

Failure by elected members to follow Council guidance, government guidance and the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 as regards stopping the transmission of COVID

Location: West India Quay, by London Docklands Museum E14

Date: Tuesday 9th June 2020

Time: 6pm to 8pm approximately

Police Report Reference Number

RGO-3568-20-0101-C

COVID Infection Rate in Tower Hamlets

The COVID Symptom Study run in conjunction with Kings College London estimated at the time that 0.5% of Tower Hamlets residents had symptomatic COVID. Reminder that many infected are asymptomatic.

What happened

During the evening of 9th June a large crowd of 25-30 people (excluding journalists, contractors and Met Police) gathered to watch the removal of the Robert Milligan statue outside the London Docklands Museum on West India Quay.

It appears as if an email / message must have been sent within the Tower Hamlets Labour party advertising the removal of the Robert Milligan statue based on the people who attended. The timing was not in the public domain nor were local Councillors like myself informed of the date and time. West India Quay is in my ward, Canary Wharf.

Sixteen members of the crowd (more than half) were elected Tower Hamlets politicians including many of the most senior politicians with additional responsibilities. One Mayor, one Deputy Mayor, four other Cabinet members, eight Councillors with additional responsibilities including the Speaker, and finally two backbench Councillors. See list below. Others may have been present but were not visible on pictures.

These numbers exceed the six people allowed by both government regulations and Council guidance to meet outside (but two meters apart from others not in your household)

Participants were undertaking the following activities which can be observed from pictures and videos I have seen, some of the detail was later confirmed by witnesses;

1. Talking to each within two meters of each other for an extended period of time
2. Crowding together as the countdown began to the statues removal, shoulder to shoulder, passing in close proximity to each other
3. Taking selfies of themselves and others (you cannot do that 2 meters apart)
4. Taking pictures / video of each other, the statue and posters, all within 2 meters
5. It was like a garden party or sports event; people were excited and celebratory.

6. The event included a few people who are in the higher risk categories of COVID.
7. Only two elected members from the same household (as far as I know)
8. Only five wearing masks for an extended period, Mayor John Biggs put a mask on for one picture but did not wear a mask at any other time.
9. Three elected members gave interviews to the press, which may meet the definition of work but they stayed after the interviews were complete and did not socially distance.

The three elected members with responsibility for community safety were all present: the Mayor, Deputy Mayor and Scrutiny member. How could the Police team present act under those circumstances?

The number of participants might have been even greater except that from 5pm that same evening was the Tower Hamlets Council Health and Wellbeing board (which met remotely) which was reviewing the number of deaths from COVID and why the BME community in Tower hamlets was more at risk from COVID. It ended around 6.30pm, none of the participants attended the event.

We were told there had been 279 confirmed or suspected deaths from COVID by 4th June.

<http://democracy.towerhamlets.gov.uk/ieListDocuments.aspx?CIId=632&MIId=11541>

As a reminder Tower Hamlets Cabinet on the 3rd June received a report which said;

“1.3 London, like many of the world’s major cities, has been affected more seriously than the rest of the UK, with the capital having the highest age-standardised mortality rate of all UK major cities. This can be partly accounted for by the fact that the outbreak occurred earlier in London than elsewhere meaning the virus had more time to spread before ‘lockdown’ measures were introduced. National analyses show that death rates are strongly linked to deprivation and ethnicity, with death rates significantly higher in certain lower paid occupations (including taxi drivers, bus drivers and carers) and amongst Black and Bangladeshi groups.”

<http://democracy.towerhamlets.gov.uk/ieListDocuments.aspx?CIId=720&MIId=11128>

Why I am reporting

Following the furore over Dominic Cummings it was widely reported that observance of the regulations were being flouted and that people would name Mr Cummings as the reason why.

In addition many politicians in Tower Hamlets were publicly very critical of Mr Cummings actions including Councillors who attended the event. The local MP Apsana Begum two weeks before this event said on Twitter;

“I am inundated with emails from constituents angry with the Prime Minister & Dominic Cummings. Some lost their loved ones & missed funerals. Some missed their first birth with family. Others had arranged care for their elderly parents from other cities. They all obeyed the rules.”

It received 299 likes and 85 retweets

<https://twitter.com/ApsanaBegumMP/status/1264853875221200905?s=20>

A Tower Hamlets Councillor Kevin Brady also said on Twitter;

“Really quite fucked off about [#cummins](#). I didn’t get to go to a dear family friends funeral which was devastating; I haven’t seen my mum & dad despite him having been in hospital for surgery; they haven’t seen their kids & grandkids in months. 1 rule for us-another for them!”
https://twitter.com/Kevin_J_Brady/status/1264119317781757952?s=20

On the 12th June 2020, 3 days after the event Mayor John Biggs in an official email to residents said;

“Finally, coronavirus has not gone away and we are continuing our efforts to support local people. I’d like to remind you that as government [guidance](#) on coronavirus is regularly being updated, we all need to keep adhering to social distancing and strict hygiene practices to help keep ourselves and each other safe and well.”

