

## COMPLAINT AGAINST CLLR CHRISY MORRIS

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### INVESTIGATION REPORT

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#### Introduction

1. I have been appointed as an independent investigator by the Monitoring Officer of Maldon District Council (“the Council”) to investigate two complaints submitted by the Council’s Corporate Leadership Team against Cllr Chrisy Morris. I am a self-employed barrister specialising in local government law and am an experienced investigator of complaints against councillors.

#### The complaints

2. There are two complaints against Cllr Morris. The first complaint was submitted collectively by the Council’s Corporate Leadership Team (“CLT”) on 11 June 2021. This complaint alleges that Cllr Morris has bullied Council staff generally, but the focus of the complaint is a “*targeted campaign*” of “*sustained vindictive behaviour*” towards one officer in particular.
3. The second complaint was submitted by each member of the CLT individually between 14-15 June 2021. Each of the officers made the same allegation against Cllr Morris: he had behaved in a bullying and aggressive manner towards a member of the CLT at a committee meeting on 10 June 2021 and posted a video of the incident on his Facebook page.
4. Both complaints were referred to Cllr Morris for his initial comment. He rejected the allegations and described two members of the CLT as, respectively, a “*snowflake*” and a “*liar and a scoundrel*”.
5. Having consulted with the Council’s Independent Person, the Monitoring Officer decided that the complaints justified a formal investigation to be conducted by an external investigator.

#### The Code of Conduct

6. By law, the Council is obliged to promote and maintain “*high standards of conduct*” by members of the Council.<sup>1</sup> To that end, the Council is under a duty to adopt “*a code dealing*

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<sup>1</sup> section 27(1) of the Localism Act 2011

*with the conduct that is expected of members ... of the authority when they are acting in that capacity.*<sup>2</sup>

7. Accordingly, the Council has adopted a Local Code of Conduct (“the Code”). The Code states that it applies to all members of the Council and that it will apply:

*“... whenever you conduct the business of your authority (which includes the business of the office to which you are elected ...) or act, claim to act or give the impression you are acting as a representative of your authority.”*

8. The Code contains both general and specific obligations. The general obligations are to comply with seven principles of public life (the “Nolan principles”; paragraph 3.1), and include (so far as relevant to this investigation) honesty, integrity and accountability. The specific obligations which are relevant to this investigation are as follows:

3.2 *You must treat others with respect*

3.5 *You must not:*

(b) *bully any person*<sup>3</sup>

(c) *intimidate or attempt to intimidate any person who is or is likely to be:*

(i) *a complainant;*

(ii) *a witness; or*

(iii) *involved in the administration of any investigation or proceedings.*

(e) *conduct yourself in a manner which could reasonably be regarded as bringing your office or the Authority into disrepute*

9. Cllr Morris told me that the Code does not apply to him because it is a contract and he has not signed it. This is clearly wrong. The Code is a statutory document which applies to all members without exception. It is not a contract and there is no requirement that members “sign” it.

<sup>2</sup> section 27(2) of the 2011 Act

<sup>3</sup> a more detailed explanation of “bullying” is provided in an endnote to the Code. It is said to include “*offensive, intimidating, malicious or insulting behaviour [and] an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient*”.

10. Cllr Morris also told me that the Code does not apply to any of his activity on his personal Facebook page.<sup>4</sup> This is also clearly wrong. While it is true that the Code does not apply to everything a councillor does – and does not apply to anything done in a purely private capacity – it will apply to any posts on Facebook in which Cllr Morris appears to be acting in his capacity as a councillor, regardless of the account he happens to be using. This is obviously true of the many posts on his personal Facebook page in which he comments on Council business, posts videos of himself in Council meeting rooms and posts on-going commentary about this investigation.

