

## EMAIL CORRESPONDENCE


between

**Nigel WARD and GERALD ('Gerry') Stephen STAPLETON**

and the circumstance which precipitated it . . .

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As of 03:00pm on Wednesday 4<sup>th</sup> January 2023, Mr Gerald Stephen STAPLETON's name does not appear on the Information Commissioner's Office (ICO) website Register of Data Controller/Processors:



**ico.**  
Information Commissioner's Office

## Data protection public register

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Use this search to find organisations and people registered with the ICO under the Data Protection Act

**\* There are no entries that match your search criteria.**

<b>Registration number</b>	<input type="text"/>
<b>Name</b>	<input type="text" value="Gerald Stephen Stapleton"/>
<b>Address</b>	<input type="text" value="60 Cooper Lane, Potto"/>
<b>Postcode</b>	<input type="text" value="DL6 3HA"/>

**Email from Mr Gerald STAPLETON timed/dated at 09:57pm on Wednesday 28<sup>th</sup> December 2022 to circa 50 members of the Potto Oil Purchasing group (POP), of which Mr STAPLETON is the organiser/administrator - and thus a *de facto* Data Controller/Processor (though not formally registered), within the meaning of the General Data Protection Regulation (GDPR) 2018, pursuant to the Data Protection Act 1998 :**

Good morning,

Many of you will have received an e-mail purporting to come from the North Yorks Enquirer, but actually from [MY PRIVATE EMAIL ADDRESS REDACTED] address. I have only just caught up on this.

PLEASE DO NOT ANSWER OR RESPOND TO THAT E-MAIL.

The North Yorks Enquirer is a web-based investigative journal but they have no knowledge of it.

It is a spoof. Some mischief-maker, probably a member of the POP Group, has hijacked the Group list and used the e-mail addresses there to contact you. As you can see, there are statements in the e-mail that are just not true, and I have no doubt that any further information that you might get as a result of responding will be equally as wrong.

I am sorry that this has happened. I doubt that you will get any more communications from this or similar sources but if you do, PLEASE JUST IGNORE THEM.

Kind regards and a Happy New Year,

Gerry Stapleton

**Email timed/dated at 06:09pm on 28<sup>th</sup> December 2022 from Potto Parish Councillor Ian MACPHERSON to Gerald STAPLETON (and circa 50 members of the POP group):**

 **ikmacpherson** 18:09 ☆  
to gerrystapleton60  
**REDACTED - circa 50 private email addresses of members of the POP group**

Thank you for your continued support Gerry.

Happy New Year, best regards.

Ian

Sent via BT Email App

**Email timed/dated at 10:57pm on 30<sup>th</sup> December 2022 from Nigel WARD to Gerald STAPLETON:**

Dear Mr STAPLETON,

STRICTLY CONFIDENTIAL

My name is Nigel WARD. I am an investigative journalist. I write for the *North Yorks Enquirer*, as you are aware. I write to you from my *personal and private* email address.

Please be aware that you do NOT have my consent to share this highly confidential communication, or my *personal and private* email address, with ANY third party.

It comes to my attention that you have circulated an email to members of your POP group which seeks to undermine the veracity and authenticity of an 'appeal' email I sent to selected Potto residents, yourself included, on 17th December 2022 (copied below, for convenience of reference) from my strictly *investigatory* email address:

- [private\\_correspondence@gmx.com](mailto:private_correspondence@gmx.com)

Regrettably, some of your assertions are demonstrably untrue and, arguably, defamatory. Your email may even amount to an offence under s.1 of the [Malicious Communications Act 1988](#) and/or under s.127(2)(a) of the [Malicious Communications Act 2003](#).

It is clear, *via* disgruntled feedback from Potto residents, that you have drawn upon private email addresses of members of your POP group to mis-use their personal data (justifiably held for communications within the POP group) for political purposes; i.e. to publish misinformation in your continuing support for Potto Parish Council.

I am minded to investigate further and to include reference to these matters in a further article to be published shortly by the *Enquirer*.

I write to make you aware of this and to offer you this sole opportunity for you to (i) provide me with your unconditional apology, (ii) to forward to me a copy of an email I trust you will transmit to the same recipients as before, retracting your false assertions (you should state that you have since learned that my 'appeal' to residents was unequivocally authentic and factually accurate) - and (iii) to provide you with a so-called 'right of reply', ahead of publication of my next article, in which I intend to report certain deeply disturbing developments in my investigation of Potto Parish Council, including your unsolicited and inappropriate intervention.

I look forward to hearing from you not later than 18:00hrs on Sunday 1st January 2023.

Yours,

Nigel

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## Appended to the same email:

On 17 Dec 2022, at 18:48, [private\\_correspondence@gmx.com](mailto:private_correspondence@gmx.com) wrote:

Dear Potto Resident,

Please forgive the intrusion. We hope you will find the following message helpful. If not, please delete, as you see fit.

The [North Yorks Enquirer](#) (NYE) is an internet news outlet specialising in the exposure of misconduct on the part of elected and paid local government public servants (respectively, Councillors and Officers) here in North Yorkshire.

