

# Sixth report to the Sixth Senedd under Standing Order 22.9

November 2022



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# Sixth report to the Sixth Senedd under Standing Order 22.9

November 2022



# About the Committee

The Committee was established on 23 June 2021. Its remit can be found at: [www.senedd.wales/SeneddStandards](http://www.senedd.wales/SeneddStandards)

Current Committee membership:



**Committee Chair:  
Vikki Howells MS \***  
Welsh Labour



**Natasha Asghar MS**  
Welsh Conservatives



**John Griffiths MS**  
Welsh Labour



**Peredur Owen Griffiths MS \***  
Plaid Cymru

\* Did not participate in any of the considerations of the complaint.

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The following Members attended as substitutes during this inquiry.



**Rhianon Passmore MS**  
Welsh Labour



**Rhun ap Iorwerth MS**  
Plaid Cymru

John Griffiths acted as temporary Committee Chair during this inquiry.

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## Recommendations

**Recommendation 1.** The Committee recommends to the Senedd, in accordance with paragraph 8.22(a) of the Procedure , that a breach has been found and the Member be censured under Standing Order 22.10(i) .....Page 9

## 1. Introduction

**1.** The terms of reference of the Standards of Conduct Committee (“the Committee”) are set out in Standing Order 22<sup>1</sup>. In accordance with the functions set out in Standing Order 22.2, the Committee must:

*“investigate, report on and, if appropriate, recommend action in respect of any complaint referred to it by the Commissioner for Standards.”<sup>2</sup>*

**2.** This report is made to the Senedd under Standing Order 22.9 and paragraph 8.23 of the Procedure for Dealing with Complaints against Members of the Senedd<sup>3</sup> (“the Procedure”) in relation to a complaint made against Hefin David MS.

**3.** The report from the Commissioner for Standards (“the Commissioner”) on his investigation of the complaint is attached at Annex A. It sets out the details of the complaint and the findings of the Commissioner’s formal investigation. The Committee has taken the decision to redact parts of the report from the Commissioner in accordance with paragraph 8.26 of the Procedure. This decision was taken to avoid unnecessary distress to the individual who was the subject of the tweet, but was not the complainant in this case, and their family.

**4.** This report sets out the details of the complaint and the Committee’s deliberations in arriving at its decision.

**5.** Vikki Howells MS recused herself from consideration of this matter, due to her relationship with Hefin David MS, and Rhianon Passmore MS acted as a substitute. John Griffiths acted as temporary chair, as agreed by the Committee on 26 April 2022. The complainant in this case was well known to Peredur Owen Griffiths MS, and he therefore recused himself and Rhun ap Iorwerth MS substituted for him.

**6.** A copy of this report has been provided to the Member concerned and the complainant.

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<sup>1</sup> Standing Orders

<sup>2</sup> Standing Order 22.2(i)

<sup>3</sup> The Senedd’s Procedure for Dealing with Complaints Against Members of the Senedd

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## 2. Consideration of the Complaint

**7.** The Commissioner received a complaint in relation to a tweet posted by Hefin David MS. The Commissioner considered the tweet to be “a vulgar and grossly offensive personal attack”. The Committee has decided not to reproduce the exact wording of the tweet in this report as we consider it may cause further distress to the subject and their family to do so, particularly as they were not the complainant.

**8.** The Complainant alleged that “...this unwarranted and childish outburst” was in breach of the Code of Conduct, in particular rules three and four

**9.** The Commissioner, in his report, considered the following rules from the Code of Conduct as the most relevant:

- Rule 1 Members must uphold the Overarching Principles
- Rule 3 Members must not act or behave in a manner that brings the Senedd or its Members generally, into disrepute.
- Rule 4 Members must not engage in unwanted behaviour, harassment, bullying, or discrimination
- Rule 6 Members must not subject anyone to personal attack — in any communication (whether verbal, in writing or any form of electronic or other medium) — in a manner that would be considered excessive or abusive by a reasonable and impartial person, having regard to the context in which the remarks were made. and
- The Dignity and Respect Policy (in particular inappropriate behaviour that adversely affects the dignity of another).

**10.** The Committee met on 10 October 2022 to consider the Commissioner’s report and reach its conclusion in respect of this complaint.

### 3. Committee's Consideration of its Decision

**11.** The Committee considered whether the Member was in breach of Standing Order 22.2(i).<sup>4</sup>

**12.** In considering whether a breach took place, the Committee reviewed the findings of the Commissioner as set out in his report. The Committee also received written representations from the Member involved which included, amongst other things, a request that the matter be dealt with via the rectification procedure as provided for in paragraph 5.1(e) of the Procedure.

