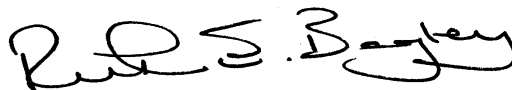


Date of issue: 12th June 2015

MEETING	STANDARDS DETERMINATION SUB-COMMITTEE
	CO-OPTED/INDEPENDENT MEMBERS Graham Davies and Alan Sunderland
	ELECTED MEMBERS:- Councillors Ajaib, Amarpreet Dhaliwal and Mansoor
DATE AND TIME:	MONDAY, 22ND JUNE, 2015 AT 6.30 PM
VENUE:	SAPPHIRE SUITE 5, THE CENTRE, FARNHAM ROAD, SLOUGH, SL1 4UT
DEMOCRATIC SERVICES OFFICER: (for all enquiries)	SHABANA KAUSER 01753 787503

NOTICE OF MEETING

You are requested to attend the above Meeting at the time and date indicated to deal with the business set out in the following agenda.



RUTH BAGLEY
Chief Executive

AGENDA

PART 1

AGENDA
ITEM

REPORT TITLE

PAGE

WARD

Apologies for absence.

AGENDA
ITEM

REPORT TITLE

PAGE

WARD

1. Declarations of Interest

All Members who believe they have a Disclosable Pecuniary or other Pecuniary or non pecuniary Interest in any matter to be considered at the meeting must declare that interest and, having regard to the circumstances described in Section 3 paragraphs 3.25 – 3.27 of the Councillors' Code of Conduct, leave the meeting while the matter is discussed, save for exercising any right to speak in accordance with Paragraph 3.28 of the Code.

The Chair will ask Members to confirm that they do not have a declarable interest.

All Members making a declaration will be required to complete a Declaration of Interests at Meetings form detailing the nature of their interest.

2. Appointment of Chair

-

-

To appoint a Chair from the elected members.

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

1 - 4

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

5 - 118

Press and Public

You are welcome to attend this meeting which is open to the press and public, as an observer. You will however be asked to leave before the Committee considers any items in the Part II agenda. Please contact the Democratic Services Officer shown above for further details.

The Council allows the filming, recording and photographing at its meetings that are open to the public. Anyone proposing to film, record or take photographs of a meeting is requested to advise the Democratic Services Officer before the start of the meeting. Filming or recording must be overt and persons filming should not move around the meeting room whilst filming nor should they obstruct proceedings or the public from viewing the meeting. The use of flash photography, additional lighting or any non hand held devices, including tripods, will not be allowed unless this has been discussed with the Democratic Services Officer.



Standards (Determination) Sub-Committee – Meeting held on Tuesday, 30th July, 2013.

Present:- **Co-opted Independent Members:-**

Mr Alan Sunderland and Mr Ronald Roberts

Elected Members:-

Councillors M S Mann (Chair), A S Dhaliwal and Minhas

Independent Person:-

Mr Fred Ashmore

Also present:- Councillors Bains and Strutton.

PART 1

1. Appointment of Chair

Resolved - That Cllr M S Mann be appointed to Chair the meeting.

2. Declarations of Interest

Cllrs A S Dhaliwal and M S Mann declared a personal interest in that they had known Cllr Bains, the subject Member, as a friend and colleague over a long period. 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 last Meeting of the Sub-Committee held on 19th April 2012

Resolved - That the minutes of the last meeting of the Sub-Committee held on 19th April 2012 be approved as a correct record.

4. Complaint of Failure to Observe the Councillors' Code of Conduct - Councillor Balvinder Bains

The Sub-Committee met to determine an allegation made by Councillor Strutton that Councillor Bains (the subject Member) had breached the Council's Code of Conduct by failure to disclose pecuniary interest/s on his notification of Disclosable of Pecuniary Interests form dated 9th January 2013.

Standards (Determination) Sub-Committee - 30.07.13

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.

Mrs Amardip Healy, the Investigating Officer appointed to look into the complaint, presented her report and outlined the background to the new Standards regime introduced by the Government with effect from July 2012. This included a revision of the procedure in relation to Members' interests requiring the completion of a form of notification of Disclosable Pecuniary Interests (DPI) by all Members. Pecuniary Interests included business interests (for example employment or trade, any contract or company interests) and wider financial interests (for example trusts, investments and assets including land and property) for both the Member and his/her spouse/partner. The Regulations detailing the new requirements had been issued very late in the day leaving local authorities very little time to prepare Members to comply with their new statutory duties.

The Investigation report concluded that the subject Member had failed to notify a Disclosable Pecuniary Interest relating to his employment. The subject Member had also failed to disclose his membership of a Trade Union, but since this was not carried out for profit or gain, it was not a Disclosable Pecuniary Interest. The Investigating Officer's report also referred to a subsequent allegation made by the complainant that the subject Member had failed to declare properties within the Borough in which he had a beneficial interest. The subject Member's notification disclosed ownership of three properties in the Borough; the subject Member had confirmed there were no other properties in his ownership in the Borough and no evidence had been presented to the contrary. The Investigating Officer confirmed that there was no evidence that the failure to declare was deliberate or malicious. Neither was there any evidence that the subject Member had derived any gain arising from the non-disclosure or that his position on any Committee where he was present had been compromised.

In a statement to the Committee, Cllr Bains apologised for the error made on completion of his notification of DPI form, which he indicated had been a genuine oversight on his part. He had disclosed his employment with BAA (where he had worked for 23 years) on previous interests forms but had mistakenly omitted this from the new DPI form. A corrected DPI form had since been submitted by Cllr Bains and added to the Register of Interests.

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

Resolved - To record a finding that the subject Member had breached the Code of Conduct by failure to correctly complete his notification of Disclosable Pecuniary Interests (relating to his employment).

The Sub-Committee retired again to consider what action (if any) to take. On resumption it was

Standards (Determination) Sub-Committee - 30.07.13

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

- To publish the finding of failure to notify Disclosable Pecuniary Interests in the normal way that decisions of the Council are published.
- To report the findings to the next meeting of the Standards Advisory Committee.

The Sub-Committee further recommended that all Councillors be reminded to review their notification of Disclosable Pecuniary Interests forms to ensure these are correct, and request any assistance, if required, from the Monitoring Officer or Democratic Services.

In accordance with the agreed procedure, the foregoing would be set down in a Decision Notice issued by the Monitoring Officer, in consultation with the Chair, and sent to the complainant and the subject Member.

Chair

(Note: The Meeting opened at 6.30 pm and closed at 7.20 pm)

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SLOUGH BOROUGH COUNCIL**REPORT TO:** Standards Determination Sub Committee **DATE:** 22 June 2015**CONTACT OFFICER:** Catherine Meek
(For all Enquiries) Head of Democratic Services (01753) 875011**WARDS:** N/A**PART I**
FOR DECISION**COMPLAINT OF FAILURE TO OBSERVE THE COUNCILLORS' CODE OF CONDUCT – COUNCILLOR SHAFIQ CHAUDHRY****1. Purpose of Report**

The purpose of this report is to submit for consideration the Investigating Officer's report on the results of his investigation into a complaint that Councillor Shafiq Chaudhry failed to comply with the Councillors' Code of Conduct (**Appendix A**).

2. Recommendation/Action Required

The Sub-Committee is asked to consider the Investigating Officer's report and resolve what further action, if any, is required.

3. Wellbeing Strategy Priorities

It is important that the public have confidence in all Members of the Council who are duty bound to abide by the provisions contained in the Councillors' Code of Conduct and the Council's own Ethical Framework. Furthermore, it is a prime function of the Audit and Corporate Governance Committee to promote and maintain high standards of conduct by Members.

4. Other Implications

There are no direct financial or staffing implications arising out of this report. The process of hearing and determining the allegation will be in accordance with the procedure for conduct of a Sub-Committee hearing set out in the Council's constitution. Any potential human rights issues which might arise are addressed and provided for in the hearing procedure.

5. Background Information

- 5.1 In November 2014 Councillor Chaudhry provided a letter of support to the Ahmed family for use in a court case where two defendants were on trial for sexual offences relating to children. He signed the letter as a councillor.

- 5.2 On 16th February 2015 Councillor Chaudhry attended Reading Crown Court and was present in court at the sentencing hearing. The barrister for the defence made comment in open court that Councillor Chaudhry was present as Mayor.
- 5.3 On 18th February 2015 Councillor Chaudhry signed and submitted a Code of Conduct Complaint Form, in which he referred himself to be subject of the standards process of the Council.
- 5.4 In the complaint form Councillor Chaudhry stated (In Section 2.2) *“I believe I have made a serious error of judgement that may have led to a breach of the Council Code of Conduct”*.
- 5.5 The Monitoring Officer, having consulted the Council’s Independent Person as required in the Complaints Process, referred the complaint for investigation. He appointed Wilkin Chapman LLP Solicitors to conduct the investigation into the complaint. The Monitoring Officer considered the Investigating Officer’s final report and decided that it should be sent for determination by the Standards (Determination) Sub-Committee.
- 5.6 Enclosed for consideration of the Sub-Committee are the following documents:

<u>Appendix</u>	<u>Document</u>
Appendix A	Investigating Officer’s Report
Appendix A1	Schedule of Evidence
Appendix B	Investigation and Determination of Complaints (including Procedure for conduct of a Sub-Committee hearing)

- 5.7 The procedure for the hearing will be as set out in **Appendix B** and any guidance and/or advice the Sub-Committee may require will be provided by the Monitoring Officer, Kevin Gordon, Assistant Director, Professional Services.

6. **Conclusion**

The Sub-Committee is asked to consider the evidence presented and come to a decision as to what action, if any, should be taken in respect of this matter. The Procedure for the Sub-Committee (**Appendix B**) sets out what conclusions the Sub-Committee may come to (paragraph 6.13) and what action it may take (paragraph 6.14).

7. **Background Papers**

None.



Case reference:

Report of an investigation by Jonathan Goolden, Wilkin Chapman LLP, appointed by the Monitoring Officer for Slough Borough Council, into allegations concerning **Councillor Shafiq Chaudhry** of that Council.

1st June 2015

VOLUME 1 REPORT

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solicitors

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Grimsby
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a limited liability partnership registered in England number OC343261
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Appendix A Schedule of evidence taken into account and list of unused material

1. Executive Summary

- 1.1 Councillor Chaudhry is a member of Slough Borough Council.
- 1.2 Councillor Chaudhry was appointed Mayor of the Council in June 2014 for the municipal year 2014 - 15.
- 1.3 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).
- 1.4 That person was convicted of those CSE offences. The case was adjourned for sentencing. Councillor Chaudhry attended the sentencing hearing at Reading Crown Court on 16th February 2015. His presence in court as Mayor was referred to by the defence barrister.
- 1.5 Councillor Chaudhry resigned as Mayor on 18th February 2015 and referred himself by complaint form to the Code of Conduct Standards process of the Council.
- 1.6 I have considered whether Councillor Chaudhry wrote the letter and attended court in his capacity as an elected member and concluded that he did.
- 1.7 I have considered whether Councillor Chaudhry's action was such that the integrity and reputation of the Council as a whole or its members generally were likely to be damaged, and whether the action undermined the Council's duty to promote and maintain high standards of conduct, and concluded that it did.
- 1.8 My finding is that there has been a breach of the Code of Conduct of Slough Borough Council by Councillor Chaudhry.

2. Councillor Chaudhry's official details

- 2.1 Councillor Chaudhry is an elected member of Slough Borough Council and represents Central Ward.
- 2.2 He was first elected in 2006, and subsequently re-elected in 2010 and 2014.
- 2.3 He was the Cabinet member for Community and Leisure from 2010 to 2012, and the Cabinet member for Accountability and Performance from 2012 to 2013.
- 2.4 In June 2013 he was appointed Deputy Mayor.
- 2.5 In June 2014 he was appointed Mayor, and served in that role until his resignation from that position on 18th February 2015.

3. Relevant legislation and protocols

3.1 The Council has adopted a Code of Conduct (enclosed at JTG 1) in which the following paragraphs are included:-

“INTRODUCTION

.....

Who does the Code apply to:

Any reference to “member” in this Code is taken to apply to Members & Co-opted Members of Slough Borough.

What does the Code apply to:

The Code applies to a Member’s conduct which relates in any way to their membership of the Council. The Code does not seek to regulate the conduct of Members in their purely private and personal lives or in the conduct of their wider public lives unless such conduct significantly damages the reputation and integrity of the Council as a whole or of its Members generally.

.....

PART 1: RULES OF CONDUCT

This Code applies to all Members of Slough Borough Council, including co-opted members. It is a Member’s responsibility to comply with the provisions of the Code of Conduct and to follow any advice given to them on the interpretation or application of this Code.

SECTION 1 – OVERARCHING PRINCIPLES

As a Member of the Council:

- 1.1 *It is your responsibility to comply with the provisions of Slough Borough Council’s Councillors Code of Conduct.*
- 1.2 *You must comply with this Code whenever you –*
 - (a) *conduct the business of the Council or*
 - (b) *you are acting as a representative of the Council,*

.....

SECTION 2 – RELATIONSHIP WITH OTHERS

.....

- 2.3 *Members shall never undertake any action which would cause significant damage to the reputation and integrity of the Council as a whole, or of its Members generally.”*

4. Evidence and facts

My appointment

- 4.1 Councillor Chaudhry referred himself to the Council's Standards process and on 18th February 2015 completed a complaint form in accordance with the Council's arrangements for such complaints.
- 4.2 In accordance with the Council's published arrangements for dealing with complaints made against elected members under the provisions of the Localism Act 2011, the Monitoring Officer, Mr Gordon, having consulted the appointed Independent Persons, assessed Councillor Chaudhry's self referral complaint and decided to refer the matter for investigation.
- 4.3 Mr Gordon nominated me on 11th March 2015 to perform his investigatory functions as a Monitoring Officer in respect of Councillor Chaudhry's self referral.
- 4.4 I hold Bachelor of Arts in Law degree from the University of Sheffield. I am a solicitor and an accredited mediator. I have been employed by various local authorities as a solicitor for a period of 14 years and have held the position of Monitoring Officer in two authorities for six years. I practice law as a solicitor and partner with Wilkin Chapman LLP. I have carried out well over 200 investigations of members of local authorities and other public bodies.
- 4.5 I was assisted in the conduct of the investigation by Martin Dolton. Mr Dolton is a retired senior police officer who through his 30 years of police service conducted many sensitive police misconduct investigations. He holds a Bachelor of Science Honours degree in Public Policy and Management awarded by the Department of Local Government Studies at Birmingham University. With this firm and its predecessor he has conducted numerous investigations into alleged breaches of the Code of Conduct of Councillors and discipline enquiries concerning senior staff in local government. He has been an associate investigator for the Standards Board for England and was a full time Town Clerk and Responsible Financial Officer of a large town council for 3 years.

The investigation

- 4.6 During the investigation, Mr Dolton held face to face meetings with, and obtained signed statements from:-
 - Suzanne Mason – Mayor's Executive Officer (interviewed on 15th April, signed statement obtained 6th May 2015)
 - Catherine Meek – Head of Democratic Services (interviewed 15th April, signed statement obtained 6th May 2015)
 - Kitty Ferris – Head of Children's Services (interviewed on 15th April, signed statement obtained 12th May 2015)
- 4.7 Councillor Chaudhry was not available until after 25th April due to his taking part in Umra (a pilgrimage to Mecca). Mr Dolton conducted a face to face voice recorded interview with Councillor Chaudhry on 1st May 2015 from which a transcript was prepared. Councillor Chaudhry was given an opportunity to comment on the transcript of the interview by letter of 8th May. No comments were received from him by the deadline provided of 14th May.

- 4.8 Copies of the statements referred to above, together with other relevant documents are annexed to this report and listed in a schedule of evidence at Appendix A.
- 4.9 I provided a draft version of my report to Councillor Chaudhry for comment on 15th May 2015. Comments were received from Councillor Chaudhry on 31st May 2015. The court transcript enclosed at JTG 8 did not become available until 22nd May 2015 but a copy was provided to Councillor Chaudhry the same day.
- 4.10 I wish to record my thanks and those of Mr Dolton for the co-operation and courtesy shown to us by all those we had cause to contact during the investigation.

Background

- 4.11 In autumn of 2014, Esmatullah Haidaree aged 45 of Farm Crescent, Slough and Azim Ahmed, 23 of Diamond Road, Slough were charged with sexual offences relating to children and later stood trial at Reading Crown Court.
- 4.12 On 16th December 2014 both defendants were convicted of those offences and appeared at Reading Crown Court on 16th February 2015 for sentencing. The defendants were sentenced to terms of imprisonment, made subject to sexual offences prevention orders and placed on the register of sex offenders.
- 4.13 Azim Ahmed and his family are residents of Central Ward, Slough for which Councillor Chaudhry is a ward member. The Ahmed family is known to Councillor Chaudhry.
- 4.14 In November 2014 Councillor Chaudhry provided a letter of support to the Ahmed family for use in the case. He signed the letter as a councillor.
- 4.15 On 16th February 2015 Councillor Chaudhry attended Reading Crown Court and was present in court at the sentencing hearing. The barrister for the defence made comment in open court that Councillor Chaudhry was present as Mayor.
- 4.16 The Detective Chief Inspector of Thames Valley Police who was in charge of the case and also at the sentencing hearing, informed officers at the Council about the outcome and made comment that Councillor Chaudhry was present.

Councillor Chaudhry's self referral / complaint

- 4.17 As a result of discussions with officers and other members at the Council, Councillor Chaudhry resigned from his position as Mayor on 18th February 2015.
- 4.18 That same day Councillor Chaudhry signed and submitted a Code of Conduct Complaint Form, in which he referred himself to be subject of the standards process of the Council. The complaint form is enclosed at JTG 2.
- 4.19 In the complaint form Councillor Chaudhry stated (In Section 2.2) *"I believe I have made a serious error of judgement that may have led to a breach of the Council Code of Conduct"*.

4.20 With his complaint form, Councillor Chaudhry attached:-

- (a) a copy of a letter he wrote dated 15th November 2014 (enclosed at JTG 3) which he provided to the family of Azim Ahmed for use in the court case;
- (b) an e-mail from Detective Chief Inspector Nigel Doak of Thames Valley Police to Kitty Ferris, Head of Children's Services at the Council, sent at 3:56 pm on 16th February 2015 (enclosed at JTG 4).

Letter of 15th November 2014 from Councillor Chaudhry

4.21 The letter is addressed "to whom it may concern" and indicated that:-

- (a) Councillor Chaudhry knew Azim Ahmed's family well;
- (b) the family was much respected and was of good reputation in both Slough and Pakistan;
- (c) Councillor Chaudhry was shocked to hear of the allegations made against Azim Ahmed. Councillor Chaudhry could not comment on those issues but could give a good reference for Azim Ahmed in general.

4.22 The letter bore the name "Cllr Shafiq A Chaudhry" below the space for signature.

The court proceedings

4.23 Press statements issued by the Crown Prosecution Service (CPS) on 16th December 2014 (enclosed at JTG 5) and 16th February 2015 (enclosed at JTG 6). These indicate:-

- (a) Esmatullah Haidaree aged 45 and Azim Ahmed aged 23 were arrested in May and June 2013 following an investigation by Thames Valley Police's Child Abuse Investigation Unit after a report by a member of the public that two girls were sleeping on a spare mattress in a flat in Slough. Police learned that three girls aged 14 and 15 had been sexually abused by Esmatullah Haidaree and Azim Ahmed;
- (b) After a two and half week long trial at Reading Crown Court, Esmatullah Haidaree was convicted of two counts of inciting a child to engage in sexual activity and four counts of sexual assault. Azim Ahmed was convicted of five counts of sexual activity with a child;
- (c) the Chief Crown prosecutor for Thames and Chiltern CPS stated:-

"The actions of these two men were truly appalling. No-one, let alone a child should ever be exploited as these young girls were. I commend their bravery in providing evidence for the prosecution. They have enabled their abusers to face trial and be brought to justice.

The two men, Azim Ahmed, aged 23 and Esmatullah Haidaree, aged 45, both from Slough, who have been convicted have still failed to accept any responsibility for their actions. They are

nothing less than vicious sexual predators. The jury saw through their fabrications and they must now face full responsibility for their despicable behaviour.”

