

LONDON BOROUGH OF HAMMERSMITH & FULHAM

Standards Committee

Assessment Sub-Committee

Decision Notice – May 2011

Reference 01/2011:- Complaint by Councillor PJ Murphy against Councillor Greg Smith.

**Complaint**

On 18 May 2011, the Assessment Sub-Committee of this authority's Standards Committee considered a complaint from Councillor PJ Murphy, concerning the alleged language used by Councillor Greg Smith, a member of the Authority during a public meeting.

The membership of the Sub-Committee was as follows:-

Ms Joyce Epstein (Independent Member)  
Councillor Donald Johnson (Administration Member)  
Councillor Lisa Homan (Opposition Member)

Ms Joyce Epstein was the Chairman and also present were Michael Cogher (Monitoring Officer) and Kayode Adewumi (Head of Governance and Scrutiny).

A general summary of the complaint is set out below:-

The complaint alleged that Councillor Smith use inappropriate language in referring to the Leader of the Opposition, Councillor Stephen Cowan during a meeting. He felt that the language brought the Council into disrepute and believed that Councillor Smith owed Councillor Cowan, the public in attendance and the Council a public apology. He suggested that this behaviour amounted to a breach of the following paragraphs of the Council's Code of Conduct:-

3(1) You must treat others with respect

5 You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or the authority into disrepute.

We considered a confidential pre-assessment report from the Monitoring Officer which contained all the relevant documents including the complaint itself. The complaint had been sent to Councillor Smith who had commented on it. Councillor Smith accepted the use of some but not all the language complained of.

## **Decision**

In accordance with Section 57A (2) of the Local Government Act 2000, as amended, the Assessment Sub-Committee decided unanimously to refer the matter to the Monitoring Officer for other action to be taken. He is to write to all Councillors reminding them to take care in their choice of language while in meetings, particularly during public debates, so that others are treated with respect.

The Sub-Committee also decided that the summary of the allegation set out above be provided to the Councillors and that the written summary of this decision which we are required to make available to the public be published.

## **Reasons for decision**

We have carefully considered all the documents put before us particularly the Monitoring Officer's pre-assessment report which contained all the relevant documents including the complaint itself. We noted that Council debates could sometimes be adversarial and combative leading to unfortunate words being expressed. However, Councillors need to be reminded that they should only use appropriate language during public debates.

We believe if we were minded to recommend a full investigation, the Standards Committee would be able to make an impartial judgement on the issues before us and that a referral up to the Standards Board for England would not be required in this case. We have noted that the other options open to us included a full investigation, no further action or a referral to the Monitoring Officer for other action.

We considered that a full investigation would not be appropriate in all the circumstances of the case, bearing in mind the nature of the complaint, the disputed facts and the time and costs of a full investigation. We have unanimously agreed to refer the case to the Monitoring Officer for other action to be taken for him to write to all Councillors reminding them to be aware of their choice of language while in a public forum particularly during public debates.

Signed..... Date.....

**On behalf of the Chairman of the Assessment Sub-Committee**