

Non-Executive Report of the: COUNCIL 20 March 2019	
Report of: Asmat Hussain, Corporate Director, Governance and Monitoring Officer	Classification: Unrestricted
Motions submitted by Members of the Council	

Originating Officer(s)	Matthew Mannion, Head of Democratic Services
Wards affected	All wards

SUMMARY

1. Three motions have been submitted by Members of the Council under Council Procedure Rule 11 for debate at the Council meeting on Wednesday 20 March 2019
2. The motions submitted are listed overleaf. In accordance with the Council Procedure Rules, the motions alternate between the administration and the other Political Groups, with the Opposition Group motions starting with the largest Political Group not to have that meeting's Opposition Motion Debate slot.
3. Motions must be about matters for which the Council has a responsibility or which affect the Borough. A motion may not be moved which is substantially the same as a motion which has been put at a meeting of the Council in the previous six months; or which proposes that a decision of the Council taken in the previous six months be rescinded; unless notice of the motion is given signed by at least twenty Members.
4. There is no specific duration set for this agenda item and consideration of the attached motions may continue until the time limit for the meeting is reached. The guillotine procedure at Council Procedure Rule 9.2 does not apply to motions on notice and any of the attached motions which have not been put to the vote when the time limit for the meeting is reached will be deemed to have fallen. A motion which is not put to the vote at the current meeting may be resubmitted for the next meeting but is not automatically carried forward.

MOTIONS

Set out overleaf is the motions that have been submitted.

13.1 Motion regarding APPG on British Muslims working definition of Islamophobia

Proposer: Councillor Tarik Ahmed Khan

Secunder: Councillor Puru Miah

Tower Hamlets Council Notes:

1. The publication by the All Party Parliamentary Group (APPG) on British Muslims, "Islamophobia Defined". A Report on the inquiry into a working definition of Islamophobia / anti-Muslim hatred
2. The report was the result of a six month long inquiry heard from academics, lawyers, activists, victim groups and British Muslim organisations, as well as first-hand accounts from communities in Manchester, Sheffield, Birmingham and London.
3. The APPG on British Muslims received countless submissions detailing the racialised manner in which the Muslimness of an individual was used to attack Muslims or those perceived to be Muslims. The racialisation of Muslims proceeds on the basis of their racial and religious identity, or perceived identity, from white converts receiving racialised sobriquets such as "paki", Muslim women attacked due to their perceived dress, bearded men attacked for the personification of a Muslim identity or even turban wearing Sikhs attacked due to the perception of Muslimness.
4. The APPG on British Muslims strongly encourage the government, political parties, statutory bodies, public and private institutions to adopt this definition in helping to achieve a fairer society for all, as it believes the conclusion to the inquiry will become the benchmark for defining and tackling the scourge of Islamophobia.

Tower Hamlets Council Resolves:

1. To adopt the working definition on Islamophobia as recommended by the APPG on British Muslims:

"Islamophobia is rooted in racism and is a type of racism that targets expressions of Muslimness or perceived Muslimness".
2. Therefore becoming one of the first local authorities to adopt the working definition on Islamophobia.

13.2 Motion regarding Restoring faith in elected politicians

Proposed by: Councillor Peter Golds
Seconded by: Councillor Andrew Wood

The Council notes:

The resignation in December 2018 of former Councillor Mohammed Harun of Lansbury ward following allegations made against him.

The resignation in December 2018 of former Councillor Ruhul Amin of Shadwell ward in order to relocate to Bangladesh.

The suspension by his party of Cllr Mohammad Pappu for posting anti-Semitic material on social media (this Council notes his recent return to the Labour party without comment).

The jailing of three previous Councillors; Shahed Ali in 2016 for housing fraud, Shelina Akhtar in 2012 for benefits fraud and Nasir Uddin in 2006 for stealing money.

This council further notes:

That numerous allegations of misconduct have been made against other Councillors in recent months by a range of external parties.

This council further notes:

That former Councillor Shahed Ali was jailed for five months for housing fraud.

That the Council further pursued Shahed Ali for the losses incurred and that a POCA Confiscation Order was made against him, as a result he had to pay £110,000 to Tower Hamlets Council and the government for money he made as a result of his fraud. He was also ordered to pay the council's legal costs of £70,000.

This Council believes:

That to restore the faith of people in their elected representatives the Council needs to:

1. 'pour encourager les autres' ensure that all Councillors alleged to have committed fraud are not seen to receive any special favours
2. That the Council needs to perform checks on elected Councillors to ensure that declarations made prior to their election are correct and that due diligence has been seen to be undertaken.

Once the Council have undertaken these checks, it is hoped that this would not result in costly by-elections due to improper conduct this term.

