

Councillor T Davies – Sanctions submissions

1. Tribunal/ Standards committee have ultimate discretion re Sanction to impose
2. This is a low level breach of the code which arose from a Political dispute – sanction should reflect this
3. Suggest that appropriate to impose NO SANCTION, or A CENSURE
4. TD has suffered enough. This matter hanging over him for 2 years, and coupled with personal attacks in press.
5. If considered appropriate impose a low period of suspension – 1 to 2 months suspension at most for the following reasons;
6. P7 of the sanctions guidance asks Tribunal / committee to look at Fairness and the Public Interest as preliminary points- Is it Fair to suspend a hard working councilor with deep roots in the community, who received the clear endorsement of the community in being elected to the County Council in the full knowledge of constituents that TD was facing a standards complaint? How will depriving them of TD's representation at the Town Council be ' in the public interest' ?
7. Tribunal/ Standards committee should take full consideration of a members right of freedom of expression and the need for councillors to have ' broad shoulders' – calver case.
8. P9 / para 34 of the guidance – was this a serious breach ? No for the following reasons
 - a- Only one incident
 - b- No intention – heat of the moment matter, in a clearly political context
 - c- No previous breaches – exemplary conduct and public service
 - d- Relatively inexperienced
 - e- Lesser status to County Councillors – hard to accept TD bullied them
 - f- No far reaching consequences, other than arguably hurt feelings
9. Para 36 - Weighing seriousness of breach- it is at best a low level breach;
 - a. No deliberate deception, or seeking personal gain
 - b. No systematic harassment or bullying of a junior – indeed exact opposite – one off incident involving a county councillor
 - c. No breach of confidentiality
 - d. No significant reputational damage to TD or his office – indeed the opposite – TD was elected to County Council in May 2022
10. Para 37 – no breach of specific or authoritative advice. If conduct deemed discriminatory or bullying – it is at the very lightest end of such a spectrum
11. Para 39 – the Tribunal / committee should START it's consideration of a possible sanction with that of the least possible impact – clearly the case here for the reasons set out above

Finally , there are considerable mitigating circumstances addressed at Page 14

1. Relatively inexperienced member
2. Good previous record- without blemish
3. TD acting in good faith for his constituents following honestly held albeit mistaken views
4. Political issue first and foremost -regrets he didn't walk away- desire to stand up against what he perceived as bullying
- 5 Prepared to undertake further training

6 Acted in response to unreasonable provocation by others, including witnesses, and criminal elements who had attacked TD and wife on previous occasion