

Subject: Policing the Tower Hamlets Mayoral and Local Elections

Report to: Police and Crime Committee

Report of: Executive Director of Secretariat

Date: 7 February 2018

This report will be considered in public

1. Summary

- 1.1 This report provides background information to the Police and Crime Committee for its meeting with invited guests to discuss policing the 2018 Tower Hamlets Mayoral and local elections.

2. Recommendations

- 2.1 **That the Committee notes the report as background to putting questions to invited guests on policing the 2018 Tower Hamlets Mayoral and local elections and notes the subsequent discussion.**
- 2.2 **That authority be delegated to the Chairman, in consultation with party Group Lead Members and Caroline Pidgeon MBE AM, to agree any output from the Committee's discussion.**

3. Background

- 3.1 Following the election of Lutfur Rahman as Mayor of Tower Hamlets in 2014, a number of allegations of election malpractice and fraud were made against him and others. Four petitioners (Andy Erlam, Debbie Simon, Azmal Hussein, Angela Moffat) presented an election petition to have the election set aside on several grounds: principally the alleged commission by Lutfur Rahman or his agents of corrupt and illegal practices contrary to the Representation of the People Act 1983. The petitioners also made allegations against the Returning Officer, though these were later dropped.
- 3.2 Following the hearing of the Petition, which began on 2 February 2015, Richard Mawrey QC handed down his judgement, finding against Lutfur Rahman on a variety of corrupt and illegal practices including false registration; false voting; personation; unlawful completion and use of voting documents by third parties; issuing of knowingly false statements; the payment of canvassers; bribery through the distribution of grant; and the use of undue spiritual influence.

- 3.3 The Court did not find in favour of the Petitioners on three counts: the charge of unlawful alteration of the ballot papers; of treating; and (largely because the law demands demonstration of quite a serious level of “force, violence or restraint” before it will permit an election to be avoided) of there being undue influence at polling stations.
- 3.4 Mr Rahman was banned from public office for five years and costs were awarded against him. However, neither Mawrey nor the Director of Public Prosecutions referred any matter to the Metropolitan Police Service (MPS) to investigate.
- 3.5 At its meeting on 9 February 2017, the Committee investigated why despite the Election Court judgement no criminal prosecutions were forthcoming. The Committee wrote to the Deputy Mayor for Police and Crime recommending that she write to Her Majesty’s Inspectorate of Constabulary (HMIC) to request a review of the Met’s activities as they pertain to investigating matters relating to the 2014 Mayoral Election in Tower Hamlets and the findings of the Election Court judgement 2015.
- 3.6 Following these events and the continuing concerns about the failure of the MPS to bring in any criminal charges, the then Acting Commissioner agreed that the MPS would undertake a new investigation, Operation Lynemouth, to review and reassess the allegations. HMIC agreed to provide quarterly assurance reports; the Committee has met with the HMIC lead officer to discuss the progress of these investigations.

4. Issues for Consideration

- 4.1 This meeting will be used to review the arrangements being taken to ensure a free and fair election. Members will be seeking reassurance on the level of policing resources being deployed to pre-empt and disrupt any attempts at electoral fraud. Members will assess levels of risk and consider whether any further action or recommendations are required.
- 4.2 Invited guests include:
- Will Tuckley, Chief Executive of Tower Hamlets;
 - Claire Bassett, Chief Executive of the Electoral Commission;
 - Chief Superintendent Sue Williams QPM, Borough Commander, Tower Hamlets, MPS; and
 - Detective Superintendent Stuart Ryan, MPS.

5. Legal Implications

- 5.1 The Committee has the power to do what is recommended in this report.

6. Financial Implications

- 6.1 There are no financial implications to the Greater London Authority arising from this report.

List of appendices to this report: None

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| Local Government (Access to Information) Act 1985 |
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| List of Background Papers: None |
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