**13.** The Member did not avail himself of the opportunity to make oral representations to the Committee.

#### **The Committee's Decision.**

**14.** The Commissioner sets out in his report that this tweet was 'unwanted' and that:

*"...Members are rightly required to show leadership and to be exemplars of good behaviour. Abusive use of social media of the kind employed by Dr David reflects badly on him but also tends to bring the Senedd into disrepute. Dr David conduct fell very far below the required standards."*

**15.** The Committee noted the Commissioner's remarks about why he considered this could not be dealt with under the rectification procedure. The Committee agreed with the view of the Commissioner that, despite the fact Hefin David MS apologised (which the subject accepted) and removed the tweet quickly after tweeting it, the misconduct was not a failure of a minor nature and accordingly could not be dealt with under the rectification procedure.

**16.** The Committee noted that the Commissioner did not take into account the report from the previous standards of conduct committee in relation to this Member's conduct on Social Media.

**17.** The Committee carefully noted the representations made by Hefin David MS, in particular that which highlighted the further distress that the publication of the tweet may cause the subject. Taking this into account along with the Committee's own concerns as set out in paragraph 3 above, the Committee has redacted the specific wording of the tweet and any content that may lead to the identification of the subject. The Committee has also decided not to include further details of the representations from Hefin David MS as the Committee

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<sup>4</sup> Standing order 22.2(i)

considered the information to be of a personal confidential nature that may cause distress if published, and thus not otherwise appropriate for publication under the Procedure.

**18.** The Committee noted the finding of the Commissioner that Hefin David MS did not dispute the breach.

**19.** The Committee noted the actions taken by Hefin David MS to rectify the situation at the time, which included publicly apologising on twitter and deleting the tweet. The Committee also noted the actions taken by Hefin David MS to manage misuse of Social media.

**20.** Having considered the Commissioner's findings and conclusions, and the supporting evidence provided, the Committee agreed that breaches of the Code of Conduct identified by the Commissioner had occurred.

The Committee finds that Hefin David MS breached Rules one, three, four and six of the Code of Conduct, and the dignity and respect policy.

### **Committee's recommendation**

**21.** The Committee considers a breach of the Code of Conduct by any Member of the Senedd a serious matter. The reputation of the Senedd as an institution, and the public's trust and confidence in it, rely upon Members demonstrating integrity and leadership by their actions.

**22.** Social media has become increasingly prevalent among elected representatives and acts as an important method for communication and debate. However, it also presents many challenges to ensure that the leadership expected of Members of the Senedd is maintained, given the nature of interactions and the potential for misuse.

**23.** In reaching its decision, the Committee took account of the fact that the Member had previously been found in breach of the Code of Conduct for his conduct on Social Media and that the Commissioner had sent a letter to the Member earlier this year on the matter. The Committee also took into account that the Member concerned had apologised and removed the offending tweet.

**24.** Taking these factors together, the Committee considers the actions of the Member merit censure.

**Recommendation 1.** The Committee recommends to the Senedd, in accordance with paragraph 8.22(a) of the Procedure, that a breach has been found and the Member be censured under Standing Order 22.10(i)

## 4. Lessons learnt from this complaint

**25.** This was the first complaint dealt with under the new Procedure. The Committee will consider whether there are any alterations needed to the procedure as part of the commitment to keep matters under review.

**26.** The Committee would like to highlight to Members the importance of treating interactions on social media in accordance with the same principles that would be applied to face to face interaction and remind Members that there is support available to Members in dealing with and using correctly Social Media.

## Annex A: Report from the Commissioner for Standards

**REPORT  
BY  
THE SENEDD COMMISSIONER FOR  
STANDARDS  
OF THE INVESTIGATION OF A COMPLAINT  
AGAINST  
DR HEFIN DAVID MS**

## *Introduction*

1. This is the report of my investigation of a complaint made by [REDACTED] on 26 August 2022 about a tweet made by Dr Hefin David on 6 March 2022 in the course of an exchange with another person (“the subject”).<sup>1</sup> The tweet was [REDACTED]<sup>2</sup>

2. Hyperlinks to the documents on which I have relied in coming to my opinion and to the relevant provisions of the [Code of Conduct](#) and the [Dignity and Respect Policy](#) are provided where appropriate.