- (d) Esmatullah Haidaree and Azim Ahmed were sentenced at Reading Crown Court on 16th February 2015. Esmatullah Haidaree was sentenced to two years imprisonment, given a Sexual Offences Prevention order (SOPO) for 10 years and placed on the Sex Offenders Register for 10 years. Azim Ahmed was sentenced to 6 years imprisonment, given a SOPO for 10 years and placed on the Sex Offenders Register for life;

- 4.24 A copy of an on line edition article from the Sough Observer is enclosed at JTG 7. The article reported:-

“...The sentencing of Ahmed drew gasps from his family seated in the public gallery where they were joined by Cllr Shafiq Chaudhry, mayor of Slough who had attended court to support them.”

- 4.25 A copy of a transcript of part of the court proceedings is enclosed at JTG 8. The transcript is of part of the plea in mitigation put forward by Counsel for Azim Ahmed, Mr Griffin and is timed at 2.47 pm. The transcript records Mr Griffin as saying, amongst other things:-

“Your Honour, the defendant finds it very difficult to talk about things, but of course he has had to bare all with those nearest and dearest to him. There are other members of the community in court to support him as well, including a friend of the family, Councillor Chaudhry, who is in fact the mayor of Slough.”

E-mail from DCI Doak to Ms Ferris of 16th February 2015

- 4.26 A copy of the e-mail sent by Detective Chief Inspector Doak to Ms Ferris, the Head of Children’s Services at the Council is enclosed at JTG 4. DCI Doak reported on the outcome of the sentencing hearing in the following terms:-

“I have been at Reading Crown this afternoon.

Azim Ahmed: 6 years imprisonment. Sexual Offences Prevention Order for 10 years. Registered sex offender for life.

Esmutullah Haidaree: 24 months imprisonment. SOPO for 10 years. RS0 for 10 years.

Please note that the Mayor was also present to support Aky and the family. This will have been picked up by the reporters present.

Please update your teams and pass on my thanks.

We will update the main victims and tie in with engage.”

- 4.27 DCI Doak confirmed to me by e-mail sent on 14th May 2015 that “Aky” referred to Azim Ahmed.

- 4.28 Ms Ferris subsequently forwarded the above e-mail within the Council (copy enclosed at JTG 9) with the following comment:-

“This is the email from Nigel Doak. I spoke to Nigel when I picked up the email and he told me that counsel for the defence mentioned in open court (I think in his summing up) that the Slough Lord Mayor was present in court to support Ahmed.”

Mrs Suzanne Mason (Mayor’s Executive Officer)

- 4.29 Suzanne Mason is the Mayor’s Executive Officer at the Council. She was interviewed in person and has provided a signed statement (enclosed at JTG 10). She indicated that:-

- (a) her duties included assisting the Mayor with all diary appointments and official engagements, and generally liaising with the post holder throughout their Mayoral year;
- (b) Councillor Chaudhry had been in receipt of two copies of the Mayor’s Handbook, one when he was appointed as Deputy Mayor in 2013, and one on being appointed Mayor in June 2014;
- (c) she had been present at the personal briefing meetings given by herself and Catherine Meek to Councillor Chaudhry in June 2013 and on 16th July 2014. These are led by Catherine Meek and included a detailed work through of the content of the Mayor’s Handbook;
- (d) Councillor Chaudhry was made aware at the July 2014 personal briefing of the paragraph within the Handbook which read:-

“.....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”.

- (e) she had no knowledge of Councillor Chaudhry’s intention to attend, or his actual attendance at Reading Crown Court in February until she was asked to check the Mayor’s Council diary late in the afternoon of 16th February;
- (f) that there were no entries in the diary against that date, and that Councillor Chaudhry had not mentioned any matters connected to the Crown Court case at all to her at any time prior to 16th February.

Ms Catherine Meek

- 4.30 Ms Catherine Meek is the Head of Democratic Services at the Council. Following interview, Ms Meek provided a signed statement which is enclosed at JTG 11. She stated that:-

- (a) part of her function was to manage the Mayor’s Executive Officer, Suzanne Mason;
- (b) Councillor Chaudhry was provided with a copy of the Mayor’s Handbook when he was appointed Deputy Mayor in 2013, and appointed Mayor in June 2014;

- (c) she led the personal briefings of Councillor Chaudhry in June 2013 and on 16th July 2014. The briefings included a detailed work through of the content of the Mayor's Handbook;
- (d) Councillor Chaudhry was made aware at the July 2014 personal briefing of the paragraph within the Handbook that read :-

“.....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”.
- (e) she had no knowledge of Councillor Chaudhry's intention to, or his actual attendance at Reading Crown Court in February 2015 until after the event;
- (f) as a senior officer of the Council she held the view that the actions by Councillor Chaudhry had the potential to affect the reputation of the Council and the office of Mayor;
- (g) 16th February was only the week after the release of reports relating to actions by Rotherham Borough Council when dealing with CSE and therefore there was heightened awareness and considerable media attention to the subject.

Mayor's Handbook

- 4.31 The Council provide a Mayor's Handbook to all Mayoral post holders and Deputy Mayors at the commencement of their term of office.
- 4.32 A copy of the Mayor's Handbook is enclosed at JTG 12.
- 4.33 In addition to the extract referred to by Ms Meek above (also set out below for ease of reference), the following are of particular relevance:-

- (a) *“Role of Mayor*

The Mayor is the first citizen of Slough, giving precedence only to Royalty and the Queen's representative (the Lord Lieutenant). You therefore have an important role, representing the Council and the people of the whole Borough. Your views will be widely heard and will be influential. This places you in a special position and caution must be exercised when acting as Mayor.”

- (b) *“Duties*

.....

Every Mayor is called upon to “uphold the office of Mayor”, that is to act with dignity and decorum and not in such a way as to make the office shameful or ridiculous. You will need to use your common sense and if in doubt seek advice.”

(c) "Mayor

.....

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".

(d) "Politician

.....

In addition to your normal councillor casework, as Mayor you will be approached by a far wider cross section of people from all over the Borough for help on all sorts of issues. You should never use your position as Mayor to gain preferential treatment for people who approach you for help. Your Executive Officer will be available to advise and help you with any enquiries or requests for help you may receive."

(e) "Invitations

.....

When an invitation is received, the Mayor's Executive Officer will check various aspects of the invitation including:

- 1. The authenticity of the person/organisation submitting the invitation.*
- 2. Verify that the invitation is appropriate.*
- 3. Ensure that the invitation is extended to the Mayor as representative of the Council and Borough and not solely due to a personal connection.*
- 4. Check your availability at the specified time.*

Once the relevant checks have been made, the invitation will be accepted or declined as appropriate. If an invitation is to be declined, a letter (or e-mail) of refusal would be drafted and sent out by the Mayor's Executive Officer on the Mayor's behalf.

The Mayor is asked to consider carefully each invitation he/she receives with a view to recognising the "value" of each event to the Council and to the local community".

Additionally, the Mayor is asked to decline invitations to attend out of Borough functions unless the engagement is a county event and other Berkshire Mayors/Chairman are similarly invited. Exceptions are made for occasional events held in South Bucks venues, eg: Slough Rotary Club; Soka Gakkai; Chairman of South Bucks Reception.

Extreme care should be taken when refusing invitations in order not to offend the individual or organisation concerned. In particular, invitations to weddings, family celebrations etc. should be considered with great care as in general such requests for the Mayor's attendance in an official capacity will be refused.

When considering whether or not such an invitation should be accepted, regard would be given as to whether the person issuing the invitation was a prominent person within the local community/Borough who was generally highly regarded, e.g. MP, Lord Lieutenant, High Sheriff. In these instances, it would be deemed acceptable as the Mayor would be invited to represent the Council and the people of Slough.

Mayors have traditionally tried to cover all events to which they are invited, which can at times cause personal inconvenience. However, if you are unavailable, an invitation would normally be passed to the Deputy Mayor to see if he or she could cover.

*Your Executive Officer will also seek some background information on the organisation and event to help you prepare for attendance. **Please do not accept oral invitations yourself but ask organisations to contact your office.***

Once an invitation has been accepted it should not be cancelled except in exceptional circumstances, e.g. illness, personal bereavement. In the event of unavoidable cancellation, it may be appropriate to send a substitute representative. Officers will advise having regard to individual circumstances.

All invitations should be addressed to the Mayor. The Deputy Mayor only ever deputises for the Mayor and does not attend functions in his/her own right.

Invitations for events you host will be sent out on your behalf by the Mayor's Executive Officer. Guest lists for the major civic events, such as the Annual Mayor's Reception are predetermined and the Mayor's Executive Officer will be able to advise on which functions Mayors have some personal discretion on who can be invited and how many invitations can be issued.

To avoid difficulties please do not issue oral invitations or promise someone that an invitation will be sent to them. To save possible embarrassment speak to the Mayor's Executive Officer beforehand."

Ms Kitty Ferris

4.34 Ms Kitty Ferris is an Assistant Director and the Head of Children's Services at the Council. Following interview she has provided a signed statement which is enclosed at JTG 13. She stated:-

- (a) she had held her current post for nearly three years. She had a total of some 15 years experience as an Assistant Director of Children's Services and Children's Social Care in other local authorities;
- (b) Councillor Chaudhry was appointed Mayor of the Council for the year 2014-15 at the annual meeting of the Council held on 5th June 2015;
- (c) she first became aware of Councillor Chaudhry's attendance at Reading Crown Court on 16th February 2015 when she received an e-mail from Detective Chief Inspector Nigel Doak of Thames Valley Police sent at 3.56 pm that day;

- (d) in the e-mail, DCI Doak told her of the result of the sentencing hearing for Mr Ahmed and Mr Haidaree who had been convicted of CSE offences. DCI Doak said in his e-mail "*Please note that the Mayor was also present to support Aky and the family. This will have been picked up by the reporters present.*"
- (e) she was aware from subsequent conversations with DCI Doak that he included the comments about Councillor Chaudhry's attendance at court as he felt there was a reputational risk to the Council and Councillor Chaudhry's actions could be seen as bringing the Council into disrepute;
- (f) the Council had been instrumental in working with the police and other agencies to tackle CSE which was a key priority for the Local Safeguarding Children Board;
- (g) a report in relation to matters of Rotherham Borough Council had been issued only a week before 16th February. CSE had a heightened profile in the public domain with considerable media attention. She believed that any councillor should have been aware of the sensitivity of actions by the Council and its members at that time;
- (h) as the Assistant Director with responsibility for children's services, she held the view that Councillor Chaudhry's actions in attending court were inappropriate and in conflict with his duty to promote the safeguarding of children in Slough and had the potential to bring the Council into serious disrepute.

Rotherham Borough Council Report

- 4.35 An independent inquiry into CSE at Rotherham, led by Professor Alexis Jay, was commissioned in 2013 by Rotherham Borough Council. Professor Jay's report was published on 26 August 2014 and was highly critical of the failure of the local authority and other agencies to tackle CSE. The report estimated that 1,400 children had been sexually abused in the town between 1997 and 2013, predominantly by gangs of British-Pakistani men. The report received extensive media coverage and led to the resignation of a number of elected officials, including the Police and Crime Commissioner for South Yorkshire.
- 4.36 On 10th September 2014, the then Secretary of State for Communities and Local Government, announced an independent investigation by Louise Casey into whether Rotherham Borough Council covered up information about CSE. The investigation published its report on 4th February 2015. It found that the Council's CSE team was poorly directed, suffered from excessive case loads, and did not share information. The Secretary of State subsequently exercised statutory powers to intervene in the running of the Council. The Leader of the Council resigned and members of the Council's cabinet also stood down. Like the Jay Report, the Casey Report also received significant national media coverage.
- 4.37 References by Ms Ferris to the Rotherham report are to the Casey Report.

Councillor Chaudhry

- 4.38 Councillor Chaudhry was interviewed in person by Mr Dolton on 1st May 2015. The interview was audio recorded and a transcript of the interview is enclosed at JTG 14.

4.39 During the interview Councillor Chaudhry stated:-

- (a) he had been a resident of Slough for some 25 years and knew the family of the defendant who lived in his ward. The family originated from the same area of Pakistan as he did and he had known the grandfather of the defendant for many years.
- (b) he was aware of the sensitivity of the defendant's case but he made an error of judgement;
- (c) on the morning of the sentencing hearing at court he was asleep when a friend of the family telephoned him and picked him up to go to court;
- (d) he attended the court to support the family who were experiencing an extremely difficult time;
- (e) he had no idea that his name would be mentioned in court and he was shocked when it was;
- (f) he agreed he had been given copies of the Mayor's Handbook when appointed Deputy Mayor in 2013 and Mayor in 2014;
- (g) he agreed he had attended two verbal briefings on Mayoral duties in those years and they were not lengthy briefings;
- (h) he acknowledged that other persons would perceive him as the Mayor all the time;
- (i) he agreed he had provided a letter in November 2014 to the father of the defendant for use in the case, November 2014 being prior to conviction;
- (j) he wrote the letter as a councillor because that was the role in which the family requested it;
- (k) he agreed that he wrote the letter as a councillor because it was accepted it would carry more weight than if he wrote it as a private individual;
- (l) he did not wear the Mayoral robes or badge of office when he attended the sentencing hearing at court. He wore a suit and shirt with tie;
- (m) no officers or other members of the Council were aware that he was to attend court for the sentencing hearing;
- (n) his attendance having been brought to the attention of the Council, he resigned as Mayor after discussion with the Leader. He had stated publically that he had made an error of judgement. He had referred himself by complaint form to the Standards Committee of the Council;
- (o) he emphasised that he attended the sentencing hearing at court as a family friend and not as the Mayor.

5. Summary of the material facts

- 5.1 Esmatullah Haidaree and Azim Ahmed were arrested in May and June 2013 for the alleged sexual abuse of three girls aged 14 and 15 at a flat in Slough.
- 5.2 Councillor Chaudhry is the ward member for the Central Ward of Slough. Councillor Chaudhry was Mayor of Slough from 5th June 2014 until he resigned from that position on 18th February 2015.
- 5.3 Guidance on the conduct of the Mayor is set out in the Mayor's Handbook. Councillor Chaudhry was provided with copies of the handbook and briefings on its contents in 2013 and 2014. The Mayor's Handbook contains specific advice on the perception of the office of mayor and gives details of the handling of requests for the presence of the mayor.
- 5.4 Azim Ahmed and his family are residents of Central Ward which Councillor Chaudhry represents. Councillor Chaudhry has known the family for many years. On 15th November 2014 Councillor Chaudhry wrote a letter which he provided to the family of Azim Ahmed for use in the court case. The letter contained a general reference to the reputation of the family of Azim Ahmed, and included the words *"I can give a good reference for [Azim Ahmed] in general"*. The letter was not on Council or Mayoral letterhead but bore the words *"Cllr Shafiq A Chaudhry"* below the space for signature.
- 5.5 Councillor Chaudhry said in interview that he wrote the letter as a councillor at the family's request. In his comments on the draft report Councillor Chaudhry said that he gave the letter in a personal capacity and that he wrote as a family friend and community leader and not specifically as a councillor or mayor.
- 5.6 After a two and half week long trial at Reading Crown Court, Azim Ahmed was convicted on 16th December 2014 of five counts of sexual activity with a child and Esmatullah Haidaree was convicted of two counts of inciting a child to engage in sexual activity and four counts of sexual assault. The Chief Crown Prosecutor described the actions of the defendants as *"truly appalling"*, stating that they had failed to accept any responsibility for their actions and *"were nothing less than vicious sexual predators"*.
- 5.7 On 4th February 2015 a report was published by Louise Casey into failings at Rotherham Borough Council in tackling CSE. There had already been national media coverage of a previous report into the large scale sexual abuse of children in Rotherham and this report further heightened awareness of the need for local authorities to combat the issue. Tackling CSE is a key priority of the Local Safeguarding Children Board.
- 5.8 On 16th February 2015 both defendants appeared at Reading Crown Court for sentencing. Councillor Chaudhry was asleep that morning when a friend of Azim Ahmed's family telephoned him and then picked him up to attend the sentencing hearing. Councillor Chaudhry sat with the family of Azim Ahmed in the public gallery. He was dressed in a suit and tie. He did not wear the mayoral robes, chain or badge of office. He did not tell the staff of the Mayor's office or any other Council officer of his attendance.
- 5.9 Counsel for Azim Ahmed said in his plea of mitigation *"There are other members of the community in court to support him as well, including a friend of the family, Councillor Chaudhry, who is in fact the mayor of Slough."*

- 5.10 The Slough Observer reported that Councillor Chaudhry, Mayor of Slough as attending court to support Azim Ahmed's family.
- 5.11 Detective Chief Inspector Doak of Thames Valley Police was present in court and e-mailed the Council afterwards indicating that *"the Mayor was also present to support [Azim Ahmed] and the family. This will have been picked up by the reporters present."*
- 5.12 Azim Ahmed was sentenced to 6 years imprisonment, given a SOPO for 10 years and placed on the Sex Offenders Register for life. Esmatullah Haidaree was sentenced to two years imprisonment, given a SOPO for 10 years and placed on the Sex Offenders Register for 10 years.
- 5.13 Councillor Chaudhry resigned as Mayor on 18th February 2015.

6. Councillor Chaudhry's additional submissions

- 6.1 The following comments were received from Councillor Chaudhry on the draft version of this report:-

"The draft report reflects that I gave my letter and attended the court in the capacity of councillor and a mayor and therefore in breach of code of conduct.

I now realise that I did not manage to explain successfully my point of view in the interview, which I believe is the base of your report. I would like to clarify my position as following:

- A. *Though I was mayor and councillor at the time, however I had also been the president of a local community centre (Pakistan welfare association Slough) for four years and Vice President for two years. I have been in family relations/terms with the family of convicted for decades. That's was the only reason they requested me and I gave a letter in my personal capacity having the above background. If they wanted to take reference letter as the councillor they must have taken the same from all the other Pakistani origin councillors as there are 3 Pakistani origin councillors representing the same ward.*

I just signed the letter and named at the end as "Cllr Shafiq A Chaudhry" as usual. The contents of the letter were confirmed on the basis of my position as a family friend and a community leader and not specific as councillor or mayor. That is why I did not use mayors letter head.

- B. *Attendance in the court*

Please be advised that I did not attend the court as a councillor or mayor but only went there to give the company as a family friend to give moral support to the family merely on the basis of personal relations and it was nothing to do with being councillor or mayor. The only upset was when my name was mentioned by the barrister without my consent and knowledge. I have realised this and taken as error of judgement and believe that I have paid a heavy price in form of resigning from my position just to save the respect and repute of mayor office and Slough Borough Council. It is also worth mentioning that I referred myself to Standard Board straightway rather somebody else did it.

I therefore kindly request you to review your report and conclusion in view of the above explanation."

- 6.2 I have considered Councillor Chaudhry's comments carefully and addressed them within the body of the report, however my overall conclusions have remained the same.

7. Reasoning as to whether there have been failures

Official capacity

7.1 In the introduction to the Council's Code of Conduct, it is stated:-

"The Code applies to a Member's conduct which relates in any way to their membership of the Council. The Code does not seek to regulate the conduct of Members in their purely private and personal lives or in the conduct of their wider public lives unless such conduct significantly damages the reputation and integrity of the Council as a whole or of its Members generally."

7.2 Paragraph 1.2 of the Council's Code of Conduct states that the Code regards councillors as acting in their capacity as a member when they:-

"...

*(c) conduct the business of the Council or
(d) are acting as a representative of the Council,"*

7.3 This wording is identical in all material respects to the wording of the 2001 model code of conduct contained in the Local Authorities Model Code of Conduct (England) Order 2001 under arrangements applicable prior to the Localism Act 2011. It is also very similar to that of the 2007 model code of conduct contained in the Local Authorities (Model Code of Conduct) Order 2007, with the exception that the model code included the words *"act, claim to act or give the impression of acting as a representative"* (my emphasis).

7.4 The issue in this case is whether Councillor Chaudhry's letter of support written in November 2014, and his subsequent attendance at Reading Crown Court in February 2015 was 'conducting the business of the Council and / or acting as a representative of it'.

Conducting the business of the Council

7.5 In *Livingstone v Adjudication Panel for England* [2006] EWHC 2533 (Admin), the conduct of the then Mayor of London, Ken Livingstone was considered in relation to an exchange of words with a journalist outside City Hall. Collins J considered the wording of the 2001 version of the code of conduct. He held that Mr Livingstone did not make his remarks to the journalist in an official capacity.

7.6 However, the then version of the code provided that a member must not in his official capacity or any other circumstance, conduct themselves in a manner which could reasonably be regarded as bringing their office or authority into disrepute. Collins J considered whether the words "any other circumstance" were within the powers of the enabling legislation (section 52 of the Local Government 2000). He held that:-

"27. Conduct which is regarded as improper and meriting some possible sanction will often be constituted by misuse of a councillors' position. He may be purporting to perform his functions if, for example, he seeks to obtain an advantage by misusing his position as a councillor. Such misuse may not amount to corruption; it may nonetheless be seen to reflect badly on the office itself. If the words 'in performing his functions' are applied literally, it may be said that such misuse, and

other misconduct which is closely linked to his position as such may not be covered.”