#### Investigation process

11. I held a long interview with Cllr Morris in the Council's offices on 8 July 2021. At Cllr Morris' insistence, Cllr Wendy Stamp attended that interview but I did not ask her any questions at that time. I interviewed Cllr Stamp over Microsoft Teams separately on 12 July 2021. I also interviewed the following Council officers also over Microsoft Teams:

- (a) Richard Holmes, Director of Service Delivery and Head of Paid Service;
- (b) Chris Leslie, Director of Resources;
- (c) Paul Dodson, Director of Strategy, Performance and Governance<sup>5</sup>; and
- (d) Cheryl Hughes, Programmes, Performance and Governance Manager.

12. I have also watched recordings of various Council meetings which are relevant to this investigation. I have reviewed Cllr Morris' recent Facebook activity on both his "Councillor Chrisy Morris" and "Chrisy Morris" pages, both of which are publicly accessible.

13. Having completed my investigation, I report my findings below under the following headings:

- (a) Cllr Morris' behaviour towards Cheryl Hughes;
- (b) his behaviour towards Paul Dodson;
- (c) his behaviour during this investigation.

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<sup>4</sup> Cllr Morris has two Facebook pages, both of which are publicly accessible. One is operated under the name "Councillor Chrisy Morris"; his personal page is operated under the name "Chrisy Morris"

<sup>5</sup> Mr Holmes, Mr Leslie and Mr Dodson are the three members of the CLT

14. On 13 July 2021, I circulated a confidential draft version of this report to Cllr Morris, the complainants, Cllr Stamp and Ms Hughes for comment. Cllr Morris offered no substantive response to the draft but did describe the report as “*twaddle*”.

#### Cllr Morris’ behaviour towards Cheryl Hughes

15. Cheryl Hughes is a senior manager of the Council and has overall responsibility for committee services, which brings her into regular contact with councillors. Overall, I found Ms Hughes to be a credible witness who takes seriously her responsibilities to assist councillors to do their jobs and to look after the officers in her team. The CLT officers described her as a well-informed, respected employee and I have no reason to doubt that description.

16. This aspect of the complaint relates primarily to five incidents, which are described in turn below.

#### *Phone call on 22 April 2021*

17. Since May 2021, the law has required that all Council meetings must take place in person. The Council had begun preparing for the return to in-person meetings in April. A working group led by Ms Hughes – which included the Council’s lead specialist officers for public health and legal – collaborated on the preparation of a report for Council to decide on a package of social distancing measures to protect the health and safety of both councillors and officers attending in-person meetings. The working group’s task was to interpret guidance issued by the government and make recommendations to Council accordingly. Ultimately, however, the decision on what arrangements to adopt rested with councillors. On 22 April 2021, the report – “Future Committee Option Reviews” – was circulated to members.
18. Ms Hughes’ name appeared on the report as the officer to whom members should refer any questions. Cllr Morris phoned Ms Hughes on or around 22 April 2021. He explained to me that he was concerned about the requirements for members to wear masks and take lateral flow tests before meetings, which he believed to be unlawful. Ms Hughes’ account of the call, which I accept as accurate, is that Cllr Morris was irate, threatening and condescending. Cllr Morris shouted at her and told her that she needed to remove these proposals from the report. Ms Hughes said she felt shaken by this call and that she had never experienced this kind of behaviour in many years working in local government.

19. Cllr Morris denied that he had been aggressive on the phone to Ms Hughes. However, he also told me that it was not possible to be aggressive over the phone and that he defined “aggressive” as making threats of physical harm. For obvious reasons, I do not accept either his definition or his denial as credible and therefore I find that he did behave aggressively towards Ms Hughes on this occasion.

