

**PEOPLE'S QUESTION TIME 2 MARCH 2023:
COMPLAINTS AGAINST THE MAYOR OF LONDON**

INVESTIGATION PLAN

Introduction

1. I have been instructed by the Monitoring Officer of the Greater London Authority ("GLA") to investigate 34 complaints about comments allegedly made by the Mayor of London ("the Mayor") during People's Question Time on 2 March 2023 ("the Code").
2. 32 of the complaints have been provided to me in a spreadsheet. Four complainants asked not to be named; the remainder are named. The final two complaints were submitted by email by ██████████ on 30 August 2023 and ██████████ on 2 September 2023.
3. This investigation plan has been shared with the Monitoring Officer and the GLA's independent person.

The allegations

4. The complaints were notified to the Mayor on 8 June 2023 (save for ██████████ and ██████████ ██████████ complaints which are substantially the same as the rest of the complaints).
5. I have been provided with a note of the Monitoring Officer's consultation with the independent person, which records their "concerns" about some of the comments allegedly made by the Mayor during the event:

"What I find unacceptable is some of those with legitimate objections joining hands with someone outside part of a far-right group, who are ... some of those outside ... some of those outside ... let's be frank, let's call a spade a spade. Some of those outside are part of the far-right, some are COVID deniers, some are vaccine deniers and some are Tories."

"Some of you have good reasons to oppose ULEZ, but you are in coalition with COVID deniers, you are in coalition, you may not like it... you may not like it. You may not like it. You are in coalition with the far right and you are in coalition with vaccine deniers as well."

“In relation to, first I am really sorry about your wife's ill-health. I am glad to see you are doing better. By the way there are far-right people outside. They were outside. If you, you should be careful who you campaign with.”

6. These alleged comments – and the context in which they were allegedly made – will be the primary focus of the investigation.

Issues for the investigation

7. It appears to me that the investigation will need to determine the following issues:
 - (a) what the Mayor said and did during People’s Question Time on 2 March 2023;
 - (b) the context of that event; and
 - (c) whether the Code applied to the Mayor during his participation in it.
8. If the Code did apply, it will be necessary to consider whether anything said or done by the Mayor breached the Code. Having reviewed the complaints, it appears that the following paragraphs of the Code are relevant to this investigation:
 - **3(1): “You must treat others with respect”**

This section was referred to, expressly or implicitly, by virtually all of the complainants who objected to the Mayor’s alleged reference to *“the far right”*, *“COVID deniers”*, *“vaccine deniers”* and, in some cases, *“Tories”*.
 - **3(1)(2)(a): “You must not – do anything which may cause you or the Authority to breach the Equality Act 2010 ...”**

Some complainants (████████████████████) objected to the Mayor’s alleged use of the phrase *“call a spade a spade”* which, they alleged, was a racist slur.
 - **3(2)(b): “You must not – bully, victimise or harass any person ...”**

Many complainants complained that the Mayor’s alleged comments bullied, victimised or harassed them for expressing opposition to the Ultra Low Emissions Zone (“ULEZ”) expansion.
 - **5: “You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute”**

Several complainants referred expressly or implicitly to this paragraph on much the same basis as the complaints that the Mayor breached paragraphs 3(1) and 3(2)(b) of the Code.

9. Clearly it will be necessary to consider anything said or done by the Mayor on the occasions mentioned in paragraph 5 above in light of his legally-protected right of freedom of expression.

10. I can confirm that the following matters will not form part of this investigation:

(a) the merits of the ULEZ expansion policy, including whether the policy itself or anything said by the Mayor in support of that policy is corroborated by scientific evidence;

(b) anything else said or done by the Mayor on occasions other than those mentioned in paragraph 5 above. In particular, two complainants mentioned subsequent comments allegedly made by the Mayor. However, very limited details of these comments were provided and, given that the Mayor was not notified of the complaints until 8 June 2023, it appears very unlikely that anything he said prior to that date could fairly be construed as an attempt to undermine the integrity of the complaints process.

Sources of evidence

11. As things stand, it appears that the following sources of evidence will be relevant to the investigation:

(a) the complaints;

(b) the Mayor's written response to the complaints (dated 16 August 2023);

(c) video recording of People's Question Time (available to view on the London Assembly's YouTube channel);

(d) written transcript of People's Question Time;

(e) press reports (e.g. [BBC](#), [Ealing Today](#); [Chiswick Calendar](#)); and

(f) social media commentary.

12. I am, of course, open to considering any further evidence which comes to light during the course of the investigation.

Interviews

13. As things stand, I do not propose to interview any of the complainants. The People's Question Time event was recorded and so is available to watch, along with a transcript helpfully prepared by the GLA. It does not appear to me that speaking with any of the complainants would materially add to the evidence already available in the public domain. My role is to consider that evidence fairly and objectively when assessing it against the Code.

14. I will invite the Mayor to provide further written submissions in relation to the complaints and am happy to make myself available for an interview, if requested. For similar reasons, I do not consider it essential to speak with the Mayor, particularly as he has already submitted a detailed written response to the complaints.

Matt Lewin
Cornerstone Barristers

6 September 2023