7.7 The judgement was largely concerned with the narrow point of whether the code as then drafted was capable of extending to actions outside the official duties of a member. However, the above paragraph 27 does at least suggest that the conduct of a member who uses their position to do something that does not of itself relate to the functions of their office may nonetheless be subject to the code.

7.8 In *Mullaney v Adjudication Panel for England* [2009] EWHC 72 (Admin), Councillor Mullaney had trespassed onto land, filmed a building and its owner and made the film available on the internet. The purpose of the councillor's actions was to force council officers to do something about the building. Applying the 2001 version of the code, Charles J said:-

“81. The Code defines “official capacity” and it is clearly therefore the definition that is determinative rather than the view of anyone on what actions are carried out in an official capacity as a free standing description.

82. The most relevant part of the definition here is:

“conducts the business of the office to which s/he has been elected or appointed”.

These are ordinary descriptive English words. Their application is inevitably fact sensitive and so whether or not a person is so acting inevitably calls for informed judgement by reference to the facts of a given case. This also means there is the potential for two decision makers, both taking the correct approach, to reach different decisions. In the context of judicial review this brings into play, or reinforces the points that if the statutory decision makers have taken the correct approach in law their experience and knowledge as the persons chosen to be the decision makers is relevant to the irrationality argument (and indeed to arguments that they are wrong).

83. ...

Official Capacity

84. To my mind it cannot be said that the Appeals Tribunal (or the Standards Committee) erred in law in the approach taken to the construction and application of the test.

85. Turning to arguments advanced:

i) I do not agree that paragraph 2 of the Code [requiring a member to treat others with respect] only covers actions that a Councillor could not do if he was not a Councillor as was submitted, or to turn that from the negative that paragraph 2 only covers actions that can be performed by a Councillor because he is a Councillor.

ii) To my mind that is too restrictive both as a matter of language, and having regard to the purpose of the Code to promote and uphold proper standards in public life.

iii) *It was asserted that in respect of a letter signed by a Councillor, in which he referred to himself as a Councillor, it would be significant, if not determinative, whether the letter was written on Council notepaper or, in the same terms, on other paper, because only a Councillor could properly use the Council's notepaper. In my judgement albeit that such a distinction can be made, and the point that a letter was written on Council notepaper would provide support for the view that it was written in conducting the business of the office to which the Councillor was elected, it should not be determinative. The same can be said of the use of a personal email address or the funding of a particular activity.*

iv) *Rather in my view more important factors are the reasons why, the circumstances in which and the reasons for which the communication was made, or the action was taken. This is the approach taken by both the Standards Committee and the Appeals Tribunal. To my mind that is clearly correct and it is also supported by dicta in the Livingstone case at paragraph 29 where Collins J says:*

"----- official capacity will include anything done in dealing with staff, when representing the Council, in dealing with constituents' problems and so on -----"

86. ...

87. ...

88. *I add that this reasoning demonstrates why further definition or explanation of the concept would be inappropriate and unhelpful. What is required is a fact sensitive application of the descriptive words that define the concept in the Code. This is the approach taken by the Appeals Tribunal (and the Standards Committee)".*

7.9 *Mullaney* counsels against taking an overly analytical approach to whether the councillor was conducting the business of their office. A fact sensitive application of the descriptive words used in the code should be followed. For example, the use of the abbreviated title "*Cllr*" in Councillor Chaudhry's letter of 15th November 2014 supports the view that the member was carrying out the functions of their office but is not itself the only factor. More important factors are the reasons why and the circumstances in which the communication was made.

7.10 The fact-sensitive approach in *Mullaney* is cited with approval in *MC v Standards Committee of the London Borough of Richmond* [2011] UKUT 232 (AAC). The judge in *MC* overturned the decision of the First Tier Tribunal to refuse permission to appeal against the outcome of the council's standards committee:-

"36. *The test under para 2(1)(a) [conducting the business of the authority] is accordingly whether in writing the two emails and making the threats complained of in the manner he did, the appellant was, as a matter of ordinary English, (actually) conducting the business of his authority, including the business of the office of councillor to which he had been elected? This requires a fact-sensitive approach: see Mullaney...*"

- 7.11 The contents of the letter provided by Councillor Chaudhry to the defendant's family do not relate to the business of the Council or indeed his office.
- 7.12 The letter is however signed with the abbreviated title for councillor beneath his signature space.
- 7.13 The case of *Mullaney* indicates that the use of the title of councillor supports the view that the member was carrying out the functions of their office but is not itself the only factor. More important factors are the reasons why and the circumstances in which the communication was made.
- 7.14 Councillor Chaudhry said in interview that he wrote the letter at the request of the family who wanted it "because he was a councillor":-

MD So you wrote it as a friend of the family but, would you also agree, because its signed as "Councillor" that you also wrote it as a Councillor?

SC Because that's the, that's the, you know, that's the reason they wanted the letter off me.

MD Yeah.

SC Being a Councillor.

MD Yes.

SC You know, not as a public member because public member, you know, that means nothing.

MD No.

SC So, they wanted, they thought, you know, that might help, you know in the trial because at that time I didn't know that decision would be because he was not convicted.

MD No.

SC Or pleaded guilty or found guilty or anything like that. That was prior to trial anyway.

MD So, yes I can see your point that the family put to you that, erm, albeit you are a friend of the family, and have been for a long while, they particularly wanted a letter from you because you're a Councillor.

SC That's right.

MD Because they felt that might carry more weight. Is that what we're saying? It might carry more weight because you're a Councillor?

SC Yeah, because, you know, public figures not only from a [unclear] Councillor. They wanted any public figure, they would like to have a letter from the PWA, different Mosques, all the different charities and err, at that time, I thought that, you

know, I'm not going to give this letter as Mayor. I was the Mayor.

MD Yes but you signed it as Councillor.

SC I could have mentioned but I did not because I knew that, you know, this was not for, you know, this was against the Code of Conduct.

MD Yeah.

SC You know being a Mayor.

MD Did you think, at the time you wrote the letter, you just said it wouldn't have been appropriate to sign it as Mayor, did you have any concerns about signing it as a Councillor?

SC No, at, when I give this letter out, at that time, this was prior to trial anyway."

7.15 In his comments on the draft version of this report, Councillor Chaudhry said that the only reason the family asked him to provide a letter was that he had known them for decades and he had been the president of the Pakistan Welfare Association Slough (PWAS) for four years and vice president for two. He commented that he just signed the letter as "*Cllr Shafiq A Chaudhry*" as that was usual. The contents of the letter were given on the basis of his position as a family friend and community leader and not specifically as a councillor or mayor. That was why he had not used the mayor's letterhead.

7.16 Whilst I note that Councillor Chaudhry did not use the mayoral letterhead, nor indeed that of the Council, he did use his title of councillor. Though he has commented that it was usual for him to use the title of councillor, Councillor Chaudhry was under no obligation to do so. The purpose of the letter was to carry some weight by reference to the position and status of the author. Councillor Chaudhry could have referred to his former presidency of the PWAS to achieve that but instead used the title of councillor.

7.17 The activity of providing the letter was therefore intended to achieve an impact on its readers and therefore possible outcomes for Mr Azim by using the title of councillor. This was not something that an ordinary member of the public would have been able to do.

7.18 To that extent, Councillor Chaudhry was using the functions of his office.

7.19 In addition, Mr Azim was a resident in the ward represented by Councillor Chaudhry. Article 2.3 (a) of the Council's Constitution sets out key roles for all members. These include dealing with individual casework and acting as advocate for constituents in resolving particular concerns or grievances. The family of Azim Ahmed asked for Councillor Chaudhry's support not just as a person who had known them for many years but also as a councillor helping a constituent.

7.20 Applying a fact-sensitive approach and having regard to the purpose of the communication, it is apparent that Councillor Chaudhry's action in providing the letter was taken in the course of conducting the business of his office.

- 7.21 I must also consider whether his attendance at Reading Crown Court in February 2015 can be considered as conducting the business of his office within the meaning of the Code.
- 7.22 In interview and in his comments on the draft version of this report, Councillor Chaudhry stated clearly that in his mind he attended as a private person to support the family of the defendant.
- 7.23 He further stated that he had not given any specific permission for the defence barrister to refer in open court to his presence as Mayor, and he was shocked when this occurred.
- 7.24 However, following the reasoning I have stated above, and following *Mullaney* case guidance, I have to consider the full circumstances.
- 7.25 I hold the view 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 a councillor.
- 7.26 There is 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. I accept that defence Counsel may have referred to Councillor Chaudhry's name and position as a councillor and mayor without Councillor Chaudhry's active consent, but he allowed it to happen by being there.
- 7.27 Irrespective of his own intent and mind set on the day he attended court, his action was in effect a continuation of his involvement in the matter from the letter he had previously provided. As I have considered above, the evidence is that that involvement was as a councillor to add weight to his involvement, and therefore his attendance at court was a continuance of that, and others in the court would perceive that to be the case.
- 7.28 Therefore, it is apparent that Councillor Chaudhry's action in attending Reading Crown Court on 16th February 2015 was taken in the course of conducting the business of his office.

Acting as a representative of the authority

- 7.29 In *MC* the tribunal indicated that merely acting, claiming to act or give the impression of acting as a member was insufficient for the conduct to be covered by the code. There had to be sufficient material for the tribunal to properly conclude that the member was in fact acting as a representative of the council. The tribunal said:-

"39. ...When one is acting (etc) "as a representative" of an authority is therefore a matter for determination by the tribunal of fact (i.e. a standards committee or, on appeal, the First Tier Tribunal). I do however consider that, reading the Model Code as a whole, it is evident that "representative" is not to be equated to "member". The Model Code uses both terms and must be taken to have done so deliberately. Accordingly, merely to act, claim to act or give the impression one is acting (etc) as a member is in my view of itself not sufficient unless there is material on which the tribunal of fact can

properly conclude that one is acting (etc) specifically “as a representative” of the authority.”

- 7.30 In this case, Councillor Chaudhry’s letter and appearance in court was clearly not to represent or set out a view or request made by the Council or his office of Mayor.
- 7.31 Indeed, evidence provided to me from other parties (see statements of Ms Meek and Ms Ferris) provide a strong and clear statement of the Council’s policy and approach to matters of CSE.
- 7.32 I therefore consider that Councillor Chaudhry was not acting as a representative of the Council in this matter.

Conclusion on official capacity

- 7.33 There are two aspects to official capacity – (a) whether Councillor Chaudhry was conducting the business of his office when writing the letter in November 2014 and attending Court in February 2015 or (b) whether he was acting as a representative of the Council when doing so.
- 7.34 I have concluded that because Councillor Chaudhry intended (as requested by the family involved) to use the weight of being a councillor and to some extent the Mayor’s title and office in this matter, he was conducting the business of his office.
- 7.35 I have concluded that Councillor Chaudhry did not act as a representative of the Council.
- 7.36 As it is only necessary for Councillor Chaudhry’s conduct to satisfy one part of the test, then I have concluded that his conduct was acting in his capacity as a member and was therefore subject to the Council’s code of conduct.

Reputation / Integrity of the Council and Standards of Conduct

- 7.37 Paragraph 2.1 of the Council’s Code of Conduct states:-

Members shall never undertake any action which would cause significant damage to the reputation and integrity of the Council as a whole, or of its Members generally.

- 7.38 Paragraph 2.2 of the Code further states:-

Members must not undertake any act or omission that would undermine the Council’s duty to promote and maintain high standards of conduct of members.

- 7.39 The wording of the above paragraphs of affecting the reputation and integrity of the Council or its members, or undermining the Council’s duty to promote and maintain high standards of conduct of its members, are to be compared in meaning to the previous 2007 national model Code of Conduct of ‘not bringing the Council or the office of councillor into disrepute’.
- 7.40 As such it is relevant to consider guidance issued by the then Standards Board for England (SfE). Question 43 on page 66 of the Case Review 2010 (2011 Edition) published by SfE advises that disrepute is:-

*“...a lack of good reputation or respectability.
In the context of the Code of Conduct, a member’s behaviour in office will bring that member’s office into disrepute if the conduct could reasonably be regarded as either:*

- 1) Reducing the public’s confidence in that member being able to fulfil their role; or*
- 2) Adversely affecting the reputation of members generally, in being able to fulfil their role.”*

7.41 Q44 on the next page of the Case Review 2010 advises that:-

“An officer carrying out an investigation...does not need to prove that a member’s actions have actually diminished public confidence, or harmed the reputation of the authority...the test is whether or not a members’ conduct “could reasonably be regarded” as having these effects.

The test is objective and does not rely on any one individual’s perception. There will be a range of opinions that a reasonable person could have towards the conduct in question.”

7.42 Q42 on page 66 of the Case Review indicates that:-

“A case tribunal or standards committee will need to be persuaded that the misconduct is sufficient to damage the reputation of the member’s office or authority, as opposed simply to damaging the reputation of the individual concerned.”

7.43 In applying the Code to the circumstances of an alleged breach of disrepute, it is established that it is not necessary for the member’s actions to have actually diminished public confidence, or harmed the reputation of the authority. The test is whether or not the conduct could ‘reasonably be regarded’ as having these effects. However, the conduct must be sufficient to damage the reputation of the member’s office or the Council, not just the reputation of Councillor Chaudhry as an individual.

7.44 In this case, Councillor Chaudhry provided the letter of support during the process of the court case and attended the court at the sentencing hearing of a person initially accused and then convicted of offences involving serious sexual offences against children.

7.45 It is of course a primary function of Councillors to provide general support to residents of their ward. However, such support must be capable of scrutiny and be in such circumstances to be regarded by a reasonable person as not bringing the Council or office of councillor into disrepute or likely to cause reputational damage.

7.46 The evidence provided by Ms Meek and Ms Ferris, both senior officers of the Council, emphasises the approach and efforts of the Council in matters of Child Sexual Exploitation and the reputational damage that any such involvement of perceived support for defendants by an elected member could or would have.

7.47 I am also drawn to the e-mail sent by DCI Doak to Ms Ferris.

- 7.48 The Chief Inspector sent the e-mail to Ms Ferris immediately after the sentencing hearing and he commented that reference was made in Court to the Mayor being present. His view was that the press may well have observed this. Ms Ferris said in her statement that in discussion with DCI Doak he commented on his concern for the reputation of the Council.
- 7.49 It is apparent from the CPS statements and the severity of the sentences received by the defendants that this was a serious CSE case. At the time, public awareness of CSE and the responsibilities of local authorities and the police in combating it were at a very high level as a result of the Jay and Casey Reports relating to Rotherham. More locally, there had been a number of convictions of men from Oxford for CSE offences and criticism of the local authority and professionals for failing to combat CSE effectively.
- 7.50 Whilst the Code of Conduct is relevant to all councillors, in considering the full circumstances of this case I must also consider the fact that Councillor Chaudhry was the Mayor of the Council at the time.
- 7.51 Whilst the letter was signed as a councillor and did not specifically refer to his Mayoral title, it was well known to the recipients of the letter that he held the Mayoral title (as was evidenced later during the process when defence Counsel referred to his presence in court as Mayor).
- 7.52 In the notes to Article 5 – Chairing the Council on page 40 of Modular Constitutions for English Local Authorities (2000) by the then Department for Transport, Environment and the Regions, the following appears:-

“Ceremonial Role

Paul Millard in his book “Civic Ceremonial” describes the role of the mayor/chairman of council as a symbol of the authority, a symbol of an open society and an expression of social cohesion..”

- 7.53 Page 3 of the Council’s Mayor’s Handbook sets out the role of the Mayor as follows:-

“The Mayor is the first citizen of Slough, giving precedence only to Royalty and the Queen’s representative (the Lord Lieutenant). You therefore have an important role, representing the Council and people of the whole Borough. Your views will be widely heard and will be influential. This places you in a special position and caution must be exercised when acting as Mayor.”

and at Page 5 further states:-

“The role of Mayor is high profile and very demanding and is likely to intrude on the other areas of your life. For the whole time you wear your Badge of Office (advice on this is in “Robes and Chain of Office”), you are representing the Borough and will be judged as such. 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.”

- 7.54 The Case Review advises that a member’s behaviour in office will bring that member’s office into disrepute if the conduct could reasonably be regarded as either:-

- (a) reducing the public's confidence in that member being able to fulfil their role; or
 - (b) adversely affecting the reputation of members generally, in being able to fulfil their role.
- 7.55 The role of the Mayor is clearly significant not only within the Council but also as an external ambassador. Whilst carried out by an elected politician, the role involves a strong element of non partisan leadership. For Councillor Chaudhry to be seen to have used the office of Mayor in this manner is likely to reduce the confidence of the public in him being able to fulfil that role and the reputation of the office of the Mayor whether held by him or other councillors in the future.
- 7.56 Whilst my finding would not have been different had Councillor Chaudhry not have held the Mayoral title at the time, I consider that his actions in this matter had additional potential impact on the reputation of the Council due to him being the Mayor.
- 7.57 I am mindful of the open and public statements by Councillor Chaudhry immediately after his attendance at the court, in which he expresses regret for his actions and made plain that he considers the matter to have been a serious error of judgement. He then resigned as Mayor and referred himself to the Monitoring Officer without delay.
- 7.58 I do not consider that at any stage in this process Councillor Chaudhry intended in any way to damage the reputation or integrity of the Council or his office as a councillor or the Mayor.
- 7.59 I do agree however that his actions were indeed a serious error of judgement which would be perceived by others as having substantial potential for affecting the reputation and integrity of the Council, the office of councillor, the office of Mayor, and having an adverse effect on the maintenance of high standards of conduct by members.
- 7.60 I therefore consider that Councillor Chaudhry did act 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.
- 7.61 I therefore consider that Councillor Chaudhry has failed to comply with the Council's code of conduct.

8. Finding

- 8.1 My finding is that there has been a failure to comply with the code of conduct of the authority concerned.

A handwritten signature in cursive script that reads "Jonathan Goolden".

Jonathan Goolden BA(Law) Solicitor
Investigating officer

1st June 2015

Case reference:

Report of an investigation by Jonathan Goolden, Wilkin Chapman LLP, appointed by the Monitoring Officer for Slough Borough Council, into allegations concerning Councillor Shafiq Chaudhry of that Council.

1st June 2015

VOLUME 2 SCHEDULE OF EVIDENCE

wilkin chapman llp
solicitors

PO Box 16,
Town Hall Square,
Grimsby
DN31 1HE

a limited liability partnership registered in England number OC343261
authorised and regulated by the Solicitors Regulation Authority

Appendix A

Schedule of evidence taken into account and list of unused material

Page	Number	Description
3	JTG 1	Code of Conduct
15	JTG 2	Complaint form completed by Councillor Chaudhry
19	JTG 3	Letter written by Councillor Chaudhry dated 15 th November 2014
20	JTG 4	Email Thames Valley Police to Kitty Ferris 16 th February 2015 15:56
21	JTG 5	CPS press statement dated 16 th December 2014
23	JTG 6	CPS press statement dated 16 th February 2015
25	JTG 7	Slough Observer article 16 th February 2015
28	JTG 8	Court transcript
30	JTG 9	Email Kitty Ferris to Ruth Bagley 16 th February 2015
31	JTG 10	Statement of Suzanne Mason
34	JTG 11	Statement of Catherine Meek
37	JTG 12	Mayor's Handbook
62	JTG 13	Statement of Kitty Ferris
65	JTG 14	Interview Transcript of Councillor Chaudhry

List of unused material

Investigator's notes, file correspondence and drafts.

INTRODUCTION

Purpose of the Code

The Localism Act 2011 requires this Council to promote and maintain high standards of conduct by its Members and Co-opted Members. In discharging its duty, the Council is required to adopt a Code of Conduct which sets out the conduct expected of its Councillors.

The Council's Code of Conduct is divided into 3 sections:

1. the Rules of Conduct
2. the Complaints process
3. the Investigation & Determination of complaints

The purpose of this Code of Conduct is to assist all Members in the discharge of their obligations to the Council, to their constituents and to the public at large by:

- (a) establishing the standards and principles of conduct expected of all Members in undertaking their duties;
- (b) ensuring public confidence in the standards expected of all Members and in the commitment of the Council to upholding the Code through an open and transparent process

Who does the Code apply to:

Any reference to "member" in this Code is taken to apply to Members & Co-opted Members of Slough Borough.

