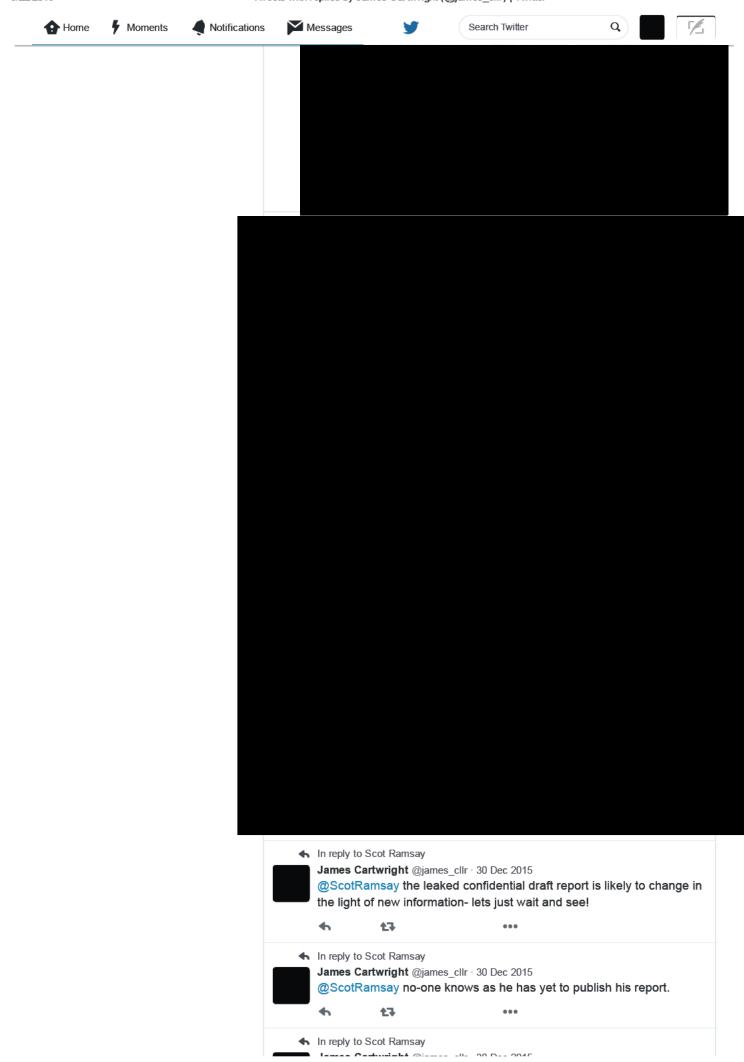


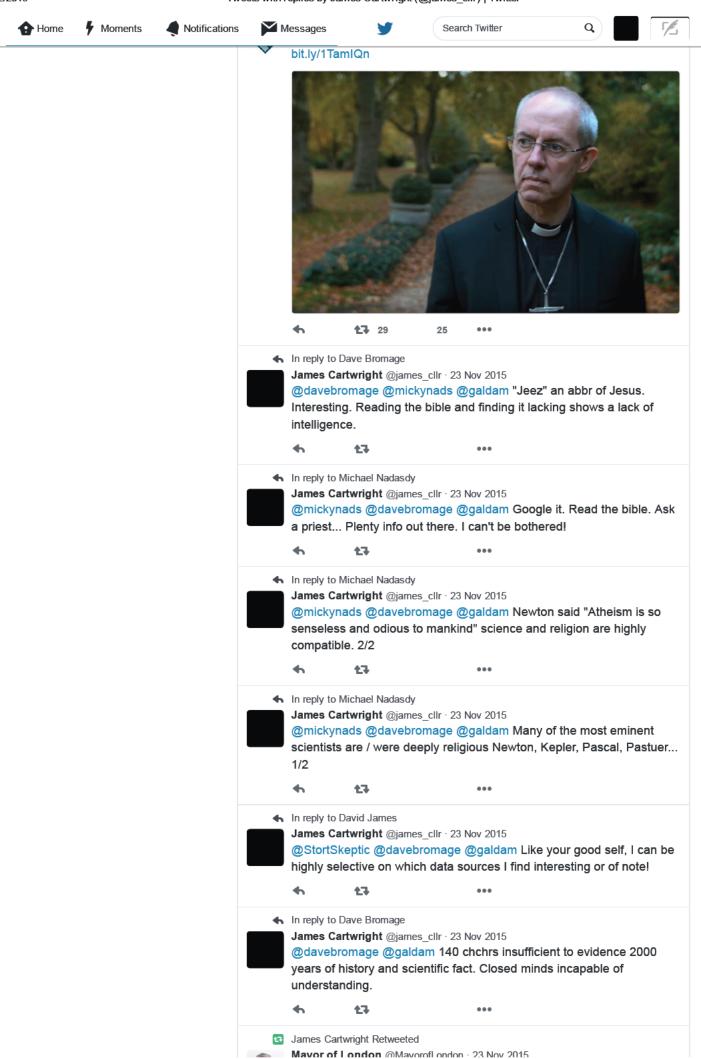


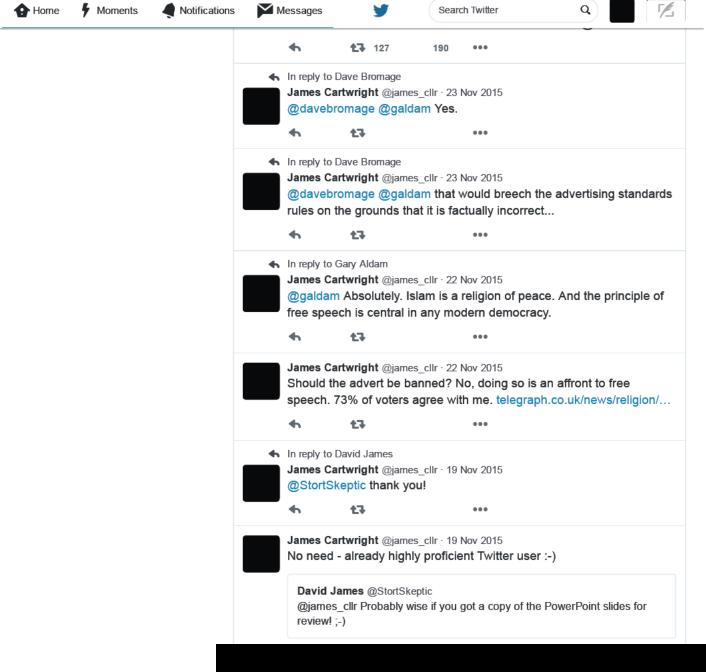