*Extraordinary meeting of Council on 29 April 2021*

20. An extraordinary meeting of Council took place remotely on 29 April 2021 for the purpose of discussing the proposals put forward in the working group’s report. Ms Hughes dialled into that meeting in order to assist councillors and her fellow officers. The report was presented by Mr Dodson. When the motion had been put, Cllr Morris was one of the first councillors to contribute to the debate. While raising legitimate concerns about some of the proposed measures, his contribution was unfairly framed as a personal attack on Ms Hughes:

*“Right, OK, let’s cut to the chase then, guys. If we can please go to [paragraph] 3.10.8 [of the report]. Now, I do believe that the author of this report, Cheryl Hughes, is actually in the meeting, so this is going to be a question for Cheryl Hughes. Basically, you have stated that anyone that doesn’t agree to a medical procedure being done to them should be seen to have acted with a disorderly conduct. So are you saying that refusing a medical procedure would be disorderly conduct? I did try to speak to Cheryl Hughes about this previously, and guess what, I’m now not allowed to speak to any of the staff. The officers seem to be running this Council. So I would ask the author of the report, Cheryl Hughes –”*

21. Ms Hughes said she was shaking when she heard her name brought up again and again and messaged Mr Dodson to explain that she did not feel comfortable in answering the question.
22. In my opinion, there was simply no need for Cllr Morris to personalise his contribution in this way. As Ms Hughes pointed out to me, in preparing the report, she and her colleagues on the working group were trying to assist councillors to make a decision by interpreting government guidance for them. If Cllr Morris disagreed with any of the proposals made in the report, it was for him to persuade his fellow councillors during the debate; he was not debating with officers who have no right of reply. It was unfair to single out Ms Hughes for criticism in this way, especially in such a public forum.
23. Ultimately, following a lengthy debate, an overwhelming majority of councillors adopted the recommendations made in the report. Importantly for this investigation, that included the following measure:

*“Non-Committee members should watch the meeting via YouTube, and if they have pre-arranged with the Chairman to ask a question, this will be done via Microsoft (MS) Teams and projected to a TV in the room.”*

*Statutory annual meeting of Council on 20 May 2021*

24. The statutory annual meeting of Council took place at Maldon Football Club on 20 May 2021. Councillors were instructed, on at least two occasions, to arrive at the venue by 9.30am for a 10am start. However, Cllr Morris arrived around 8.15am. According to Ms Hughes’ account (which I accept as accurate), she intercepted Cllr Morris at the door to explain that officers were working to set up the meeting room and asked whether he could come back later. Cllr Morris refused, shouted at Ms Hughes and thrust his phone in her face, as if he was filming the incident. Cllr Morris then took up a position in the middle of the meeting room and proceeded to wander around and in and out of the room, taking phone calls, having arguments and watching videos on loudspeaker.
25. This behaviour showed blatant disrespect for all of the officers who were working hard to set up this very important meeting for the benefit of councillors. It left Ms Hughes feeling undermined in front of her team. Ms Hughes emphasised that many members of her team felt real anxiety about the return to in-person meetings and that Cllr Morris’ deliberately disruptive behaviour unsettled all of the officers present. Both Mr Holmes and Mr Dodson also witnessed Cllr Morris’ behaviour (albeit they were not present for the entirety of the incident) and both noted the tension in the room.

*Facebook post on 21 May 2021*

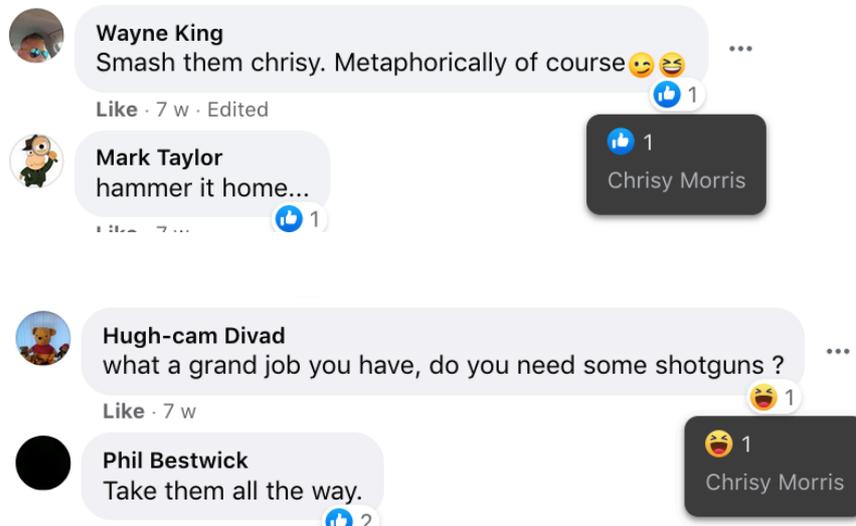
26. On 21 May 2021, Cllr Morris published a [post](#) on his Facebook page in which he described the Council as a “*shower of sh\*t*” and described his fellow councillors as

