



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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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 black ink that reads "Jonathan Goolden". The signature is written in a cursive style with a large initial 'J' and a long, sweeping underline.

Jonathan Goolden BA(Law) Solicitor
Investigating officer

1st June 2015