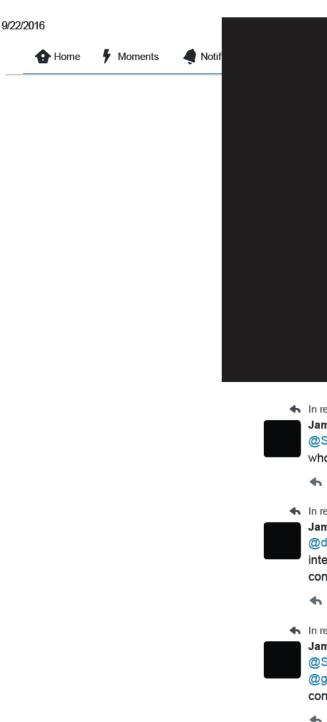


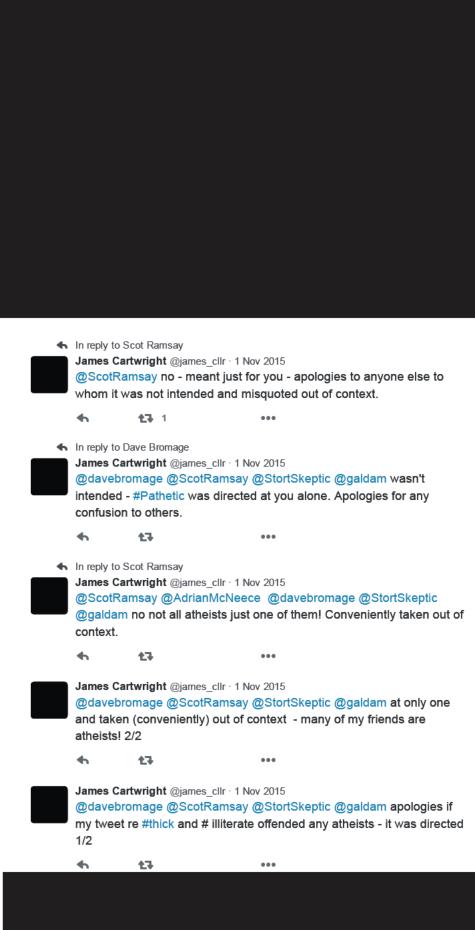








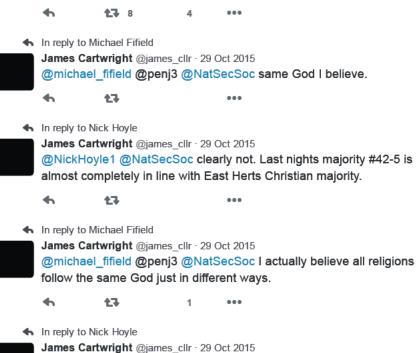