*“...mostly donkeys and sloth’s ... that are manipulated by the shadow workers that even when the puppets change, always pull the strings.*

*These shadow workers have had in their own way for so long, they believe they can do what they like. Let me give an example ...*

*I get a report from an officer that's full of holes and on it says to contact her if I have any enquiries, so I did. It becomes apparent she hasn't got a clue and calls me condescending when I try to walk her through it - I'd rather do it privately than in a public meeting. Then I get told no staff will speak to me for a month ! They haven't even spoken to me about it, absolute jokers. ...”*

27. This post makes grave but entirely unfounded allegations against Council officers and continues the campaign against Ms Hughes (albeit without naming her). I note that, among the many comments responding to that post, Cllr Morris “liked” two which had clear suggestions of violence:



*North Western Area Planning Committee meeting on 25 May 2021*

28. On 25 May 2021, Cllr Morris turned up to a meeting of the North Western Area Planning Committee, of which he was not a member – despite Council having determined that non-committee members should not attend meetings in person. This was the first in-person committee meeting to take place in the Council chamber under the new arrangements and Ms Hughes (whose account of this incident I accept) was there to support her team. As she explained to me, her role as an officer is to work to decisions of Council. Therefore, when Cllr Morris arrived at the meeting, she attempted politely to turn him away. Again, Cllr Morris shouted at her in front of officers that she could not tell him what to do. Cllr Morris remained present throughout the meeting.

*Conclusion on Cllr Morris' behaviour towards Ms Hughes*

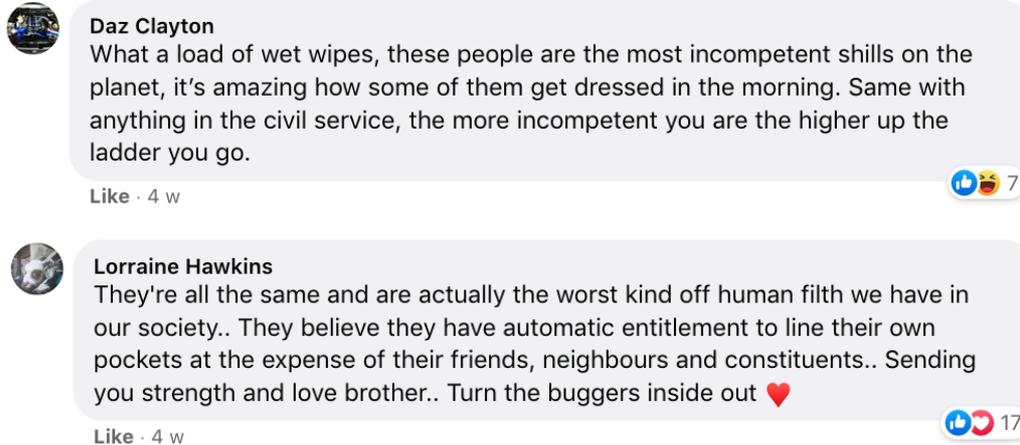
29. Taken together, these incidents show a clear pattern of aggressive, intimidating behaviour targeted at an individual officer in an attempt to undermine and humiliate her. **It is undoubtedly bullying behaviour and therefore a breach of paragraph 3.5(b) of the Code.** I also note that all of these incidents have taken place in public settings, in front of other councillors, officers and members of the public, which is particularly exposing for Ms Hughes. She told me she was disappointed by the failure of anyone else to stand up to Cllr Morris on these occasions, which left her feeling isolated. The public way in which Cllr Morris has targeted Ms Hughes gives the impression that Cllr Morris can act with impunity.

