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| City of York Council Standards Committee |  |
| Pre Hearing checklist | |
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| Complainant | |
| Subject Member | Councillor |
| Investigating Officer | |
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| Do you intend to attend the proposed hearing to give evidence or make representations | |
| Yes/No Yes | |
| Do you wish to be represented at the hearing by a solicitor, barrister or another person.¹ | |
| Yes/No Yes | |
| If so by who? | |
| <i>Name of representative and capacity in which they act: e.g. solicitor, friend, fellow Councillor</i> Councillor Chris Brack | |
| Do you wish the whole or any part of the hearing to be in private? | |
| Yes/No No, I welcome the opportunity to have the media present. | |
| If yes please explain why² | |
| Do you wish any part of the Investigating Officer's report or other relevant documents to be withheld from the public? | |
| Yes/No | |

¹ Although there has to be a degree of formality to the proceedings of the committee it will be unusual for subject members to be represented. The procedure is not adversarial. The Committee will act in an inquisitorial manner to ensure that the circumstances of the case are fully understood.

² The Standards Committee's general position is that hearings should be held in public and that documents should be publicly available in advance of the meeting. However, there may be circumstances in which fairness to individuals dictates and the provisions of schedule 12A to the Local Government Act 1972 allow, information to be considered in private. The Council's proper officer will determine whether papers should be publicly available and the Hearing Sub Committee will determine whether the meeting or any part of it should be in private.

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| No, again, I welcome the opportunity of the media to have access to all documents. |
| If yes please explain why³ |
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| Do you disagree with any of the <u>facts</u> found by the investigating officer as set out in his her report? |
| <i>Yes/No Yes</i> |
| If yes please set out briefly the facts that you dispute and your view as to the true factual position |
| <p>The whole process is flawed and biased against me. There are numerous facts that are incorrect, which will be highlighted at the hearing. The list below is not exhaustive: -</p> <p>I asked for seven witnesses to be interviewed as part of the investigation, this request was refused outright, despite my protests. Therefore, I believe I was treated unfairly.</p> <p>Mrs Hales complaint is full of allegations which have not been proven and have no evidence to support them. EG: Continual Harassment from Mr Hardcastle, where are the times and dates? Why was she not challenged on this?</p> <p>Mrs Hales neglected to inform in her complaint that she and a fellow councillor, [REDACTED] were re-elected in August 2019 (at the expense of CYC), only then for all three to resign and not take up their posts, citing various reasons. A fourth person [REDACTED] did get elected and did take up his post of Councillor and is still a member of the Council.</p> <p>Mrs Hale states in her complaint ‘this application was blocked by Mr Hardcastle and he continued to refuse my application due to his personal animosity towards me.’ Where is the evidence I blocked her application?</p> <p>Mrs Hales quite specific allegation against me is that I blocked her</p> |

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application. However, the investigation refers, and states quite incorrectly that the allegation is that I delayed her application. Therefore, the whole investigation has not been carried out on the specific allegation stated in the complaint. Notwithstanding, there is no evidence whatsoever that I have blocked her application.

Do you believe that witnesses should be called to the Hearing

Yes/No

If yes please identify the witnesses who you wish to be called and briefly identify the issues that they will be able to give evidence about⁴

Chris Brack, Alan Henshall, Jeanne Fletcher, Ian Chambers. They all want to have an opportunity to give evidence that support my claims and give exact times and dates of all events in relation to the allegation against me. An opportunity that was denied them by the investigator.

⁴ The Monitoring Officer and Chair will consider whether any witnesses you name are likely to be able to give evidence which will be of value to the Hearing Panel. If they are then those witnesses will be invited to attend. The Panel cannot compel the attendance of any witness.

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