What does the Code apply to:

The Code applies to a Member's conduct which relates in any way to their membership of the Council. The Code does not seek to regulate the conduct of Members in their purely private and personal lives or in the conduct of their wider public lives unless such conduct significantly damages the reputation and integrity of the Council as a whole or of its Members generally.

Parish Councils

Each parish council is also required to adopt a Code of Conduct. If you wish to inspect a Parish Council's Code of Conduct, you should inspect any website operated by the parish council or request the parish clerk to allow you to inspect the parish council's Code of Conduct.

PART 1: RULES OF CONDUCT

This Code applies to all Members of Slough Borough Council, including co-opted members. It is a Member's responsibility to comply with the provisions of the Code of Conduct and to follow any advice given to them on the interpretation or application of this Code.

SECTION 1 – OVERARCHING PRINCIPLES

As a Member of the Council:

- 1.1 It is your responsibility to comply with the provisions of Slough Borough Council's Councillors Code of Conduct.
- 1.2 You must comply with this Code whenever you –
 - (a) conduct the business of the Council or
 - (b) you are acting as a representative of the Council,
- 1.3 Where you act as a representative of the Council—
 - (a) for another relevant authority, you must, when acting for that other authority, comply with that other body's Code of Conduct; or
 - (b) on any other body, you must, when acting for that other body, comply with your Council's code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

General Principles of Conduct

- 1.4 When acting in your role as a Member of the Council, you must ensure that you conduct yourself in such a manner that complies with the Seven Principles of Public Life (referred to in the Code as the "7 Principles"). These general principles of conduct were identified by the Committee on Standards in Public Life in its First Report (and subsequently updated in its 14th Report). These principles will be taken into account when considering the investigation and determination of any allegations of breaches of the Rules of Conduct.
- 1.5 A breach of any of the 7 Principles will be seen as breach of the Rules of Conduct.
- 1.6 **The Seven Principles of Public Life are:**

Preamble

The principles of public life apply to anyone who works as a public office-holder. This includes all those who are elected or appointed to public office, nationally and locally, and all people appointed to work in the civil service, local government, the police, courts and probation services, NDPBs, and in the health, education and social services. All public office-holders are both servants of the public and stewards of public resources. The principles also have application to all those in other sectors delivering public services.

Principle 1. Selflessness

Holders of public office should act solely in terms of the public interest.

Principle 2. Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family or their friends. They must declare and resolve any interests and relationships.

Principle 3. Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Principle 4. Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Principle 5. Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Principle 6. Honesty

Holders of public office should be truthful.

Principle 7. Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support principles and be willing to challenge poor behaviour wherever it occurs.

Key points

Do ensure, that when you are acting in the capacity as a Member, you abide by the Council's Code of Conduct.

Do remember that it is Member's responsibility to comply of the Code.

SECTION 2 – RELATIONSHIP WITH OTHERS

- 2.1 Members must treat others with respect.
- 2.2 Members have a duty to uphold the law, including the general law against discrimination.
- 2.3 Members shall never undertake any action which would cause significant damage to the reputation and integrity of the Council as a whole, or of its Members generally.
- 2.4 Members must not undertake any act or omission that would undermine the Council's duty to promote and maintain high standards of conduct of members.
- 2.5 When reaching decisions on any matter, Members must have regard to any relevant advice provided to them by the Council's Chief Finance Officer and or the Monitoring Officer.
- 2.6 It is contrary to law for a Member to accept a bribe to influence his or her conduct as a Member, including any fee, compensation or reward in kind, in connection with the promotion of, or opposition to, any, Motion, or other matter submitted, or intended to be submitted to the Council.
- 2.7 Members should act on all occasions in accordance with the public trust placed in them. They should always behave with probity and integrity, including in their use of public resources. Members shall base their conduct on a consideration of the public interest, avoid conflict between personal interest and the public interest and resolve any conflict between the two, at once, and in favour of the public interest.
- 2.8 Members are personally responsible and accountable for ensuring that their use of any expenses, allowances, facilities and services provided from the public purse is applied for the support or in assistance of the carrying of their duties as Members.
- 2.9 Members must not use their position as a Councilor to exert influence on relations with Council Officers or attempt to undermine the independence or impartiality of Council Officers when such Officers are acting in the course of their duties. This includes attendance at Individual/Case Management meetings whereby the presence of a member may affect impartiality, professional decision making and risk assessment.
- 2.10 Members must ensure that all contact with Council Officers will be through a Director/ Assistant Director/Third Tier Officer in the first instance. A distinction is made between contacts with junior staff as part of day to day enquires and council business and contact by members where contentious or political issues may arise.

Examples of day to day contact with Junior Officers.	Examples of Matters that should be addressed at Director/ Assistant Director/Third Tier
Requests for information on timescales of applications e.g. planning applications, licensing, housing allocation	Specific complaints about not granting planning consent. Complaints about the application of eligibility criteria for housing
Requests for routine information on a case or issue on behalf of a resident, ie who is dealing with a case or issues when is it likely to be resolved	Application of threshold or entitlement to Adult Social care Services.
Requests for information on how processes work and how services are run.	Suggestions for improving services. Observations on service efficiency and effectiveness.

Use of Council Resources

- 2.11 When using or authorizing the use by others of Council resources, Members must ensure that they:
- (a) not use or attempt to use their position as a Member improperly to confer on or secure for themselves or any other person, an advantage or disadvantage; and
 - (b) when using or authorising the use by others of the resources of the Council-
 - i. act in accordance with the Council’s reasonable requirements;
 - ii. ensure that such resources are not used improperly for political purposes (including party political purposes); and
 - (c) have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.
- 2.12 A member must, if he or she becomes aware of any conduct by another member which he or she reasonably believes involves a failure to comply with the Council’s Code of Conduct, speak to the Council’s Monitoring Officer who can advise as to how the matter can be resolved. In doing so the Monitoring Officer can decide that the Member informal resolution route is the most suitable route.

<p>Key Points</p> <p>Do respect the impartiality and integrity of the Council’s Officers. Do follow the advice given by Statutory Officers Do not bully, intimidate or attempt to intimidate others.</p>
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SECTION 3 – INTERESTS

General

- 3.1 As a public figure, a Member's public role may, at times, overlap with their personal and/or professional life and interests, however when performing a public role as a Member, you must,
- (a) act solely in terms of the public interest and
 - (b) not act in a manner to gain financial or other material benefits for yourself, your family, your friends, your employer or in relation to your business interests.
- 3.2 Members shall fulfil conscientiously the requirements in respect of the registration and declaration of interests.
- 3.3 Members shall always be open and frank in drawing attention to any relevant interest in any proceeding of the Council or its Committees, and in any communications with Members, public officials or public office holders. Members are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office as Councillors/Co-opted Members. Interests must be recorded and be capable of audit.

Registering and declaring interests

- 3.4 You must, within 28 days of this Code being adopted or applied by the Council or taking office as a member or co-opted member (whichever is the later), notify the monitoring officer of any disclosable pecuniary interest (DPI) as defined by regulations made by the Secretary of State, where the pecuniary interest is yours, your spouse's or civil partner's, or is the pecuniary interest of somebody with whom you are living with as a husband or wife, or as if you were civil partners.
- 3.5 In addition, you must, within 28 days of taking office as a member or co-opted member, notify the monitoring officer of other pecuniary or non-pecuniary interests as set out in Appendix 3 to the Code as the Council has decided that these should be included in the Register. (See Appendix 3 to the Code for the definition of a DPI, guidance to Members on completion of the DPI interests form and those other interests to be registered).
- 3.6 If as a Member you have either a DPI, any other pecuniary interest or a non-pecuniary interest, you have an interest in any business to be considered at a meeting of the Council you must disclose the existence and nature of that interest at the meeting, whether or not such interest is registered on your Register of Interests.
- 3.7 Following any disclosure of an interest not on the authority's register you must notify the monitoring officer of the interest within 28 days beginning with the date of disclosure.

Declaration of Members Interests

- 3.8 All Members required to disclose as appropriate any personal and personal prejudicial interests in matters that arise at meetings which might influence their judgement or which could be perceived (by a reasonable member of the public) to do so. Members should declare:

- (i) relevant personal direct and indirect pecuniary interests;
- (ii) relevant direct and indirect pecuniary interests of close family members of which Members could reasonably be expected to be aware; and
- (iii) relevant personal non-pecuniary interests, including those which arise from membership of clubs and other organisations.
- (iv) Any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority.
- (v) Any body exercising a function of a public nature, directed to charitable purposes or whose principal purpose includes the influence of public opinion or policy.
- (vi) Your well being or financial position or the well being or financial position of a member of your family with whom you have a close association.

3.9 The Personal interest becomes **prejudicial** if a member of the public with knowledge of the relevant facts would reasonably regard it as so significant that it is likely to prejudice your judgement of the public interest. A Member's DPIs are always prejudicial.

3.10 A Member must observe the restrictions the Council places on your involvement in matters where you have a pecuniary or non pecuniary interest as defined by the Council.

Disclosure of Sensitive Interests

3.11 Sensitive Interests arise when a Member and the Monitoring Officer consider that the disclosure of the details of the interest could lead to the Member or person connected with the Member being subject to violence or intimidation. The Monitoring Officer will ensure all recorded interests that are of a sensitive nature are recorded in a manner that do not disclose the details of such an interest

3.12 Where a Member has an interest in any business of the Council which would be disclosable but the details of the interest are not registered in the Council's published Register of Members Interests because they are classed as Sensitive Interests a Member need not disclose the nature of the interest to the meeting.

3.13 A Member must, within 28 days of becoming aware of any change of circumstances which means that information excluded on the grounds of being sensitive is no longer sensitive information, notify the Council's monitoring officer.

Disclosure and participation at Meetings General Principles

3.14 At a meeting where a Member is being asked to make a relevant decision, or is speaking, a Member must not compromise any of the 7 Principles when arriving at or making such a decision.

3.15 Members should declare any personal and/or professional interests relating to their public duties and must take steps to resolve any conflicts arising in a way that protects the public interest.

3.16 A declaration of an interest made at any meeting relating specifically to a particular issue under consideration shall be recorded. The declaration shall appear in the minutes of the meeting and will be published on the Council's website.

Interests arising in relation to overview and scrutiny committee and its Panels

- 3.17 Members have a prejudicial interest in any business before an Overview and Scrutiny Committee of the Council (or Panel) where-
- (a) that business relates to a decision made (whether implemented or not) or action taken by the Council's Cabinet or another committee, sub-committee, joint committee or joint sub-committee; and
 - (b) at the time the decision was made or action was taken, you were a member of the Cabinet, committee, sub-committee, joint committee or joint sub-committee mentioned in paragraph (a) and you were present when that decision was made or action was taken.
- 3.18 In such a case, provided the Public have a right to speak at such a meeting, as a Member you are able to make any representations or answer any questions once you have declared the nature of the interest you have. You must then withdraw from the room.

Predetermination and Bias

- 3.19 A Member is not taken to have had, or to have appeared to have had, a closed mind when making/acting as a decision maker, merely because
- (i) they had previously done anything that directly or indirectly indicated what view, they as decision maker would or might take in relation to a matter and
 - (ii) the matter was relevant to the decision being taken.

When making a decision, Members must consider the matter before them, with an open mind and on the facts before the meeting at which the decision is to be taken.

- 3.20 Where a Member has been involved in campaigning in a political role on an issue, provided this does **not** impact on a Member's personal and/or professional life, a Member is not be prohibited from participating in a decision in their political role as Member.
- 3.21 Members must not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence their performance of their official duties.
- 3.22 Members who sit as Committee Members need to be aware that when they have an interest in the matter being discussed or being decided, the role as a decision maker is subject to extra scrutiny.
- 3.23 Members who are not Committee Members, but are attending a Committee to speak, also need to be aware that if they have an interest in the matter they are speaking on, their role as an interested member is also subject to extra scrutiny.
- 3.24 Members should seek advice in advance of a meeting when a matter is known or should reasonably have been known to involve an interest affecting a Committee Member and complete the Declaration of Interests at Meetings Form. Guidance on Predetermination is set out at Appendix 7 to the Code.

Action following declaration

- 3.25 If you are acting as a decision maker at a meeting where you have an Interest in the matter being discussed or that arises during the course of the meeting you need to consider if your interest is a Disclosable Pecuniary Interest.
- 3.26 If it is
- (a) you must withdraw from the room where the meeting considering the business, is being held, unless a written dispensation has been granted.
 - (b) you are not permitted to participate in any discussion of a matter that relates to your DPI at the meeting,
 - (c) you are not permitted to participate in any vote on the matter where you have a DPI.
- 3.27 In the case of any other Pecuniary or Non Pecuniary Interest, the Committee Member will need to consider whether a member of the public with knowledge of the relevant facts would reasonably regard the interest as so significant that it is likely to prejudice your judgement of the public interest. If you believe this to be the case or you are advised that this is the case then that Member must:-
- (a) disclose the existence and nature of the interest at the meeting
 - (b) withdraw from the room or chamber where the meeting considering the business is being held.
- 3.28 However, provided the public have a right to speak at such a meeting the Member is able to make representations or answer any questions when the nature of the interest has been declared. The Member must then withdraw from the room.

Other decision making

- 3.29 Certain types of decisions, including those relating to a permission, licence, consent or registration for a Member, their friends, family members, employer or their business interests, are so closely tied to their personal and/or professional life that their ability to make a decision in an impartial manner in their role as a Member may be called into question and in turn could raise issues about the validity or veracity of the decision of the Council. In such situation Members have the same rights as an ordinary member of the public but must take not part or have any role in the decision making process.

Dispensations

- 3.30 There are some decisions that the Council will need to make that could affect every Member and Members may not take part in these decisions if they fall into one of the categories set out below unless a dispensation has been granted. A Dispensation, if granted, allows Members to take part in and vote on the following matters:
- (i) housing, where you are a tenant of the Authority unless those functions relate particularly to your tenancy or lease;

- (ii) school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;
- (iii) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;
- (iv) an allowance, payment or indemnity given to an that Member;
- (v) any ceremonial honour given to that Member; and
- (vi) setting council tax or a precept under the Local Government Finance Act 1992.

3.31 The Council can grant a dispensation to enable Members to participate in certain circumstances and the Monitoring Officer is authorised to determine written requests for a dispensation. A form to request a dispensation is attached at Appendix 8.

Gifts and Hospitality

3.32 Members should exercise the utmost care in relation to hospitality or gifts received in their role as a Member as there could be a real or perceived conflict with their membership of the Council. Members should declare any disclosable gift or hospitality to the Monitoring Officer using the form provided and these declarations will be included in a register maintained by the Monitoring Officer that is open to public inspection.

3.33 The following gifts and types of hospitality do not need to be disclosed/registered:

- civic hospitality provided by another public authority
- modest refreshment in connection with any meeting
- tickets for sporting, cultural and entertainment events which are sponsored by the Council
- a modest alcoholic or soft drink on the occasion of an accidental social meeting
- small gifts of low intrinsic value below £25 and modest souvenir gifts with a value below £25 from another public authority given on the occasion of a visit by or to that Authority.

3.34 A Member should never accept any gift or hospitality as an inducement or reward for anything, if acceptance might be open to misinterpretation or which puts the Member under an improper obligation. A Member should never solicit a gift or hospitality.

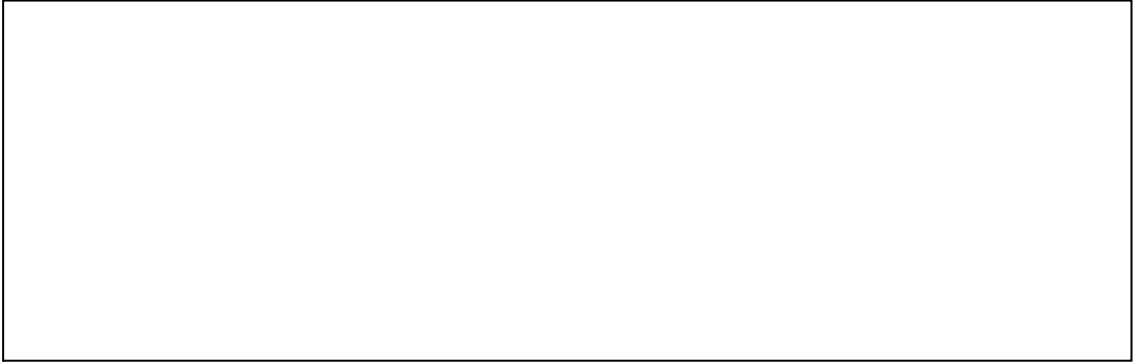
3.35 Where it is impracticable to return any unsolicited gift, or the return would cause offence, the Member must, as soon as practicable after the receipt of the gift notify the Monitoring Officer in writing (form attached) and pass the gift to the Mayor's Executive Officer for donation to a charity raffle as appropriate.

3.36 Even if the value of an unsolicited gift or hospitality is less than £25, if the Member is concerned that its acceptance might be misinterpreted, the Member may make a voluntary declaration in the same manner to ensure that there is nothing secret or underhand about the gift or hospitality.

3.37 A Member must immediately report to the Monitoring Officer any circumstances where an inappropriate gift or hospitality has been offered to you.

Updating the Register of Interests

3.38 You must within 28 days of becoming aware of any new disclosable pecuniary interest or change to any disclosable pecuniary interest already registered provide written



SECTION 4 – MANAGEMENT OF INFORMATION

- 4.1 Information which Members receive in confidence in the course of their duties as Members should be used only in connection with those duties. Such information must never be used for the purpose of financial gain.
- 4.2 Members must not disclose information given to them in confidence by anyone, or information acquired by them which is believed, or ought reasonably to be believed to be confidential nature. Members can only do so if:
- (a) they have the express consent of the person authorised to give it;
 - (b) they are required by law to do so (Members must ensure they seek the advice of the Council's Monitoring Officer in this regard before any disclosure);
 - (c) the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person;
 - (d) they have sought the consent of the Monitoring Officer prior to its release; or
- 4.3 Members must not prevent another person from gaining access to information to which that person is entitled by law.
- 4.4 Members must ensure that they do not improperly use knowledge gained solely as a result of your role as a Member for the advancement of yourself, your friends, your family members, your employer or your business interests.
- 4.5 Members must ensure that that do not misuse information gained in the course of their public service for personal gain or for political purpose, nor seek to use the opportunity of public service to promote their private interests or those of connected persons, firms, businesses or other organisations.

Do not disclose information given to you in confidence by anyone.

Members Code of Conduct Complaint Form

If you have any questions or difficulties filling in this form or you are in need of any support in completing this form, if for example English is not your first language, or you have a disability that prevents you making your complaint in writing please contact the Monitoring Officer. The Council's contact information is contained at the end of this form.

Please note

- a) Please read "How to make a complaint" leaflet prior to completing this form.
- b) Complaints can only be accepted in writing.
- c) An officer from the Council may contact you personally to go through the details of your complaint.
- d) The Council is unlikely to be able to keep your identity or the information you have provided confidential. If you have serious concerns about disclosure of your name and details, please complete Section 3.

SECTION 1:	YOUR CONTACT DETAILS
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Please clearly set out your details

Title:	Councillor
Full Name :	Shafiq Chaudhry
Address including postcode:	
Telephone:	
Mobile:	
E-mail address:	shafiq.chaudhry@slough.gov.uk
Preferred method of contact:	<input type="checkbox"/> by post <input checked="" type="checkbox"/> by email

Please tick the box which best describes who you are:

- Member of Public
- Councillor or Parish Councillor of the Council
- Other Local Authority Officer/Employee
- Other (Please specify)

SECTION 2: YOUR COMPLAINT

1. Who are you complaining about?

Please give the name of the Councillor(s) (Borough or Parish) you believe has breached the Code of Conduct and the name of their Authority.

Title	First Name	Last Name	Name of their Authority
	Myself	Chaudhry	Slough BC.

2. What are you complaining about?

Please provide us with as much information as you can about your complaint to help us decide whether or not it should be investigated. Include the date and details of the alleged misconduct and any information that supports the allegation. If you are complaining about more than one member, you should clearly explain what each individual member has done that makes you believe that they have breached the Code of Conduct.

We can only investigate complaints that a member has broken the Code of Conduct for Members (please see leaflet "How to make a complaint" referred to above).

Details of complaint

Please set out why you believe the Councillor you are complaining about has breached the Code of Conduct.

You can continue on a separate sheet if there is not enough space on this form.

