

STANDARDS & ETHICS COMMITTEE:

23rd March 2010

REPORT OF THE MONITORING OFFICER

AGENDA ITEM: 8

COMPLAINT TO THE ADJUDICATION PANEL

Purpose of the Report

1. To notify members of the Standards & Ethics Committee of a referral by the Public Ombudsman for Wales of a Report concerning the conduct of a Councillor of the City & County of Cardiff.

Background

2. A complaint concerning the conduct of Councillor Ralph Cook was sent to the Public Ombudsman for Wales in April 2009. The complaint has been the subject of formal investigation and the Council received notification from the Public Ombudsman for Wales of their intention to refer the matter to the Adjudication Panel on the 24th February 2010. There was an article in the Echo on the 5th March 2010 and the press cutting is attached at Appendix 1.. The Council has never provided information to the press or any other external agency and has maintained confidentiality throughout the intervening period.

Adjudication Panel Referral

3. The Adjudication Panel now has control of the Report and the conduct of any hearing. They have placed certain information into the public domain and an extract from their website is attached at Appendix 2.

The breaches referred to are:-

- Paragraph 4(b) – show respect and consideration for others;
 - Paragraph 4(c) – not use bullying behaviour or harass any person;
 - Paragraph 6(i)(a) – not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.
4. No date has yet been allocated for the Adjudication Panel to consider this matter. The Monitoring Officer has spoken to the Clerk to the Panel and been advised that it is unlikely to be listed before the end of June 2010.

Legal Implications

5. There are none arising from this report.

Financial Implications

6. There are none arising from this report.

Recommendations

7. Members are asked to note this Report and to receive a Report in due course concerning the outcome of any deliberations of the Adjudication Panel.

Kate Berry

City and County Solicitor & Monitoring Officer

Dated: 12th March 2010

City councillor stands aside after 'Nazi' jibe

Investigation into offensive remarks at Jewish leader

David James

david.james@walesonline.co.uk

A SOUTH Wales Labour politician who used Nazi language to describe a Jewish council leader has stepped aside while the outcome of a complaint against him is decided.

Cardiff councillor Ralph Cook has handed over his group leadership to his deputy, Heather Joyce.

A spokesman for the Labour group said the move was temporary while a complaint against Coun Cook goes to the Adjudication Panel for Wales.

Coun Cook, who represents St Mellons and Throwbridge, twice used Nazi-era language to describe Liberal Democrat leader Rodney Berman.

In a debate on the council's budget last February, the long-serving councillor likened the city's executive to Nazi stormtroopers after it cut short the budget. He is also accused of directing similar language to the Liberal Democrat group in the tea room during a break of the meeting.

The previous year, during the council elections, he issued a leaflet describing the party's activists as "stormtroopers" and their tactics as "blitzkrieg".

Coun Berman is descended from Jewish immigrants from the Baltic states and his deputy, Judith Woodman, made a formal complaint about Coun Cook's language to the Local Government Ombudsman last March.

After a year-long investigation by the public services ombudsman for Wales, the case is set to be heard by the Adjudication Panel for Wales.

A case only proceeds to the panel if the ombudsman feels there is a serious case to answer.

The panel will be asked to decide if the councillor's words have breached the authority's code of conduct.

At the time, council leader Berman said he was "shocked" at the Labour man's accusation and said he believed "he did so because he knows I am Jewish".

He added: "By subsequently refusing to withdraw his remarks, I believe he is sending out a signal that it is all right to attack someone for race or religion.

"This is completely disgraceful for someone in his role as a community leader."

Coun Cook said yesterday: "In order that I can give the attention necessary to my constituents while this complaint is being heard, I felt it best to temporarily step aside from my role as leader of the group.

"Heather is a great councillor and she will do a fine job."

In a letter to Labour councillors, he said: "In order to allow myself maximum time to deal with this matter I feel it necessary to temporarily stand aside as leader of the group and hand over to my deputy, Councillor Joyce, until this matter is resolved.

"This will in no way affect the level of service I provide my constituents and I will of course continue play an active part in council business."



Councillor Ralph Cook has handed over his group leadership to his deputy while a complaint against him is dealt with

APW / PDC

Cllr R Cook - APW/009/2009-010/CT

Name of relevant Authority(ies) : City and County of Cardiff

Nature of allegation

- Breach of paras 4(b), 4(c) and 6(1)(a) of the code of conduct