Our investigators (one of whom is a Chartered Accountant and Certified Fraud Investigator) work voluntarily, in the public interest, to hold errant public servants to account.

Our exposés have been covered by the BBC (*Inside Out, Look North*), ITV and Sky News, as well as national newspapers, including *Private Eye* magazine.

Presently, we are investigating the background to the conduct of Potto Parish Council, recently in the national news following a £37K audit investigation and ensuing Public Interest Report (PIR) by External Auditors PKF LITTLEJOHN LLP, which, as things stand, will cost Potto Council Tax payers around £500 *per* household.

We would like to invite you to keep abreast of this developing investigation by following our exposés under the 'Town & Parish' drop-down menu displayed at the top of the NYE homepage and selecting 'Potto'.

The first two articles in this continuing series are available here:

- **"Arguably the WORST Parish Council in England"** (published 29/11/22): <http://nyenquirer.uk/worst-parish-council/>
- **"Potto Council's Internal Auditor: Incompetent – or What?"** (published 16/12/22): <http://nyenquirer.uk/ppc-int-audit-incomp-or-what/>

These and further Potto articles can also be found here:

<http://nyenquirer.uk/category/towns-parishes/potto/>

This investigation has taken far longer than anticipated; partly because of the scope and extent of the 'problems' revealed by the PKF LITTLEJOHN LLP investigations, and partly because of the apparent reluctance of the Council to acknowledge the External Auditor's findings, embrace the PIR and respond openly and transparently to requests for information.

Fortunately, however, other sources (in Northallerton and Middlesbrough) have come forward and we are now able to piece together a comprehensive analysis of exactly what has gone so badly awry at Potto Parish Council.

We believe that Potto residents have a right to be aware of our findings - which is why you have received this email.

If it is your wish to hear no more from us about this rather distasteful subject, please respond to this email using the word **UNSUBSCRIBE** in the subject-line of your email, and accept our sincere apologies for this unsolicited approach; your contact details will then be deleted from our database.

Conversely, if you feel you would like to contribute information to our investigation, however circumstantial or seemingly trivial, please be assured of our **ABSOLUTE GUARANTEE** of total confidentiality and inviolable anonymity. Your assistance, though unacknowledged, will be greatly appreciated. It may even contribute to ensuring that it will not be Potto ratepayers who bear the burden of the £37K Audit Investigation fee.

Thank you for your time and consideration.

Yours sincerely,

NYE

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**Email timed/dated at 01:03pm on 1<sup>st</sup> January 2023 from Gerald STAPLETON to Nigel WARD:**

Good afternoon Mr. Ward,

It is pleasant to know that there is at least a name behind the otherwise anonymous title of North Yorks Enquirer. I am having difficulty tracing any of your colleagues in that organisation, but that is by the by.

I was not aware, as you seem to assume, that you are an investigative journalist nor that you write for the North Yorks Enquirer until your second e-mail, mainly because I didn't have your name. I received the first e-mail, as did everyone on my private list of Potto Oil Purchasing Group members, from someone hiding behind a [private\\_correpondence@gmx.com](mailto:private_correpondence@gmx.com) address. I note that you are now writing from your "*personal and private*" e-mail address. I am also using my "*personal and private*" e-mail address, as was everyone on the POP Group list, but that didn't stop you from hijacking that list and using their "*personal and private*" details for your own ends. What an intrusion! Because of that I have no hesitation in sharing your second e-mail with all the other people involved. You should be aware in your self-appointed profession that whilst you can ask for confidentiality you cannot demand it. It is up to me to choose where to treat your e-mail as confidential or not, and I choose not to.

It should be obvious that I have chosen to ignore your rather fatuous 6:00 p.m. on Sunday deadline. If you are to go further in your chosen profession you should know that issuing a deadline without the

accompanying “or else” clause makes it rather meaningless. I generally have better things to do on New Year’s Day, but had you had said “or else I will break your fingers” or “I will reveal details of yours and Anne Widdicombe’s love child to the tabloid press” or even “I will join forces with Vladimir Putin and launch World War 3” I might have been roused from my post-New-Years-Eve stupor. I doubt it though, because I don’t respond well to artificial deadlines.

As I said above I have circulated your attempt at silencing me in your last e-mail to all the members of the Potto Oil Purchasing Group and asked them whether they have received any further communication from you, particularly of a threatening or intimidating nature similar to the one to me. I will not provide you with a copy of the covering e-mail to the POP Group members. You will, no doubt, receive one from whoever provided you with a copy of the Groups *private* e-mail addresses in the first place. You, and that person, should be aware, however, that hijacking these *private* e-mail addresses and using them to further your own political agenda is an offence.

You should therefore also be aware that I have reported this to the police, and also the attempted threatening and intimidating tone of your last e-mail.

