



House of Commons
Committee on
Standards and Privileges

**Conduct of Dr
Desmond Turner**

**Fourteenth Report of Session 2005–
06**

*Report and Appendix,
together with formal minutes*

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Committee on Standards and Privileges

The Committee on Standards and Privileges is appointed by the House of Commons to oversee the work of the Parliamentary Commissioner for Standards; to examine the arrangements proposed by the Commissioner for the compilation, maintenance and accessibility of the Register of Members' Interests and any other registers of interest established by the House; to review from time to time the form and content of those registers; to consider any specific complaints made in relation to the registering or declaring of interests referred to it by the Commissioner; to consider any matter relating to the conduct of Members, including specific complaints in relation to alleged breaches in the Code of Conduct which have been drawn to the Committee's attention by the Commissioner; and to recommend any modifications to the Code of Conduct as may from time to time appear to be necessary.

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The current staff of the Committee are Dr Christopher Ward (Clerk), Ms Libby Preston (Second Clerk) and Miss Michelle Owens (Secretary).

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Conduct of Dr Desmond Turner

1. We have received a memorandum from the Parliamentary Commissioner for Standards relating to the complaint against Dr Desmond Turner, Member for Brighton, Kemp Town, by Mr Jerry Aldous, a Homeless Persons Officer employed by Brighton and Hove City Council. The Commissioner's memorandum is appended to this report.

2. As the Commissioner explains in his memorandum, the complaint relates to language used by Dr Turner in a telephone conversation he had with Mr Aldous, and to allegations that he attempted to intimidate Mr Aldous into not pursuing a complaint he had made.

3. The essential facts are not in dispute. Dr Turner accepts both that he used the language complained of, and that he did say that if Mr Aldous continued to complain at having been sworn at, he would make a complaint against him for gross professional misconduct.¹

4. In our view, Dr Turner should not have spoken to Mr Aldous in the terms in which he did, and the fact that he did so, for whatever reason, reflects badly on him. Mr Aldous offered to arrange for a more senior officer to contact him on the matter, and he should have taken up that offer, rather than abuse Mr Aldous, if he was not satisfied with the response he received.

5. Dr Turner's personal reputation is undoubtedly damaged by his behaviour on this occasion, but did his conduct risk causing wider damage to the reputation of the House? We agree with the Commissioner that it did. Dr Turner was clearly acting in a parliamentary capacity, and at his meeting with the Commissioner, he made it clear that Mr Aldous must "have led a sheltered life" if he was not used to being sworn at by elected representatives.² The clear implication of this remark is that it is both acceptable and normal for Members to do so, an impression that can only be damaging to the reputation of the House as a whole.

6. We agree with the Commissioner that the element of the complaint about the language used by Dr Turner to Mr Aldous on 12 May 2005 breached paragraph 15 of the Code.

7. Turning to the second element of the complaint, as the Commissioner says, any proven attempt to intimidate a potential complainant into not pursuing a complaint to him would be wrong. If that was Dr Turner's intention, he was wrong to use the threat of a cross-complaint about Mr Aldous' conduct to seek to achieve this. Like the Commissioner, we do not dispute Dr Turner's right to make a complaint about the conduct of Mr Aldous, but he should not have implied any linkage.

8. This is a matter that could have been resolved without recourse to us if Dr Turner had extended to Mr Aldous the written apology to which, on the evidence we have seen, he is undoubtedly entitled. He should now, without further delay, do so

1 WE 8, p. 19.

2 WE 10, p. 21.

unconditionally, and send a copy to us. If Dr Turner does not do so, we reserve the right to return to the matter.

Appendix: Memorandum from the Parliamentary Commissioner for Standards

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Complaint against Dr Desmond Turner

1. On 23 January 2006, I received a letter from Mr Jerry Aldous, a Homeless Persons Officer employed by Brighton and Hove City Council. Mr Aldous complained that the Member for Brighton, Kemp Town, Dr Desmond Turner, had:

- a) used foul and abusive language against him during a telephone conversation on 12 May 2005, in an attempt to bully and intimidate Mr Aldous in relation to his handling of a homeless application by one of Dr Turner's constituents (Mr X);
- b) attempted to intimidate Mr Aldous into not pursuing a complaint about Dr Turner's behaviour, by himself threatening to make an official complaint against Mr Aldous to the Council, and subsequently by asking the Council's Director of Housing and City Support to review the way in which Mr Aldous had handled Mr X's application for housing.

The text of Mr Aldous's letter is at WE1.

2. With his letter, Mr Aldous enclosed four pieces of supporting evidence. (His letter mentions 5 documents as being annexed to it, but documents 3 and 5 (a letter from the Director of Housing and City Support to Mr Aldous dated 1 August 2005) were in fact the same.) The four documents Mr Aldous sent in support of his complaint were:

- a) An internal memorandum written by Mr Aldous on the day of the telephone conversation, in which he details the nature of the incident involving Dr Turner.