3. This is the first report governed by [the Procedure for Dealing with Complaints against members of the Senedd](#) that was laid before the Senedd on 6 July 2022. In compiling it I have complied with that Procedure.

## *Relevant provisions*

4. The provisions most relevant to the consideration of this complaint are as follows:

- a. Rule 1 of the Code (in particular the Integrity, Respect and Leadership Principles)
- b. Rules 3 of the Code (bringing the Senedd into disrepute)
- c. Rules 4 of the Code (in particular not engaging in unwanted behaviour)
- d. Rule 6 of the Code (not subjecting anyone to excessive or abusive personal attack)
- e. The Dignity and Respect Policy (in particular inappropriate behaviour that adversely affects the dignity of another).

## *The investigation*

5. On 1 September 2022 I informed Dr David of the complaint, told him that I was conducting a preliminary investigation into its admissibility and afforded him an opportunity to submit relevant representations.<sup>3</sup>

6. In three responses that day Dr David informed me that he accepted responsibility for the tweet and acknowledged that it was inappropriate.<sup>4</sup> He also told me that he had deleted the tweet and that the subject (who had no connection with the complainant) had accepted his public apology for his conduct.<sup>5</sup> Dr David also said [REDACTED] *I am wondering if this complaint about me is being made now, six months after the event, because last*

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<sup>1</sup> [Email \[REDACTED\] – Commissioner 26 August 2022 – complaint](#)

<sup>2</sup> [Screenshot twitter exchange David & subject 6 March 2022 – attachment to complaint](#)

<sup>3</sup> [Letter Commissioner – David 1 September 2022 – conducting preliminary investigation](#)

<sup>4</sup> [Email David – Commissioner 1 September 2022 – accepting responsibility for inappropriate tweet](#)

<sup>5</sup> [Email David – Commissioner 1 September 2022 – tweet deleted and apology accepted](#)

week I raised concerns [REDACTED], which was subsequently investigated by the police.”<sup>6</sup>

7. On 5 September I informed Dr David of my decision that the complaint was admissible and asked him to tell me whether he admitted or denied breaching the provisions at paragraph 4 above.<sup>7</sup> I also asked him why he had not on 6 March 2022 adopted the new strategy for dealing with abusive tweets that he referred to in the statement dated 18 June 2019 that he submitted to my predecessor who was then investigating a complaint against him in relation to misuse of social media.<sup>8</sup> I also asked Dr David what action, if any, he took following receipt of my letter of 11 January 2022 urging him “to take great care in your use of social media.”<sup>9</sup>

8. In his reply also on 5 September Dr David admitted that the tweet was “in breach of the code (sic) as stated.” With regard to a strategy for dealing with abusive tweets, he told me that he had “muted a total of 537 accounts”, and that my letter of January 2022 had “made me aware of avoiding responding to correspondents who deliberately wish to create a dispute.”<sup>10</sup>

9. In response to other enquiries [REDACTED] told me on 13 September that [REDACTED] “was only made aware of the Tweet via a conversation in late August I was a having with friends about standards in public life and specifically on social media.”<sup>11</sup>

10. On 20 September I sent both parties my Findings of Fact and afforded them an opportunity to submit written corrections or representations regarding any of them.<sup>12</sup> Having carefully considered representations from [REDACTED], I decided that no changes to the Findings were appropriate. Dr David told me that he did not wish to make any representations.<sup>13</sup> In accordance with paragraph 7.3 of the Procedure he is now deemed to have accepted their accuracy.

### *Findings of fact*

11. I found the following facts admitted or proved:

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<sup>6</sup> [Email David – Commissioner 1 September 2022 – possible reason for complaint](#)

<sup>7</sup> [Letter Commissioner – David 5 September 2022 – complaint admissible & seeking information](#)

<sup>8</sup> [Report 03-19 to the Assembly under Standing Order 22.9 September 2019 – Hefin David AM Annex A Appendix 7](#)

<sup>9</sup> [Letter Commissioner – David 11 January 2022 – use of social media](#)

<sup>10</sup> [Email David – Commissioner 5 September 2022 – admitting tweet breached provisions and providing information](#)

<sup>11</sup> [Email \[REDACTED\] – Commissioner 13 September 2022 – aware of tweet only shortly before complaint submitted](#)

<sup>12</sup> [Email \[REDACTED\] – Commissioner 20 September 2022 – representations re findings of fact](#)

<sup>13</sup> [Email David – Commissioner 20 September 2022 – no representations re findings of fact](#)

