



Lyneham and Bradenstoke Parish Council

Statement On The Conviction Of ex-Cllr Tim H Darch (March 2024)

Background

Mr Timothy Herbert Darch was convicted of serious sexual offences at Swindon Crown Court and sentenced to 22 years in prison. Mr Darch was previously convicted of sexual offences in 2017 under his former name, Julian Timothy Darch, but did not receive a custodial sentence. He was, however, required to sign the Sex Offenders Register.

Mr Darch applied to be a member of Lyneham and Bradenstoke Parish Council in late 2019. At the time the Council was going through a turbulent period and had no Clerk. It had recently lost several Councillors and was under audit investigation. Mr Darch left the Parish Council in early September 2020, less than 12 months later.

Whilst there are several reasons disqualifying individuals becoming a Councillor, at the time (in 2019), being a convicted sex offender with no custodial sentence did not exclude Mr Darch. The Sex Offender Register is not easily accessible, and Mr Darch had changed his name and moved into the Parish. His conviction was not known to the Council.

The Council's Formal Statement

The Parish Council is appalled at the details that have emerged from the recent trial of Mr Darch.

To the best of the Councils' knowledge and data available in 2019, Mr Darch was not a "known" paedophile. The Sex Offenders Register (SOR) is not public and the Council do not routinely perform DBS checks. Mr Darch had also legally changed his name and any reference to his prior convictions would not have been easily drawn.

The Parish Council cannot mandate Disclosure and Barring Service (SOR) checks on Councillors; it does not have the legal power to do so. The Parish Council has a Safeguarding Policy in place (that has been in place back to 2019) that does mandate a minimum of two Councillors be present when dealing with Children or Vulnerable Groups.

During his short time on the Parish Council, Mr Darch did NO work with Children or vulnerable groups in his capacity as a Councillor. There is also no inference from the Court hearing that any offence was committed by Mr Darch during his time as a Parish Councillor, they are all historical offences from more than 20 years ago.

The Local Government (Disqualification) Act 2022 updated the disqualification criteria for local authority Members to explicitly disqualify individuals who are subject to relevant notification requirements or orders due to sexual offences from standing for or remaining in office. Had Mr Darch stayed on the Parish Council he would have been automatically disqualified under the 2022 act. It would be a further criminal offence had he attempted to stay or become a Parish Councillor.

The Parish Council will continue to refine its policies and practices. Whilst the Council cannot mandate a DBS check, it will request that all current and future members complete one voluntarily. It will continue to ensure that when Councillors work with young members of our Parish, or vulnerable groups, that at least two Councillors will be in attendance at all times.

The Council will also look to amend its staff contracts to have DBS checks as part of the employment process.

Lyneham and Bradenstoke Parish Council will be making no further comment on this matter.