I believe I have made a serious error of judgement and that may have led to a breach of the Council code of conduct namely Sec 2.3 and 2-7 integrity, reputation of the Council and personal and professional interests

Evidence

Please attach to this form, copies of any correspondence, documents, names and details of witnesses and any other evidence that you feel is relevant to your complaint. Please avoid sending us large amounts of background information that only relate indirectly to your complaint. Please keep copies of everything you send in to us.

Please briefly describe the documents you will be enclosing:

1.	EMail from ^{Police} police about present in court.
2.	Letter before trial verdict.
3.	

SECTION 3:	CONFIDENTIAL COMPLAINTS
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Only complete this part if you are requesting that your identity is kept confidential. For further information please refer to "How to make a complaint" leaflet.

If you are requesting your details to be kept confidential please provide details of why you believe we should withhold your name/details below:

Please answer:

I confirm that if I have requested confidentiality, but if my request is not granted, I am happy for complaint not to proceed.

- Yes - I agree with the above statement
- No - I would like my complaint to proceed and my complaint not to be confidential to the councillor I have complained about.

Please note that if you do not tick this box and confidentiality is not granted, your complaint will not be proceeded with unless it is considered to be of a serious nature.

SECTION 4: DECLARATION

I confirm that I would like the Monitoring Officer to consider the complaint I have described above with the evidence I have attached.

I understand and accept that the details will normally be disclosed to the Councillor that I have complained of and any parties involved in the complaints procedure or outside authorities required to monitor the Council's complaints procedure by law. If your complaint relates to a parish council member then the Parish Clerk will be advised.

I confirm that Slough Borough Council may share this information where necessary with other organisations, including (but not limited to) where it is appropriate to protect public funds and/or prevent fraud in line with the National Fraud Initiative guidelines.

Signature: 

Name Printed: _____

Date: 18/02/15

Please send this form together with any attachments to:-

**The Monitoring Officer, Slough Borough Council, St Martin's Place, 51 Bath Road,
Berks, SL1 3UF**

Or by e-mail to MonitoringOfficer@slough.gov.uk

Shafiq Ahmed Chadhry



Date: 15th November 2014

To whom it may Concern

Dear Sirs,

Re: Azim Ahmed of 8 Diamond Road, Slough.

I write to confirm that I have known Azim Ahmed's family for last about 20 years very closely. I also know them from back home as they are from our area and his grandfather is very well known to me. I therefore confirm that the family is much respected and well reputed in Pakistan as well as in the local community of Slough.

I am really shocked to hear the allegations made against Azim Ahmed as those do not match with the family's background & perception in the community. I am not in a position to comment exactly on this issue however, I can give a good reference for him in general.

Should you have any queries please do not hesitate to contact us.

Yours Faithfully,

Cllr Shafiq A Chaudhry

-----Original Message-----

From: Doak Nigel [mailto:xxxxxxxxxxx@thamesvalley.pnn.police.uk]

Sent: 16 February 2015 15:56

To: Ferris Kitty

Cc: Jarvis Richard; Bowden Simon; Wong Gavin; Reeves Jim; Pearce Donna

Subject: Op Cornet Sentence

Importance: High

Kitty,

I have been at Reading Crown this afternoon.

Azim Ahmed: 6 years imprisonment. Sexual Offences Prevention Order for 10 years.
Registered sex offender for life.

Esmutullah Haidaree: 24 months imprisonment. SOPO for 10 years. RS0 for 10 years.

Please note that the Mayor was also present to support Aky and the family. This will have been picked up by the reporters present.

Please update your teams and pass on my thanks.

We will update the main victims and tie in with engage.

Best Wishes

Nigel

DCI Nigel Doak

PVP Berkshire

xxxxxxxxxxx



The Crown Prosecution Service Thames and Chiltern.

Two men found guilty of child sexual exploitation offences - Slough

16/12/2014

Two men were today, Tuesday, 16 December 2014, convicted at Reading Crown Court of a number of sexual offences against three girls following an investigation into child sexual exploitation in Slough.

Esmatullah Haidaree, aged 45, of Farm Crescent, Slough, and Azim Ahmed, aged 23, of Diamond Road, Slough, were convicted by a jury following a two-and-a-half week trial.

Haidaree was convicted of two counts of inciting a child to engage in sexual activity and four counts of sexual assault. Ahmed was convicted of five counts of sexual activity with a child.

During the early hours of Sunday, 07 April 2013, Thames Valley Police were contacted by a member of the public who reported that two girls were sleeping on a spare mattress in a flat in Slough. Police found the two girls, who said they had been offered a place to stay for the night.

When spoken to, officers learned that the two girls, along with a third girl, had been sexually abused by Haidaree and Ahmed.

Haidaree and Ahmed were arrested in May and June last year following an investigation by Thames Valley Police's Child Abuse Investigation Unit (CAIU). They were subsequently charged in March this year in relation to a number of incidents involving three girls aged 14 and 15.

Adrian Foster, Chief Crown Prosecutor for Thames and Chiltern Crown Prosecution Service (CPS) said: "The actions of these two men were truly appalling. No-one, let alone a child, should ever be exploited as these young girls were. I commend their bravery in providing evidence for the prosecution. They have enabled their abusers to face trial and be brought to justice.

"The two men, Azim Ahmed, aged 23 and Esmatullah Haidaree, aged 45, both from Slough, who have been convicted have still failed to accept any responsibility for their actions. They are nothing less than vicious sexual predators. The jury saw through their fabrications and they must now face full responsibility for their despicable behaviour.

"The Crown Prosecution Service has made tackling child sexual abuse a national priority. Last year, the Director of Public Prosecutions announced a radical programme of work in this area, to ensure that police and prosecutors deliver justice for more victims than ever

http://www.cps.gov.uk/thames_chiltern/cps_thames_and_chiltern_news/two_men_fou... 14/05/2015

before. We are becoming increasingly adept at securing convictions and delivering justice for victims.

"In this case we worked closely with Thames Valley Police from early in the investigation to help build the strongest possible prosecution case. Their investigators, and Crown Prosecution Service lawyers and caseworkers have worked tirelessly to bring this difficult prosecution to court.

"I urge any victims of sexual offences to come forward and report their abuse. We will support you in giving evidence so that your attackers can be brought to justice and others like you can be saved from the horrific ordeal of abuse. The emotional impact, on the victims and their families, of the abhorrent actions of these two men is impossible to quantify. I very much hope today's verdicts provide some comfort to them. Our thoughts are very much with them all at this time."

Detective Sergeant Richard Jarvis, officer in the case, said: "Firstly, I want to take this opportunity to thank the victims for their absolute bravery in coming forward and their courage in giving evidence at court. My thoughts continue to be with them, their families and also the witnesses who gave evidence.

"Today's convictions mark the end of a lengthy and complex investigation which involved two men taking advantage of three young and vulnerable girls.

"Ahmed and Haidaree have maintained their innocence ever since being arrested last year. However, as a result of a thorough and detailed investigation, and with the support of the victims, they have today been found guilty and rightly so.

"These convictions reflect the severity of their offending and should send out a clear message to anyone targeting children in this way, that Thames Valley Police will not tolerate such criminality and will pursue and convict those responsible."

The two men will be sentenced at Reading Crown Court on a date to be confirmed.



The Crown Prosecution Service Thames and Chiltern.

Two men jailed for child sexual exploitation offences - Slough

16/02/2015

Two men appeared at Reading Crown Court today, Monday, 16 February 2015, and were jailed for a combined total of eight years following an investigation into child sexual exploitation (CSE) in Slough.

Esmatullah Haidaree, aged 45, of Farm Crescent, Slough, was sentenced to two years imprisonment for two counts of inciting a child to engage in sexual activity and four counts of sexual assault. He was also given a Sexual Offences Prevention Order (SOPO) for 10 years and must sign the Sex Offenders' Register for 10 years.

Azim Ahmed, aged 23, of Diamond Road, Slough, was sentenced to six years imprisonment for five counts of sexual activity with a child. He was also given a SOPO for 10 years and must sign the Sex Offenders' Register for life.

The pair were found guilty of the offences on 16 December last year, by a jury following a two-and-a-half week trial.

During the early hours of Sunday, 07 April 2013, Thames Valley Police were contacted by a member of the public who reported that two girls were sleeping on a spare mattress in a flat in Slough. Police found the two girls, who said they had been offered a place to stay for the night.

When spoken to, officers learned that the two girls, along with a third girl, had been sexually abused by Haidaree and Ahmed.

Haidaree and Ahmed were arrested in May and June 2013 following an investigation by Thames Valley Police's Child Abuse Investigation Unit (CAIU). They were subsequently charged in March last year in relation to a number of incidents involving three girls aged 14 and 15.

Adrian Foster, Chief Crown Prosecutor for Thames and Chiltern Crown Prosecution Service (CPS) said: "The actions of these two men were truly appalling. No-one, let alone a child, should ever be exploited as these young girls were. I commend their bravery in providing evidence for the prosecution. They have enabled their abusers to face trial and be brought to justice.

"The two men, Azim Ahmed, aged 23 and Esmatullah Haidaree, aged 45, both from Slough, who were convicted on 16 December last year of a number of sexual offences have still failed to accept any responsibility for their actions. They are nothing less than sexual predators. The jury saw through their fabrications and they must now face full responsibility for their despicable behaviour.

http://www.cps.gov.uk/thames_chiltern/cps_thames_and_chiltern_news/two_men_jail... 14/05/2015

"The Crown Prosecution Service has made tackling child sexual abuse a national priority. In 2013, the Director of Public Prosecutions announced a radical programme of work in this area to ensure that police and prosecutors deliver justice for more victims than ever before. We are becoming increasingly adept at securing convictions and delivering justice for victims.

"In this case we worked closely with Thames Valley Police from early in the investigation to help build the strongest possible prosecution case. Their investigators, and Crown Prosecution Service lawyers and caseworkers have worked tirelessly to bring this difficult prosecution to court.

"I urge any victims of sexual offences to come forward and report their abuse. We will support you in giving evidence so that your attackers can be brought to justice and others like you can be saved from the horrific ordeal of abuse. The emotional impact, on the victims and their families, of the abhorrent actions of these two men is impossible to quantify. I very much hope that the convictions and today's sentences provide some comfort to them. Our thoughts are very much with them all at this time."

Detective Sergeant Richard Jarvis, officer in the case, said: "I am pleased with today's sentences which reflect the severity of the offences committed by both Haidaree and Ahmed. Both took advantage of three young and vulnerable girls.

"The sentences should also send out a clear message to anyone targeting children in this way, that Thames Valley Police will not tolerate such criminality and will pursue and convict those responsible.

"I would like to take this opportunity to once again thank the victims for their absolute bravery in coming forward and their courage in giving evidence at court last year. My thoughts continue to be with them, their families and also the witnesses who gave evidence."

Slough Observer on line edition – 16th February 2015

Slough men jailed for child sexual offences committed against 'vulnerable' teenage girls

[Daniel Whiteway](#)

Published: 16 Feb 2015 16:53

TWO Slough men have been put behind bars for their roles in a number of sexual offences against three teenage girls.



TWO 'predatory' Slough men have been jailed for sexually exploiting three vulnerable teenage girls.

Esmatullah Haidaree, 46, of Farm Crescent, and Azim Ahmed, 23, of Diamond Road, were jailed at Reading Crown Court on Monday for two years and six years respectively.

The pair were imprisoned for acts committed at a flat in Stratfield Road between January and May 2013. The two men invited the teenagers to the flat for 'social gatherings' where they were plied with food and alcohol before being exploited. The first victim was homeless after falling out with her family and Ahmed offered the flat to her as a refuge.

The court heard Ahmed engaged in sexual activity with the victims while Haidaree incited the girls to engage in sexual activity and sexually assaulted them.

In sentencing, referencing the first victim, Judge Johannah Cutts, said: "You [Ahmed] exploited that girl, in my view grooming her, supplying her with money and food and bought her alcohol in order to have sexual intercourse with her."

The court heard how Haidaree had got into a bed where one of the girls slept and put his hands under the cover to touch her and had also grabbed the breasts of a girl from behind. Judge Cutts said: "You, Mr Haidaree, clearly wanted to join in with the sexual activities that were taking place in the flat.

"In my view, all of this sexual activity was planned."

Defending Ahmed, Neil Griffin argued the 23-year-old had been the main breadwinner for his family since the age of 17, had missed out on growing up and so was 'immature'. Mr Griffin added letters from Ahmed's family and girlfriend showed he had changed his ways and had even donated bone marrow to help his severely ill sister.

Mr Griffin added: "He is a 23-year-old man who is of good character, has never been in trouble before and did not coerce the girls. He is not the common sort of defendant."

Haidaree's defence barrister Bartholomew O'Toole said: "The victims weren't physically engaged nor were they physically detained by him. He didn't physically force himself on them, but he did do it without their consent."

Mr O'Toole added Haidaree, a father-of-five, was also the breadwinner for his family and suffered from a number of health ailments ranging from a heart attack suffered in 2011 to asthma, allergies and haemorrhoids. The pair had appeared for sentencing after being tried in December last year at the same court. Haidaree was found guilty of two counts of inciting a child to engage in sexual activity and four counts of sexual assault and Ahmed was convicted of five counts of sexual activity with a child.

Ahmed was found not guilty of one count of sexual activity with a child under 13 and two counts of inciting a child to engage in sexual activity.

Both had pleaded not guilty to all charges.

Ahmed will be on the Sex Offenders' Register for life. Haidaree will be on the register for 10 years. Both men were issued with a 10-year sex offences prevention order and a restraining order banning them from contacting the victims for 10 years. The sentencing of Ahmed drew gasps from his family seated in the public gallery where they were joined by Cllr Shafiq Chaudhry, mayor of Slough who had attended court to support them.

Thames Valley Police statement

Detective Sergeant Richard Jarvis, an officer in the case, said: "I am pleased with today's sentences which reflect the severity of the offences committed by both Haidaree and Khan. Both took advantage of three young and vulnerable girls.

"The sentences should also send out a clear message to anyone targeting children in this way, that Thames Valley Police will not tolerate such criminality and will pursue and convict those responsible.

"I would like to take this opportunity to once again thank the victims for their absolute bravery in coming forward and their courage in giving evidence at court last year. My thoughts continue to be with them, their families and also the witnesses who gave evidence."

Crown Prosecution Service statement

Adrian Foster, Chief Crown Prosecutor for Thames and Chiltern Crown Prosecution Service (CPS) said: "The actions of these two men were truly appalling. No-one, let alone a child, should ever be exploited as these young girls were. I commend their bravery in providing evidence for the prosecution. They have enabled their abusers to face trial and be brought to justice.

"The two men, Azim Ahmed, aged 23 and Esmatullah Haidaree, aged 45, both from Slough, who were convicted on 16 December last year of a number of sexual offences have still failed to accept any responsibility for their actions. They are nothing less than sexual predators. The jury saw through their fabrications and they must now face full responsibility for their despicable behaviour.

"The Crown Prosecution Service has made tackling child sexual abuse a national priority. Last year the Director of Public Prosecutions announced a radical programme of work in this area to ensure that police and prosecutors deliver justice for more victims than ever before. We are becoming increasingly adept at securing convictions and delivering justice for victims.

"In this case we worked closely with Thames Valley Police from early in the investigation to help build the strongest possible prosecution case. Their investigators, and Crown Prosecution Service lawyers and caseworkers have worked tirelessly to bring this difficult prosecution to court.

"I urge any victims of sexual offences to come forward and report their abuse. We will support you in giving evidence so that your attackers can be brought to justice and others like you can be saved from the horrific ordeal of abuse. The emotional impact, on the victims and their families, of the abhorrent actions of these two men is impossible to quantify. I very much hope that the convictions and today's sentences provide some comfort to them. Our thoughts are very much with them all at this time."

[Jump to first paragraph.](#)

IN THE CROWN COURT
AT READING

T20140245

Old Shire Hall,
The Forbury,
Reading,
Berks., RG1 3EH.

16th February 2015.

Before:

HER HONOUR JUDGE CUTTS

R E G I N A

-v-

AZIM AHMED
and
ESMATULLAH HAIDAREE

(Transcribed from the digital recording by Marten Walsh Cherer Ltd., 1st Floor, Quality House, 6-9 Quality Court, Chancery Lane, London, WC2A 1HP. Telephone: 020 7067 2900. Fax: 020 7831 6864. Official Court Reporters and Tape Transcribers).

MISS R. DRAKE appeared for the prosecution.

MR. N. GRIFFIN appeared for the defendant Azim Ahmed.

MR. B. O'TOOLE appeared for the defendant Esmatullah Haidaree.

EXTRACT FROM PROCEEDINGS RE THE MAYOR OF SLOUGH

16th February 2015

EXTRACT FROM MITIGATION FOR THE DEFENDANT
AZIM AHMED RE THE MAYOR OF SLOUGH

(2:47 p.m.)

MR. GRIFFIN: The defendant talks of the probation officer asking him questions with long words and him not really understanding them. You will recall that the defendant has dyslexia as well and can I just add that in lengthy conferences this morning I can see why the probation officer has got that angle on him, thought that he was being negative and was able to write this report.

Your Honour, the defendant finds it very hard to talk about things, but of course he has had to bare all with those nearest and dearest to him. There are other members of the community in court to support him as well, including a friend of the family, Councillor Chaudhry, who is in fact the mayor of Slough.

Well, your Honour, turning to the guidelines. It is a five-year starting point.

(2:47 p.m.)

From: Ferris Kitty
Sent: 16 February 2015 19:05
To: *Ruth Bagley
Subject: FW: Op Cornet Sentence
Importance: High

This is the email from Nigel Doak. I spoke to Nigel when I picked up the email and he told me that counsel for the defence mentioned in open court(I think in his summing up) that the Slough Lord Mayor was present in court to support Ahmed

Kitty Ferris
Assistant Director
Children, Young People and Families
Wellbeing
Tel:01753 xxxxxx
email:xxxx.xxxx@slough.gov.uk

**STATEMENT
FRONT COVER**

Case Ref:	1048979/1
Name:	Suzanne Mason
Position Held:	Mayor's Executive Officer Slough Borough Council

wilkin chapman llp
solicitors

PO Box 16,
Town Hall Square,
Grimsby
DN31 1HE

Wilkin Chapman LLP, a limited liability partnership registered in England no. OC343261,
authorised and regulated by the Solicitors Regulation Authority

STATEMENT of: - Suzanne Mason

1. I am the Mayor's Executive Officer at Slough Borough Council.
2. My duties include assisting the Mayor with all diary appointments and official engagements, and generally liaising with the post holder throughout their Mayoral year.
3. The Mayor of Slough Borough Council is a civic appointment. The appointments are for one year and commence at the annual meeting of the Council, when the person appointed also becomes Chairman of the Council for that year.
4. At the Annual Meeting of the Council held on the 5th of June 2014, Councillor Shafiq Chaudhry was appointed Mayor for the municipal year 2014/2015.
5. In February 2015, Councillor Chaudhry was the appointed Mayor until his resignation on the 18th of February 2015.
6. When a Mayor is appointed, the Councillor concerned receives a copy of the 'Mayor's Handbook' – a document that outlines the protocols and duties of the post to assist with their duties.
7. This handbook is also provided to the Deputy Mayor on their appointment.
8. Councillor Chaudhry was the Deputy Mayor from the Spring of 2013 to the 5th of June 2014.
9. In addition to the provision of a hard copy of the handbook, both the Mayor and Deputy Mayor attend a briefing conducted by Catherine Meek, the Head of Democratic Services and myself.
10. I can confirm that Councillor Chaudhry was provided with a hard copy of the Mayor's Handbook in 2013 and 2014 and he attended briefings with us in early 2013 and on the 16th of July 2014.

11. The briefings are led by Catherine Meek and are a detailed work through of the Mayor's Handbook.
12. In a paragraph outlining the basis of the role of the Mayor, the Mayor's Handbook includes the wording:-

".....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".
13. I can confirm that Councillor Chaudhry was made aware of this paragraph during the briefing and appropriate emphasis was placed on it.
14. I have been asked about my knowledge of Councillor Chaudhry attending a Court Hearing on the 16th of February 2015 at Reading Crown Court.
15. I had no prior knowledge of his intention to attend, or his actual attendance, at all.
16. No entries were shown in the official Mayor's Diary for such a commitment.
17. The Mayor has use of a car provided by the Council for official engagements. The car was not used for a visit to the Reading Crown Court on that date.
18. Councillor Chaudhry had not sought my advice in relation to attending Court.
19. I only became aware of Councillor Chaudhry's attendance on the 16th of February late in the afternoon that day, when I was asked to check the diary.

