

REPORT OF AN INVESTIGATION INTO COMPLAINTS BY COUNCILLORS MOHAMMED IQBAL and WAYNE BLACKBURN AGAINST COUNCILLOR ROSEMARY CARROLL

Background

1. On 29th June 2017 I received complaints by e-mail from Councillors Wayne Blackburn and Mohammed Iqbal as follows:

Councillor Blackburn

It is with great sadness that I find myself having to make a complaint about any fellow Councillor, regardless of the Party they represent, however I feel I have no alternative given the seriousness of the post on social media.

Last night Councillor Rosemary Carroll posted the attached on her Facebook page. I am deeply concerned at the post, considering it to be both racist and highly offensive. I am shocked that a Councillor of her stature –remembering that she was, up to a couple of months ago, the Mayor of Pendle and representing everyone in the Borough – would post such a vile “joke” on her page. I also understand that both local and national press have picked up on this story, bringing our Council into disrepute.

I believe that this breaks the Councillor Code of Conduct and I ask that this be investigated fully. I am very sad to have to do this as I held Cllr Carroll in high regard, but I believe we have no choice but to investigate and sanction for this kind of post where needed.

Councillor Iqbal

I have been approached by members of the public regarding a highly offensive and allegedly racist Facebook posting shared by Cllr Rosemary Carroll on her Facebook page.

I have attached the screenshots which clearly show Cllr Carrol sharing a post of Sean Wood in which it clearly makes offensive comments.

I am writing to seek an investigation as to whether or not Cllr Carroll has broken the Code of Conduct for Councillors in particular:

- You must always treat people with respect, including the organisations and public you engage with and those you work alongside
- You must promote and support high standards of conduct when serving in your public post, in particular by leadership and example

I would say that Cllr Carroll by sharing the social media post agrees with the contents of it and as a senior Councillor within the Conservative group and a former first citizen of the Borough displayed a clear lack of judgement by taking such action.

(Attached to both e-mails were screenshots of the post).

2. On the same day I was informed by Councillor Cooney, the Leader of the Conservative Group on the Council, that Councillor Carroll had been suspended from the Group and also from the national party pending an investigation.
3. In accordance with the Council protocol on complaints against councillors I wrote to Councillor Carroll with details of the complaints, asking for her comments to help me

decide what action if any I should take on the complaint.

4. On 10th July I informed the complainants and Councillor Carroll that I had decided that I should carry out an investigation of the complaint. I stressed that this should not be taken to imply that at that stage I had come to any view as to whether there had been a breach of the Code of Conduct. However I felt the complaint was a serious matter which had attracted considerable controversy and I considered it was in the public interest that it was investigated fully.
5. I also discussed the complaint briefly with the Council's Independent Person, Pat Higginbottom.

The Investigation

6. The post in question reads as follows:

I took my dog to the dole office to see what he was entitled to. The bloke behind the counter said, "You idiot, we don't give benefits to dogs." I argued, "Why not? He's brown, he stinks, he's never worked a fucking day in his life & he can't speak a fucking word of English." The man replied, "His first payment will be on Monday."

7. It was posted by someone called Sean Wood. Councillor Carroll shared it with other Facebook members. It appears to have been on her Facebook page at least overnight and was seen by a number of Facebook users who reacted angrily to it. Three complaints were made direct to the Council via its website in addition to the complaints made to Councillor Iqbal, and Councillor Iqbal's and Councillor Blackburn's own formal complaints under the Councillor Code of Conduct.
8. It immediately attracted the attention of the national, regional and local media.
9. The following is a summary of my interview of Councillor Carroll.

She referred me to the public apology she made which appeared in the Lancashire Evening Telegraph on 30th June which reads:

"I would like to make it clear I was not the author of this post and I intended to delete it not share it.

I am utterly disgusted with myself that I messed up and would like to apologise to anyone whose feelings I offended. I am not a racist and have never held racist views. At this moment I am not intending to resign from the council and hope this apology will suffice."

She says she had never heard of Sean Wood and is unsure how the post appeared on her page. She says she is not a regular user of Facebook and is not very familiar with how to use it. She wondered whether her security settings were correct and mentioned it being hacked some months previously. She says that when she mistakenly posted it, it did not appear on her husband's or a councillor colleague's Facebook pages which she would have expected. She has since terminated her Facebook account.

She also says that if she was a so called racist she would never have gone to various Asian events during her time as Mayor and could have quite easily refused to go to any of them,

without causing offence.

Nevertheless she accepts responsibility that it was shared with other users and reiterates her apology.

10. The following is a summary of my interview of Councillor Iqbal:-

He reaffirmed the content of his complaint as set out above.

He says that he had read Councillor Carroll's apology in the Lancashire Evening Telegraph and also referred me to an article which appears to be an interview with her in the Daily Mirror on 30th June.

He was sceptical of her claim that she had meant to delete it. He says that only the poster can delete a post and as sharing a post requires two clicks it requires some conscious effort and is not likely to be done accidentally.

11. The following is a summary of my interview of Councillor Blackburn:-

He reaffirmed the content of his complaint as set out above.

He reiterated that he found the post made by Councillor Carroll to be "inappropriate, distasteful and, frankly, unbecoming" of a Councillor for this Council. Her subsequent 'excuses' that she "intended to delete the post" only compounded this problem, especially as in his view "these excuses were blatantly untrue and demonstrably inaccurate".

He is of the opinion that this was such a breach of the Council's Code of Conduct that he must reiterate his call for her to be removed from Pendle Borough Council. He says her post was offensive to many of our residents and anything less than her being removed may be seen as an endorsement of these views.

He considers Councillors have a duty to ensure that social media posts are appropriate, and "she has most certainly failed in that regard".

The Member Code of Conduct

12. The Code contains the following principles relating to the conduct of councillors which are relevant here:

You shall have regard to the following principles – selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

You must always treat people with respect, including the organisations and public you engage with and those you work alongside.

You must promote and support high standards of conduct when serving in your public post, in particular ...by leadership and example.

Conclusions and Findings

13. I consider the post to be derogatory and insulting to benefits claimants, and also racist.
14. I also consider that a councillor who allows such an inappropriate post to stand on their Facebook page or passes it on to other users is acting in breach of the Council's Code of Conduct. In my view it is a failure to treat people with respect and falls short of the high standards of leadership and example expected of all councillors. This is even more the case when the councillor holds or has held high office.
15. Councillor Carroll says she shared it unwittingly, intending to delete it. I have asked several colleague Facebook users whether this is possible but all have told me that Facebook does not work in this way. It is not possible to delete another's post – you can only Like, Share or Comment. You can also Hide it (which you might well do if you consider it offensive or inappropriate) so that it does not appear on your newsfeed.
16. Whether the sharing was intentional or in error my view is that a councillor who uses Facebook must ensure that they are able to use it competently. Social media is fundamentally about sharing content and creating conversations. It is also very transparent. Councillors are encouraged to use it. As a councillor and former Mayor, Councillor Carroll's Facebook pages will be viewed by many other users and inappropriate content compromises her position as a councillor.
17. **My finding is that there is sufficient evidence of a failure to comply with the Code of Conduct.**
18. The Council's protocol on dealing with complaints under the Code of Conduct requires me where I make such a finding to consider whether the matter is capable of Local Resolution. I do not consider it is capable of Local Resolution. I note Councillor Carroll's apology and acceptance of responsibility which appeared in the press but in view of the national publicity and reputational damage which ensued I consider this report should be considered by a Hearings Panel of the Council.

PHILIP MOUSDALE
MONITORING OFFICER
2nd AUGUST 2017