♠ Home

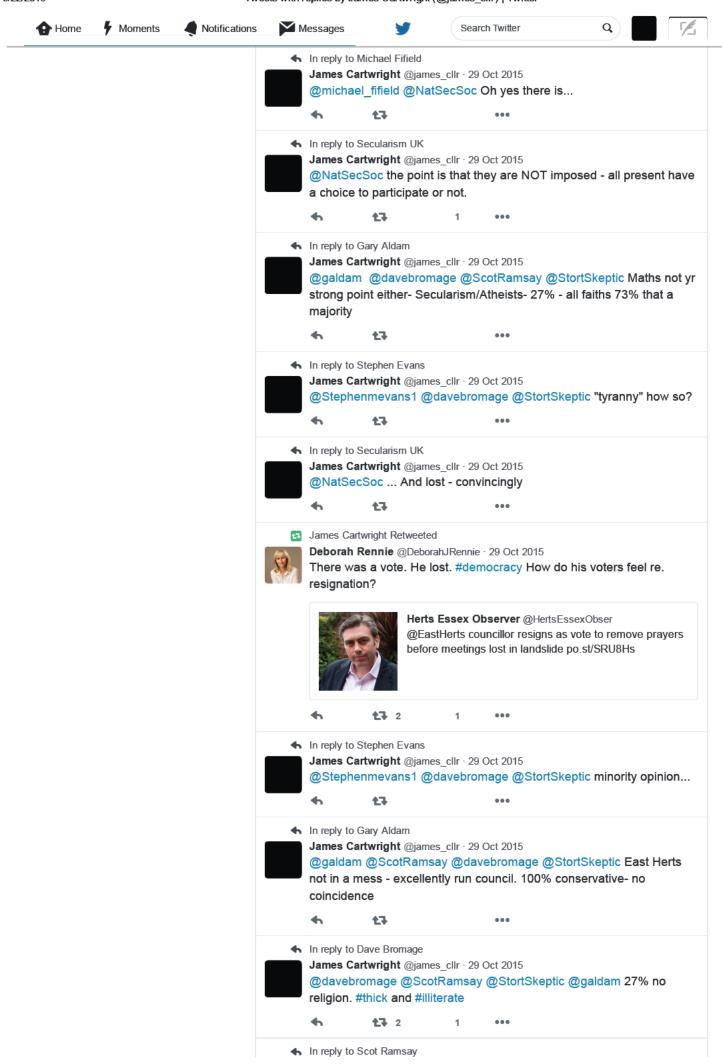
₱ Moments

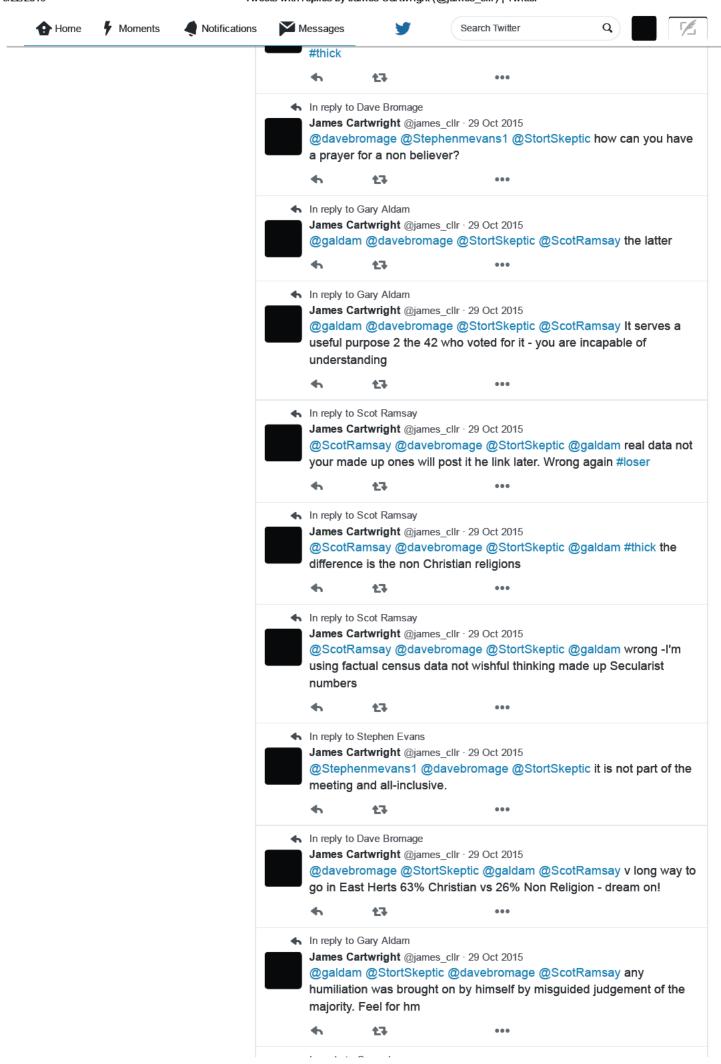


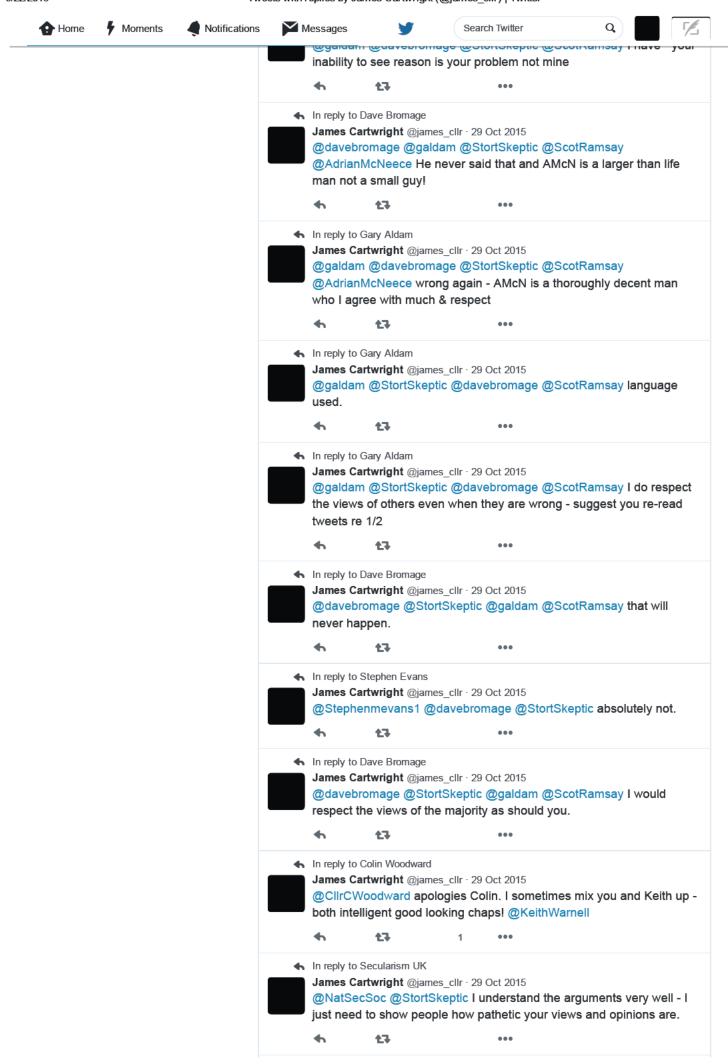