I Suzanne Mason declare that this statement is true and accurate to the best of my knowledge and belief.

Signed.....



Date 6/5/15

**STATEMENT
FRONT COVER**

Case Ref:	1048979/1
Name:	Catherine Meek
Position Held:	Head of Democratic Services Slough Borough Council

wilkin chapman llp
solicitors

PO Box 16,
Town Hall Square,
Grimsby
DN31 1HE

Wilkin Chapman LLP, a limited liability partnership registered in England no. OC343261,
authorised and regulated by the Solicitors Regulation Authority

STATEMENT of: Catherine Meek

1. I am the head of Democratic Services at Slough Borough Council.
2. My duties include managing the Mayor's Executive Officer (Suzanne Mason) as part of the Democratic Services Department.
3. The Mayor of Slough Borough Council is a civic appointment. The appointments are for one year and commence at the annual meeting of the Council. The Mayor chairs the Council meetings in his/her mayoral year.
4. At the Annual meeting of the Council held on the 5th of June 2014, Councillor Shafiq Chaudhry was appointed Mayor of the Council for the 2014/15 municipal year.
5. Councillor Chaudhry was the appointed Mayor until his resignation on the 18th of February 2015.
6. When a Mayor is appointed the Councillor concerned receives a copy of the 'Mayor's Handbook' – a document that outlines the protocols and duties of the post to assist with their duties.
7. This handbook is also provided to the Deputy Mayor on their appointment.
8. Councillor Chaudhry was the Deputy Mayor from the spring of 2013 to the 5th of June 2014.
9. In addition to the provision of a hard copy of the handbook, both the Mayor and Deputy Mayor attend a briefing conducted by myself and Suzanne Mason.
10. I can confirm that Councillor Chaudhry attended briefings with us in early 2013 and on the 16th of July 2014.
11. The briefings include a detailed work through of the Mayor's Handbook.

12. In a paragraph outlining the basis of the role of the Mayor, the Mayor's Handbook includes the wording :-

".....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".

13. I can confirm that Councillor Chaudhry was made aware of this paragraph during the briefing and appropriate emphasis was placed on it.

14. I have been asked about my knowledge of Councillor Chaudhry attending a Court hearing on the 16th of February 2015 at Reading Crown Court.

15. I am not aware of every commitment/engagement of the Mayor, and only become aware if there are any issues brought to my attention by Suzanne Mason or anyone else.

16. I had no prior knowledge of his attendance at Court.

17. Councillor Chaudhry had not sought my advice in relation to attending Court.

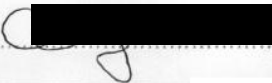
18. I only became aware of Councillor Chaudhry's attendance during the late afternoon of the 16th of February, after his attendance.

19. I have been asked about my perception of the Mayor attending Court to support persons convicted of an offence of Child Sexual Exploitation.

20. As a senior officer of the Council I believe that such actions have the potential to affect the reputation of the Mayor's Office/Council. The 16th of February 2015 was only a week after the release of the report into Rotherham matters. I believe that this had heightened public awareness as it had been the subject of considerable media attention.

I Catherine Meek declare that this statement is true and accurate to the best of my knowledge and belief.

Signed



Date

6/5/15

MAYOR'S HANDBOOK

INDEX

1. Role of Mayor

- (a) Duties
- (b) Balancing your priorities
 - * Mayor
 - * Politician
 - * Private Individual
- (c) Appointment of Chaplain
- (d) Mayor's Charity Appeal Fund
- (e) Gifts
 - * Receiving
 - * Giving
- (f) Role of Mayoress/Consort

2. The Civic Year

3. Chairing Council

4. Council Facilities and Staff

- (a) Accommodation
- (b) Staff
- (c) Council Car
- (d) Robes and Chain of Office
- (e) Emergency Contact – Out of Office Hours

5. Role of Deputy Mayor

6. Civic Finances

- (a) Civic Budget
- (b) Mayoral Allowances

Appendix A - Mayoral Allowances

Appendix B - Typical Engagement Sheet

1. ROLE OF MAYOR

The Mayor is the first citizen of Slough, giving precedence only to Royalty and the Queen's representative (the Lord Lieutenant). You therefore have an important role, representing the Council and people of the whole Borough. Your views will be widely heard and will be influential. This places you in a special position and caution must be exercised when acting as Mayor.

(a) DUTIES

During the year you will probably carry out most of the following duties, as well as many others: -

- Chair meetings of Council.
- Act as host on behalf of the Council and citizens of the Borough at functions arranged by the Council.
- Attend important functions as a representative of the Borough and/or of the Council.
- At your discretion support charitable appeals and events.
- Make official openings or presentations throughout the Borough.
- Promote wherever possible the diplomatic, business, commercial, community and education life of the Town.

The above list is not exhaustive, but gives a general idea of the Mayor's duties.

It must be stressed that the Mayor and Leader of the Council have very different roles. Many people will confuse these two roles and you will find yourself having to explain them. The Leader formulates Council policy and has political control. As Mayor you hold a mainly ceremonial position, your role is as civic leader for the Council and indeed the whole Borough.

You will probably want to pass any issues of Council policy which are raised with you to the Leader of the Council.

Every Mayor is called upon to “uphold the office of Mayor”, that is to act with dignity and decorum and not in such a way as to make the office shameful or ridiculous. You will need to use your common sense and if in doubt seek advice.

Some common areas of difficulty can be:

- Being invited to attend an inappropriate event (e.g. private/personal functions see page 14).
- Supporting party political events while identified as Mayor.
- You may be invited to an event and find you are not given the respect your office deserves.
- Acting foolishly or anti-socially while identified as Mayor. The media could easily misrepresent any high spirits and embarrass both you and the Council.
- Being perceived to be using the office of Mayor for personal advantage (regardless of whether or not you are).

Notwithstanding all the above, do your best to enjoy and make the most of your term of office. The Mayor is a popular institution in the town and people will be pleased to meet you. Remember - you will probably only have this one year as Mayor.

(b) BALANCING YOUR PRIORITIES

Each Mayor finds they need to balance very different, overlapping roles:

- (a) Mayor
- (b) Politician
- (c) Private individual

At all times you will have potentially conflicting roles - which need to be carefully balanced.

Mayor

The role of Mayor is high profile and very demanding and is likely to intrude on the other areas of your life. For the whole time you wear your Badge of Office (advice on this is in “Robes and Chain of Office”), you are representing the Borough and will be judged as such. 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.

Politician

In Slough the position of Mayor is perceived as being politically neutral. As Mayor you will be expected to refrain from actively promoting any political party and to chair Meetings of the Council fairly and impartially.

In addition to your normal councillor casework, as Mayor you will be approached by a far wider cross section of people from all over the Borough for help on all sorts of issues. You should never use your position as Mayor to gain preferential treatment for people who approach you for help. Your Executive Officer will be available to advise and help you with any enquiries or requests for help you may receive.

Most Mayors have been actively involved in politics for many years before becoming Mayor and stepping out of that role for their term of office can be difficult. It is however important to avoid publicly promoting party political views, or canvassing support for a political point of view or party. Most Mayors soon find that the local issues and the activity that being Mayor involves means there is little spare time for party political activity.

When corresponding on private matters or Council business referred to you in your capacity as a Councillor you should not use Mayor’s headed note paper or any of the resources made available to you because of your position as Mayor, nor at any time use the title of Mayor.

Private Individual

There will be heavy demands on your time - particularly around November/December and June/July. You need to reserve dates and time for any private engagements you may have well in advance with the Mayor's Executive Officer and functions can then be arranged around these.

You will be supported during your time as Mayor by Council staff - please use them.

In Slough it has been customary to accept all appropriate invitations. At times this can create a lot of pressure which can be reduced by working in conjunction with the Deputy Mayor if required.

(c) APPOINTMENT OF CHAPLAIN

The Mayor traditionally appoints a Chaplain to support him or her, say prayers at Council meetings and arrange the Civic Service. In past years the Chaplain has been a Christian, but there is no requirement for this. It would however be appropriate for the Chaplain to come from one of the major faith communities of Slough.

Your choice of Chaplain is up to you, but advice on appointment is available from the Mayor's Executive Officer.

The Chaplain would normally join you at the appointed venue shortly before the beginning of each Council meeting and would process with you into the meeting. Prayers will be said prior to commencement of the meeting agenda, following which the Chaplain would be free to stay or leave as he or she wishes.

He or she takes responsibility for arrangements for the Civic Service which you host and plan with your Chaplain. This has generally been held at the place of worship of the Mayor's Chaplain.

Your Chaplain may be involved in the Remembrance Sunday Service, which is organised by the council in conjunction with the Rector of St Mary's Church, Slough.

(d) MAYOR'S CHARITY APPEAL FUND

Most Mayors choose to maintain a 'Charity Appeal Fund'. There are a number of local organisations which wish to show appreciation of support received from the Mayor, and they therefore make donations to the Mayor's Fund.

If you wish to have a charity fund it would be maintained by the Mayor's Executive Officer. In accordance with audit guidelines you should avoid receiving donations of cash. You should ask that donations are made by cheque payable to "The Mayor of Slough Charity Appeal Fund". The Mayor's Executive Officer would then send a receipt, letter of thanks and arrange for the money to be paid into the special Appeal Fund bank account.

It is the Mayor's decision as to how any Appeal Fund is used. It has been customary to make donations only to local groups or groups whose activities benefit the inhabitants of Slough. Most Mayors do not make a final announcement as to the allocation of the fund until near the end of their year of office. This enables most requests for assistance to be received, and for the Mayor to visit many local organisations during his/her year, to allow a fully informed decision to be reached. In addition to having an Appeal Fund some Mayor's also choose to support a specific local charity. They could do this through active involvement in campaigns, publicity and fund-raising for that organisation.

(e) GIFTS

Receiving - **Gifts to the Mayor in his/her capacity as Mayor may be accepted by the Mayor on behalf of the Council. These gifts are retained by the Council, donated to charity or used to raise funds for charity. They are not kept by the Mayor. Every such gift should be declared to the Mayor's Executive Officer and will be entered into the Register of Gifts, Favours and Hospitality - ensuring that the action taken in respect of each gift is recorded.**

All other gifts and offers of hospitality made to the Mayor in a personal capacity will be subject to the rules relating to the acceptance of gifts and hospitality which apply to all

Members and which are set out in the Councillors' Code of Conduct for Members (Part 1, Section 3, Items 3.32-3.37). You should treat with extreme caution any gift or hospitality offered to you personally. You are personally responsible for all decisions connected with the acceptance or offer of gifts or hospitality and for avoiding the risk of damage to public confidence in the Office of Mayor and local government in general.

You must declare any gifts or hospitality over the value of £25.00 offered to you whether or not they are accepted within 28 days of the offer being made.

Giving - As Mayor you may be expected to give gifts to visiting dignitaries. You may also wish to present a gift to local people or groups that have achieved something worthy, e.g. local sports people, a charity.

The more expensive gifts should be restricted to major dignitaries, representatives from foreign local authorities, distinguished overseas visitors or those who have made outstanding achievements. Such gifts would be chosen accordingly and the Council would normally provide and pay for these.

A stock of small gifts is kept by the Mayor's Executive Officer for distribution on other occasions. To ensure that such gifts remain prestigious they should not be distributed freely. The Mayor's Executive Officer is required to account for all gifts, etc. purchased or issued.

Should the Mayor be required/wish to reciprocate any small personal gifts, these would be purchased and paid for from the Mayoral allowance.

(f) ROLE OF MAYORESS/CONSORT

Should the Mayor choose a female companion she would be known as the Mayoress, or if a male companion he would be known as the Mayor's Consort. The Mayor's companion need not be his/her partner and any suitable person(s) could be selected. The only set rules on companions relate to very formal occasions, such as Royal Garden parties, which specify ages and types of relation that are eligible as companions. There is no requirement for the Mayor to have an official companion but they do provide valuable support and can help you more fully enjoy your year of office.

The Mayoress (if the Mayor is male) may be invited as an ex-officio President or an Honorary Member of some organisations that cater primarily for women. Should such an invitation be received, the Mayor's Executive Officer would advise if required. On all other occasions the Deputy Mayor would be expected to represent the Mayor in his/her absence. On official duties a car and driver can be provided.

2. THE CIVIC YEAR

Each Civic Year is different and is characterised by a wide variety of functions hosted and attended. The main ones hosted by the Mayor which form the structure of the year are: -

Annual Major Functions Hosted by the Mayor

<u>Event</u>	<u>Approximate Date</u>	<u>Approximate Time</u>	<i>Venue</i>
Annual Council	Second/Third week of May	7.00 p.m.	The Centre
Annual Council Reception	May/June	7.30 p.m.	Various
Civic Service *	Varies but normally on a Sunday in September	When convenient	Selected by Mayor in consultation with Mayor's Chaplain
Remembrance Day	Second Sunday in November	10.00 a.m.	Town Square & St. Mary's, Slough (for Mayor) War Memorial Cippenham (for Deputy Mayor)
Reception for Voluntary Organisations	April/ May	7.30 p.m.	Various

- * The Civic Service is usually held at the beginning of the Mayor's year of office and is intended as a way of asking for God's guidance on the Mayor for the forthcoming year and also mark the strong historic links between the Council and the Church.

In addition to these, there are other significant events organised either by Council Officers or outside bodies which the Mayor would normally attend. These include:

Functions the Mayor Attends

<u>Event</u>	<i>Organiser</i>	<u>Approximate Date</u>	<u>Approximate Time</u>	<i>Venue</i>
Nagar Kirtan	Sheehy Way & Woodland Ave Gurdwaras	Mid April	2.00pm	Woodland Ave Gurdwara
Annual Games for the Disabled	Slough SADSAD	1 st weekend in September (Sat & Sun)	9.30am on Saturday and 5.00pm on Sunday	Stoke Park Trust Northern Road Slough
Slough Canal Festival	SBC	September (Sunday)	2.00 p.m.	Bloom Park, Langley
Bonfire Night	SBC	November (Sat nearest to Nov 5 th)	7.30 p.m.	Upton Court Park
Armistice Day 2 minute silence	SBC	11 th November	11.00am	Town Square High Street Slough
Christmas Lights Switch On	SBC	November (normally 3 rd or 4 th Thursday)	4.30pm Reception 6.00pm Switch On	Town Square High Street Slough

CITIZENSHIP CEREMONIES

The Mayor (or Deputy Mayor if Mayor unavailable) also participate in the Citizenship Ceremonies which are held at The Centre on a Wednesday morning every two weeks (occasional ceremonies have a three week gap) throughout the year. These ceremonies were introduced across the country in 2004 to make the process of becoming a British Citizen more meaningful and celebratory. The Mayor or Deputy Mayor will welcome the new citizens into the town and say a few words. Most scheduled ceremonies are attended by a dignitary representing the Lieutenancy for Berkshire or the High Sheriff of Berkshire who participate in the ceremonies by addressing the new citizens and telling them about the county of Berkshire. The Mayor/Deputy Mayor and dignitary will then present each new citizen with a certificate and a paperweight of the Council's crest.

The Mayor is also invited to Chair or act as Honorary President of the following organisations on an ex-officio basis and should be prepared to attend their meetings.

These include: -

Slough Talking Newspaper
Thames Valley Health & Safety Group

Other events to which you would be invited include: -

- Dinners and lunches hosted by other organisations.
- Various religious services.
- Opening of fetes, business premises, voluntary groups.
- Judging of competitions and presenting awards.
- Meeting and greeting VIP's, on behalf of the Council, who are visiting Slough in an official capacity.

The Mayor may also hold/host small receptions or gatherings in the Mayor's Parlour. Events hosted and funded by the Mayor have to meet one of the following criteria:

1. The event is initiated by the Mayor at which he/she will act as host or
2. The event is initiated by Slough Borough Council with a request that the Mayor acts as host on behalf of the Council.

Any requests for the Mayor to host an event must initially be made to the Mayor's Executive Officer who will:

1. Ensure that it is an appropriate event i.e. meets the criteria set out on page 25 of this Handbook.
2. Ensure that any funding required can be met.

3. Consult the Mayor on whether or not he/she would be willing to host the event.

All arrangements and the issuing of invitations for any events hosted by the Mayor will be the responsibility of the Mayor's Executive Officer on behalf of the Mayor.

Invitations

A typical engagement sheet is attached as **Appendix 'B'**. Functions vary throughout the year with November/December and June/July usually being the busiest. Each Mayor has a different term of office and comparisons with previous Mayors are not always fair.

When an invitation is received, the Mayor's Executive Officer will check various aspects of the invitation including:

1. The authenticity of the person/organisation submitting the invitation.
2. Verify that the invitation is appropriate.
3. Ensure that the invitation is extended to the Mayor as representative of the Council and Borough and not solely due to a personal connection.
4. Check your availability at the specified time.

Once the relevant checks have been made, the invitation will be accepted or declined as appropriate. If an invitation is to be declined, a letter (or e-mail) of refusal would be drafted and sent out by the Mayor's Executive Officer on the Mayor's behalf.

The Mayor is asked to consider carefully each invitation he/she receives with a view to recognising the "value" of each event to the Council and to the local community".

Additionally, the Mayor is asked to decline invitations to attend out of Borough functions unless the engagement is a county event and other Berkshire Mayors/Chairman are similarly invited. Exceptions are made for occasional events held in South Bucks venues, eg: Slough Rotary Club; Soka Gakkai; Charman of South Bucks Reception.

Extreme care should be taken when refusing invitations in order not to offend the individual or organisation concerned. In particular, invitations to weddings, family

celebrations etc. should be considered with great care as in general such requests for the Mayor's attendance in an official capacity will be refused.

When considering whether or not such an invitation should be accepted, regard would be given as to whether the person issuing the invitation was a prominent person within the local community/Borough who was generally highly regarded, e.g. MP, Lord Lieutenant, High Sheriff. In these instances, it would be deemed acceptable as the Mayor would be invited to represent the Council and the people of Slough.

Mayors have traditionally tried to cover all events to which they are invited, which can at times cause personal inconvenience. However, if you are unavailable, an invitation would normally be passed to the Deputy Mayor to see if he or she could cover.

Your Executive Officer will also seek some background information on the organisation and event to help you prepare for attendance. **Please do not accept oral invitations yourself but ask organisations to contact your office.**

Once an invitation has been accepted it should not be cancelled except in exceptional circumstances, e.g. illness, personal bereavement. In the event of unavoidable cancellation, it may be appropriate to send a substitute representative. Officers will advise having regard to individual circumstances.

All invitations should be addressed to the Mayor. The Deputy Mayor only ever deputises for the Mayor and does not attend functions in his/her own right.

Invitations for events you host will be sent out on your behalf by the Mayor's Executive Officer. Guest lists for the major civic events, such as the Annual Mayor's Reception are predetermined and the Mayor's Executive Officer will be able to advise on which functions Mayors have some personal discretion on who can be invited and how many invitations can be issued.

To avoid difficulties please do not issue oral invitations or promise someone that an invitation will be sent to them. To save possible embarrassment speak to the Mayor's Executive Officer beforehand.

Weekly Diary Sheet

The weekly diary sheet is finalised and e-mailed to you on a Friday. The diary sheet runs from Monday to Sunday and the Mayor's Executive Officer will aim to discuss each week's commitments with the Mayor during the week prior to the commencing Monday. It is therefore helpful for the Mayor to set aside a specific time each week, preferably a Wednesday or Thursday (engagements permitting) to discuss mayoral issues.

Late Invitations

In view of the fact that there is not a directly employed Mayor's Attendant/Chauffeur in post, the responsibility for travel arrangements is a major part of the Mayor's Executive Officer's responsibilities necessitating the booking of a driver as far in advance as possible. Where possible therefore, due consideration should be given to any late changes/additions to the diary once it has been issued.

Accordingly, all invitations should be received and agreed prior to finalisation and issue of the weekly diary sheet on a Friday. On rare occasions, a late invitation/engagement can be added in the event of an unexpected situation e.g. civic funeral, royal visit, etc. or an event organised by the Council at short notice.

For very late invitations it may not be possible to arrange a driver for the Council car at such short notice. In deciding whether or not to accept the engagement this will be taken into account. However, if the Mayor wishes to accept the invitation, it is open to him/her to make their own travel arrangements to the engagement.

Dress Code

With regard to any dress codes which may apply when attending engagements, the Mayor's Executive Officer will confirm any specific requirements regarding appropriate attire, e.g. evening dress/outdoor clothing etc. At all times however, the Mayor and Deputy Mayor should aim to look well groomed and suitably dressed.