This Council therefore recommends:

1. That any Councillor who has previously shared anti-Semitic or other offensive material online disclose this to the Councils monitoring officer to consider under the Code of Conduct and that they make a public apology.
2. That the Council makes clear that rules on Stalking and Harassment apply also to Councillors.
3. That any Councillor facing fraud or other criminal charges is pursued to the fullest possible extent under the law and restitution sought for any crimes they may have committed. That they receive no special favours for resigning as Councillors as that is not a mitigation offered to other residents.
4. That the Council is clearer about the need to declare assets & financial interests outside of Tower Hamlets. That this includes where Councillors are in receipt of benefits and housing.
5. To perform a due diligence on all elected Councillors by:
 - a. Checking the accuracy of information that they have provided on their nomination forms and register of interests after they are elected. Are they correct, are there any omissions?
 - b. Checking that the register of interests represent economic interests and not just the place of employment. The register of interests should represent who is paying the salary and the organisation that has signed any contract of employment.
 - c. Checking that they do live (or work) in Tower Hamlets and did so when elected
 - d. Confirming whether or not they have ever occupied Council housing while owning private property
 - e. To check that they have not committed benefit fraud

That this work be carried out by the Councils fraud and internal audit team with the assistance where necessary of external bodies like the Department of Work & Pensions.

That if this is not legally enforceable that Councillors voluntarily give their consent for these checks to be undertaken and that at the next full Council meeting a report be issued identifying those who have agreed to this check.

13.3 Motion Regarding Failures in Tower Hamlets' Child Safeguarding

Proposer: Councillor Rabina Khan
Seconder Councillor Andrew Wood

The Council Notes:

- 13-week-old 'Baby Elias' had 47 broken bones when he died in July 2016
- Baby Elias sustained 38 rib fractures, 8 leg fractures, a broken spine and was hit with a phone charger and burned. He was only 13-weeks-old when he died as a result of these injuries inflicted on him by his father.
- Tower Hamlets' Council took almost three years after the baby died to publish the Serious Case Review (SCR) into Baby Elias's death at the end of February 2019.
- The Government's 'Working Together' 2015 guidance recommends that SCRs should be completed within six months of initiation unless they are complex cases, or publication would prejudice court proceedings.
- Ofsted condemned Tower Hamlets Children's Services as 'inadequate' after an inspection in 2017, criticising politicians and council officers of all ranks for "... widespread and serious failures in the services provided to children who need help and protection in Tower Hamlets."
- Another SCR also published on the same day as that of Baby Elias's by Tower Hamlets Council covers the case of 'Baby Adam' which started in April 2015. Nearly a four-year delay.
- Our concerns are these unacceptable delays in reviewing and understanding failures in the safeguarding of children in Tower Hamlets mean that we do not learn lessons which might help us avoid similar tragedies and a lack of transparency that seems to hide the SCR process from public scrutiny.

The Council Further Notes;

- On Monday 4 July 2016, 13-week-old Baby Elias was taken by ambulance to Great Ormond Street Hospital from his home in Poplar, Tower Hamlets, where he was found to be suffering from 47 broken bones and a severe brain injury.
- Baby Elias's life support was switched off the next day. His parents, aged 37 and 31, were remanded in custody at Thames Magistrates' Court accused of murdering their son and causing or allowing their son to suffer serious physical harm.
- At their trial at the Old Bailey in February 2017, the prosecution alleged that Baby Elias suffered systematic abuse, which left him with 38 rib fractures, eight leg fractures and a broken spine – this being caused by his limbs being twisted and pulled. He was also whipped with a mobile phone charger and burned on a radiator.

- Both parents denied the charges and attempted to cast blame for the injuries on one of Baby Elias's brothers.
- On 28 March 2017, Baby Elias's father was found guilty of murder and his mother found guilty of allowing the death of a child and causing him suffering. Baby Elias's father was sentenced to serve a minimum of 18 years and his mother was jailed for six years.
- The Serious Case Review into the death of Baby Elias, revealed a "pattern of poor social work practice" in respect of work with the family prior to Baby Elias's birth. This pattern included:
 - Numerous interactions between the mother, her first husband and Tower Hamlets Children's Services going back to 2009.
 - Following an allegation that mother had hit an older sibling, his bruised ear was never photographed, and a medical report was either "misinterpreted [or] at worst never read" by social workers. Clear evidence of abuse with injuries consistent with the explanations given by the children were lost.
 - The case was closed in June 2015.
 - Child protection meetings were not properly attended
- Following the OFSTED Report in April 2017 Cllr Andrew Wood and Cllr Rabina Khan between the 24th April and the 1st May 2017 emailed the then Chair of Overview & Scrutiny as well as the Mayor and Officers with a set of recommendations on how Overview & Scrutiny should conduct any review into the failure of Children's Services.
- Their suggestions were not adopted although some of the recommendations were subsequently delivered by the Council, other recommendations were not delivered, this Council feels that there are still unresolved issues and that we have not yet fully learnt all of the lessons as to why we failed OFSTED in 2017, for example what happened between 2012 when we passed OFSTED with Good & Outstanding characteristics to a bad failure in 2017?
- That these two Serious Case Reviews contain important information which was not available to Councillors until now.

The Council Resolves;

- To carry out a Cross Party Inquiry for people affected by the failures of Tower Hamlets Children's Social Services to collate evidence, experiences and comments to help formulate better practice and service delivery. To complete the recommendations made in May 2017 by Cllr Khan and Cllr Wood.
- To ensure that in future Overview & Scrutiny is informed when an SCR is started with sufficient detail to understand the reasons why it was initiated (with the use of Pink papers given the confidentiality) and is then provided with updates on progress.

- That the Council directly informs all Councillors about the imminent publication of an SCR so that they do not need to rely on reading the Love Wapping blog to find out when it will be published