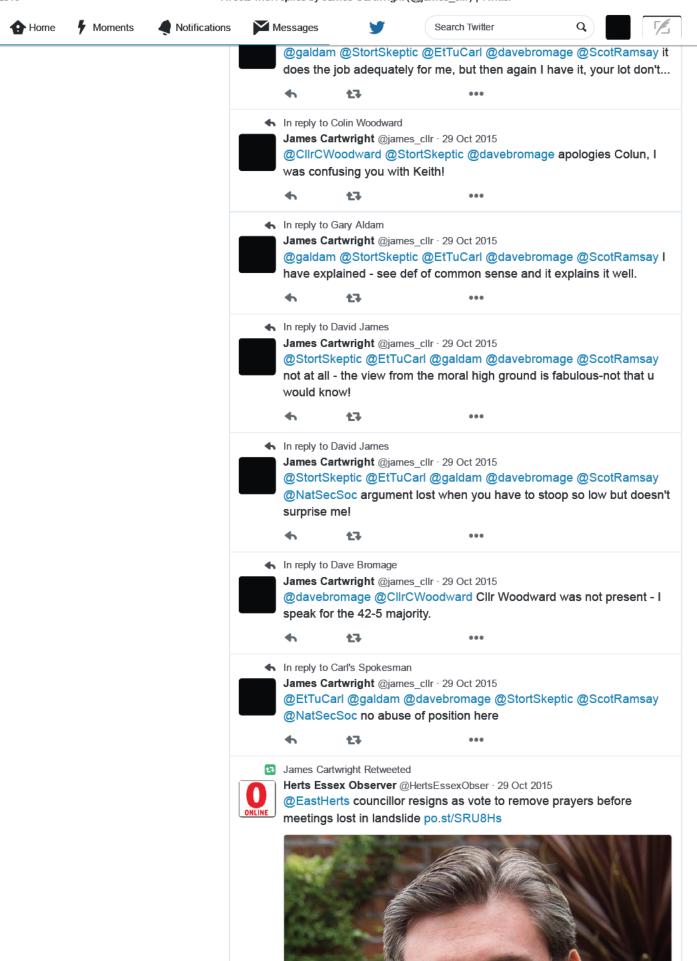
MickHovle1 MNatSecSoc very unreliable and unscientific data - the