3. CHAIRING COUNCIL

The Mayor has a statutory responsibility to Chair meetings of the Council and therefore to control and guide the meetings. You retain your normal right to vote and also have a right to a casting vote in the event of an equality of votes. The Mayor however, by tradition, shows no political preference to any party during his/her year of office and therefore normally would not vote but abstain unless it is required to reach a decision.

Before each meeting of Council, the Mayor receives a briefing on the business to be conducted and procedures to be followed. Advice can also be received during Meetings from the Chief Executive and Head of Legal Services who sit next to the Mayor during the meeting.

It is usual practice that Officers will not address Council meetings. There are some exceptions, a regular one of which is that the Chief Executive will announce the number of votes cast and advise on Standing Orders.

Prior to each Council Meeting, the Mayor, Deputy Mayor, Chief Executive and Chaplain will meet in an appointed place at the Council Meeting venue. At 7.00pm, the Mayor, wearing the Mayoral chain, will lead the Mayoral Party into the Council Chamber, preceded by the Macebearer and will take his/her seat on the dais. The Deputy Mayor will also wear his/her chain of office.

Prior to commencement of the formal meeting, the Mayor's Chaplain will say prayers. The Chaplain is then free to leave the meeting if he/she so chooses.

4. COUNCIL FACILITIES AND STAFF

(a) ACCOMMODATION

The Mayor's Parlour is situated on the 2nd floor landing of St Martins Place immediately opposite the lifts. The Mayor's Executive Officer's office is located adjacent to the Mayor's Parlour.

The Parlour

This is reserved for the exclusive use of the Mayor and would be used for small meetings, receptions and as a private place for the Mayor to work. The Council's plate and some gifts made to the Council are displayed within the Parlour.

Please note that there are no dedicated kitchen facilities for the Mayor's Office and tea/coffee refreshments for visitors are generally prepared at one of the tea points on the 2nd floor of St Martins Place.

(b) STAFF

As Mayor you will primarily be supported by the Mayor's Executive Officer and the on-duty Chauffeur. They can only support you in your role as Mayor. This excludes any political and personal calls upon your time.

They are there to assist and help you and to preserve and enhance the status and reputation of the Office of Mayor. They try to be helpful and flexible in dealing with the different issues and circumstances that arise each year. You will wish to be sensitive not to make inappropriate demands or requests which may give rise to a conflict of duty and personal loyalty. Their main duties are set out below:

Mayor's Executive Officer

- Runs your office, dealing with all correspondence and telephone calls.
- Organises your diary, checking all invitations with you and preparing a weekly diary.
- When required, drafts speeches for your approval.
- Organises, attends and "trouble-shoots" at major civic events.
- Organises and attends other civic and mayoral functions as required.

- Will assist you in your role as host at functions.
- Arranges all transport requirements
- Maintains the Parlour.
- Safeguards and keeps in good order the civic plate, etc.
- Management and maintenance of the Civic robes.

Chauffeur (arranged via external companies/individuals)

- Chauffeurs you to and from functions, normally collecting you from your home.
- Supports and attends upon you at functions.

Head of Democratic Services

Responsible for management and co-ordination of the civic budget, civic activities and for ensuring adequate policies and arrangements are in place for the authority. Oversees the organisation of major civic functions. Advises on difficult issues or where there is no precedent.

PA to the Leader of the Council

Provides support for the Mayor's Office in the absence of the Mayor's Executive Officer and assists in the running of major civic events, as necessary.

Mace Bearers

The Mace Bearer plays an important part in ceremonial occasions, carrying the mace (the symbol of your authority).

- Attends upon you at major civic functions and Citizenship Ceremonies
- Leads major civic processions i.e. Civic Service, Remembrance Sunday, Civic Funerals

All of the Mayor's staff are experienced, skilled workers and should be respected as such. When attending upon you at functions your staff keep a low profile, being available if needed. If there are difficulties they will try and sort them out and will be on hand should there be any threatening or disrespectful behaviour.

(c) COUNCIL CAR

The council car and chauffeur are provided for your use while attending certain official functions. In approving the use of the car, Officers will take into account the following;

- Does the engagement meet all the criteria applied in determining whether or not the invitation can be officially accepted
- Is it a prestigious event which would demand the arrival of the Mayor to be in keeping with the honour/status of his/her Office
- Is the use of the car cost effective
- Would the use of the car withstand independent external scrutiny

Unless there are exceptional circumstances, the car will not be provided for official engagements/functions held at St Martins Place or council hosted events such as citizenship ceremonies, Council Meetings, etc. You are responsible for making your own travel arrangements to these venues.

The official car is also available as a corporate resource should a large car be needed and it is cost effective, for example to carry other Members or Senior Officers on official Council business.

The car will also be used by the Deputy Mayor when he or she attends official engagements on your behalf.

The car and driver should not be used for non-Council purposes or to convey your guests to their homes - it is not a taxi. No more than 4 passengers (including yourself) should ever be carried.

There may be occasions when it will be necessary to hire an alternative vehicle and driver to chauffeur the Mayor or Deputy Mayor. The Council has established

arrangements for such circumstances and the Mayor's Executive Officer will deal with any needs as they arise.

(d) ROBES AND CHAIN OF OFFICE

The Mayor's robe (crimson with black bands and trimmed with artificial fur) and badges of office for Mayor, Mayoress/Consort, Deputy Mayor and Deputy Mayoress/Consort are provided for your civic use. Traditionally the Mayoral robe is only worn at major civic events e.g. Annual Council, Civic and Remembrance Day Services. The Deputy Mayor would wear his/her Deputy Mayor's robe at major civic events where the Mayor is present or when deputising for the Mayor on an occasion when robes should be worn.

The badge and chain of office are worn at most Mayoral events and denote your position. Protocol dictates that when attending activities outside the Borough, permission is sought from the local Mayor/Chair to wear your chain and badge. Permission is often granted for the badge only to be worn. The Mayor's Executive Officer will advise.


The badge and chain can be taken home following Mayoral activities and is insured by the Council while it is in your home. However, the insurance policy requires that "reasonable care" is taken to safeguard the security of the badge and chain.

To prevent damage to the Mayoral badges and chains when not in use, they should be stored in the large display boxes supplied for this purpose. When carrying the badges and chains to and from engagements, smaller boxes should be used.

(e) EMERGENCY CONTACT - OUT OF OFFICE HOURS

In the event of an emergency relating directly to your Mayoral duties arising out of office hours which can not wait until the Office is next open, you can contact the following staff at home:

Catherine Meek	[REDACTED] [REDACTED] [REDACTED]
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Suzanne Mason	
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5. ROLE OF DEPUTY MAYOR

The Mayor is first citizen of the Borough, a unique position. The Deputy Mayor takes his/her position solely in relation to the Mayor. Only at official engagements when the Mayor is absent and has asked the Deputy Mayor to attend would the Deputy Mayor gain the full respect accorded to the Mayor.

In practice the Deputy Mayor is accorded a position of honour. He/she will usually immediately follow the Mayor and Chief Executive in civic processions and be seated at the Mayor's left hand at Council meetings, chairing them in the Mayor's absence. He or she also supports the Mayor, either by attending functions in the Mayor's absence or by attending with the Mayor on civic occasions.

A chain and badge of office are provided for the Deputy Mayor and should be worn on appropriate occasions. There are protocols and the Mayor's Executive Officer will advise. The Deputy Mayor does not wear the Mayor's robes or badge even when standing in for the Mayor.

Invitations should always be directed to the Mayor, because the Deputy Mayor's status arises from that of the Mayor. If the position of the Mayor is not respected, then the respect due to the Deputy Mayor is correspondingly diminished. It is acceptable for the Deputy Mayor to be invited to a function in his/her personal capacity or as a Ward Councillor (i.e. without chain) if the Mayor has also been invited. If it is not convenient for the Mayor to attend, the invitation may be "passed down" - but this is not automatic.

Unlike the Mayor, the Deputy Mayor may continue political and other Member activities during his/her year of office. You will need to balance these demands and recognise in which capacity you are acting on any specific occasion. When attending an event as Deputy Mayor, you do so not in your own right, but to represent the office of Mayor. At these times you therefore need to observe the rules regarding conduct as if you were the Mayor.

The Deputy Mayoress/Consort is entitled to attend events with the Deputy Mayor when invited, but would not be invited to events in her/his own right. It is a good idea to attend events together in the year as Deputy Mayor, as this provides support, and allows you both to become familiar with mayoral functions.

The Deputy Mayor receives an allowance from the Council, see Section 6 (b) and a car and driver are provided when he/she is attending Mayoral functions. Other facilities, such as use of the Mayor's Parlour, are however reserved for the Mayor. The Deputy Mayor when representing the Mayor may use the Mayor's Parlour with the permission of the Mayor. This permission should not be unreasonably withheld.

6. CIVIC FINANCES

(a) CIVIC BUDGET

The Council sets aside a budget each year to pay for civic events/functions. This budget was reviewed as part of the Support Services savings exercise and has been substantially reduced since 2011/2012.

It is managed by the Head of Democratic Services who is responsible for approving any expenditure and ensuring the budget is not overspent. The budget is substantially committed from the outset, by the major activities that you are expected to host (see Section 2, The Civic Year).

It will also be used (subject to sufficient funds being available) for:

- events relating to the role of Mayor, for example, special one-off celebrations of importance to the Council or Town; hosting visits from foreign dignitaries; civic funerals etc. i.e. events which are initiated by the Council and are corporate in nature.
- replacing china, glass etc. used in the Mayor's Parlour.
- purchasing appropriate gifts to be presented to civic visitors.
- official Christmas cards.

The Mayor's Allowance is separate and is covered in the next Section.

(b) **MAYORAL ALLOWANCES (SEE APPENDIX "A")**

This allowance is provided to meet the cost of any expenses the Mayor may have to face during his/her year of office as a direct result of his/her election as Mayor. It is not a salary. The expenses covered by the allowances include such items as the cost of buying additional clothes for him/herself and his/her consort; the cost of entertaining and receiving guests which is not met from within the Civic Functions Budget; donations to charities; other incidental expenses such as the purchase of raffle tickets and contributions to collections the Mayor may incur when attending external engagements.

The allowance is indexed to the Local Government Officer annual percentage increase.

25% of the Mayor's allowance is paid in the first month of their year of office and the remainder paid in equal monthly instalments over the rest of the year.

A small budget (currently £1000) is held for hospitality, refreshments and other civic expenses (itemised below).

The sum set aside for hospitality and refreshments etc. is not paid direct to the Mayor but remains in an account from which all expenditure in respect of the following will be met direct:

Entertaining and receiving Mayoral as opposed to Civic guests including the provision of all alcoholic and soft drinks provided from stocks held in the Mayor's Parlour.

Presents/gifts presented by the Mayor to Mayoral guests or on visits initiated by the Mayor.

Social and business functions initiated by the Mayor.

The Mayor's Chaplain's out of pocket expenses.

All expenditure from this budget will have to meet the following criteria:

- it is a lawful and legitimate use of public money
- it has relevance to the Council, Town and/or its people
- it is in keeping with the dignity/status of the office of Mayor
- it is in keeping with current Council policies

The Deputy Mayor will receive 25% of his/her allowance in the first month of their year of office and the remainder will be paid in equal monthly instalments over the rest of the year.

In addition to the Mayoral Allowances shown above, the Mayor and Deputy Mayor remain entitled to claim their basic allowance as a Councillor and travel allowance for approved duties out of Borough, if appropriate.

The allowances paid direct to the Mayor and Deputy Mayor are subject to statutory income tax deductions and National Insurance contributions. Tax relief may be claimed for income applied directly towards expenses which in the view of the Inland Revenue are wholly/exclusively and necessarily incurred on Council business. Claiming tax relief is a personal matter between you and your tax office.

To simplify dealing with the Tax Office and/or Department of Social Security any evidence of allowable expenditure (receipts) should be retained in case it is requested as evidence. You may find it more simple keeping track of your Mayoral expenditure if a separate bank account is used for that purpose.

In some cases, receipt of the Mayoral allowance may have adverse affects on benefits or income support resulting in little additional monies actually being available to the Mayor to help meet the costs of office. You should check the position with the appropriate authority if you receive income support, etc. before taking receipt of your allowance. If difficulties are likely to arise you should advise the Officers who may be able to help by reducing the amount paid direct to you, as all expenditure wholly and necessarily incurred on Council business will be disregarded when calculating benefit entitlement. This should not disadvantage you.

APPENDIX A

MAYORAL ALLOWANCES

Mayor's Allowance - £6,960 per annum

First monthly payment (25%)	£1,740
Subsequent monthly payments	£474.55

Deputy Mayor - £2,730 per annum

First monthly payment (25%)	£682.50
Subsequent monthly payments	£186.14

**STATEMENT
FRONT COVER**

Case Ref:	1048979/1
Name:	Kitty Ferris
Position Held:	Head of Childrens Services Slough Borough Council

wilkin chapman llp
solicitors

PO Box 16,
Town Hall Square,
Grimsby
DN31 1HE

Wilkin Chapman LLP, a limited liability partnership registered in England no. OC343261,
authorised and regulated by the Solicitors Regulation Authority

STATEMENT of: Kitty Ferris

1. I am an Assistant Director and the head of Childrens Services at Slough Borough Council.
2. I have held this post for nearly three years at Slough, and have a total of some fifteen years experience as an Assistant Director of Children's Services and Children's Social Care in other local authorities.
3. At the Annual meeting of the Council held on the 5th of June 2014, Councillor Shafiq Chaudhry was appointed Mayor of the Council for the year 2014/2015.
4. I became aware that Councillor Chaudhry had attended Reading Crown Court on the 16th of February 2015 and supported a person convicted of sexual offences against children. I had no prior knowledge of his attendance at Court.
5. I became aware of Councillor Chaudhry's attendance during the afternoon of the 16th of February when I received an e-mail from Detective Chief Inspector Nigel Doak of Thames Valley Police which he sent at 15:56hrs. In the e-mail DCI Doak informed me of the result of a sentencing hearing relating to two defendants, Ahmed and Haidaree, who had been convicted of offences relating to CSE.
6. Within the text of the e-mail DCI Doak also said *"Please note that the Mayor was also present to support Aky and the family. This will have been picked up by the reporters present."* (e-mail provided to this investigation)
7. I am aware from subsequent conversations with DCI Doak that he included the comments about the Mayor's attendance as he felt that there was a reputational risk to the Council and the Mayor's actions could be seen as bringing the Council into disrepute.
8. The action by Councillor Chaudhry as Mayor must be put into perspective with the emphasis that this Council has placed on CSE.

K [REDACTED]

Slough Borough Council

Interview date: 1 May 2015

Interview Transcript – Councillor Shafiq Chaudhry

SC = Councillor Chaudhry

MD = Martin Dolton

MD Okay, its erm ten past eleven on Friday 1st May 2015. We're at Slough Borough Council offices in Slough and I am Martin Dolton of Wilkin Chapman Solicitors. I'm here today with Councillor Chaudhry, an elected member of Slough Borough Council. Firstly Councillor, thank you very much for coming today and giving me all this time.

SC Thank you.

MD Erm, can I just ask for the record that you do agree to our conversation being voice recorded?

SC Yes I do.

MD Thank you. And, also in the letter you had from our office I believe you were also told that if you so wished you could have somebody else present and you've chosen not to?

SC Yeah.

MD Thank you. If at any time you want me to turn the recorder off because you need a break of any sort, just say so and I'll immediately stop it.

SC Yeah, fine.

MD And, with your permission, if I need to have a break I'll do the same?

SC Yes.

MD Okay. Firstly, just to clarify why we're here today, that is to discuss, erm, an ask for your account in relation to a complaint under the Code of Conduct procedure. Now, you have self referred yourself under that procedure.

SC Yeah.

MD On a complaint form dated 18th February 2015 in which you state that you believe you may have breached the Code of Conduct for elected members of this Council due to your actions relating to a court sentencing matter at Reading Crown Court on 16th February 2015 when the persons were sentenced relating to sexual offences concerning children. Is that correct? That's your understanding of why you've referred yourself?

SC Yes.

MD Yes. Thank you. Is there anything initially that you'd just like to say about the whole thing?

SC No, basically as I said in my statement, you know, this is an error of judgement I made because the background of the whole situation is that I knew this family for a long time and, erm, since I've been living in Slough for the last 25 years I knew this family and, err, because I've been elected Councillor from this ward and I live in the same ward and I know this family from back home in Pakistan because they come from the same area. Even this convicted person's granddad and all the rest of the family, they are known to me and I know them as well so this is a, because of the family relationship as, err, I believe I had nothing to do with the convicted person because I am a father of my two daughters, also grandfather. And I knew the, you know, sensitivity of this case but as I said, I made an error of judgment. The day it happened I was sleeping and a common friend of family, somebody who knew me and knew the family, he phoned me that morning, I was sleeping and he said, you know, he was going to Reading "do you want to go? I can come and pick you up". Somehow I was sleeping and I just woke up and I just said "yes". Not for the support of the convicted person but as a supporter of the family because the family I knew them very well and they had, err, some, you know, children's' problem as well because one of their sons he had a bone marrow situation and the daughter as well, so the mother of convicted person she was very in bad state. Err, and the family was feeling a bit, very down and disgraced at whatever has happened and I just went there in support of, you know, kind of moral support for the family. Err, and, err, then I went there as I said I could not judge, make a decision when I woke up. I just ended up in the court as a public member, not as a Councillor or as a Mayor, as a family friend and a public member. I had no idea that my name would be mentioned there because I never, I did not meet any barristers or the lawyers or any, you know, defending lawyers or whatever. Err, I had no idea that all of a sudden my name will be mentioned but more likely I think, I believe that one of, maybe one of the family, I can't pinpoint a person but that's what I believe, maybe one of the family members told the defence lawyer that I was there and when my name was mentioned I was shocked and stunned because then when this, you know, news broke, you know, to the Council and somebody picked it up and I can, you know, I discussed this with the, the Leader of the Council called me and, erm, we explained everything and I realised that I made an error of judgment and my conscience was, you know, ready and I thought that whatever has been done is wrong. I did not want my position of Mayor or the title of Mayor bringing to disrepute because, you know, my own integrity and the Council's integrity and because of the position of the Mayor. So, then I decided to resign. I paid a very heavy price for it and, err, then I decided to refer myself to Standards Board to clear my name because, err, I knew that, I made error so I thought rather than somebody else, you know, complained against me or something, I just offered myself and referred myself to the Standards Board.

MD Okay.

SC And I was prepared, fully prepared to say and, err, answer all the questions related to this matter. I did not want any assistance from anybody because I have nothing to hide. Whatever I wanted to say I'm just saying it. Err,

because my conscience is clear and, err, I believe, err, my name, I'm trying, you know, that my name will be cleared as well.

MD Okay. Thank you very much for that.

SC Yeah.

MD Can I just ask you, I'll come back to one or two things you've mentioned there as we go through. Can I just ask you a little bit about your history as a Councillor – when were you first elected?

SC I was elected as a Councillor the first time in 2006.

MD 2006.

SC Yeah.

MD And was that in the ward that you're currently in?

SC That's right, yeah.

MD Which is, which ward?

SC Central ward.

MD Central ward. And you've served in that ward since 2006 continually?

SC That's right. I contested three elections in the same ward since that time, yeah.

MD So, 2006, 2010?

SC And 2014.

MD Yeah. Okay. Thank you. and, you were appointed Deputy Mayor in Spring 2013?

SC That was the year 2013 2014.

MD As Deputy Mayor.

SC And then I was appointed as a Mayor 2014 2015.

MD Thank you.

SC And prior to the Deputy Mayor I was a Cabinet member.

MD Right.

SC For three years.

MD Okay.

SC Which is a very high profile post.

MD Yes.

SC Err, I was, err, the first two years I was Cabinet member for Community and Leisure.

MD Yeah.

SC And the third year I was Cabinet member for accountability and performance.

MD Thank you. So, that would have been 2010 to 2013 wouldn't it?

SC Yeah, 2009/10, 10/11 and 11/12. You know, three years.

MD Yeah. Thank you. What committees do you serve on or have you served on?

SC Err, I served on the [0:08:36 unsure of word] Employment Committee.

MD Yeah.

SC And I also served on the Licensing Committee.

MD Do you still serve on them? No?

SC No because when you become a Mayor you can't serve on any committee.

MD Okay so that was historically? In the past?

SC Yeah.

MD Thank you. Okay.

SC And I was also a member of Standards Advisory Board of Religious Education. Separate.

MD Thank you. Okay, when you were appointed Deputy Mayor in the spring of 2013.

SC Yes.

MD Do you remember being given a Mayor's Handbook?

