

Dear Jon,

We write further to our previous correspondence on this matter.

In 2018, we questioned you about a report that had been made to the Code of Conduct committee regarding an allegation of sexual harassment that was made against you. You admitted to that sexual harassment, and you acknowledged that it was not acceptable.

For the sake of clarity and as you will understand, sexual harassment is unwanted behavior of a sexual nature which violates someone's dignity, or makes them feel intimidated, degraded or humiliated. It is not what is intended, but how the recipient feels that is the test.

However, we should note that the sexual harassment in this case could quite equally be capable of meeting the definition of sexual assault as set out in part 1, section 3 of the UK Sexual Offences Act 2003, in short, touching another person sexually without their consent.

You confessed to the behavior in question, and you also accepted that such admitted behavior is a breach of the Code of Conduct. As a result, we informed you that you would be removed from the OpenCon community and disallowed from participating in future events in-person or online. These are all possible sanctions that are permitted by our Code of Conduct, which you agreed to be bound by when you registered for OpenCon in 2016, and you accepted those sanctions when confronted with the report of your behavior. We were under no obligation to keep the news of your removal from the OpenCon community confidential.

You have complained about the announcement, which was made on our website www.opencon2018.org on 31 October 2019 (the 'Statement'). The Statement read as follows:

"The OpenCon Code of Conduct Committee has decided to remove Jon Tennant from the OpenCon community and disallow his participation in future OpenCon events—in-person or online."

Your correspondence makes several assertions about possible legal claims against OpenCon and a number of its members. Although you promise to "illustrate" these claims with "public documentation", you have not set them out in any detail. Where possible, we have provided a response to your perceived claims in this letter. Where your threats of claim against individuals are made without basis, they could well amount to further incidents of harassment.

Your correspondence appears to allege, inter alia, that the OpenCon Statement is defamatory and breaches your right to respect for a private and family life under Article 8 of the ECHR.

For the record, we deny that the Statement is defamatory. The Statement is true - we note that, although you have suggested that the Statement carries some possible "innuendo" meaning, you do not say what this meaning might be. If you wish for a response in that regard, you will need to set out the false innuendo meaning that forms the basis of your claim.

We also deny that the Statement breaches your right to respect for your private and family life. There is no reasonable expectation of privacy in the information contained in the Statement, so there can be no claim for a breach of your Article 8 rights. Even if there were

an expectation of privacy, the Statement goes no further than is necessary in the circumstances and its publication is fair, accurate, and justified in the public interest.

We hope this resolves some of your questions.

Regards,

Nick