- i. On the evening of 6 March 2022, in the course of a twitter conversation with, the subject Dr David posted [REDACTED]
- ii. Early the next day Dr David tweeted his apology for the tweet to the subject and deleted it.
- iii. The subject accepted the apology [REDACTED]
- iv. On or about 23 August 2022 Dr David raised concerns about the conduct of a [REDACTED]
- v. On 26 August 2022, nearly six months after months after it had been posted, [REDACTED] submitted [REDACTED] complaint. [REDACTED] had not been party to the conversation between subject and Dr David nor had [REDACTED] been referred to in it.
- vi. On 5 September 2022 Dr David admitted that his conduct breached Rules 1, 3, 4 and 6 of the Code of Conduct and the Dignity and Respect Policy. He apologised for these breaches.

### *Reasoned opinion*

12. I am satisfied that by his tweet in March 2022 Dr David breached Rules 1, 3, 4 and 6 of the Code and also the Dignity and Respect Policy. Even if he had not made that admission, I would on the other evidence, have had no hesitation in finding the breaches established.

13. The tweet was a vulgar and grossly offensive personal attack on the subject and [REDACTED] parents which affected their dignity. It was unwanted. Members are rightly required to show leadership and to be exemplars of good behaviour. Abusive use of social media of the kind employed by Dr David reflects badly on him but also tends to bring the Senedd into disrepute. Dr David conduct fell very far below the required standards.

14. In view of his acceptance of the facts, the apology for the tweet tendered to and accepted by the subject and his subsequent apology for breaching the various provisions I considered whether this complaint could appropriately be dealt with under the rectification procedure set out in paragraph 7.6 of the Procedure. Paragraph 7.6 requires also that the "*the failure is of a minor nature*". Although the subject readily accepted the apology, I do not consider that the misconduct itself can properly be regarded as a failure of a minor nature. It follows that the complaint cannot be dealt with by way of the rectification procedure.



15. In coming to my opinion that Dr David breached the provisions I have taken no account of Dr David's previous misuse of social media. Whilst section 10(4) of the 2009 Measure prohibits me from making any recommendation as to what sanction, if any, should be imposed, I would respectfully draw the attention of the Committee to the following matters to which it may wish to have regard:

- i. Dr David promptly apologised publicly to the subject and deleted the tweet.
- ii. Dr David apologised to me for his breach of the various provisions.
- iii. Dr David co-operated fully throughout my consideration of this complaint.
- iv. Dr David says he has taken steps to prevent any further misuse of social media.
- v. On 2 October 2019 the Assembly, following a finding by the Committee that a tweet by Dr David had breached the Code, accepted the recommendation that no further action should be taken.
- vi. In January 2022, following inadmissible complaints about two alleged misuses of social media, I urged Dr David to take care in his use of that medium.

*Redaction*

16. In accordance with paragraph 7.5(b) of the Procedure I have redacted the complainant's email and twitter addresses and personal details of the subject of the complaint and of third parties wherever they appear in this report and the supporting documents.

**Douglas Bain CBE TD**

**Senedd Commissioner for Standards**

28 September 2022

**From:** [REDACTED]

**Sent:** 26 August 2022 19:13

**To:** Standards Commissioner <Standards.Commissioner@senedd.wales>

**Subject:** Hefin David Breach of Code of Conduct

To whom it may concern,

It has been brought to my attention that the Senedd Member for my constituency may have breached the Code of Conduct to which he is signed up to. Please see below a screen grab of a tweet sent from the account of Hefin David MS in March of this year.

In particular, the final comment made by Mr David.

I believe this unwarranted and childish outburst is in breach of at least two of the rules within the Senedd Code of Conduct: Rule 3 which states that ***'Members must not act or behave in a manner that brings the Senedd or its Members generally, into disrepute'*** and Rule 4 ***'Members must not engage in unwanted behaviour, harassment, bullying, or discrimination.'***