The core of this is that Dr Turner had telephoned Mr Aldous to inquire about the progress of consideration of Mr X's housing application. When Mr Aldous explained that he was required to assess the application like any other and that the Social Services department of the authority considered that they had discharged their duty to him, Dr Turner became aggressive and angry. Mr Aldous's memorandum continues:

*"... I heard him angrily, what sounded like, throw the phone receiver onto the desk (or something similar). He picked it up and angrily stated that Mr X was a very vulnerable man and that I should 'just f**ing house him'. I tried to explain that I was simply doing my job and I asked that he speak to me in a more polite manner. I offered to ask a manager to call him as it was apparent that he did not accept what I was saying. He asked the names of my managers and when I responded he angrily stated that he had 'never heard of them'. I then asked what he would like me to do and he responded by shouting down the phone that I 'was just a little f**ing useless pen-pusher'. At this I said that I was not prepared to tolerate such abuse and that I was going to put the phone down, which I did."*

- b) A letter dated 9 September 2005 from the Regional Manager of Mr Aldous's union, 'Unison', to the Branch Secretary at Brighton and Hove City Council, recording that the Regional Manager had met Dr Turner on 8 September. Dr Turner had confirmed that he had said what Mr Aldous claimed and had also confirmed that he would not apologise to Mr Aldous because Mr Aldous had jeopardised his constituent's position. The letter continues:

“Mr Turner stated that Mr Aldous is guilty of ‘professional misconduct’. I said that that was a serious allegation and, as such, Mr Turner should raise it with the Council. Mr Turner said that if Mr Aldous continues with his complaint against him then he will make an official complaint against him to the Council.”

- c) A letter dated 1 August 2005 from the Director, Housing and City Support to Mr Aldous, following up a meeting between the two. The letter records that both he and the City Council’s Chief Executive had spoken to Dr Turner and made clear that they regarded the language he had used to Mr Aldous as “totally inappropriate”. They had asked Dr Turner to apologise but he had declined and had asked the Director to review the way in which Mr Aldous had handled Mr X’s housing application. The Director had refused “as even if there were concerns, that could not possibly warrant the tone and language that [Dr Turner] used towards yourself.”
- d) An internal memorandum from Mr Aldous’s team leader written on 12 May 2005 which, although he was not in the office at the precise time Mr Aldous received Dr Turner’s call, corroborates Mr Aldous’s account of what happened, expresses concern and asks what can be done about Dr Turner’s behaviour.

The text of these four documents (with the names of those concerned, including Dr Turner’s constituent, excluded for privacy reasons) is at WE2-5.

3. In his letter of complaint, Mr Aldous made clear that he had found Dr Turner’s conduct a disturbing and upsetting experience. During 15 years in his role, he was used to receiving abuse from clients, but had not expected it from a Member of Parliament. He believed that Dr Turner had been trying to intimidate him into accepting his constituent as qualifying for social housing. The matter could have been resolved some time previously if Dr Turner “had simply apologised for his behaviour and agreed not to conduct his business in such a manner again”. Given Dr Turner’s refusal to do so, and having exhausted all other options, Mr Aldous felt he had to make a complaint to me.

Relevant Provision of the Code of Conduct

4. After considering his letter, I replied to Mr Aldous on 24 January as at WE6. I made clear that I could not consider, as part of his complaint, how Dr Turner had decided to handle Mr X’s housing problem. This was because complaints about a Member’s handling of a constituent’s case are excluded from my remit. However, the two aspects of Dr Turner’s conduct which I have summarised in paragraph 1 above were matters about which I believed it appropriate to make preliminary inquiries of Dr Turner.

5. Accordingly I wrote to Dr Turner the following day, drawing attention to Mr Aldous’s complaint as set out in paragraph 1 above (WE7). Both these matters seemed to me to fall within the scope of paragraph 15 of the Code of Conduct approved by the House on 13 July 2005 (a similar provision had been in the previous edition of the Code), which provides:

“Members shall at all times conduct themselves in a manner which will tend to maintain and strengthen the public’s trust and confidence in the integrity of

Parliament and never undertake any action which would bring the House of Commons, or its Members generally, into disrepute.”

I therefore invited Dr Turner’s observations on Mr Aldous’s complaint.

Dr Turner’s Initial Response

6. Dr Turner replied on 20 February (WE8). He admitted swearing at Mr Aldous, and saying that “if he continued to complain at having been sworn at I would make the official complaint against him for gross professional misconduct that I should have done in the first place, except that I really have better things to do.” He had now formally complained to the City Council about Mr Aldous’s conduct.

7. Dr Turner said that Mr Aldous was the only local government officer or equivalent person he had ever sworn at in his long career in public service. Dr Turner had been angry because Mr Aldous had “completely disobeyed instructions that he had been given by senior managers in dealing with a particularly vulnerable constituent”. Mr Aldous’s behaviour had nearly undone years of patient work by Dr Turner and could have led to very severe consequences for Dr Turner’s constituent.