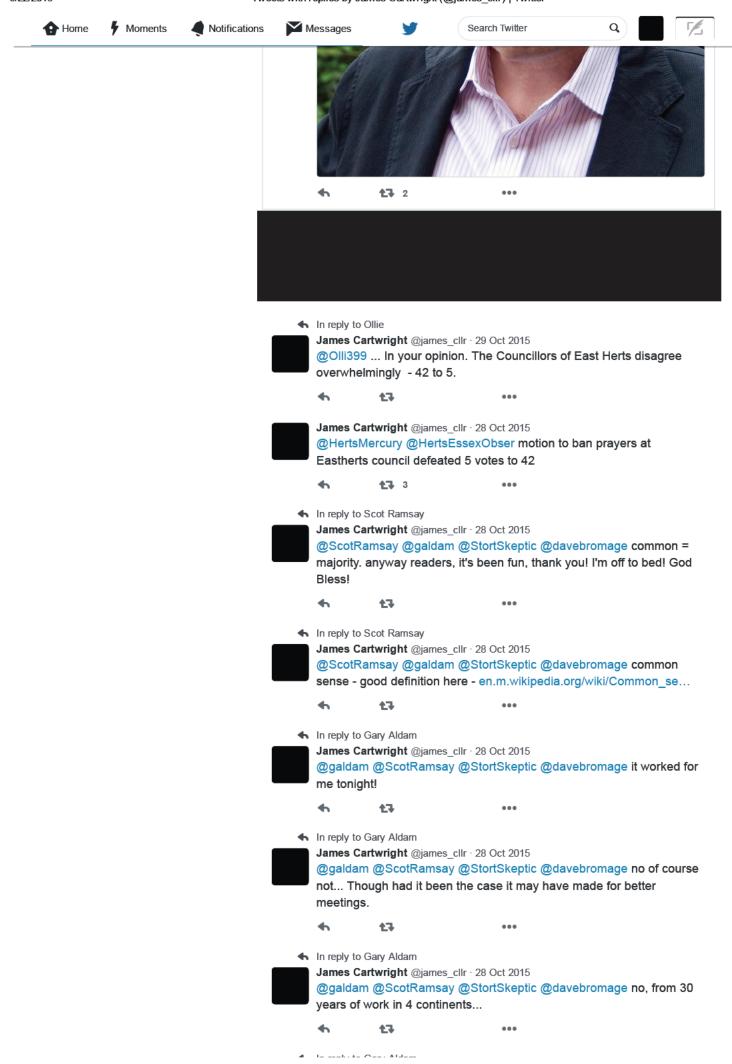


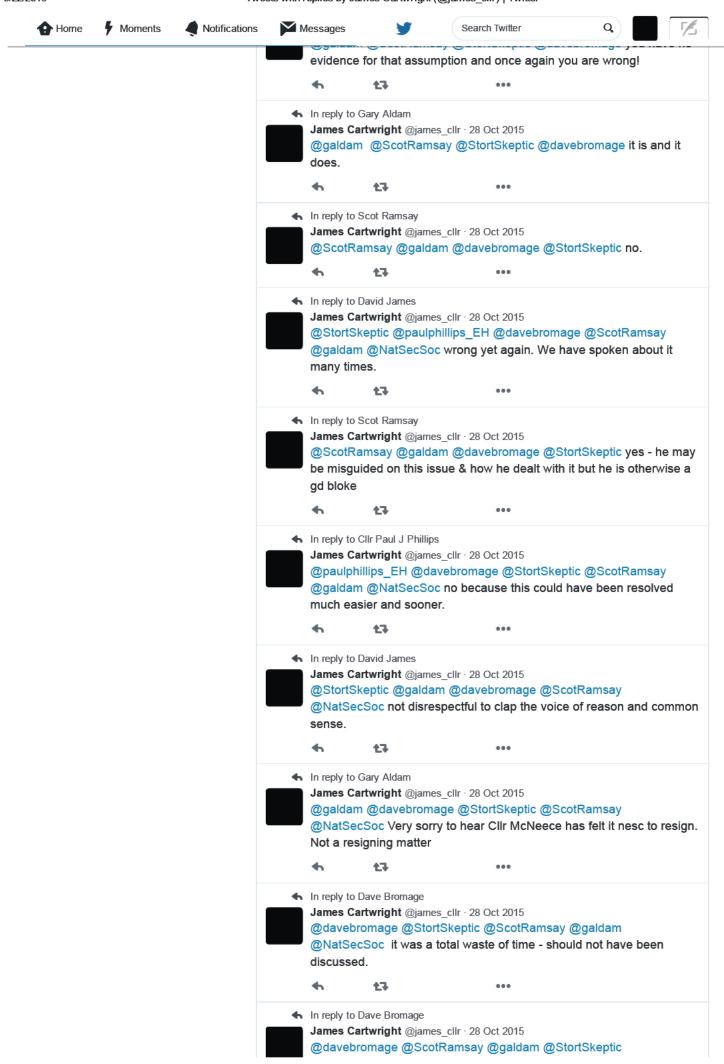


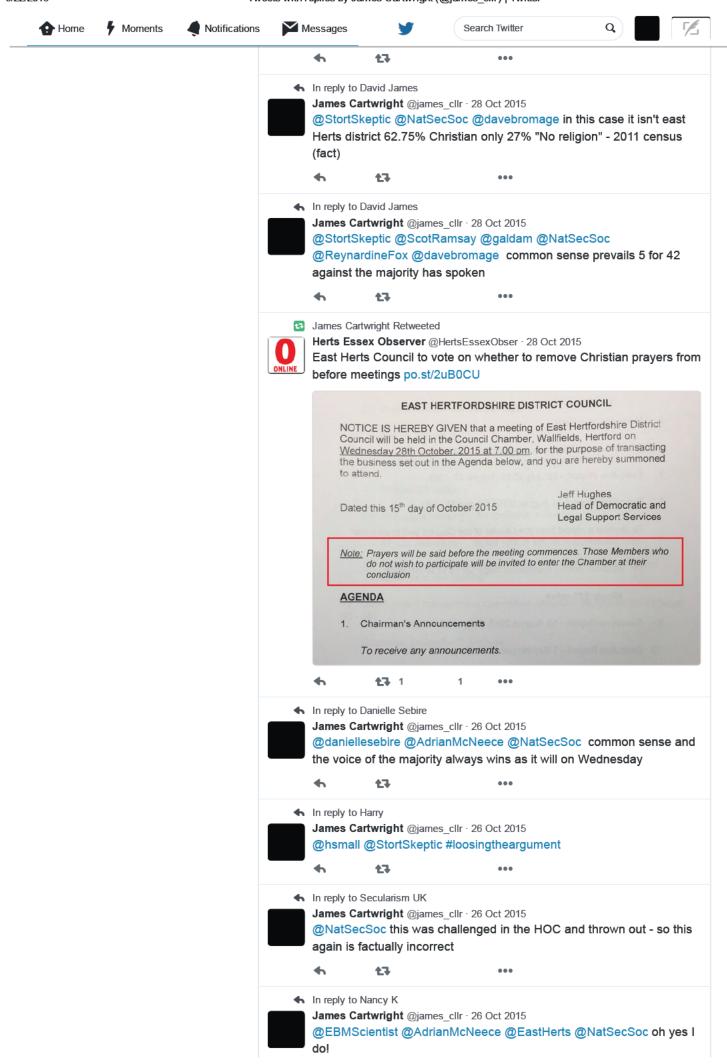


















TWEETS 227

FOLLOWING 92

FOLLOWERS 27

LIKES 433





James Cartwright @jamesfec

♀ Gilgil, Kenya

Joined March 2009

Tweet to James Cartwright

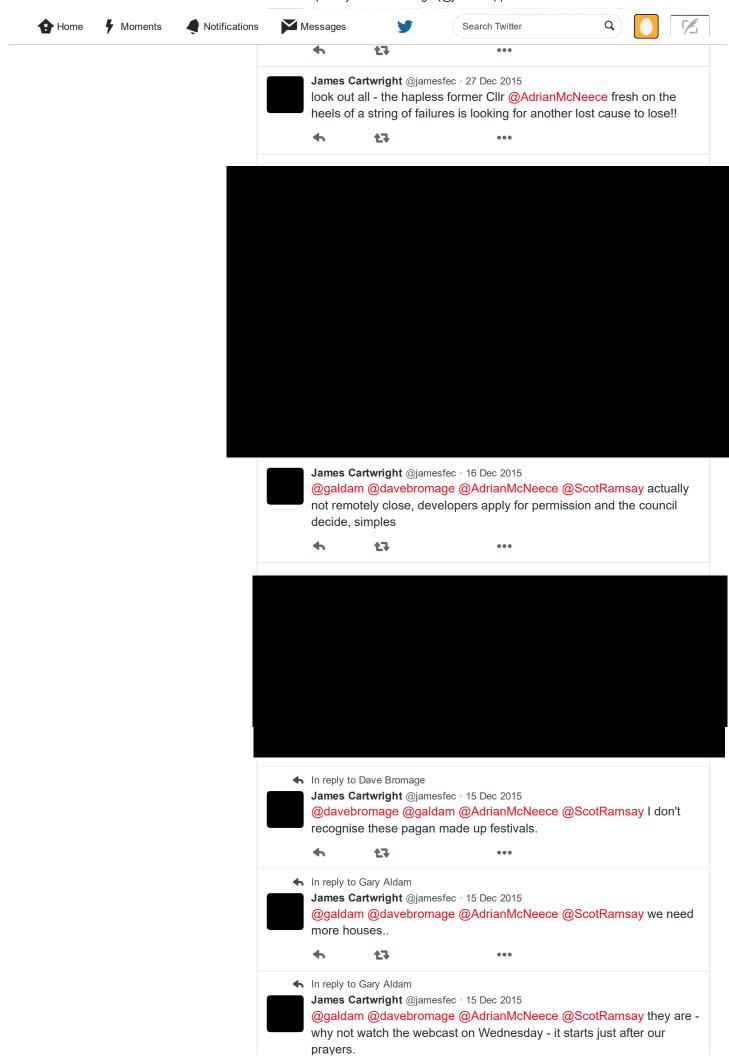
Photos and videos

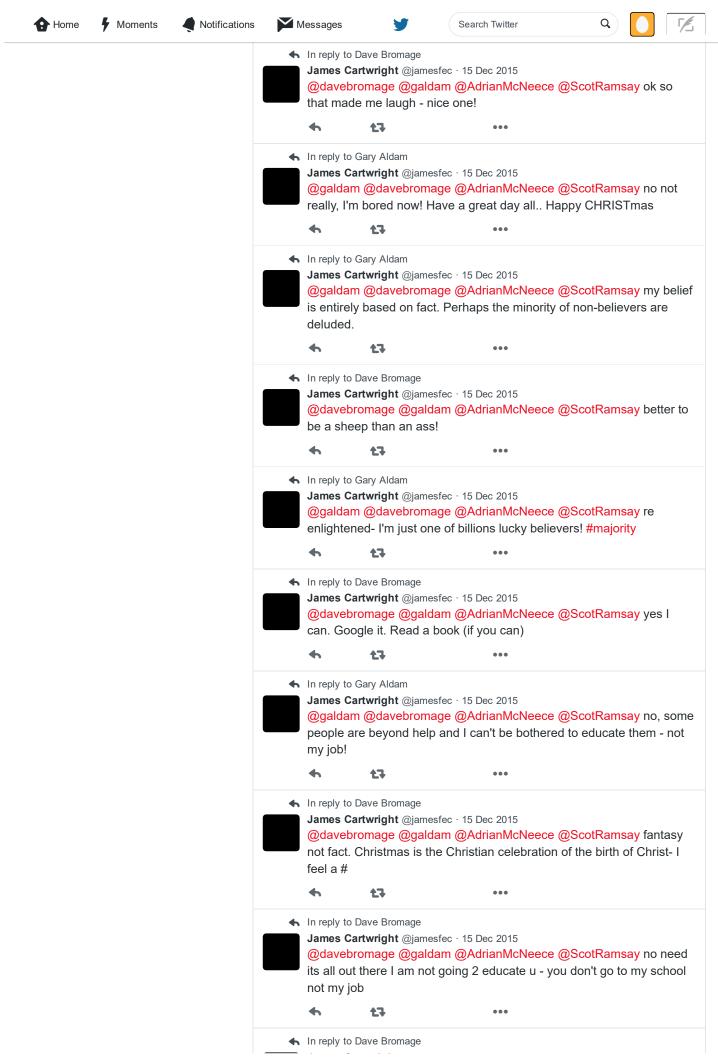


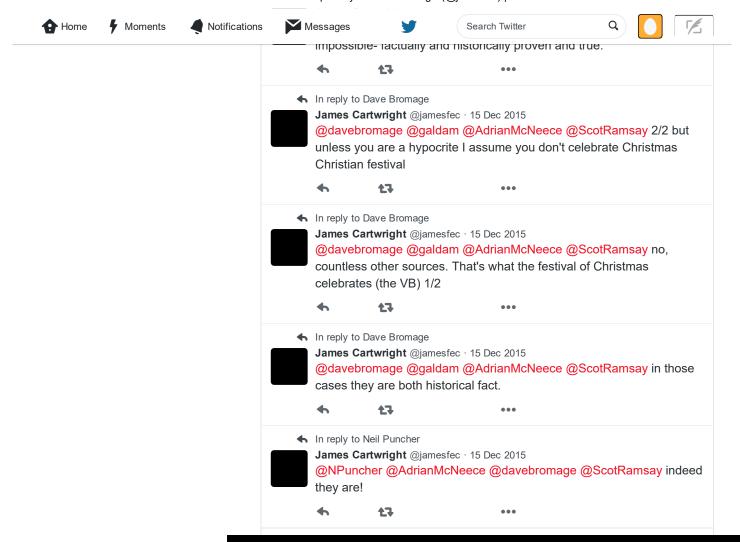












Annex C

iMessage Sun 27 Dec, 20:35

Ashamed? Not a bit of it pot calling kettle black! You
brought it all on yourself. I
continue to enjoy
overwhelming support.

Mon 28 Dec, 09:54

Pot calling kettle black? Astonishing. You have been publicly issuing insults since 29 October and someone needed to show you that you