

Spitalfields & Banglatown

TOWN COUNCIL CAMPAIGN

OUR CONCERNS WITH THE COMMUNITY GOVERNANCE REVIEW

Date:

08 June 2019

To:

Robert Curtis, Head of Electoral Services, London Borough of Tower Hamlets, Town Hall Mulberry Place 5
Clove Crescent E14 2BG

cc:

The Right Honourable James Brokenshire MP, Secretary of State for Department of Housing, Communities
and Local Government, 2 Marsham St, Westminster, London SW1P 4DF

1. INTRODUCTION

Our Steering Group has significant misgivings as to the integrity of the Spitalfields & Banglatown
Community Governance Review, especially the surveys / consultations undertaken to date and wish to put
on record our concerns.

We will be submitting more detailed documentation but want to get this to you before the 10th June 2019
so these concerns are formally recorded within the initial timeframe.

The Spitalfields & Banglatown Town Council Steering Group are formally requesting a referendum be
undertaken in the defined area of the potential parish based on the issues detailed below.

We also refer you to the Spitalfields Community Governance review consultation: Stage 1 Submission
Document submitted to Robert Curtis, Director of Electoral Services, London Borough of Tower Hamlets on
31 December 2018.

2. HISTORY OF CORRUPTION

The London Borough of Tower Hamlets has a long history of political corruption, especially allegations of vote rigging, which are a matter of public record.

The most recent local elections in the borough could only be undertaken with a significant Metropolitan Police Service operation and the deployment of 600 officers on polling day.

This level of security is unprecedented anywhere else in the UK. To believe that a politically contentious issue such as a Community Governance Review (CGR) could be undertaken in Tower Hamlets without someone attempting to subvert the process is unrealistic.

A CGR may be a very small exercise in logistics compared to local and parliamentary elections but the democratic principle is exactly the same.

3. ONLINE SYSTEMS

It is not acceptable to accept a 'smart survey' such as the one used by Tower Hamlets Council and consider it to be an 'online poll'. Like many online survey systems that of SmartConsultations (<https://www.smartsurvey.co.uk/s/H7MT0/>) does not provide an appropriate level of integrity in ensuring that votes cast (or opinions expressed) are genuine and that users are not, for whatever reason, making multiple submissions to skew the results.

At best the SmartConsultations can only be considered as being indicative of views, not as a poll of voting numbers. They have no validity in this respect.

We have undertaken a more detailed analysis of the flaws in this system at Appendix 1 Online polling system below.

4. OFFLINE SYSTEMS

Believing that paper surveys are simply a low-tech extension of the online polling system is not sustainable.

Paper surveys are wide open to manipulation and fraud.

We have anecdotal evidence of forms being filled in "on behalf" of people using the electoral register.

All that is needed are a few willing helpers with different pens and paper with access to the Electoral Roll who are adept at creating different styles of their handwriting to provide the illusion of multiple authors.

Given the history of political corruption in Tower Hamlets resulting in the Electoral Petition brought against the previous Directly Elected Mayor Lutfur Rahman it is not beyond the bounds of possibility that 'voting' fraud on a significant scale has taken place.

In December we raised our concerns with Tower Hamlets regarding the access which those campaigning against the proposal had to the electoral register and which we did not. Apart from being unfair we consider this to be breaking the law. The legislation says the electoral register should only be used for 'electoral purposes' and we believe one side using it to produce a desired outcome in a public consultation to be an abuse.

5. DISCREPANCIES BETWEEN ONLINE AND PAPER SUBMISSIONS IN STAGE 1

The 350 unofficial, unsigned and unverified paper responses handed in at Tower Hamlets town hall reception in Stage 1 of the Consultation were in breach of the Terms of Reference (and therefore s79 (a) of the 2007 Local Government Act). All of these forms were produced, collected and handled/sorted by local Labour Party activists.

We suspect that any paper responses in support of a parish council were thrown away hence the 100% figure that contrasts strongly with the other data.

The annotated table below is second from the top of page 55 of the Tower Hamlets Council Community Governance Review Consultation Phase 1 Consultation Findings Report published on 06 March 2019 (Summary of Responses section). You will see on the first row of the table that in the online survey 38.90% of respondents were against the proposed Parish Council and 61.10% were in favour.

