

NOTICE OF DECISION

TRIBUNAL REFERENCE NUMBER: APW/005/2021-022/CT

RESPONDENT: Councillor Perry Morgan

RELEVANT AUTHORITY: Abertillery and Llanhilleth Community Council

1. A Case Tribunal convened by the President of the Adjudication Panel for Wales has considered a reference in respect of the above Respondent.
2. By an e mail dated 2nd August 2021, the Adjudication Panel for Wales received a referral from the Public Services Ombudsman for Wales (“the Ombudsman”) in relation to allegations made against Councillor Perry Morgan. The allegations were that the Respondent Councillor Morgan had breached the Abertillery and Llanhilleth Code of Conduct (“the Code”).
3. The Case Tribunal made the following findings of fact;
 - i) Councillor Morgan ridiculed Councillor Lucas during the Council meeting on 30 October 2019 and made the following comments: *“I can say what I like about her, she can’t hear me anyway”* and *“there should be a law against having a disabled deaf woman here, what use is she going to be?”*
 - ii) Councillor Morgan ridiculed Councillor Lucas immediately after the Council meeting on 30 October 2019 and made the following comments: *“What you going to do? If I want to talk about you I will, you won’t hear it”*
 - iii) Councillor Morgan’s behaviour during Council meetings, specifically, talking across others and engaging in conversation with Councillor White, was a deliberate attempt to cause difficulty for Councillor Lucas.
 - iv) Councillor Morgan failed to engage with the Council’s microphone system, in a deliberate attempt to cause difficulty for Councillor Lucas.
 - v) Councillor Morgan put his hand over his mouth when speaking in a deliberate attempt to cause difficulty for Councillor Lucas who partly relied on lip reading.
 - vi) Councillor Morgan deliberately failed to engage with the Ombudsman’s investigation.

4. At a hearing on Wednesday 24th November, Thursday 2nd December 2021 and Thursday 20th January 2022 held remotely by Cloud Video Platform (CVP), the Case Tribunal found by unanimous decision that as a result of the findings of fact at paragraphs 3 (i) to (v) above, inclusive, that Councillor Morgan failed to comply with paragraphs 4(a), 4(b), 4(c) and 6(1)(a) of the Code.

4.1 Paragraph 4(a) of the Code states that you must carry out your duties and responsibilities with due regard to the principle that there should be equality of opportunity for all people, regardless of their gender, race, disability, sexual orientation, age or religion;

4.2 Paragraph 4(b) of the Code states that you must show respect and consideration for others;

4.3 Paragraph 4(c) of the Code states that you must not use bullying behaviour or harass any person.

4.4 Paragraph 6(1)(a) of the Code states that you must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.

5. The Case Tribunal found that, as per paragraph 3 (vi) above, Councillor Morgan deliberately failed to engage with the Ombudsman's investigation, in breach of paragraph 6 (2) of the Code which states that you must comply with any request of your authority's monitoring officer, or the Public Services Ombudsman for Wales, in connection with an investigation conducted in accordance with their respective statutory powers.

6. The Case Tribunal found by unanimous decision that Councillor Morgan should be suspended from acting as a member of Abertillery and Llanhilleth Community Council for a period of 10 months or, if shorter, the remainder of his term of office, with effect from the date of this notice.

7. Abertillery and Llanhilleth Community Council, Blaenau Gwent County Borough Council and its Standards Committee are notified accordingly.

8. The Respondent has the right to seek the leave of the High Court to appeal the above decision.

9. The Case Tribunal makes the following recommendations to the authority:

9.1 That Councillor Morgan undertake further training upon the Code of Conduct.

9.2 That Councillor Morgan undertake Equality and Diversity training.

9.3 That Councillor Morgan provide a full written apology to Councillor Beverley Lucas for the breaches of the Code of Conduct found by the Case Tribunal.

Signed.....*R. Payne*.....

Date 20th January 2022.

Richard Payne
Chairperson of the Case Tribunal

Glenda Jones
Panel Member

H. Eifion Jones
Panel Member