

From: Mark Williams

Sent: 11 May 2022 16:38

To: DL Council Members <DLCouncilMembers@eastdevon.gov.uk>

Cc: DL SMT+ <DLSMT_@eastdevon.gov.uk>; Andrew Hopkins <AHopkins@eastdevon.gov.uk>

Subject: Recent Correspondence re Mr J Humphreys

Dear Cllrs,

I understand that you have all received an email or emails from a local journalist regarding the above. It is of course your decision whether you choose to respond although it appears clear that the journalist has already been in correspondence with one or more of you as the primary source for his story.

Reference is made in the emails to one of my officers. For the avoidance of doubt I can clarify as follows: the officer was requested by Devon County Council to attend a Local Authority Designated Officers Safeguarding meeting (LADO), to discuss, inter alia, the role of Mr Humphreys at EDDC. Devon & Cornwall Police had also been invited to the meeting. The initial meeting was in March 2016 which was reconvened in April 2016 and then there was a further meeting in November 2016. The November 2016 meeting was prior to any decision by the Police to charge Mr Humphreys. While a further LADO meeting was organised for January 2017, this was postponed a number of times and then cancelled. Other than communications regarding postponing / cancelling the January 2017 meeting, there was no further communication with the officer by either the County or the Police after November 2016. The officer was unaware that Mr Humphreys had been charged or that he was to later face trial. He only became aware of the fact that Mr Humphreys had been charged and stood trial after the conviction in 2021. It is important to know that LADO meetings are held in the strictest confidence. Furthermore the Police also give clear instructions on what can or can't be said so as to avoid potentially jeopardising any investigation.

You'll also be aware that Council recently resolved as follows:

That the Council requests that the Chief Executive provides a report to Cabinet at the earliest opportunity to enable it to consider commissioning an independent investigation or enquiry by an appropriate independent body. That a report will thereafter be brought to Cabinet to provide a clear understanding how John Humphreys, despite his arrest in May 2016 continued to serve as a Councillor until May 2019, retained his position as 'Lead Member for Exmouth' and went on to be bestowed the honour of an alderman by this Council in December 2019.

In particular the report should focus on the circumstances of how John Humphreys came to be nominated and bestowed the award of an Honorary Aldermanship despite being under criminal investigation at the time.

And that the Council puts on hold the remainder of the Scrutiny Committee recommendations A-G pending the receipt and consideration of the independent report by the Cabinet.

Following that decision I have had a meeting with the Leader and other Cllrs and have also written to Group Leaders confirming how I propose to approach this

matter. I am currently in the process of preparing Instructions to Counsel based on the minute of Council and any feedback I have received from the Group Leaders. I expect to be in a position to bring a report to the July Cabinet.

Yours sincerely,

Mark
CEO

From: Mark Williams

Sent: 12 May 2022 08:38

To: Cllr Eileen Wragg <EWragg@eastdevon.gov.uk>

Cc: DL Council Members <DLCouncilMembers@eastdevon.gov.uk>

Subject: RE: Former Exmouth mayor John Humphreys denies sex assault charges | Exmouth Journal

Dear Eileen,

Thank you for this email.

At the risk of pre-empting some of my report it might help if I summarise what I understand to be relevant information at this stage:

1. Unfortunately there are many paedophiles and rapists 'at large' in society and they are almost exclusively male. Fundamentally there is only one person to blame here and that is Humphreys himself.

2. The Police arrest a lot more people than actually end up being charged. Many arrests result in no further action following investigation. From the Council motion it states that Humphreys was arrested in May 2016. I assume this is correct but I'm not aware that the Council was formally notified that Humphreys had been arrested and in any event being arrested isn't of itself information that the Police would always put in the public domain. I think we would all hope that a Cllr would resign in such circumstances but there is nothing in law that can compel them to do so in these circumstances.

3. The decision of Cllrs to make Humphreys an Alderman was made in December 2019. It is clear to me from various emails and comments that some Cllrs knew something but I haven't seen anything to suggest a Cllr or Cllrs knew everything. Certainly, no Cllr thought it appropriate to state what they thought they knew as part of the decision making process. An officer knew something dating back to 2016 but was under a duty of confidentiality.

4. Humphreys first court appearance was in November 2020. He would have been formally charged sometime soon before then and this was then the first time that the matter was in the public arena and could be discussed. I can't recall any Cllr approaching me to discuss this fact or to ask for advice about how this affected the Alderman decision. If they had I would have referred to the not guilty plea and the presumption of innocence. Any risk of a possible libel action would have been overtaken by events. From a safeguarding perspective the offences occurred circa 1991 & 2001. The Police would have assessed this in terms of ongoing risk and Humphreys was not remanded in custody following his first court appearance. It also doesn't appear that any further victims have come forward.

5. Following the conviction in August 2021 the Council acted speedily to revoke the Alderman decision.

6. Whilst Cllrs are free to collude with journalists if they see this as appropriate it is not acceptable for officers to then be subjected to aggressive and offensive questions from that journalist on behalf of those Cllrs.

Yours sincerely,

Mark

-----Original Message-----

From: Cllr Eileen Wragg <EWragg@eastdevon.gov.uk>

Sent: 11 May 2022 17:25

To: Mark Williams <MWilliams@eastdevon.gov.uk>

Cc: DL Council Members <DLCouncilMembers@eastdevon.gov.uk>

Subject: Former Exmouth mayor John Humphreys denies sex assault charges | Exmouth Journal

Dear Mark

Please see the link below. I cannot accept that Members and Officers were unaware of Humphreys' upcoming trial, and was most surprised by the email which you sent this afternoon. As I said at last week's meeting, I was made aware that he was under investigation by D&C Police several years ago, and remain convinced that others did also. There is something very wrong about the whole business and I believe that there is very much more which has yet to be uncovered.

<https://www.exmouthjournal.co.uk/news/john-humphreys-sex-assault-charges-6742476>

Best regards

Eileen.