**This brings both Cllr Morris' office as councillor, and the Council as a whole, into disrepute, in breach of paragraph 3.5(e) of the Code.**

Cllr Morris' behaviour towards Mr Dodson

30. Mr Dodson is a member of the CLT and the Director of Strategy, Performance and Governance. I found him to be a credible witness who had shown a lot of patience in trying (ultimately unsuccessfully) to forge a working relationship with Cllr Morris.
31. On 10 June 2021, Mr Dodson (whose account of this incident I accept) attended a meeting of the Performance, Governance and Audit Committee. Again, Cllr Morris turned up to this meeting, despite not being a member of the committee. The Chair of the Committee attempted to explain the rules to Cllr Morris who was insisting on attending. Mr Dodson stepped in to support the Chair in enforcing the resolution of Council that non-committee members should attend meetings remotely. Cllr Morris started shouting at Mr Dodson and referred to a standing order.
32. What happened next can be seen in a [video](#), recorded by Cllr Morris and posted on his Facebook page. In a post accompanying the video, Cllr Morris refers to "*snivelling little lying officers like this guy Paul Dodson*" and "*this idiot dodders*". The video itself makes for unpleasant viewing. It shows Cllr Morris goading Mr Dodson from across the meeting room, shouting him down and repeatedly taunting him that he is "*wrong*". Cllr Morris arrogantly asserts that he "*will follow his moral code which is above any procedures you try to enforce on me*" and dismisses Mr Dodson as "*an officer and a bad one*". I agree with Mr Dodson that this was an ambush: the video appears to have been staged in a way to ensure Mr Dodson's humiliation.
33. To her credit, Cllr Emma Stephens, who saw this incident, can be seen standing up to Cllr Morris in the video. The exchange between them is highly revealing. Cllr Morris talks down to, and over, Cllr Stephens, who he patronisingly dismisses as a "*new*" councillor. He claims to be standing up to bullying behaviour, despite having just bullied Mr Dodson in front of everyone in attendance. He justifies his behaviour by asserting that this is "*politics*" and likens his actions to debates at "*PMQs*". This is a hopelessly inappropriate analogy: officers are not politicians and do not have a right of reply as councillors do. By taking advantage of this imbalance, Cllr Morris has abused his position as a councillor.

34. The video attracted a lot of comments on Cllr Morris' Facebook page. Although Cllr Morris denied any responsibility for the comments his Facebook activity attracts, he "liked" the following two comments:



35. It should go without saying that this is outrageous behaviour and completely unacceptable. Mr Dodson was attempting to uphold a rule which Council had adopted through a democratic process. In simply trying to do his job, he was bullied by Cllr Morris and then, to make matters even worse, humiliated online and subject to vile abuse. **This behaviour constitutes a serious breach of the Code: it amounts to bullying (paragraph 3.5(b)) and brings both Cllr Morris office as a councillor, and the Council as a whole, into disrepute (paragraph 3.5(e)).**

#### Cllr Morris' behaviour during this investigation

36. Throughout this investigation, Cllr Morris has made repeated efforts to undermine and publicly discredit the Code of Conduct process:
- (a) he breached confidentiality by [sharing](#) an extract from a complaint document on his Facebook page and complaining that the Council was "... *throwing thousands at an investigation that ultimately can't do a thing ...*";
  - (b) having learned that I was going to carry out this investigation, he made two calls to my chambers, dishonestly posing as a prospective client, to fish for information about my fee;

- (c) he also [posted](#) my name and chambers on his Facebook page, which prompted an unsavoury discussion among his followers, including an anti-Semitic slur which Cllr Morris “liked”:



**Claire Smith**

why are they out sourcing this so-called "work".... interesting jewish sounding names there better be careful 🙄🙄