But then the second row about the paper questionnaires handed in at the Town Hall reception were 97% against the proposal and 0% in favour.

The Town Council Campaign followed the Terms of Reference and encouraged people to respond to the public consultation only in the specified mediums. The 'anti-campaign' ignored the Terms of Reference and

through a combination of abuse of the electoral register and a subversion of the ‘rules’ produced the outcome they wanted. This was unfair and should not have been accepted by Tower Hamlets.

Appendix C Summary of responses

Support for creation of parish council

All responders	Not answered		No		Yes		Grand Total
	Number	%	Number	%	Number	%	
Online	0	0.00%	310	60.20%	205	39.80%	515
Paper questionnaires handed in at reception					0		
Paper questionnaires submitted by community researchers					16		
Responses by letter	0	0.00%	7	87.50%	1	12.50%	8
Total	5	0.6%	665	74.6%	222	24.9%	892

Responders living in the parish council area proposed in the first stage consultation	Not answered		No		Yes		Grand Total
	Number	%	Number	%	Number	%	
Online	0	0.00%	84	38.90%	132	61.10%	216
Paper questionnaires handed in at reception	4	3.00%	128	97.00%	0	0.00%	132
Paper questionnaires submitted by community researchers	0	0.00%	3	27.30%	8	72.70%	11
Responses by letter	0	0.00%	3	100.00%	0	0.00%	3
Total	4	1.1%	218	60.2%	140	38.7%	362

AGAINST proposal (online responses)

FOR proposal (online responses)

AGAINST proposal (paper questionnaires)

FOR proposal (paper questionnaires)

Extract from Tower Hamlets Council
Community Governance Review Consultation
Phase 1 Consultation Findings Report

Source:
https://www.towerhamlets.gov.uk/Documents/CGR/Community_Governance_Review_Consultation.pdf page 55

6. COUNCIL DOCUMENT

The Tower Hamlets Council Community Governance Review Consultation Phase 1 Consultation Findings Report published on 06 March 2019

(https://www.towerhamlets.gov.uk/Documents/CGR/Community_Governance_Review_Consultation.pdf) should be referred to in relation to the numbers of submissions (see Appendix C Summary of Responses) and the Executive Summary on page 10 which states in part:

“*It is also noteworthy that 100% of the 358 responses handed in at the council reception oppose the creation of a parish council*. The most likely explanation is that these were collected and submitted by campaigners against the proposals in the petition. The council is aware that there are groups campaigning actively both for and against the proposal to create a parish council. “

We would argue that the most likely explanation for 100% of these responses being against the proposal is because they are not valid responses.

7. DISAPPEARANCE OF LEAFLETS

On or around 2nd November 2018 a box containing 5,000 leaflets that we had spent about £4,000 having designed and printed disappeared from Whitechapel Royal Mail Distribution Office.

At exactly the same time the most active opponent of the town council proposal (a councillor who happens to be a member of CWU) was present at the distribution office and took part in a 'solidarity' photoshoot with postal workers. The Metropolitan Police was informed of this and the Post Office Investigations Unit has now taken over this.

This disappearance of our leaflets forced us to spend time raising more money and having new material printed. We also had to distribute our second leaflet by hand. This meant we were unable to start getting our message out to local people until two thirds of the Stage 1 consultation period had already passed and put us at a great disadvantage.

8. POLITICAL INTERFERENCE BY LOCAL LABOUR PARTY

We are aware of numerous instances of political interference by members of the Bethnal Green & Bow Constituency Labour Party, including elected councillors.

In all instances this has been to the detriment of our campaign and to confidence in the public consultation itself. As the Labour Party is the ruling administration this has serious ramifications for both the impartiality of all aspects of the Community Governance Review process and again questions the validity of online and paper consultation feedback. We believe their activities in campaigning against the proposal constitute a predetermination of the outcome. This is unfair and potentially illegal because councillors are expected to respond to the consultation results after the consultation has finished and not announce they will oppose the proposal regardless of what local people say during that consultation.

