

**Standards Determination Sub-Committee – Meeting held on Monday, 22nd June, 2015.**

**Present:-**

**Co-opted Independent Members:-**

Mr Davies, Sunderland and Lee

**Elected Members:-**

Councillors Amarpreet Dhaliwal, Mansoor, Nazir and Lee

**In Attendance:-**

**Independent Person:-**

Mr Louis Lee

**Subject Member:-**

Councillor Chaudhry

**PART 1**

**1. Appointment of Chair**

**Resolved** – That Councillor Nazir be appointed to Chair the meeting.

**2. Declarations of Interest**

Councillors Mansoor, Nazir and Amarpreet Dhaliwal declared a personal interest in that they knew Councillor Chaudhry, the subject Member, as a colleague. The Monitoring Officer advised that provided Members considered the business in an open and independent manner, this would not preclude them taking part in the Sub-Committee's deliberations.

**3. Minutes of the previous Meeting of the Sub-Committee held on 30th July 2013**

**Resolved** – That the minutes of the meeting of the Sub-Committee held on 30<sup>th</sup> July, 2013 be approved as a correct record.

**4. Complaint of Failure to Observe the Councillors Code of Conduct - Councillor Chaudhry**

The Sub-Committee met to determine a self referral made by Councillor Chaudhry (the subject Member) that he had breached the Council's Code of Conduct by providing a letter of support to a defendant on trial for sexual offences relating to children. Councillor Chaudhry also attended court at the sentencing hearing in February 2015 where the barrister for the defence made comment in open court that Councillor Chaudhry was present as Mayor.

At the invitation of the Chair, introductions were made by all parties present. Attention was drawn to the procedure to be followed during the hearing and all parties confirmed their understanding of it.

## Standards Determination Sub-Committee - 22.06.15

Mr Martin Dolton, the Investigating Officer appointed to look into the complaint, presented his report. Councillor Chaudhry was appointed Mayor of the Council in June 2014 for the 2014/15 Municipal Year. In November 2014 Councillor Chaudhry wrote a letter of support for use in a court case concerning a resident of his ward and member of a family whom he knew well. The resident was one of two men charged with serious offences relating to Child Sexual Exploitation (CSE).

The resident concerned was convicted of those CSE offences and the case adjourned for sentencing. Councillor Chaudhry attended the sentencing hearing at Reading Crown Court on 16<sup>th</sup> February 2015 and his presence in court as Mayor was referred to by the defence barrister.

During the investigation process Councillor Chaudhry did not dispute the facts of the case, namely that he had submitted a letter of support in his capacity as a Councillor and that he had attended the sentencing hearing.

Sub-Committee Members were reminded that the investigation focussed on whether Councillor Chaudhry had acted in a manner that a reasonable person would consider had affected the reputation and integrity of the council and/or its members and/or undermined the Council's duty to promote and maintain high standards of conduct of its members. Mr Dolton submitted that by providing the letter in November 2014 as a councillor, and signing it as such with the intention of adding weight to its contents by use of his title; Councillor Chaudhry had entered into the matter as a councillor and his subsequent involvement by attending court therefore remained in his role as councillor.

There was no evidence that Councillor Chaudhry at any time withdrew or attempted to withdraw his title from use. Having provided the letter in the manner he did he had in effect given consent for his title to be used by the family and defence lawyers. Irrespective of Councillor Chaudhry not giving explicit consent to use his name and position as a councillor and mayor, he had allowed it to happen by being present in court. It was noted that Councillor Chaudhry had received a copy of the Mayor's handbook both in 2013 as Deputy Mayor and 2014 as Mayor, which clearly stated that *"even when not wearing the Badge you could still be judged as Mayor and people will expect the First Citizen of their community to behave in a manner which deserves their greatest respect."*

Having given due regard to all the information available, the investigation concluded that Councillor Chaudhry had submitted the letter and attended court in his capacity as an elected member. Furthermore, it was considered that Councillor Chaudhry's actions had undermined the Council's duty to promote and maintain high standards of conduct.