are accountable. That's imminent. I can assure you from several first hand accounts of East Herts councillors that they are dismayed at your ongoing irrational drunken outbursts on Twitter. Cllrs have told

shut up. It's you personally that is dragging down the reputation of the whole council. As for me I took a stand on principle on 28 October knowing I would lose. If I had stayed after losing I would not have been able to capitalise on the story as widely as I have. It's quite simply that important to me. I discussed my planned resignation weeks in advance of my motion, both with Cllr Haysey, and at constituency level with Charlie Rowley. I continue to act in the best interests of the voting public on an important matter of principle, in that religion should play no part in Government. Primarily because it operates along dogmatic lines and is based

will be found guilty of misconduct, and rightly so. You cannot insult and abuse members of the public as a councillor, and not expect to be accountable. Calling me 'hapless' from an alternate Twitter account yesterday is ironic, given its consequences. I think you should think more carefully before you take to Twitter in future. Also I have indeed sent further evidence to Jeff Hughes & Cllr Rutland-Barsby regarding your biased views on Twitter in relation to planning development matters. Goodbye

Nothing in there constitutes evidence - it's called national government housing policy. You are a sad deluded man

earned by his pathetic behaviour. I stand tall.

> I'm happy to have been able to bring out your personality to the voting public. Your use of ad Homs is just about your intellectual level.

I enjoy considerable public and council support unlike yourself. At least I have a personality and intellect. Go away and find yet another lost cause to champion - it is all you excel at!

Noted. Code of conduct complaint to follow.

Excellent - another lost cause!

Excellent - another lost cause!

Don't text me again

Wed 30 Dec, 13:15

Very much doubt that rarely anything of interest in there and no-one reads it anyway...

> You were asked not to text me again. Do not under any circumstances text me. Do not reply.

I reserve the right to text you at any time.

Police now notified

Delivered Page 93

No problem.