

Ethical Standards and Member Development Committee

6 March 2020

Subject:	National Cases
Director:	Director of Law and Governance and Monitoring Officer - Surjit Tour
Contribution towards Vision 2030:	
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DECISION RECOMMENDATIONS

That the Ethical Standards and Member Development Committee:

1. note the contents of the report and the cases at Appendix 1 and consider any issues for the Council.

1 PURPOSE OF THE REPORT

- 1.1 Within its terms of reference, the Ethical Standards and Member Development Committee has a duty to promote high ethical standards amongst Members. As well as complying with legislation and guidance, the Committee will need to demonstrate learning from issues arising from local investigations and case law. Furthermore it is advisable for the Committee to be kept informed of any particularly notable cases which are publicised as they may also add to learning at the local level.

2 IMPLICATIONS FOR SANDWELL'S VISION

- 2.1 High standards of conduct are an essential part of good corporate governance and this in turn has a direct relationship with the delivery of high quality services.

3 STRATEGIC RESOURCE IMPLICATIONS

3.1 There are no resource implications arising from this report.

4 LEGAL AND GOVERNANCE CONSIDERATIONS

4.1 By considering national cases of significance the Ethical Standards and Member Development Committee will be better informed and placed to discharge its duty to promote high ethical standards.

Surjit Tour

Director of Law and Governance and Monitoring Officer

A Greenwich councillor who applied for and lived in council housing while she owned three other properties has been found guilty of fraud

It took a jury roughly an hour of deliberation to come to the decision on Greenwich councillor Tonia Ashikodi's case at Inner London Crown Court on Wednesday.

Cllr Ashikodi had been charged with two counts of fraud by misrepresentation.

The councillor was accused of applying for and accepting a council home while owning three homes herself – two in Thamesmead and one in Charlton.

Cllr Ashikodi's legal team had maintained she had been holding the homes in trust for her father, Tony Ashikodi, who was receiving rent and paying the bills on the properties.

However, a jury found the councillor guilty on two counts of fraud by false representation following a short period of deliberation.

Addressing the councillor following the finding, Judge Benedict Kelleher said "these are serious matters". The judge added that he would consider "all sentencing options" when the matter returns to court on March 4.

Judge Kelleher also ruled out any changes to Cllr Ashikodi's bail conditions following the verdict. Cllr Ashikodi had been on unconditional bail throughout the trial.

A charge of perverting the course of justice was dropped against the councillor and her father, Tony Ashikodi, earlier in the trial.

The verdict comes after a 2018 investigation by Greenwich Council's internal anti-fraud team in connection with the "ownership of a number of properties" by the councillor.

She was subsequently suspended by the Labour party but has remained on the council since being charged.

Following the verdict, Greenwich Council's chief executive, Debbie Warren, issued the following statement:

"We also should not forget why we had to prosecute. There are 20,000 residents on our housing waiting list and more than 1,000 households in temporary accommodation. Cllr Ashikodi would have known this as a councillor elected to represent the interests of our residents. The jury has found that she lied in her application for council housing and also when she signed her tenancy agreement. As well as breaking the law, she denied someone with a genuine need for a secure home."

If an elected councillor is convicted of an offence and sentenced to more than three months' in prison they will be disqualified.

Extract from News Shopper 12 February 2020

Councillor barred from pub after 'drinking his own whisky'

Licensing committee member Councillor Paul Birch steps down after apparently being caught out at a Wolverhampton city centre pub.

Wolverhampton Councillor Paul Birch was a member of the city authority's licensing panel when he was spotted drinking whisky in the Lych Gate Tavern, which staff noticed he had not ordered from the bar.

The Labour councillor admitted he had brought the alcohol in from elsewhere and was ordered to leave the city centre pub as his actions had breached licensing regulations. He has now been banned.

Dr Birch has apologised unreservedly for his actions and quit the council's Licensing Committee.

Dr Birch had bought a bottle of wine and two pints of beer at the bar and asked for two extra glasses.

The Landlord said he saw him and his mate drinking whisky out of them a short time later.

Staff said: "It was explained to him that we could have got into serious trouble and that I could have lost my licence."

"He apologised and although we accepted his apology, what he did was so serious that we thought it was only right to ask him to finish his drinks and leave."

Dr Birch said: "I'm sorry for my mistake. I unreservedly apologise for my actions. It's appropriate therefore that I step down from the Licensing Committee."

Extract from Express and Star 13 February 2020

A COUNCILLOR accused of tweeting Islamophobic comments has been given an indefinite suspension from Dudley's Tory group

Councillor Colin Elcock, who represents the Norton ward in Stourbridge on Dudley Council, has had the Conservative whip withdrawn over claims he posted tweets saying Islam was "domination not integration", and asking whether people in Iran were "all on the dole".

He was also accused of making a sexist comment when responding to another tweet featuring a picture of woman's buttocks.

Within days of the tweets coming to light, the leader of Dudley Council and Dudley Conservatives - Councillor Patrick Harley - confirmed Cllr Elcock had been given a 21-day suspension the suspension would be "indefinite".

Cllr Elcock will now serve as an independent councillor.

The offending tweets, which were posted earlier this month, have since been deleted and Cllr Elcock appears to have shut down his Twitter account and he said: "I am deeply sorry to anyone who has been affected or offended by my actions. I will abide by the group's decision."

He still, however, faces possible disciplinary action by Dudley Council's standards board for allegedly breaching of the authority's code of conduct.

Two complaints relating to comments made on Twitter are currently being investigated by the council's monitoring officer

Extract from Malvern Gazette 27 January 2020