SC Yes, yes.

MD And do you remember at that time having a briefing by a couple of officers about being Mayor? Were you there with the Mayor that year?

SC I was there with the Mayor, yeah, yeah.

MD Thank you. And, again when you became Mayor.

SC Yeah.

MD In the spring of 2014, again you had another copy of the Handbook?

SC Yes.

MD And again you underwent a briefing?

SC I was handed a copy of, err, handbook.

MD Yeah.

SC But I just verbally had a briefing, not a, you know, a lengthy briefing or anything like that.

MD Right. Okay.

SC Because officers believe that I served as Deputy Mayor.

MD Yeah.

SC So I should be aware of all the things, yes, so, it was not a refreshed everything.

MD No, no. Do you remember or are you aware of, in the Mayor's Handbook, it talks about always being the Mayor?

SC Yeah.

MD All the while.

SC Yeah, yeah.

MD Whether you're wearing your robes or not people will see you as the Mayor.

SC That's right, yeah, but I mean, err, I was fully aware and I've been talking to the people as well you know that anything, if anybody asks me something then I've been, as I said that, as a human being I made an error.

MD Yes.

SC But apart from that, you know, on many other occasions, you know, if somebody asked me, you know and I believed this is not right place for me to go, this is not the right thing for me to say so I was very cautious.

MD Mmm.

SC You know, not to, to make sure that, you know, I keep myself into within, you know, my position and it doesn't happen.

MD I'd like, if I may, I've opened in front of you a letter that's got a date on it of 15th November 2014.

SC Yes.

MD It is shown as coming from you – Shafiq Chaudhry – and its signed “Councillor Shafiq A Chaudhry”.

SC Yeah.

MD That is a letter to whom? Can you remember who you gave that to?

SC I gave it to the, err, the convicted person’s father.

MD Right. Thank you. Okay, and that was in November so that was, what, about three months, wasn’t it, before the sentencing hearing?

SC Yes, yes, yes.

MD In February.

SC That was before the trial.

MD Before the trial?

SC Yeah.

MD Right. Erm, did the family, did the convicted person’s father ask you for that letter?

SC Yes.

MD He did?

SC Yes.

MD And you just agreed to write it?

SC Yeah because, err, its not only me asked for this letter because, err, this was prior to the trial.

MD Yes.

SC And the family thought this will be, you know, support, you know, in the trial because as you know the person is innocent until pleaded guilty or proven guilty. I did know that but even in this letter I give this letter as a Councillor plus I wrote in this letter that I did not mention about political or this convicted person that he had a good reputation or, I just mentioned about his family background.

MD Yeah.

SC That I knew this family like his granddad and his parents and we had a very close relationship with because they come from the same area where I come from back home and, err, as it clearly says in my letter, you know, I know this family rather than himself.

MD Yes, thank you.

SC So I did not, err.

- MD Yes.
- SC Directly supported him that he is such a nice man or he is a man of good character or something because I was asked and I was not the only one giving this letter. Many other charity organisations like Mosques, Pakistani Welfare Associations and maybe, I don't know, maybe other Councillors also have done this one. So, because I represent this ward, they're my constituents as well, so, when they ask me for this letter, so I thought, you know, just being a Councillor I'll just **[0:13:31 unsure of words here]** you know and I did not really particularly supported the convicted person there, I just, it's a kind of informal letter that I knew this family. Not, err.
- MD Yes, I mean, the second paragraph you actually talk about "do not match with the family's background".
- SC That's right, yeah. The family had a good reputation because I know them for so long.
- MD Yeah.
- SC And whatever he was charged for or prosecuted for was, that was not matching for the family because the family had a good reputation sir.
- MD So, the response you're giving me is that clearly you've emphasised, quite rightly obviously, that you've known this family, or certainly the father and grandfather for a long, long time.
- SC Yeah.
- MD And they're also residents of your ward.
- SC Yeah.
- MD So you wrote it as a friend of the family but, would you also agree, because it's signed as "Councillor" that you also wrote it as a Councillor?
- SC Because that's the, that's the, you know, that's the reason they wanted the letter off me.
- MD Yeah.
- SC Being a Councillor.
- MD Yes.
- SC You know, not as a public member because public member, you know, that means nothing.
- MD No.
- SC So, they wanted, they thought, you know, that might help, you know in the trial because at that time I didn't know that decision would be because he was not convicted.

MD No.

SC Or pleaded guilty or found guilty or anything like that. That was prior to trial anyway.

MD So, yes I can see your point that the family put to you that, erm, albeit you are a friend of the family, and have been for a long while, they particularly wanted a letter from you because you're a Councillor.

SC That's right.

MD Because they felt that might carry more weight. Is that what we're saying? It might carry more weight because you're a Councillor?

SC Yeah, because, you know, public figures not only from a [0:15:36 unsure of word] Councillor. They wanted any public figure, they would like to have a letter from the PWA, different Mosques, all the different charities and err, at that time, I thought that, you know, I'm not going to give this letter as Mayor. I was the Mayor.

MD Yes but you signed it as Councillor.

SC I could have mentioned but I did not because I knew that, you know, this was not for, you know, this was against the Code of Conduct.

MD Yeah.

SC You know being a Mayor.

MD Did you think, at the time you wrote the letter, you just said it wouldn't have been appropriate to sign it as Mayor, did you have any concerns about signing it as a Councillor?

SC No, at, when I give this letter out, at that time, this was prior to trial anyway.

MD Mmm.

SC You know, he was a person not convicted, you know, so just, err, anybody, it's not the first time this has happened. Any other case or any other position, you know, the people they ask different people, public figures to give them this kind of letter of reference you know.

MD Mmm.

SC But this is not that kind of letter. Letter of reference is given very strong wording, you know, like, you know "man of integrity" or "good character" or "trustworthy" or anything like that. I just, because they're my constituents and, err, I knew this family so, you know, they asked me just to give them a letter so I gave them informal letter. You know, keep them quiet, simple as that.

MD Thank you.

SC Its not, I wasn't intentionally wanted, you know.

MD Okay. Thank you. Erm, you talked quite a lot about the background you have with the family and how long you've known them and how well you know them. Erm, and you've just made a comment there that you feel that they asked for the letter, erm, because you're a Councillor and you've quite rightly pointed out that they also asked for letters from other public figures.

SC Yeah, yes.

MD Yep, okay. Thank you. Erm, you mentioned earlier on in your initial statement that you did go to court at Reading on that day. You said I think, you were sleeping and you were woken up by a friend?

SC That's right.

MD And you went to court. Did you speak to the defence barrister or solicitor at all when you were at court?

SC Not at all, not at all.

MD No. Okay.

SC I did not speak to anyone.

MD No. Did you wear the robes or chains of office?

SC Oh, not at all. I went there as a public member. I just, err, I was not there as a Councillor or as a Mayor. You know, just like a family friend I went there like many other people who were there. You know, it was a group of people. You know, for the family support.

MD Before you went to court that day, you know, you've explained that you woke up and a friend offered you a lift or whatever so you just went.

SC Yeah.

MD Erm, were any officers of the Council aware that you were going that day?

SC No.

MD No. Were any other elected members aware? Any other Councillors?

SC No.

MD No, okay. You commented as well in your initial response to me that you were shocked when the defence lawyer, the defence barrister, in open court referred to the Mayor being present – yeah?

SC Yeah.

MD So, are you saying that you had not, erm, put that forward to anybody. You didn't know that was going to happen?

SC I didn't know the consequences. I didn't know that, you know, it has been picked up by anybody or, I, I actually had no idea that this was, you know, they mentioned my name for some kind of reason or something.

MD Yeah.

SC I came back and I just didn't feel anything, you know, that there's going to be, you know, turn out quite badly against, you know, whatever, why I was there and, err, you know, so, but I was surprised, you know, when my name was mentioned.

MD Okay.

SC Because I did not speak to anyone.

MD Nobody had asked you if they could do that?

SC Nobody asked me. I had not given my consent to anybody to mention my name.

MD No. Okay. So, I just want to summarise those two issues. The first being the letter and the second being going to court.

SC Yes.

MD And, if I was to say to you – the capacity in which you did those things? Yeah? Am I being right and fair in saying that you have said to me that you went to court purely as a family friend.

SC That's right.

MD And you were shocked when the Defence Barrister referred to the Mayor being present?

SC Mmm.

MD So, you went there as a friend, in your mind. With the letter, you wrote that, yes as a family friend but also as a Councillor because the family had said they wanted it from.

SC The reason that I mentioned that I'd given the letter as a Councillor because the family wanted me to give them a letter as a Councillor, as a public figure.

MD Yeah.

SC Otherwise they could have got ten thousand letters from family members. I mean, public members.

MD Yeah.

SC Because, because I am elected Councillor, so that particular as I mentioned that not only me, many other Councillors or maybe, you know, other charity, chair of the, you know, volunteer organisations, other Mosques, other charities so similarly, you know, they asked me for a letter as a Councillor. So, that was the reason I just put Councillor not, you know, otherwise the letter doesn't mean anything.

MD Very quickly, after the court appearance in February, I think its fair to say, from what you've said to me and indeed from the press release that was put out by the Council, that you realised that you'd made an error of judgment.

SC Yes.

MD Yeah. Erm, and indeed you resigned as Mayor, I think, very quickly didn't you? Was it the day after or erm, the hearing was on the 16th the press release was on the 19th February so, can you remember when you resigned as Mayor? Was it the 18th or something like that?

SC I'm not quite sure but, just a couple of days after the hearing anyway.

MD Yeah, yeah. Okay and then the Council wrote a news release and in it there's several quotes that come from you, which we've got in front of us.

SC Yes.

MD Do you agree you made those quotes? That you did say those things? That it was an error of judgment and you did it with good intention?

SC That's what I've been saying all the time. This is, I am a human being.

MD Yeah.

SC And I made an error of judgment.

MD Yeah.

SC And, you know, my credibility. I'm a well know person in the, you know, other constituencies of the town and, you know, I had a very good reputation. I'd been serving other charity organisations before I became a Councillor.

MD Yeah.

SC And for the last many years I've been serving the community and I've never had such an error at all. I mean, this is a, kind of a thing happened because, you know, as I said, an error of judgment. I think at the time I could not. I mean, I admitted that this was an error, it was a human error. Anybody could have made this.

MD Yeah.

SC So.

MD Do you accept that whilst, for example, you had said that you attended court as a friend of the family to support the family.

SC Yeah.

MD Would you accept that because you are an elected Councillor and particularly because you are the Mayor, that there would be a perception, or a view, in other people that, you know, for the Mayor to be there is likely to bring disrepute on the Council? Other people's views? Other people's perceptions?

SC As I said, I did not go there as a Mayor. I did not go there as a Councillor. I went there as a family friend and as an ordinary person. If I had known, you know, that public knowing me that I was a Councillor, you know I would not, I shouldn't have been there. So, simply, I did not do anything intentionally.

MD No, no.

SC It happened as, its been an error, error of judgment.

MD Okay.

SC So, if I had, if I had in my mind "I'm a Councillor", "I'm a Mayor" I shouldn't have been there anyway. So, as I've been saying that I went there. I knew the family and I come and a family friend he phoned me, he took me there, so its not my, that I already had my mind made up that I'll be going there to support and this and that and I'll end up in the court and then I went to bed the night before, you know, I didn't know that I would land up in court in the morning. Somebody woke me up and offered me a lift and just went to the court so that's how it happened.

MD Okay.

SC So, erm, at that time, it was not in my mind that I'm a Councillor, I'm a Mayor and, err, if I'm going there somebody can see me, where I wanted to be seen as a Councillor as a Mayor, I just went there as an ordinary person.

MD Can I just ask, and only answer this if you want to – you've commented that when you went to court you were not wearing the Mayoral robes or chain. Can I ask you how you were dressed? Can you remember?

SC Just ordinary, my, err, tie and suit.

MD A suit?

SC Yeah. Like, err, that's what I always do anyway. Not just to go to the court or anything, this is my style.

MD That's your normal dress?

SC This is what I always wear, suit and tie anyway.

MD Yeah.

SC This is my normal, err, dress code.

MD Thank you.

SC Yes.

MD Okay. Is there anything else you want to add? I've covered everything I wanted to. Is there anything else you wanted to?

SC All I wanted to say was, you know, err, I said whatever I wanted to say. I have nothing to hide. I wanted to clear my name. I made error of judgment

and I paid a very heavy price for it and the reason I referred myself to the Standards Board to clear my name, to go back to the public, I'm a human being and just, you know, a mistake. I made an error and, err, that was my first intention to refer myself to the Standards Board, to get my name cleared, that, you know, I admit I made an error and I already paid a very heavy price for it and my action was appreciated by my fellow Councillors, my Group Leader, my own Group, even a position, you know, that did refer the Conservative Group and did refer UKIP Group and I had a great support from the press, local press, and my chaplain. My fellow Councillors they sent me text message and they wrote me a letter that our support is with you and, you know, even a Group meeting prior to the Council meeting a few people made speeches, man of integrity, man of, you know, great respect, you know, he made a good decision and he gained respect during this, err, you know, resigning himself and stepping down as a Mayor and referring himself to the Standards Board. So, the whole, I wanted, you know, whatever my action was at that time I apologise. My sympathy was with the, victims not with the convicted. As I said, I'm a family man and I've got my daughters, I've got granddaughter and I know, you know the sensitivity and, you know, how the people feel about it, you know, this kind of, you know, crime. So, I condemn these kind of crimes, you know the criminals are the criminals. They should be heavily punished so I have nothing to do with convicted persons and, erm, that's why its happened, it happens so, I don't know. I was, err, I believe in God and, I don't know, it was meant to happen by almighty and that's why I just, err, say, apologise to my community and this and that, you know this should not have happened because I'm well know person, I've got good respect in community. Everybody loves me in Slough and err, I'm well known, and I did work for the community for so long and I'm going to carry on as a volunteer, not just my, I don't just want to do the community work because I'm a councillor, this is my passion. I always serve my community with integrity and, err, I have the respect for all the communities and I'm a well know person amongst all the communities, you know, **[0:29:48 unsure of word]** and to me everybody is equal, everybody is the same and erm, I treat everybody the say, so.

MD Okay, well, thank you very much for that Councillor. It's now 11.40 by my watch and I'll cease the recording.

SC Okay, thank you.

END OF RECORDING

I certify that this is an accurate note of my interview with Martin Dolton on Friday 1st May 2015.

Signed

Dated

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INVESTIGATION & DETERMINATION OF COMPLAINTS

- 6.1 If the Monitoring Officer decides that a complaint merits formal investigation, he will appoint an Investigating Officer to investigate the complaint that has been referred on for investigation.
- 6.2 The Investigating Officer would normally write to the Subject Member.
- 6.3 The Subject Member will be provided with a copy of the complaint. The Subject Member will be requested to provide any relevant information the Investigating Officer needs to investigate the Complaint.
- 6.4 In exceptional cases, where it is appropriate to keep the identity of the Complainant confidential or disclosure of details of the complaint to the Subject Member might prejudice the investigation, the Monitoring Officer withhold the Complainant's details or delay notifying the Subject Member until the investigation has progressed sufficiently.
- 6.5 At the end of his/her investigation, the Investigating Officer will produce a draft report. This draft will be sent in confidence to the Complainant and the Subject Member, to give them an opportunity to identify any matter in that draft report which is either factually incorrect or which may require further consideration. Having received and taken account of any comments on the Draft Report, the Investigating Officer will send the Final Report to the Monitoring Officer.
- 6.6 The Monitoring Officer will review the Investigating Officer's report and, if he is satisfied that the Investigating Officer's report is sufficient, the Monitoring Officer will write to the Subject Member and the Complainant notifying them of either:
 - (a) he is satisfied that no further action is required, and provide them both a copy of the Investigating Officer's final report, or
 - (b) following review of the Investigating Officer's report that either the complaint will be
 - (i) sent for determination before a Standards Determination Sub Committee or,
 - (ii) after consulting the Independent Person, seek a local resolution.

Local Resolution

- 6.7 The Monitoring Officer may consider that the matter can reasonably be resolved without the need for a hearing. In such a case, he/she will consult with the Independent Person and the Complainant and seek to agree fair resolution which also helps to ensure higher standards of

conduct for the future. Such resolution may include the Subject Member accepting that his/her conduct was unacceptable and offering an apology, and/or other remedial action by the Council. If the Subject Member complies with the suggested resolution, the Monitoring Officer will report the matter to the Standards Advisory Committee for information, but will take no further action.

Process for the Determination of Complaints

- 6.8 If the Monitoring Officer considers that local resolution is not appropriate, then the Monitoring Officer will convene a Standards Determination Sub Committee to determine the complaint. It will conduct a hearing which will decide whether the member has failed to comply with the Code of Conduct and if so, whether to take any action in respect of the member.
- 6.9 The set up and structure of the Standards Determination Committee is provided for by the Council's Constitution.
- 6.10 The Monitoring Officer will conduct a "pre-hearing process", requiring the member to give his/her response to the Investigating Officer's report, in order to identify what is likely to be agreed and what is likely to be in contention at the hearing, and may issue directions as to the manner in which the hearing will be conducted.

Conduct of a Sub Committee hearing

- 6.11 The Monitoring Officer will present the Investigating Officer's report to the Sub-Committee.
- 6.12 The Investigating Officer will present his/her report, call such witnesses as he/she considers necessary and make representations to substantiate his/her conclusion that the Subject Member has failed to comply with the Code of Conduct. The Subject Member will then have an opportunity to give his/her evidence, to call witnesses and to make representations to the Sub Committee as to why he/she considers that he/she did not fail to comply with the Code of Conduct.
- 6.13 If the Sub Committee, with the benefit of any advice from the Independent Person, concludes
 - (a) that the Subject Member did not fail to comply with the Code of Conduct, then they can dismiss the complaint
 - (b) that the Subject Member did fail to comply with the Code of Conduct, the Chair will inform the Subject Member of this finding and the Sub-Committee will then consider what action, if any, the Sub-Committee should take as a result of the Subject Member's failure to comply with the Code of Conduct. In doing this, the Sub-Committee will give the Subject Member an opportunity to make

representations to the Sub-Committee and will consult the Independent Person, but will then decide what action, if any, to take in respect of the matter.

- 6.14 The Council has delegated to the Sub Committee powers to take action in respect of individual members as may be necessary to promote and maintain high standards of conduct. Accordingly the Sub Committee may authorise the Monitoring Officer to –
- (a) Publish any findings in respect of the Subject Member's conduct;
 - (b) Report the findings to the Standards Advisory Committee for information;
 - (c) Recommend to the Subject Member's Group Leader (or in the case of ungrouped members, recommend to Council or to Committees) that he/she be removed from any or all Committees or Sub-Committees of the Council;
 - (d) Recommend to the Leader of the Council that the Subject Member be removed from the Cabinet, or removed from particular Portfolio responsibilities;
 - (e) Arrange training for the Subject Member;
 - (f) Remove from all outside appointments to which the Subject Member has been appointed or nominated by the Council;
 - (g) Withdraw facilities provided to the member by the Council, such as a computer, website and/or email and Internet access; or
 - (h) Exclude the Subject Member from the Council's offices or other premises, with the exception of meeting rooms as necessary for attending Council, Committee and Sub-Committee meetings.
- 6.15 The Sub Committee has no power to suspend or disqualify the Sub Member or to withdraw members' or special responsibility allowances.
- 6.16 At the end of the hearing, the Chairman will state the decision of the Sub-Committee as to whether the member failed to comply with the Code of Conduct and as to any actions which the Sub-Committee resolves to take.
- 6.17 The Monitoring Officer will issue a decision notice, in consultation with the Chairman of the Sub Committee. The decision notice will be sent to the Complainant and the Subject Member. Thereafter a summary of the decision may be available for public inspection and the decision will be reported to the next convenient meeting of the Audit and Corporate Governance Committee.

Appeals

- 6.18 There is no right of appeal against a decision of the Monitoring Officer or of the Standards Determination Sub-Committee to the Council.

Independent Person

- 6.19 The Independent Person is invited to attend all meetings of the Sub Committee and his/her views are sought and taken into consideration before the Sub-Committee takes any decision on whether the member's conduct constitutes a failure to comply with the Code of Conduct and as to any action to be taken following a finding of failure to comply with the Code of Conduct.

Revision of these arrangements

- 6.20 In the interests of fairness, the Monitoring Officer may vary any of these arrangements as appropriate. The Chair of the Standards Sub Committee may depart from the arrangements where he/she considers that it is expedient to do so in order to secure the effective and fair consideration of any matter.