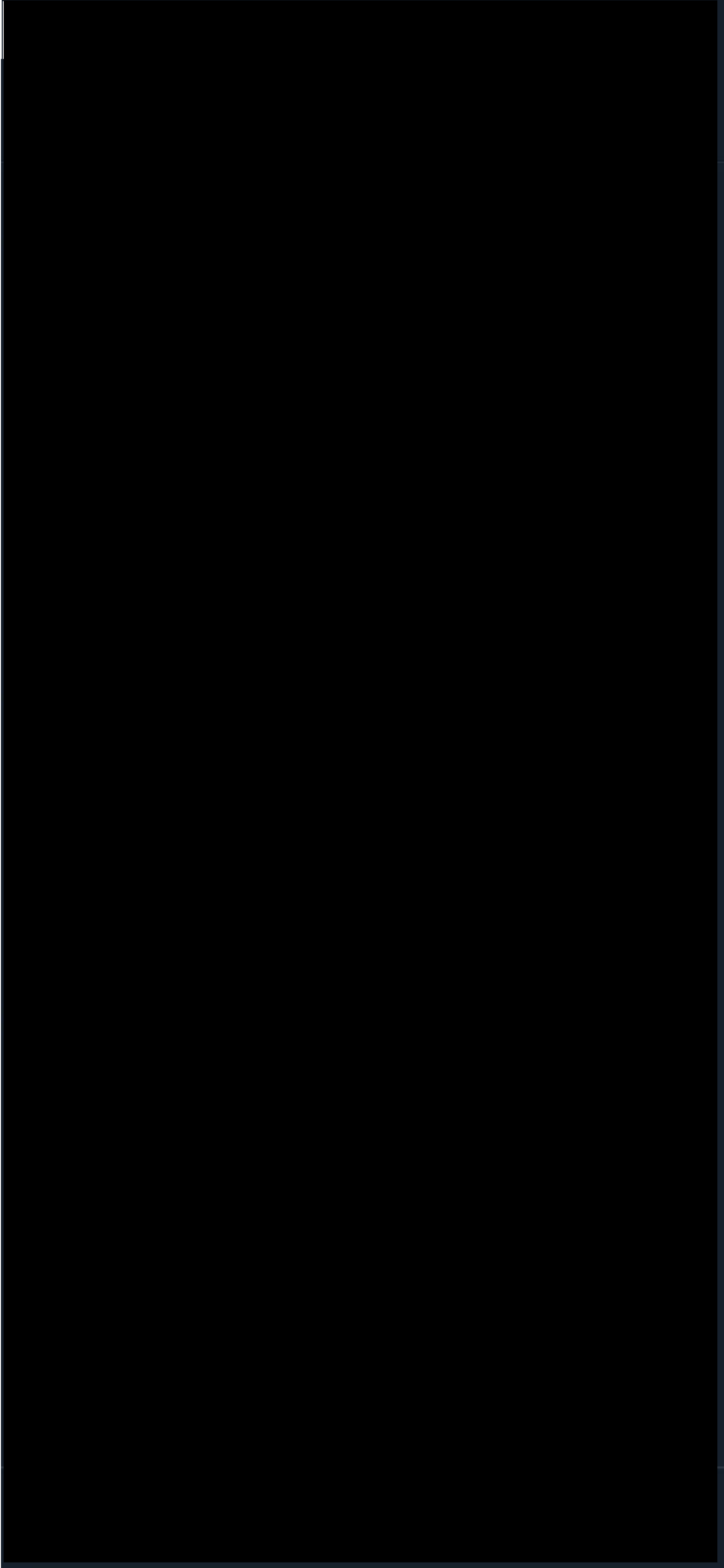
I shall leave it to your better judgment and expertise to see if the comments made on social media were in breach of any other parts of the Code of Conduct.

I also suggest that the Senedd Member in question had no regard for the Dignity and Respect policy he is signed up to when he made these comments which are not just unwarranted but also unbecoming of anyone in elected office.

Our elected representatives should hold themselves to a higher standard than this and be better. I trust you will investigate this complaint thoroughly and I look forward to your findings.

Yours sincerely,

[REDACTED]



**By Email**

Hefin David MS

[Hefin.David@senedd.wales](mailto:Hefin.David@senedd.wales)

1 September 2022

Dear Mr David

**Complaint by** [REDACTED]

I attach a copy of a complaint against you by [REDACTED]

I have decided to conduct a preliminary investigation to inform my decision on the admissibility of his complaint. If you wish to make any representations to me on admissibility, please let me have them in writing by 14 September.

I am required to inform you that personal data will be processed in accordance with the [Commissioner's Privacy Notice](#).