In reaching these conclusions, the Investigating Officer stated that he was mindful of the open and public statements made by Councillor Chaudhry immediately after his attendance at the court, in which he expressed regret for his actions and made clear that he had considered the matter to have been a serious error of judgement.

## Standards Determination Sub-Committee - 22.06.15

In his submissions to the Sub-Committee, Councillor Chaudhry admitted that he had made a serious error of judgment, following which he had immediately resigned from his position as Mayor and made a self referral to the Standards Complaints Process. Councillor Chaudhry stated that he deeply regretted providing the letter and that in his opinion he did not believe that the letter had had any influence over court proceedings.

The circumstances which had led to his attendance at court were outlined by Councillor Chaudhry. It was noted that he had known the family concerned for over twenty years and that he had held many positions of office within the community. Councillor Chaudhry reiterated his remorse in both attending court and having provided a letter of support and stated that his sympathies lay with the victims and their families. Councillor Chaudhry requested that Sub-Committee Members, during the course of deliberations, take into account the fact that he had resigned immediately from the position of Mayor and made a self referral to the Council's Standards Complaints Process.

Sub-Committee Members asked a number of questions, including whether the other ward Councillors had submitted a letter of support to the family. Councillor Chaudhry stated that as far as he was aware the other ward councillors had not submitted any letters of support. In response to whether he was under any pressure to provide an letter of support, Councillor Chaudhry explained that there had been a degree of community pressure to provide a letter of support, especially given the fact that he had known the family for a number of years.

Asked whether advice had been sought from officers regarding the submission of the letter, Councillor Chaudhry informed Sub-Committee Members that he had not asked for any professional advice from officers.

In summing up, Mr Dolton stated that although he understood the mitigation put forward by Councillor Chaudhry, having considered all the evidence, Councillor Chaudhry had breached points 2.3 and 2.4 of the Council's Code of Conduct.

Councillor Chaudhry summarised that the letter of support had been provided to the family prior to the defendant having been convicted of CSE offences and that his role had been to support the family .

The Sub-Committee retired to consider its decision. After consideration of all the evidence, and having established that Councillor Chaudhry had no further comment to make, the Sub-Committee

**Resolved** - To record a finding that Councillor Chaudhry had breached Points 2.3 and 2.4 of the Code of Conduct by submitting a letter of support for the defendant and attending court.

## Standards Determination Sub-Committee - 22.06.15

The Sub-Committee then considered what action (if any) to take. On resumption it was

**Resolved** - That having accepted the apology of the subject Member, the following action be taken:

- To publish the finding that Councillor Chaudhry had acted in a manner that a reasonable person would consider had affected the reputation and integrity of the Council and undermined the Council's duty to promote and maintain high standards of conduct.
- To report the findings to the next meeting of the Audit and Corporate Governance Committee.
- Recommend to the Leader of the Labour Group that in the light of the findings, the Labour Group considers the capability and credibility of Councillor Chaudhry when assessing his suitability for future positions of portfolio or profile within the Council.

Whilst noting Councillor Chaudhry's submission that an error of judgement had been made, the Sub-Committee were of the view that the Council had provided sufficient training to members regarding their roles and responsibilities in relation to the safeguarding of children.

The Council takes very seriously the safeguarding of children at all times and the Sub-Committee concluded that Councillor Chaudhry's actions may have undermined trust and confidence in the Council's ability to safeguard children.

The Sub-Committee also acknowledged the community pressure that may have been exerted on Councillor Chaudhry to provide a letter of support in this case. However, Councillors were in office to uphold public interest over personal interest at all times and therefore the Sub-Committee strongly recommended that Councillors equip themselves with strategies to deal with community pressures in order that they can uphold the public interest at all times.

Chair

(Note: The Meeting opened at 6.30 pm and closed at 8.30 pm)