<https://content.govdelivery.com/accounts/UKTOWERHAMLETS/bulletins/2905e82>

I underlined key points. But Mr Cummings is not an elected politician, higher standards must be expected of elected politicians, see below.

The rules have to apply to all or they do not apply to anybody. One rule for all of us to quote Cllr Brady. It is critical that the Met Police and Tower Hamlets Enforcement Officers are able to enforce the regulations with confidence especially if a 2nd wave appears possible.

That will not be possible if those who lead Tower Hamlets are seen to be flouting the regulations unhindered.

Special focus should be made on how and by whom the event was advertised and what if any guidance was issued.

Tower Hamlets Council Constitution

Includes the following sections as a guide to elected members conduct:

5. *You are expected to observe the following general principles of conduct. These principles will be taken into consideration in determining allegations of a breach of this Code.*

b) Integrity: you should not place yourself in situations where your integrity may be questioned, should not behave improperly and should on all occasions avoid the appearance of such behaviour.

d) Accountability: you are accountable to the public for your actions and the manner in which you carry out your responsibilities and should co-operate fully and honestly with any scrutiny appropriate to your particular office.

g) Leadership: you should promote and support these principles by leadership and by example and should act in a way that secures or preserves public confidence.

It is a serious breach of the code to so publicly contradict the guidance and regulations (see below) in place which are designed to keep the residents of Tower Hamlets alive and healthy.

COVID rules in application at this point

Tower Hamlets Council guidance

Monday 8th June all Councillors received an emailed Members Bulletin from Council staff, it included;

“Updated social distancing rules mean that residents can now visit a park to exercise or spend time outside either alone, with members of their household or to meet up to six people – provided that those from different households stay two metres away from each other.”

and

“Keeping two metres apart in enclosed areas like shops and public transport remains key but it can be harder to do in public spaces”

Government guidance

<https://www.gov.uk/government/publications/staying-alert-and-safe-social-distancing/staying-alert-and-safe-social-distancing>

Which contains these sections

“Staying alert and safe (social distancing)

At this stage of our recovery strategy:

- *You can spend time outdoors, including private gardens and other outdoor spaces, in groups of up to six people from different households, following social distancing guidelines*

You must not:

- *gather outdoors in groups of more than six people with people you do not live with (except for limited circumstances) or, from 13 June, people that are not in your support bubble (if applicable)”*

COVID Regulations in force on the 9th June

The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 with these relevant sections;

Restrictions on movement

6.—(1) During the emergency period, no person may leave the place where they are living without reasonable excuse.

Restrictions on gatherings 7.

None of the exceptions permit the kind of activity undertaken. It was not work.

Travel information from TfL

TfL advice was to avoid public transport if possible. Given the location a majority of attendees must have travelled by public transport.

Evidence

- 80 pictures and [REDACTED]
- Other social media posts from those present
- Tweet from Cllr Kevin Brady, where he had the grace to apologise for what had happened https://twitter.com/Kevin_J_Brady/status/1270684504517197829?s=20
- Additional evidence can be sought from Council officers present as well as a large group of Police officers present

Attendees – I am only naming currently elected members

1. John Biggs, Executive Mayor of Tower Hamlets, put a mask on for one picture, was not seen wearing a mask at any other point.

Cabinet Members;

2. Cllr Asma Begum, Deputy Mayor for Community Safety, Youth and Equalities
3. Cllr Sabina Akhtar, Cabinet Member for Culture, Arts and Brexit
4. Cllr Asma Islam, Cabinet Member for Environment and Public Realm (Job Share) - Lead on Environment
5. Cllr Motin Uz-Zaman, Cabinet Member for Work and Economic Growth), wore a mask and gloves
6. Cllr Eve McQuillan. Cabinet Member for Planning and Social Inclusion (Job Share) - Lead on Planning

Other member with responsible roles for which paid additional allowances;

7. Cllr Ehtasham Haque, Chair of Licensing Committee
8. Cllr Tarik Khan, Scrutiny Lead for Resources & Finance
9. Cllr Victoria Obaze, Speaker of TH Council
10. Cllr Mohammed Ahbab Hossain, Deputy Speaker, wore a mask
11. Cllr Kevin Brady, Chief Whip & Vice-Chair General Purposes Committee
12. Cllr Abdul Mukit MBE, Chair Development Committee
13. Cllr Kysten Perry, Chair Pensions C'tee, wore a mask
14. Cllr Bex White, Scrutiny Lead for Community Safety & Environment, wore a mask

Other member with no additional responsibilities

15. Cllr Puru Miah
16. Cllr Amina Ali, wore a mask and gloves

Also in attendance;

- Other known Labour Party members including those running formerly as Parliamentary candidates
- Council communications officer plus other Council employed staff
- Met Police who kept separate
- TV camera crews and journalists
- Rineys crew to remove the statue but they socially distanced and wore PPE