

Camberley

A Camberley councillor accused of violating his code of conduct after writing a comment about a member of the public on his blog has had the ruling overturned.

On May 11 Surrey Heath Borough Council's standards committee ruled that Conservative councillor David Allen had violated the council's code of conduct by posting in his blog "Who Let the Yank In" comments about a Labour supporter.

This was overturned by Judge Sally Lister in a tribunal hearing on September 28.

Judge Lister found that Cllr Allen was not acting in any official capacity in his role as councillor by blogging, that his comments were entirely political in nature, and as such entirely outside of the councillor's code of conduct.

Cllr Allen said the decision will affect how council's deal with councillors who voice strong opinions outside of their "official capacity".

He said: "Thank God we now have some definition as to when and where we are acting in our official capacity as councillors.

"The old guard bureaucrats in the system want to hold the code of conduct over you like a Sword of Damocles to keep you in line in case you were to say or do anything they think is improper. Well that day is now over."

Cllr Allen, who represents the Frimley Green ward after moving to Surrey from the United States, continued: "I was writing in my blog and interestingly enough Surrey Heath Borough Council tried to take me to task for the comments on one page in the blog.

"The case collapsed on very simple grounds. Unfortunately councils become blinded when they want to put someone in line.

"What they attempted to do was put my entire blog on trial. You can do that, but then you start skating very close to the line with regards to freedom of speech.

"This judge said if you don't like what someone else has to say you can't try to take apart the whole person, you can only deal with the specific bit they have said not everything they have ever had to say."