We are aware of the following incidents (list is not exhaustive)

- Organisation of meetings for members of our Bangladeshi community at which Labour councillors have told blatant lies in their bid to oppose our work
- Labour councillor Tarik Khan (Labour, St. Peter's) speaking at a public meeting with posters on the wall behind him reading 'Oppose the Spitalfields Council Proposal' and 'Do not divide Spitalfields and Banglatown'. (Photo attached)
- In a Facebook post by Cllr. Tarik Khan (screen grab attached) he says:

“Salam Brothers, I hope you are well? There has been a proposal sent to Tower Hamlets Council to divide Spitalfields and Banglatown and Create an [sic] Parish Council.

We have been campaigning hard to push back on this.

The people who have proposed this are the affluent people (White Middle Class) who live behind Brick Lane Mosque.

This essential creates a divide between the communities.

Please join the consultation and oppose.”

[Our emphasis]

Rushanara Ali MP (Labour, Bethnal Green & Bow) was recently a guest on the BBC Sunday Politics London programme (<https://www.youtube.com/watch?v=AuMmXcldSk0>) which included a segment on the CGR.

Here is a transcript of Ms. Ali’s words:

“Tower Hamlets has historically had the experience of working together across different communities and when communities have come together, white middle-class people with white working-class and ethnic minority communities we have been strong in dealing with the issues that affect the area.

When people are pulled apart we become divided and the neighbourhood system that the Liberal Democrats introduced was so dangerous and divisive that it ushered in the first British National Party councillor in my borough when I was a teenager. It was a total disaster.

I think those who have legitimate concerns and are campaigning for this Parish Council need to remember the dangerous history of decentralisation and focus on how we can work together and influence the council to get things right where they are frustrated about Anti-Social Behaviour and those issues rather than creating more division and potentially a dangerous process of segregation.”

[Our emphasis]

- In the same programme Cllr. John Pearce (Labour, Weavers) was also shown on camera expressing his disdain for the Parish Council system

It has also been reported to us that Labour councillors have also been:

- Telling people living outside the parish their council tax would go up when they know this is untrue
- Telling people CIL should all go to LBTH so they could spend it on essential services which they know to be untrue because CIL may only be spent on Community Infrastructure
- Telling people in stage 2 that the eventual parish would be called "Spitalfields Town Council" when they know this to be untrue
- Telling people at public meetings that the Spitalfields campaign for a parish council was led by white people who wanted to 'enslave' Bangladeshi people.

You will note that in the comments of both Tarik Khan and Rushanara Ali they resort to claiming that the CGR is causing a class divide, is the work of rich people, that it will lead to a rise in far-right groups and will result in “segregation” of the community.

We have also encountered young Bangladeshis who have been told at meetings organised by Tower Hamlets Labour Party that the CGR is a plot to “enslave” them. It should be noted that these meetings were not advertised and attendance was restricted to Bangladeshi residents.

There does seem to be a consistent theme to these comments that indicates that these are not impromptu remarks by individuals but an organised campaign where people are told to repeat the same falsehoods for maximum effect.

- Class divide
- Threat of far-right
- Segregation
- Implied differentiation based on race

9. INCITEMENT TO RACIAL HATRED?

It could be argued that these types of inflammatory comments, especially when made by elected representatives, are an incitement to racial hatred in contravention of the Public Order Act 1986.

To date we have not asked for the opinion of the Metropolitan Police Service on this matter.

There is also the issue of local councillors making these comments and so being in breach of local government standards of conduct.

Making wilfully false statements designed to deceive local people by circulating untruths about the direction of CIL money and the area covered by the local council precept would also constitute misconduct in public office, an offence under Common Law.

10. ABSENCE OF FACTUAL INFORMATION

In Stage 1 LBTH sent a letter to all households in the consultation area. This letter provided very little information to local people other than to say there was a 'community governance review' taking place after the submission of a valid petition. It stated that the petition was calling for the creation of a town council, it detailed the questions which people were being asked and it indicated when the first stage of the consultation would be ending.

Local people were left deeply confused about what it all meant. This absence of information was not filled other than by a link on the LBTH website which was hard to find and not an appropriate, or in our opinion, sufficient effort to inform the general public about a complex issue.

Various commitments made at the Cabinet meeting to inform local people in various ways about what the proposal would mean to them have simply not happened. It was only in the final two weeks of December that any posters appeared (we noted just two) but these did not provide any information about what a parish was, how it worked or what it would do.

