

## **Standards Complaint- Leaking of the Interim Licensing Report**

**Memorandum by Councillor Claire Hamilton**

**16 May 2018**

Further to the Standards Complaint made against me regarding the leaking of the interim report, I would like to set out the series of events that led to the report being leaked to the National Press.

In March 2016, I was a member of the Labour Group and held the role of Press and Campaign officer, which had been assigned by Councillor Paul Foster.

During March, Councillor Foster informed me that he had information about the ongoing licensing investigation, and claimed that there was an attempted 'cover-up' taking place by Councillor Bennett, Moon and Green. At this point I did know there was investigation into licensing - all Councillors had been made aware of this in 2015 by the then-Monitoring Officer Ian Parker - but I hadn't really given it much further thought.

Councillor Foster claimed that there was high level corruption at the Council that was putting the public at risk, and insisted he could get his hands on a report to prove his theory.

After a Labour group meeting in early March, Councillor Foster provided me with a handwritten note of a few Council deals that had taken place, which he suspected were 'corrupt'. He said Councillor Bennett was to blame for this. He asked me to undertake an investigation as the information he had viewed online had convinced him that there was 'something going on'. I didn't look into them as I viewed his allegations as the product of conspiracy theories, motivated by Councillor Foster's attempts to smear the Conservative Deputy Leader. Mr Foster appeared to have a personal axe to grind.

Later in March 2016, I was in the Labour group room when Councillor Foster came into the Council for a meeting with the Monitoring Officer Ian Parker. After the meeting Councillor Foster returned to the Labour group room full of fury as Ian Parker was refusing to realise details of the investigation into the taxi licensing investigation and Foster saw this as further evidence of a 'cover-up'. He said that the first priority of the Council was to safeguard the public, and the Council was failing to accomplish this.

Councillor Foster claimed again he could get hold of copy of report, saying we should 'expose' the Council for this alleged 'cover-up'. He asked if I had any contacts in the press who would be interested in this story. I mentioned a couple of names who work in the local and national press. Councillor Foster expressed a strong interest to make this a national story. He said he had another meeting on Friday with Ian Parker, and if no further progress was made, then we would have no choice but to make this public.

After the meeting on Friday, I met Councillor Foster again in the Labour group room and he told me he had got a copy of the confidential interim report from the meeting with Ian Parker. When I asked how he had managed to get hold of it, Councillor Foster said that when the meeting concluded he shuffled up the papers from the desk and slipped the copy of the report under his file. He said he wanted to think further about leaking it and would let me know in the morning.



The next day, Saturday, Labour was campaigning to win a by-election in Seven Stars ward. Councillor Foster rang me and said that he had given it thought and had decided we had no option but to give the report to the press as it was clear to him there was a 'cover-up' taking place. He thought the public were at risk as a result, and it was a matter of duty to let them know. He explained that he was bringing the report to the canvassing session and he would discreetly hand it over for me to leak to the press.

I went in my car to pick up Councillor Matthew Tomlinson, who at the time I judged to be a good friend, and I confided in him what Councillor Foster was saying and what he was asking me to do. Councillor Tomlinson didn't say much in response but it had been brought to his attention there was an issue with the taxis in South Ribble.

Before we went canvassing, Councillor Foster took a file from his car and handed me a document which I placed in my car. After the canvassing, I drove Councillor Tomlinson home and we discussed the fact that Councillor Foster giving me the confidential report into the licensing investigation. I mentioned Councillor Foster's insistence that we should make it a national story, and I said that I had a friend at the Sunday Mirror. Councillor Tomlinson found the information interesting and as he left the vehicle he said: 'I think you will find it difficult to make a national story but we shall see.'

My friend Grace Macaskill at the Sunday Mirror was on holiday when Councillor Foster gave me the interim report and so for a few days nothing happened with it.

Councillor Foster frequently rang over the following days and became quite tetchy about the time it was taking. I said that there was nothing I could do as my contact was away and I didn't know anyone else.

Once Grace returned from holiday, I told her about the report and the content. She thought by the sounds of it, Councillor Foster could be right and it was another Council cover-up like Rotherham. She expressed an interest in doing the story and I related this back to Councillor Foster who insisted it should be leaked to expose this Council 'corruption' as he had tried all other options with Ian Parker.

I photographed the interim licensing report and sent it to Grace via direct message in sections. She rang Councillor Paul Foster and Councillor Matthew Tomlinson for quotes about the interim licensing report as they both agreed to be contacted. I was emailed a draft copy of the story Grace had written for the Sunday Mirror which I read to Councillor Foster over the telephone before it went to print (see attached).

In the draft both Councillor Foster and Tomlinson were quoted, but due to space in the newspaper Councillor Foster's quote was removed as County Councillor Tomlinson held the higher office as Lancashire Cabinet Member for Children and Young People.

The article was printed on the front page of Trinity Mirror group 'New Day' newspaper and went online on the Mirror website.

Afterwards Councillor Foster rang me to express how pleased he was the story had finally broken, saying he felt it was better that his quote had been taken out because now he could deny ever seeing the interim report.

Subject: draft

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From: grace.macaskill@trinitymirror.com

To: clairehmltn@yahoo.co.uk

Date: Tuesday, 12 April 2016, 17:16:45 BST

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EXCLUSIVE by Grace Macaskill and Lucy Thornton

TAXI drivers in Lancashire are accused of sexually exploiting children as young as five years old

A horrifying report reveals how one taxi driver allegedly molested a five year old whose family last night claimed they had to fight to get his licence revoked.

Police believe the driver "had committed the offence" but the Crown Prosecution Service (CPS) decided the girl was too young to give evidence.

A "vulnerable" 16-year-old picked up from school on a council contract was also allegedly propositioned by a cabbie according to the independent report.