Like · 2 w · Edited



- (d) during my face-to-face meeting with Cllr Morris, he was hostile and aggressive, which I perceived to be a deliberate attempt to unsettle me. He rudely insisted that it was “his” meeting and accused me of disrespecting him when I refused to address him by his first name rather than as “Cllr Morris”;
- (e) he broadcasted the meeting (which was private) on Facebook Live, without asking either my or Cllr Stamp’s permission – in fact, he deliberately overrode Cllr Stamp’s express refusal of consent to posting the video online. The Council has had to report this incident to the Information Commissioner as a personal data breach and Cllr Morris has ignored officers’ requests to remove the video from his Facebook page, despite being told that this puts the Council at risk of a fine or other enforcement action;
- (f) astonishingly, after the meeting had concluded, Cllr Morris also threatened Cllr Stamp who told me that she intended to report the incident to the police.
37. Cllr Morris told me multiple times during our interview that he believes the Council to be corrupt and that senior officers of the Council – particularly members of the CLT – had covered up serious wrongdoing. It is clear that Cllr Morris believes that he is on a personal crusade to clean up the Council and that this gives him licence to behave as he pleases. I have taken this allegation seriously and have made my own enquiries into it but find it to be completely without foundation:
- (a) Cllr Morris submitted a complaint against the former leader of the Council, alleging financial impropriety. He played me a recording of a BBC Radio Essex report on his allegation. He also made a report to Essex Police, which began a formal investigation in December 2019. That investigation concluded in April 2020, when the police informed the Council that there was no evidence any criminal offence had been committed and that they were taking no further action;

- (b) the Council commissioned an external investigator to look into Cllr Morris' complaint. However, the investigator recommended that in light of the police's conclusion, there was little point in completing the investigation and, in any case, it was unlikely that the allegation (even if true) would amount to a breach of the Code;
- (c) Cllr Morris referred to problems during the audit of the Council's accounts and alleged that this was because the "*books had been cooked*". However, the [independent auditor](#) of the Council's accounts for the year 2019/20 "*did not identify significant transactions outside the normal course of business or any transactions where the business rationale was not clear*";
- (d) neither the BBC nor any other local media have reported on the matter subsequently from which it can be inferred that they were satisfied there was no substance in the allegation;
- (e) Cllr Stamp (who is the Leader of the Council) told me she was satisfied that there had been no corruption on the part of CLT officers who had handled the allegation appropriately.

38. Cllr Morris' behaviour during this investigation shows an alarming contempt for the Code of Conduct process and the Nolan principles of accountability and integrity. It also demonstrates Cllr Morris' capacity to lie, mislead and intimidate. I cannot reconcile this behaviour – which seriously damages his credibility as a witness – with Cllr Morris's insistence to me that "*truth, honesty and integrity*" are important values of his "moral code". **This behaviour brings Cllr Morris' office as a councillor, and the Council as a whole, into disrepute, in breach of paragraph 3.5(e) of the Code.**

#### Summary of findings

39. In summary, my findings are as follows:

- (a) by attempting to undermine and publicly discredit this investigation, Cllr Morris has brought his office and the Council into disrepute, in breach of paragraph 3.5(e) of the Code;
- (b) by persistently targeting Cheryl Hughes with intimidating and aggressive behaviour, and by attempting to publicly undermine and humiliate her, Cllr Morris has bullied an officer of

the Council, in breach of paragraph 3.5(b) of the Code, and brought his office and the Council into disrepute, in breach of paragraph 3.5(e) of the Code; and

(c) by publicly taunting and haranguing Paul Dodson with intimidating and aggressive behaviour, and by attempting to publicly undermine and humiliate him, Cllr Morris has bullied an officer of the Council, in breach of paragraph 3.5(b) of the Code, and brought his office and the Council into disrepute, in breach of paragraph 3.5(e) of the Code.

Conclusion

40. For these reasons, I conclude that Cllr Morris has committed serious breaches of the Code.

**Matt Lewin**  
Cornerstone Barristers

18 July 2021