Yours sincerely,



**Douglas Bain CBE TD**

**Y Comisiynydd Safonau/Standards Commissioner**

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Croesewir gohebiaeth yn y Gymraeg a'r Saesneg

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E-mail: [Standards.Commissioner@senedd.wales](mailto:Standards.Commissioner@senedd.wales)  
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We welcome correspondence in both English and Welsh

**From:** David, Hefin (Aelod o'r Senedd | Member of the Senedd) <Hefin.David@senedd.wales>

**Sent:** 01 September 2022 11:56

**To:** Standards Commissioner <Standards.Commissioner@senedd.wales>

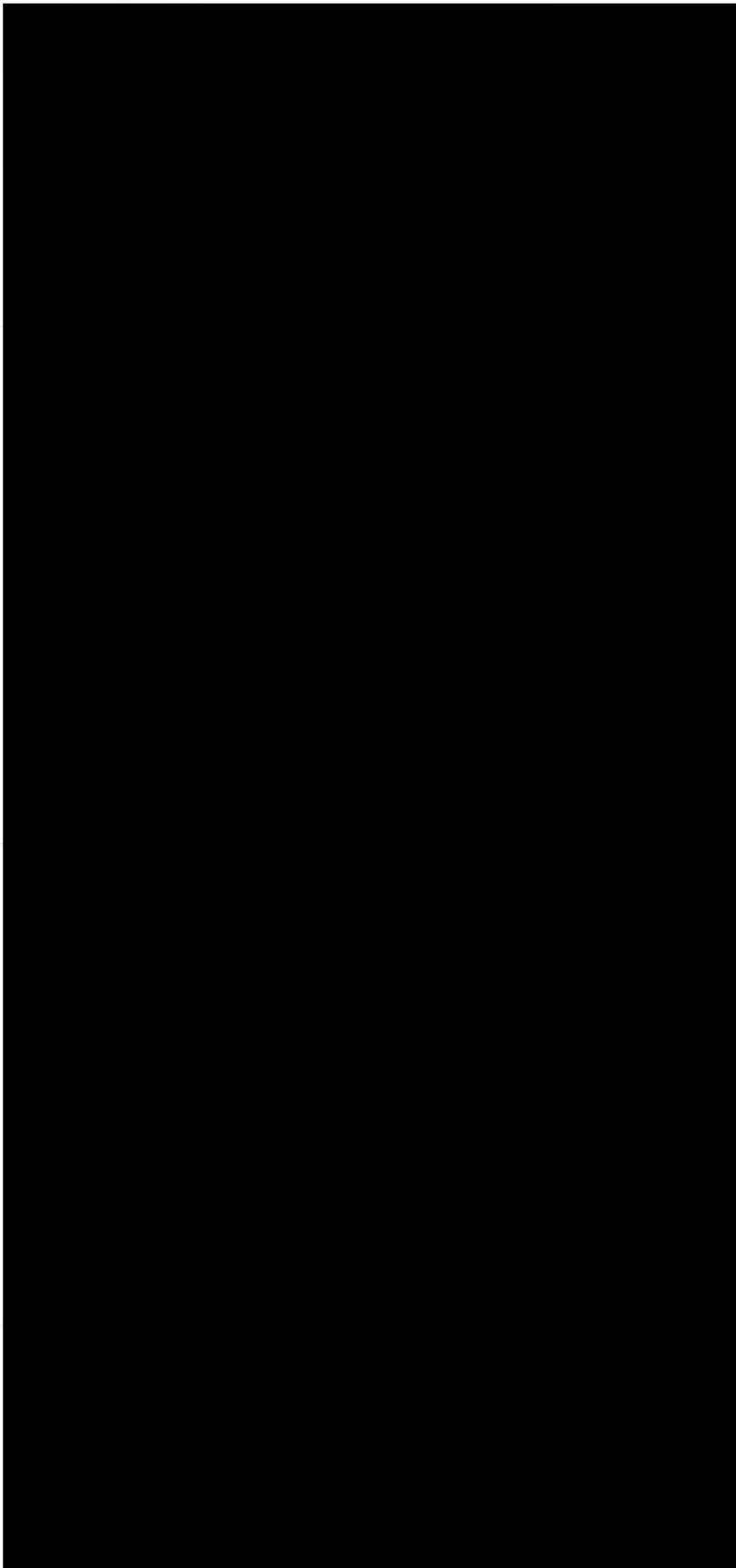
**Subject:** Re: Letter from Commissioner for Standards - Standards Confidential

**Sensitivity:** Confidential

Dear [REDACTED],

After I tweeted this response, I acknowledged it was inappropriate, apologised to [REDACTED] via a public tweet and deleted the tweet. [REDACTED] acknowledged and accepted my apology. I enclose screenshots of the same.

Hefin



**From:** David, Hefin (Aelod o'r Senedd | Member of the Senedd) <Hefin.David@senedd.wales>

**Sent:** 01 September 2022 12:11

**To:** Standards Commissioner <Standards.Commissioner@senedd.wales>

**Subject:** Re: Letter from Commissioner for Standards - Standards Confidential

**Sensitivity:** Confidential

██████████

I should add that this apology was made in March 2022.

