

Panel Dyfarnu Cymru Adjudication Panel for Wales

NOTICE OF DECISION

TRIBUNAL REFERENCE NUMBER: APW/002/2016-017/CT

RESPONDENT: Councillor Neil McEvoy

RELEVANT AUTHORITY: Cardiff 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. In a letter dated 9 November 2016 the Adjudication Panel for Wales received a referral from the Public Services Ombudsman for Wales ("the Ombudsman") in relation to allegations made against Cllr McEvoy. The allegations were that Cllr McEvoy had breached Cardiff Council Code of Conduct by way of his conduct towards an officer of the council following a court hearing at the Cardiff Civil and Family Justice Centre on 23 July 2015.
4. At a hearing on Thursday 2 and Friday 3 March 2017 at the Cardiff and the Vale Magistrates Court, the Case Tribunal found by unanimous decision that Cllr McEvoy failed to comply with Cardiff Council's Code of Conduct as follows:
 - 4.1 Paragraph 4(b) of the Code of Conduct states that [You must] show respect and consideration for others.
 - 4.2 The Case Tribunal found that Cllr McEvoy breached this paragraph by directing the words "I can't wait until May 2017 when the restructure of the Council happens" to Mrs Deborah Carter, a finance team manager of Cardiff Council in a manner designed to upset her and cause her to be afraid her job was at risk while she was performing her duties on behalf of the Council.
 - 4.3 Paragraph 4(c) of the Code of Conduct states that [You must] not use bullying behaviour or harass any person.
 - 4.4 The Case Tribunal found that Cllr McEvoy had bullied Mrs Carter, but not harassed her, when behaving as outlined above.
 - 4.5 The Case Tribunal found that Cllr McEvoy had not breached Paragraph 6.1 (a) of the Code of Conduct, in that his conduct did not bring his office or authority into disrepute.
5. The Case Tribunal decided by unanimous decision that Cllr McEvoy should be suspended from acting as a member of Cardiff Council for a period of one month with effect from the date of this notice.
6. Cardiff Council and its Standards Committee are notified accordingly.

(CT12)

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

Signed..... 

Date..... 3.3.17

Claire Sharp
Chairperson of the Case Tribunal

Susan Hurds
Panel Member

Glenda Jones
Panel Member