SRA Complaint – Sean O'Connor

Complainant: Mr C. Bury

Date: [redacted]-05-2025

Solicitor Name: Mr Sean O'Connor

Firm: Herefordshire Council Legal Services

Role: Solicitor acting on behalf of the Council

Relationship: I am not a client of Mr O'Connor. He corresponded with me in his role as a solicitor for Herefordshire Council.

Details of My Complaint

I am submitting this formal complaint against Mr Sean O'Connor for serious breaches of professional and regulatory standards under the SRA Principles and Code of Conduct. Mr O'Connor engaged in a pattern of obstructive and misleading conduct in his correspondence with me from 2023, in relation to my lawful Subject Access Requests (SARs), my efforts to raise data protection and surveillance concerns with Herefordshire Council, and in connection with evidence I sought for a legal matter before the Investigatory Powers Tribunal.

- Key allegations and supporting details include:

• Misrepresentation of SAR as FOI: Mr O'Connor knowingly misclassified a Subject Access Request as a Freedom of Information request, despite the fact that I was clearly seeking personal data to which I am entitled under Article 15 UK GDPR. This obstructed my ability to obtain material evidence for the Investigatory Powers Tribunal. Internal email dated 06 September 2023 (DOC0001) confirms the FOI misclassification and application of the 'vexatious' label.

• Vexatious designation: Mr O'Connor coordinated and authored internal communications recommending I be labelled "vexatious," including as shown in documents 00012.pdf, 00013.pdf and 00014.pdf. This designation was not evidence-based, but part of a

strategic attempt to block lawful contact with elected councillors and evade Council accountability.

• Discriminatory tone and ableist language: In the letter dated 09 April 2025 (DOC_OConnorApril2025), Mr O'Connor used the phrase 'your inability to accept this' in a formal response. This language is dismissive and could reasonably be construed as ableist—particularly given his awareness of my health and vulnerability. I consider this a violation of Principle 6, which requires solicitors to treat individuals fairly and with respect.
Additionally, I do not regard the refusal to accept lack of accountability, wrong or wrongdoing, or concealment as an "inability" — but rather as the legitimate assertion of my rights in response to professional misconduct.

• Inconsistent and misleading statements: Mr O'Connor made contradictory assertions about the number of emails sent to councillors. For example, he cited '143 emails' sent to councillors without substantiating this claim (DOC40 and DOC56). Internal logs (see DOC2) prove this figure was vastly overstated and used manipulatively to justify policy restrictions and support the Unreasonable Behaviour Policy.

• Failure to secure or disclose data: Despite knowing I was attempting to obtain legally relevant data to support an IPT case and redress, Mr O'Connor failed to ensure that such information was secured or disclosed through SAR responses. Internal evidence now shows that key materials were available and withheld.

• Strategic obstruction of data access: Emails show Mr O'Connor orchestrated internal policy justifications after the fact to support the denial of my rights under GDPR, while working with other officers to impose restrictions on my engagement with the Council.

• Failure to act on RIPA obligations and secure Forcepoint logs: Mr O'Connor failed to acknowledge or act upon Herefordshire Council's RIPA obligations, despite being aware of sustained monitoring of my website and social media; some bypassing network restriction in place. He made no effort to ensure RIPA authorisation was obtained or disclosed, even as this surveillance continued for years. He also failed

to secure logs or audit trails from Forcepoint Ltd, the Council's known proxy/VPN provider.

Relevant Principles and Rules Breached

This conduct breaches the following SRA Principles and Code of Conduct requirements:

- Principle 1: Uphold the rule of law and the proper administration of justice
- Principle 2: Act with integrity
- Principle 5: Act in the best interests of each client (in this case, misuse of authority to mislead and obstruct)
- Principle 6: Act in a way that encourages equality, diversity and inclusion
- Code of Conduct: Paragraphs 1.2, 1.4, 1.8, 2.1, 2.2 and 7.1

I believe Mr O'Connor's actions constitute professional misconduct and warrant regulatory review.

Supporting Evidence (Annex)

- DOC0001 (0001.pdf): Internal email from Sean O'Connor dated 06 September 2023 confirming misclassification of SAR as FOI and application of 'vexatious' label.
- DOC38 (00012.pdf): Internal email and letter authored by Mr O'Connor applying vexatious designation.
- DOC39 (00013.pdf): Coordination of restrictions on contact with councillors.
- DOC40 (00014.pdf) and DOC56 (UBP-9-20-07-2023_Redacted.pdf): Misleading claims about volume of emails.
- DOC41 (00019.pdf): Shows delayed SAR response and misuse of policy.
- DOC2 (2. log of emails_reduced.pdf): Demonstrates accuracy and non-vexatious nature of communications. Directly contradicts Sean O'Connor's inflated claim of '143 emails'.
- DOC54 (4. Dear councillor emails): Reinforces contradiction of '143 emails' claim; emails were appropriate, few in number, and related to monitoring concerns.

- DOC55 (6. emails Durkin Gandy Stark): communications demonstrating avoidance of data transparency.
- DOC_OConnorApril2025 (Letter from O'Connor Hfd Council 09-04-2025_Redacted.pdf): Contains the statement 'your inability to accept this', cited as dismissive and potentially ableist. Supports allegations under Principle 6.
- DOC57 (Hfd Council SAR 2022 Part 2 reduced size.pdf): Demonstrates the Council's failure to include relevant surveillance data in response to a lawful SAR during the time Mr O'Connor was in position.
- DOC58 (RIPA_policy Herefordshire Council.pdf): Confirms the Council's policy explicitly requires RIPA authorisation for repeated online surveillance.
- DOC59 (RIPA Appendix 1 - Regulation of Investigatory Powers Act 2000 RIPA Policy and Procedures -.pdf): Provides procedural obligations under RIPA, clearly contravened by Mr O'Connor and ignored in Council responses.

Additional evidence is listed in the separately attached Annex Index: "Updated_SRA_Annex_Sean_OConnor_Mr_Bury_14-05-2025.docx".

I am willing to provide further clarification or evidence upon request.

Sincerely



Mr C. Bury