Hefin

Hefin David MS

Member of the Senedd for Caerphilly

Aelod o'r Senedd dros Caerffili

**From:** David, Hefin (Aelod o'r Senedd | Member of the Senedd) <Hefin.David@senedd.wales>

**Sent:** 01 September 2022 16:51

**To:** Standards Commissioner <Standards.Commissioner@senedd.wales>

**Subject:** Re: Letter from Commissioner for Standards - Standards Confidential

**Sensitivity:** Confidential

Dear [REDACTED]

I should add that [REDACTED] I am wondering if this complaint about me is being made now, six months after the event, because last week I raised concerns about a [REDACTED] which was subsequently investigated by the police.

Hefin

Hefin David MS

Member of the Senedd for Caerphilly

Aelod o'r Senedd dros Caerffili



**By Email**

Hefin David MS

[Hefin.David@senedd.wales](mailto:Hefin.David@senedd.wales)

5 September 2022

Dear Dr David,

Having considered your three emails of 1 September sent in response to mine of 1 September I have to advise you that I have decided that the complaint is admissible and that I have started my formal investigation of it.

As you know [REDACTED] alleges breaches of Rules 3 and 4 of the Code of Conduct and a breach of the Dignity and Respect Policy. I shall, in addition, consider whether your conduct, if established, would constitute a breach of Rules 1 and 6 of the Code.

By virtue of paragraph 6.2 of the Procedure I am "not required to investigate any part of the complaint which has been accepted by the Member complained of." I would be grateful if you would tell me whether you admit or deny that on 6 March 2022, in response to a tweet by [REDACTED] you posted [REDACTED]

It may avoid the need for a formal interview if you tell me whether you admit or deny that tweet was in breach of –

- a. Rule 1 of the Code (in particular the Integrity, Respect and Leadership Principles)
- b. Rules 3 of the Code (bringing the Senedd into disrepute)
- c. Rules 4 of the Code (in particular not engaging in unwanted behaviour)
- d. Rule 6 of the Code (not subjecting anyone to excessive or abusive personal attack)
- e. The Dignity and Respect Policy (in particular inappropriate behaviour that adversely affects the dignity of another).

Y Pierhead  
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E-bost: [Comisiynydd.Safonau@senedd.cymru](mailto:Comisiynydd.Safonau@senedd.cymru)  
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Croesewir gohebiaeth yn y Gymraeg a'r Saesneg

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E-mail: [Standards.Commissioner@senedd.wales](mailto:Standards.Commissioner@senedd.wales)  
---  
We welcome correspondence in both English and Welsh

If you do admit any of the above, please make clear whether or not you now apologise for the breach and state what you have done to prevent a repetition. I acknowledge that [REDACTED] has accepted the apology for the tweet tendered to [REDACTED] in March 2022 and that you have deleted the tweet.

If you deny any of the above, please explain why.

It would also be helpful if you could explain –

- a. why you did not on 6 March 2022 adopt the new strategy for dealing with abusive tweets that you referred to in the statement dated 18 June 2019 that you submitted to my predecessor in connection with the complaints he was investigating about your reference to a person as 'an utter knob' and 'a lamb's cock';
- b. what action, if any, you took following receipt of my letter of 11 January 2022 urging "you to take great care in your use of social media."

Please also provide any further material or information which you believe relevant to my consideration of the present complaint against you.

It would be helpful to have your written response by 19 September.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Douglas Bain', written over a light grey rectangular background.

**Douglas Bain CBE TD**

**Y Comisiynydd Safonau/Standards Commissioner**

[Report 03-19 to the Assembly under Standing Order 22.9](#)

Hefin David MS  
Senedd Cymru  
Cardiff  
CF99 1SA

By Email [Hefin.david@senedd.wales](mailto:Hefin.david@senedd.wales)

Date 11 January 2022

Dear Hefin David MS,

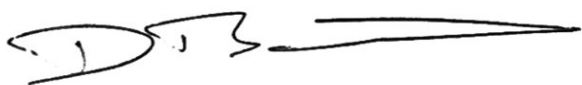
### Your use of social media

On 5 January I received two complaints about the manner in which you had responded to comments made about you on social media. I have held one of these to be inadmissible and will make the same decision on the other one unless the complainant is able to provide me with further information. If further information is provided I will contact you again.

