Response to Code of Conduct decision against Cllr. Da Costa by Cllr. Lynne Jones

Para. 6, Appendix 4 of Part7A, RBWM Constitution.

As Leader of the Opposition I am concerned that the decision was reached without considering all the facts and that Cllr Da Costa's request for legal consult was not facilitated.

1. Cllr Dudley posted the comments regarding the previous decision notice on social media, with a link to the decision notice therefore putting all the details included in the notice into the public arena. He also included the Twitter name @wisdomdacosta and in doing so ensured that not only did the tweet appear on his own 'feed' but that of Cllr Da Costa. This necessitated Cllr Da Costa explaining to his own 'followers' what had happened.

The second complaint, appears to me, to be unfounded as Cllr Da Costa quoted from the decision notice (that Cllr Dudley had put on the public forum) and admitted that he had been wrong.

It seems from the documentation I have seen (recently) that Cllr Dudley, when submitting the second complaint, decided to truncate Cllr Da Costa's post and had not included the paragraph where Cllr Da Costa admitted his mistake. I am therefore unsure of whether, in coming to the decision, all facts were considered.

2. Cllr Da Costa requested legal consult but was refused as it was decided it wasn't necessary.

 The constitution states:

 b. Legal Support: The Council will provide reasonable financial support to allow Subject Members to seek any reasonable legal advice to defend (i) proceedings for criminal acts alleged as part of your role as Councillor, or (ii) any allegation of a breach of the Code of Conduct. Subject Members will be required to sign an agreement with regard to legal support before engaging any legal support.

 Cllr Da Costa requested legal advice in defence of an allegation of a breach of the code of conduct.

 Unless these issues are resolved I do not feel I am able to consider any action against Cllr Da Costa.

Cllr. Lynne Jones

2nd November 2018