During Stage 2 there was an effort to inform the public. However, LBTH decided it was best to hold consultation events outside the area defined in the CGR petition. Initially, all the public meetings were due to be held outside this area but eventually after a lot of pressure (even NALC complained) they relented and held just one meeting within the original area of the petition. Other formal consultation events were held in some local mosques but these were not advertised and we were not informed when they would take place.

At the start of Stage 2 it was also promised by Tower Hamlets that an information booklet would be sent out to each household. They used their own 'in house' delivery team to distribute it. However, very, very few households received this information booklet in the area of the CGR petition (Area A and Area C on the LBTH map). We received dozens of reports of whole streets and whole residential blocks not receiving the booklet. In the end Tower Hamlets recommended that anyone who had not received an information

booklet should individually request a copy but this was expecting people to request something they were not aware they were meant to be getting and thus was nonsensical.

A letter was sent by Tower Hamlets to all the people who had responded during the first stage of the consultation. We feel this was intended to reproduce a repeat of the Stage 1 outcome and was not a measure designed to increase the range of participation.

11. AREA OF THE CONSULTATION

After Tower Hamlets received the CGR Petition in July 2018 they did not advise the petitioners that their petition was valid until the end of August. Tower Hamlets then decided to consult people living an area very much larger than the area referred to in the CGR petition about their views regarding a new parish. NALC have confirmed that this was a unique approach to holding a community governance review because for most people they were being asked whether they approved of a parish council being established somewhere else and did not have the option of having alternative community governance arrangements put in place where they lived. This was a confusing approach for most local people and considered likely to produce a skewed outcome against the proposal.

The potential for a skewed outcome against the proposal was made all the more likely by the activities of Bethnal Green & Bow Constituency Labour Party who distributed a leaflet telling people in this much wider area that their council tax would increase by “hundreds of pounds” in order to pay for a change that did not appear to benefit them because they would not live within the boundaries of the proposed new parish.

12. CONCLUSION

Due to time restrictions this document is not as thorough as we would like but we wanted to submit this as soon as possible so that our complaints are formally registered.

Maybe we were naïve in thinking that in Tower Hamlets it would be possible for residents to embrace the future of local democracy and propose a parish council framework, as is our democratic right.

We have been proved wrong.

If we had encountered just one or two obstacles we would have taken that in our stride as just part of the process. As it is we have been faced with repeated, consistent and orchestrated attempts to stop us.

Most worryingly, in the light of the recent history of political corruption in Tower Hamlets, we have evidence that members of Tower Hamlets Labour Party, including local councillors, have organised and engaged in a campaign to frustrate our ambitions for better local democracy in our small part of the East End of London.

In a borough where the previous Directly Elected Mayor was removed from his position as the result of an electoral petition brought by residents this does not bode well for any other group of residents who wish to fully engage with local democracy.

We also wish to place on record our belief that while Tower Hamlets council officers are well-intentioned in carrying out their work properly it seems that they are often frustrated by the party political directions of the current Labour administration.

Consequently, we regret to have to say that our belief is that we have little faith that any residents group can put forward their plans for a parish council in Tower Hamlets with any reasonable level of confidence that the process will be transparent and fair. Indeed, other residents who have been observing our experiences are unlikely to even try.

Yours sincerely,

David Donoghue, Chairman

James Frankcom, Secretary

Zakaria Hussain

Santokh Kaulder

APPENDIX 1 ONLINE POLLING SYSTEM

We have serious reservations as to the efficiency of the online survey system that Tower Hamlets Council is using for the Spitalfields and Banglatown Community Governance Review.

We believe that it is not secure, is open to abuse and manipulation and as such is not fit for purpose as outlined below.

Additionally we do not believe that enough consideration has been given to the recent history of political corruption in Tower Hamlets.

TECHNICAL BACKGROUND

The National Cyber Security Centre has issued an useful report 'Local elections 2019: guidance for local authorities' (<https://www.ncsc.gov.uk/guidance/local-elections-2019-guidance-for-local-authorities>) which highlights some of the ways online voting / survey systems can be compromised.

A more robust method of online voting / consultation can be seen on the Electoral Reform Services online voting demonstration site (<http://bit.ly/2XqdEiB>) which makes use of two factor identification, however we realise that this would not be appropriate for the issue at hand.