Although the complaints appeared unconnected I am not a believer in coincidence. My purpose in writing to you is to warn you that a person or group may be orchestrating complaints against you.

To reduce the risk of further complaints I would urge you to take great care in your use of social media.

Yours sincerely,



**Douglas Bain CBE TD**

**Y Comisiynydd Safonau/Standards Commissioner**

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E-mail: [Standards.Commissioner@senedd.wales](mailto:Standards.Commissioner@senedd.wales)  
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We welcome correspondence in both English and Welsh

**From:** David, Hefin (Aelod o'r Senedd | Member of the Senedd) <Hefin.David@senedd.wales>

**Sent:** 05 September 2022 11:11

**To:** Standards Commissioner <Standards.Commissioner@senedd.wales>

**Subject:** Re: Letter from Commissioner for Standards - Standards Confidential

**Sensitivity:** Confidential

Dear [REDACTED]

Please see my response below;

I admit I posted the tweet and would accept that it is in breach of the code as stated. It is for this reason that I apologised and deleted the tweet after posting it. That apology also extends without reservation to breaching the code.

With regard to a strategy for dealing with abusive tweets, I have muted a total of 537 accounts, although abusive tweets are occasionally brought to my attention inadvertently.

I was grateful for the warning in January 2022 about taking care of the use of social media which, other than in this case (which I sought to immediately rectify), has made me aware of avoiding responding to correspondents who deliberately wish to create a dispute. I can provide examples of these, should you wish to see them.

Hefin

Hefin David MS

Member of the Senedd for Caerphilly

Aelod o'r Senedd dros Caerffili

**From:** [REDACTED]  
**Sent:** 22 September 2022 10:35  
**To:** Standards Commissioner <Standards.Commissioner@senedd.wales>  
**Subject:** Re: Letter from Commissioner for Standards - Standards Confidential

Dear [REDACTED]

Thank you for your reply and letting me know the deadline for responses. Would it be possible to send me information on this process as this is the first time I have used it. For example it would be useful to know what happens to the findings of the Commissioner at the end of the process.

Regarding the Statement you provided I question the inclusion of the item regarding [REDACTED] referred? What is its purpose? This issue I believe is being considered by another body and the details of which are unrelated to this one. Is the suggestion that Dr.Davids comments are not so serious because there has been another unrelated incident?

There is secondly reference to the time gap between the comments being made by Dr David and my making a complaint. As I said previously I only became aware of the comments in August.

Finally can I assume that my previous answers to questions you raised will be used in the consideration of this case?

Regards

[REDACTED]

**From:** David, Hefin (Aelod o'r Senedd | Member of the Senedd) <Hefin.David@senedd.wales>

**Sent:** 20 September 2022 10:59

**To:** Standards Commissioner <Standards.Commissioner@senedd.wales>

**Subject:** Re: Letter from Commissioner for Standards - Standards Confidential

**Sensitivity:** Confidential

Dear [REDACTED]

Thank you for this. I've nothing further to add regarding these findings.

Hefin

Hefin David MS  
Member of the Senedd for Caerphilly  
Aelod o'r Senedd dros Caerffili

**From:** [REDACTED]  
**Sent:** 13 September 2022 15:42  
**To:** Standards Commissioner <Standards.Commissioner@senedd.wales>  
**Subject:** Re: Letter from Commissioner for Standards - Standards Confidential

Dear [REDACTED]

Thank you for your message. Apologies for not having replied more promptly, but I have only just returned this morning from holiday. I have read the attached letter from Mr Douglas Bain and I am assuming that replying via email through you is sufficient.

In regards to the first question I was only made aware of the Tweet via a conversation in late August I was having with friends about standards in public life and specifically on social media. For someone in such a prominent position in the public life, I thought it was a particularly sad example of what happens when a person fails to think before they act. Indeed I would expect a person in such a position to instinctively avoid such comments rather than instinctively, it seems, make such comments.

Regarding the second question, I was not aware that an apology had been offered and accepted and the tweet deleted. The fact, though, that I was passed the tweet, illustrates the dangers of social media, as it is clearly still in the public domain. In addition, I do not think that the apology reduces the seriousness of the tweet and therefore the breach of standards expected of an elected member of the Senedd. It would be a worrying precedent if a member of the Senedd believed that an apology was simply an acceptable convenient tool to remove future foolish behaviour, a licence to make personal and deeply insulting attacks on an individual, who I assume, in this case, to be a member of the public.

I do hope these responses answer your questions,

Regards

[REDACTED]