

**STANDARDS COMMITTEE****3 NOVEMBER 2004****ITEM:
9****STANDARDS BOARD FOR ENGLAND
CASE SUMMARY: MR. JOHN LAMINGMAN****Summary of report**

This report and attached summary sets out the decision of the Adjudication Panel for England in respect of Mr. John Lamingman, a member of Stoke-on-Trent City Council. The case tribunal adopted in full the Ethnical Standards Officer's submission and considered that Mr. Lamingman had failed to comply with the Member Code of Conduct by failing to treat officers with respect and by bringing his office or authority into disrepute. A copy of the Standards Board for England case summary on the matter is attached.

Recommendations

That the Committee note the determination of the Adjudication Panel for England in respect of the Mr. John Lamingman and that he was disqualified from becoming a member for four years, with effect from the date of the hearing.



Signed

Assistant Director of Legal Services and Monitoring Officer

Date: 26 October 2004

Background papers: All published

Contact officer: Frazer Powell, Walsall 652015

 <p>the Standards Board for England</p>		<p>Case Summaries</p>
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Case nos. SBE1295.02 and SBE2306.03A/APE0152**Member:**

Mr John Lamingman

Authority:

Stoke-on-Trent City Council

Date received:

3 October 2002

Date referred to the Adjudication Panel for England:

30 September 2003

Date completed:

24 March 2004

Allegation:

A member failed to treat others with respect and brought his office or authority into disrepute.

SBE outcome:

The Ethical Standards Officer referred the matter to the Adjudication Panel for England for determination by a tribunal.

APE outcome:

The member was disqualified for four years.

The Standards Board for England investigated allegations that Mr John Lamingman behaved in an inappropriate way towards a council officer over the course of a four-day conference. Mr Lamingman was representing Stoke-on-Trent City Council at the conference, and so acting in his official capacity.

The Ethical Standards Officer considered that Mr Lamingman's behaviour amounted to sexual harassment. Mr Lamingman showed a lack of respect for the officer and brought his office or authority into disrepute.

In particular, the Ethical Standards Officer noted that Mr Lamingman -

- made inappropriate sexual comments about the officer and other women;
- tried to persuade the officer to go with him to a strip club;
- propositioned the officer and swore at her during a drunken phone call, and referred to another delegate as a "slag".

Mr Lamingman also behaved in an aggressive and sexually threatening way towards another delegate at the conference when she refused to dance with him, and threw beer over her.

Mr Lamingman failed to attend conference sessions on 12 September 2002, and tried to persuade the council officer to miss the sessions.

Later on the same day, the council officer reluctantly agreed to settle Mr Lamingman's restaurant bill to avoid embarrassment when he said he had no money left.

The police arrested Mr Lamingman at a fast food outlet on 23 December 2002. Mr Lamingman was charged with the public order offence of using threatening, insulting or abusive words or behaviour with intent to cause a person to fear immediate unlawful violence. He was convicted of the offence at Stoke-on-Trent Magistrates' Court on 14 June 2003, fined £100 and ordered to pay costs.

When Mr Lamingman was in police custody he refused to give police his personal details, then gave them false details. He was also extremely aggressive and abusive and threatened the civilian gaoler.

The Ethical Standards Officer referred all these matters to the Adjudication Panel for England for determination by a case tribunal.

Mr Lamingman stated on 4 February 2004 that he did not dispute the Ethical Standards Officer's account of the facts.

The Adjudication Panel for England's case tribunal adopted in full the Ethical Standards Officer's submissions. The tribunal considered that Mr Lamingman failed to comply with the Code of Conduct by failing to treat others with respect between 10 and 13 September 2002.

The tribunal also considered that Councillor Lamingman failed to comply with the Code of Conduct by bringing his office or authority into disrepute. He did this by persistently sexually harassing or behaving in a threatening or aggressive way towards two women, failing to attend conference sessions, behaving in a way that led to his arrest and subsequent conviction, and by his conduct while he was in police custody.

The tribunal took into account the fact that Mr Lamingman had resigned from his office, and had recently accepted the facts of the case. The tribunal also acknowledged Mr Lamingman's personal problems and other mitigating factors, including his public apology when interviewed by a newspaper.

The tribunal decided to disqualify Mr Lamingman from becoming a member for four years, effective from the date of the hearing.

Relevant Paragraphs of the Code of Conduct

The allegation in this case relates to Paragraphs 2(b) and 4 of the Code of Conduct. Paragraph 2(b) states that a member must "treat others with respect". Paragraph 4 states that "a member must not in his official capacity, or any other circumstance, conduct himself in a manner which could reasonably be regarded as bringing his office or authority into disrepute".

↩ The Adjudication Panel for England

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