A very recent example of just how easily online surveys and polls can be manipulated can be seen here "The Article 50 Petition HAS been hijacked by bots. We know, because we did it!" (<https://www.kent.house/uk-petition-article-50-hijacked-by-bots/>)

They spent 3 hours writing the code, £12 on an e-mail address and £10 for a proxy IP address service to make it look like the entries were coming from different computers.

Although we have yet to hire an expert witness in this field we have asked the opinion of IT professionals of our acquaintance and the responses are given below.

ISSUE

The second round of the consultation is being done by this method

<https://www.smartsurvey.co.uk/s/H7MT0/> which is run by SmartConsultations. Although much is made on

the SmartConsultations site about security this is only in relation to *data security* in other words the data captured by their system.

There is no mention by SmartConsultations of the integrity of the online consultation process in terms of ensuring that users can only respond once and that the system has robust methods in place to prevent bot attacks.

One IT expert we spoke to said that in his opinion using SmartConsultations would be no better than using Google Forms (<https://www.google.co.uk/forms/about/>).

Other IT opinions are given below.

RESPONSE 1

“What that system [SmartConsultations] is certainly not suitable for is to be treated as a voting system. Online surveys are notoriously non-rigorous. There's a very basic feature mentioned here <https://www.smartsurvey.co.uk/features> to prevent multiple responses using a cookie but that would be trivial to work around.

The Tower Hamlets council people have the advantage over you that they can see the responses as they are submitted so they would know how many anti-responses they would need to provide.

Having said that, if the people in the area want the new council enough, there must be limits to the number of people they can recruit or invent as living in the area to oppose it.

It also sounds like there might be grounds for a judicial review if they aren't conducting the survey fairly.”

RESPONSE 2

“They might not even have the duplicate entry protection switched on - from the company's website it sounds like it's an optional feature, and in any case it would really only protect against duplicate entries that are submitted by mistake, it wouldn't protect against fraud.

Cookies can be deleted from web browsers (whether on a phone or a computer) by going to the browser settings - there's normally a facility there to remove them, or to have them blocked or automatically deleted.

Once that's done you can submit a duplicate response. You may be able to canvas using phones/tablets although paper questionnaires might be the safer option.”

RESPONSE 3

“Regarding the survey, I don't really have any more to add - clearly it's wide-open to abuse, it sounds like it can include responses from anywhere and I don't suppose they will give access to the responses to your side or a trusted third party, so it can't be monitored in the same way that a conventional vote count would be.”

Appendix 2 Photographs and Screen Grabs

 **Tarik Ahmed Khan** ▶ Tower Hamlets Brothers United
23 December at 21:19 · 🌐

Salam Brothers,
I hope you are well?
There has been a proposal sent to Tower Hamlets Council to divide Spitalfields and BanglaTown and Create an Parish council.
We have been campaigning hard to push back on this.
The people who have proposed this are the affluent people (White Middle Class) who live behind Bricklane Mosque.
This essentially creates a divide between the communities.
Please join the consultation and oppose
www.towerhamlets.gov.uk/cgr



**Don't divide Tower Hamlets
Say NO to Spitalfields Town Council**

Would lead to unnecessary increases in council tax – could add £100s to household bill

The name removes the local heritage of Brick Lane and Bangla Town.

The proposed boundary does not reflect the area of Spitalfields.

**HIGHER COUNCIL TAX?
MORE BUERAUCRACY?
DIVIDED COMMUNITIES?**

Let's say "no thanks" to a "Town Council"

ONE SPITALFIELDS

দেখ 'স্পিটালফিল্ড এন্ড বাংলা টাউন' আলাদা
Let's say "no thanks"

দেশ
'বাংলা টাউন' হুমকীর মুখে



SAY NO TO THE SPITALFIELDS TOWN COUNCIL

This damaging proposal will mean:

- Residents within the boundary will pay extra council tax
- 15% of developer money will be used to gentrify the area rather than for essential services
- Dividing our community at a time when we all need to bring Britain back together

Respond TODAY and back "Option 2"



For more information visit the council's web site
www.towerhamlets.gov.uk/cgr



Bethnal Green & Bow Labour Party
Campaigning for the many in Bethnal Green & Bow

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