Last night the aunt of the five-year-old said: "My niece has been left totally traumatised.

"She's gone back to wetting herself and sits alone in the playground during breaks. She told her mum this man had touched her inappropriately in December 2014 and his boss and the council knew what was going within weeks.

"He was on police bail but he kept his licence and was still driving around until a few weeks ago when the authority finally stepped in and revoked his licence.

"It's an absolute disgrace. He's been driving around picking up school children and all the while the council did nothing."

Two licencing officers at South Ribble Borough Council have been suspended in light of the report, which has chilling echoes of the Rotherham sex abuse scandal.

A massive 1400 children were sexually exploited in the South Yorkshire town.

But now the Daily Mirror can reveal more children are at risk from paedophiles masquerading as taxi drivers.



And sources claim a full report into the most recent scandal - expected in the next few days - will include as many as five cases of alleged sexual exploitation.

The interim report into South Ribble Borough Council details two cases.

It reads: "Diver in case A transported a vulnerable 16 year old girl as part of a school contract for Lancashire County Council, a complaint was received by the County Council that this driver made inappropriate sexualised remarks to the girl.

"The driver in case B was arrested for a sexual offence against a primary school age girl. The CPS decided not to proceed with prosecution against the driver because of potential difficulties in such a young witness giving evidence. However police have been clear that they consider the driver did commit the offence. It is reasonable to assume the driver poses a safeguarding risk."

Yet licensing officers tasked with investigating the alleged abuses failed to take action and didn't interview the drivers "under caution" or take statements from the witnesses.

Instead, it states, they appeared to allow the police investigation to "lead their own" even although a "different standard" of proof was needed for the council to take action.

It also states no "significant data sharing" took place with police.

And a handwritten note by the 16-year-old "expressing fears of being raped by the driver" was present in a paper file but never presented to the General Licensing Committee

Damningly, the report also reveals how councillors on the General Licensing Committee were alerted to a potential Child Sexual Exploitation (CSE) in the case of a teenager - but blamed the victim instead.

They took issue with the "vulnerable" 16-year-old girl's behaviour towards the taxi driver.

The report authors, lawyers brought in by the Council's Cabinet to carry out an independent review, revealed how they spoke to a number of council officers and examined documents.

They revealed: "A number of those we spoke to expressed considerable concern as to the approach taken by the GLC when considering whether the driver in Case A was a fit and proper person.

"In the view of those we spoke to, Committee members appeared to blame the 16-year-old girl for the driver's behaviour towards her and were not surprised by the Committee's decision not to revoke his licence.

"One officer told us "The conversation placed the victim at fault. As officers we sat clenching every joint, thinking please treat this as it should be treated."

The report found "inadequate appreciation" of the council's duty to protect children and members of public who use taxis.

It highlights how "40 or so" drivers now needed additional checks.

It even points out how in February 2015 the Louise Casey report into Rotherham highlighted the importance of taxi licensing.

Many of those abused in South Yorkshire Town were picked up by taxis from school and children's homes and trafficked.

It is believed 44 taxi licences in South Ribble have been issued without CRB checks or medical checks. Forty have not had road worthy certificates.

We understand Lancashire County Council, which had a contract with one of the taxi companies to transport vulnerable children, was not informed of the issues.

South Ribble Council opposition leader Paul Foster last night the full report - due to be released in the next week - will include more alleged cases of child exploitation.

"Due to ongoing legal concerns I'm not permitted to talk about the finer details any of the interim report but I am aware the full report will

include more than the two cases mentioned within it.

"I have seen the interim report and I'm appalled at what I've seen and I have expressed my absolute disgust to council officers and the council leader about how long it has taken the authority to deal with these issues.

"It's my understanding that if the council had done it's job properly the licence of the driver involved in the alleged abuse of the five-year-old would have been revoked much earlier.

"I need to get to the bottom of this. There has clearly been a major failing of the authority because , as far as I'm concerned, if the appropriate checks and balances had been in place, there is absolutely no excuse whatsoever for any



of this to have taken place.

"The legislation is written in such a way regarding licensing that examples like this can't happen because checks are carried out by properly trained officers.

"I can't talk about individuals but I know that two licensing officers have been suspended."

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Last night South Ribble councillor Matthew Tomlinson, who is also a Lancashire County Councillor cabinet for Children, Young People and Schools, said he was "appalled" by the news.

He said: "'If something goes wrong with regard to child safeguarding you should throw the doors open and say 'my god, this is terrible' and 'we need help', but this looks as if the council has tried to bury it for as long as it possibly could.

"Trying to cover the initial issue is what gets you in a mess. We all must look at what's happened in other places like Rotherham and be vigilant that it's not happening on our doorstep but it appears South Ribble has failed in that respect.

"To think that one of the licensing authorities on which the County Council relies has been found not to be doing their job as well as we would all expect leaves me appalled.

"I find it incredible that my my council, South Ribble, is the one that has let us down is this regard.

"I was only made aware of this interim report at the end of last week from colleagues at South Ribble and, as far as I'm aware, as a County Council we still haven't officially been told about the difficulties. I've heard everything second hand."

The Mirror drew up a raft of questions for South Ribble Borough Council regarding points included in the interim report.

A spokesman refused to answer our questions about the two specific cases in the report or whether more cases will emerge.

In a formal statement, the council said: "We are currently investigating a number of issues within the licensing section.

"The council takes matters of public safety extremely seriously and we are currently undertaking a full review of all taxi licenses, including drivers and vehicles. Where issues have been highlighted, these have been rectified without incident.

"Two licensing officers are currently suspended subject to ongoing disciplinary proceedings. We continue to operate a full licensing service in the meantime.

"An independent investigation is ongoing and will be published in due course. We are unable to comment further at this stage."

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