If you and your co-conspirator are going to continue with your self-appointed role as the Caped Crusader saving Gotham City (or Potto, as it is known) from the evil clutches of the organised criminality that is Potto Parish Council then you really should learn to read more closely. No-where in my *private* e-mail to the *private* email addresses of the POP Group members did I mention anything about Potto Parish Council. This seems to be a view seen through the distorted lens of someone with an obsessive axe to grind. I am neither supporting nor attacking the PPC. They are big boys and girls and can fight their own corner. What I was concerned about, and legitimately so given the anonymous nature of your e-mail to our members, was that they should not be spoofed into responding to something that, to me, had all the hallmarks of something from a dissatisfied member the Nigerian Government who would be prepared to release millions of pounds to me if only I would give him my bank details. I should have noticed, however, that at least these kind of e-mails usually include the name of the official, however bogus. Yours did not include your name at all.

Funnily enough I have not heard from any member of the Group or, indeed any potto resident at all, about their being disgruntled about my e-mail. I would be grateful if you could let me have their names and copies of the disgruntled correspondence with you so that I can contact them, as otherwise I might be forced to the conclusion that they do not exist.

As I said above, it seems to be you who has “*drawn upon private email addresses of members of your POP group to mis-use their personal data (justifiably held for communications within the POP group) for political purposes*”. I merely sought the reassurance my members that the anonymous e-mail that they received was not to be taken seriously. You, on the other hand, have used their addresses to pursue your vendetta against the Parish Council. You may, of course, investigate as far as you like, but if you do so please do not use any *private* contact details that you have gained from your improper use of the POP Group membership list.

Given that you should not have been using the *private* POP Group contact list all I will not grace your comments about “demonstrably untrue” and “defamatory” nor “unequivocally authentic and factually accurate” with any kind of detailed response, mainly because I can’t be arsed. As for my “unsolicited and inappropriate intervention” this appears to have happened only in your dream world. See the paragraph above.

If anyone on my *private* list of POP Group members wants to respond to either your first or second e-mails, in spite of the fact that you should not have had the list in the first place, they are at liberty to do so, of course.

From my personal point of view, and nothing to do with the Potto Oil Purchasing Group, if reporting “certain deeply disturbing developments” in your investigation of Potto Parish Council reveals the Chairman supporting two mistresses and a heavy cocaine habit out of the Parish Precept or something similar then I shall read your further reports with interest.

Gerry Stapleton

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**Email timed/dated at 01:23pm on 2<sup>nd</sup> January 2023 from Mr Gerald STAPLETON, to circa 50 members of the Potto Oil Purchasing group (POP):**

gerrystapleton60@gmail.com

13:21 (21 minutes ago) ☆ ↶

to jspuhler, kevinlawless, ross.neasham, gary.broatch, peter.a.hutchinson, stephansarah.nuttall, ray.thomas, rockdaleestates, alexmee3, lyncward, me, brian.atl ▾

Good afternoon everyone,

I have received an e-mail from someone calling himself Nigel Ward, on behalf of the North Yorks Enquirer.

This is in response to the email that sent to everyone on the POP Group list about an unsolicited, and to my mind highly suspicious, anonymous e-mail from someone signing him or herself as NYE.

This second e-mail seems to be an attempt to intimidate and threaten me. As you can see, I have not become too upset by it yet.

The purpose of this e-mail, though, is to ask if any else has received any further e-mails, either from NYE or Nigel Ward, or any other source, about his matter, and if you have perhaps you would let me know. You are, of course, completely at liberty to respond to anyone about Potto Parish Council, but I will not have members of a private group set up for the purpose of negotiating a discounted heating fuel price, used in this way.

If you found the approach made to you by the NYE using your private e-mail addresses from the POP Group list was underhand or offensive in any way you could also, of course, make your feelings known about this to NYE as well.

Kind regards,

Gerry

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**Email timed/dated at 2:03pm on 2nd January 2023 from Nigel WARD to Gerald STAPLETON:**

Please call when you can.

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**Email timed/dated at 02:21pm on 2nd January 2023 from Gerald STAPLETON to Nigel WARD:**

Nigel Ward,

No.

I have already had one reply to my *private* e-mail to the POP Group members. That respondent apparently e-mailed you and said:

*Where did you get my email address? Who gave it to you?*

*Or is this another of your underhand methods to destroy the image of our village?*

Clearly I am not the only one who thinks you are taking a bit of a liberty.

You have not yet replied to him. Are you prepared to tell him where his address came from?

Gerry Stapleton

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**Email timed/dated at 03:06 pm on Monday 2<sup>nd</sup> January 2023 from Gerald STAPLETON to Nigel WARD:**

Mr. Ward,

Another reply. This time the respondent says:

*I received an unsolicited email to my private email address on the 17th December 2022 from the NYE. I was not pleased, as I purposely keep my personal email address private. I have since replied & asked where they got my email address from but no reply so far*

and

*I am seriously displeased that I have received these emails from the NYE & other persons & am assuming that my email address was taken from the POP list without permission.*

You really know how to upset people, don't you?

I won't go on sending you these e-mails as they come in – I expect more of them this evening as people get home from work and get chance to catch up on their *personal* emails. Interestingly I have yet to receive any from the Potto residents to which you refer who were “disgruntled” at my using the POP Group members list for its entirely proper purpose.

Gerry Stapleton