Inquiries of Brighton and Hove City Council

8. In the light of Dr Turner’s statement that he had now made a complaint to the City Council about Mr Aldous’s handling of his constituent’s case, I wrote to the Council’s Director of Housing and City Support on 28 February, meanwhile informing Dr Turner of this and suggesting that, when I had heard from the Council, it might be helpful for me to meet Dr Turner about the case. I asked the Director to let me know how matters stood in relation to Dr Turner’s complaint against Mr Aldous, explaining:

“There is, of course, a question as to whether Dr Turner was justified in speaking to Mr Aldous as he did, however much he felt himself provoked by Mr Aldous’s behaviour. However, the question whether Mr Aldous handled Dr Turner’s approach appropriately may be relevant to assessing what would be a fair and proportionate outcome to Mr Aldous’s complaint.”

9. The Director replied on 27 March (WE9). He told me that his Council had not found Mr Aldous guilty of misconduct in his dealings with Dr Turner and his constituent, Mr X. Mr Aldous had not, as Dr Turner had suggested, disobeyed instructions he had been given by senior managers in dealing with Mr X but had acted in good faith on the information he had been given.

10. However, there appeared to have been “some lack of clarity” around whether a previously agreed funding package was still available to Mr X. Dr Turner was angry with Mr Aldous because he understood that it was. Mr Aldous, on the other hand, had been informed by senior managers in Social Services that they had ended their duty towards Mr X, ceasing all previous funding arrangements, and that they would no longer fund Mr X’s housing. It was this lack of clarity that had resulted in Dr Turner’s loss of temper with Mr Aldous.

11. The Director added that whilst he understood Dr Turner's frustration, he did not think Dr Turner had been justified in speaking to Mr Aldous as he had. He was satisfied that Mr Aldous had handled Dr Turner's approach appropriately, although he acknowledged that Mr X had experienced difficulty in getting his current funding package agreed and that this had required Dr Turner's intervention.

Meeting with Dr Turner

12. I subsequently arranged to meet Dr Turner, as I had previously suggested. The agreed note of our meeting, which took place on 3 May, is at WE10. At the meeting I shared with Dr Turner the Director's response to my inquiries and Dr Turner explained more of the background to his conversation with Mr Aldous.

13. Dr Turner said that his constituent, Mr X, had a severe condition as a result of a brain injury which meant that he had very precise and difficult housing needs. Dr Turner, who had been involved in the case over a long time, had eventually negotiated with officers from different Council departments a funding package sufficient to enable those needs to be met. Matters had come to a head in the course of the 2005 general election campaign, during which Dr Turner had inquired if the package was still available and been told that it was.

14. Completion of the package required Mr X to sign a housing benefit form which Dr Turner understood had been pre-processed. Mr X and his father had gone to the Council's Housing Advice centre so that Mr X could sign the form. Mr Aldous, however, had insisted on treating him as a new applicant, being adamant that the Council had discharged its obligations to Mr X. This threatened to void Mr X's prospective housing solution.

15. When Dr Turner had telephoned to check that all was well, he had been appalled to hear what had happened. Mr Aldous had refused to accept that Mr X's financial support package was still in place and had declined to check the position with other Council officials. In the face of what he saw as this unjustified obstruction, Dr Turner admitted that he had sworn at Mr Aldous.

16. Following his telephone conversation with Mr Aldous, he had himself called the Council's Benefits Officer and Disabilities Manager and confirmed that the special package was still available. That done, Mr X's position had subsequently been resolved satisfactorily. He (Dr Turner) had declined to accept Mr Aldous's suggestion that he speak to his manager because the manager had not been party to the special funding arrangement.

17. At the conclusion of my meeting with Dr Turner, I asked if he still saw no reason to modify or withdraw the language he had used to Mr Aldous. Dr Turner replied that, in comparison with what he saw as Mr Aldous's absolute obstructiveness—which had been about to do tremendous damage to his vulnerable constituent—his swearing had been trivial.

Further Inquiries of Mr Aldous and the Council

18. Since the accounts I had been given by Mr Aldous and Dr Turner of their telephone conversation had left one or two matters not fully clear or agreed between them, I wrote to

Mr Aldous on 16 May giving him a brief summary of what Dr Turner had told me and in particular seeking his comments on:

- a) The extent to which he was aware of the special funding package;
- b) Why he had, according to Dr Turner, declined to accept Dr Turner's suggestion that he contact the Benefits Officer or Disability Manager to confirm the existence of the package.

The text of my letter to Mr Aldous is at WE11.

19. Mr Aldous replied on 26 May. He confirmed that he had not been aware of any special funding arrangement for Mr X. Neither Mr X nor his father had, he said, made any reference to such a package during their interview with him. He denied that Dr Turner had suggested that he contact other Council officers to confirm the existence of the package. The text of Mr Aldous's letter and of my reply is at WE12 and 13 respectively.

20. I subsequently shared WE11 and 12 with Dr Turner, inviting any further comments. Dr Turner replied on 20 June (WE14) saying that Mr Aldous was, quite simply, wrong. It might be that Mr Aldous had not been informed of the funding package but the Council's Disability Manager had told Dr Turner that Mr X should see Mr Aldous to complete the housing benefit application that was a necessary part of it. Mr Aldous was completely wrong in alleging that Dr Turner had never asked him to contact other Council officials to confirm what Dr Turner had told him about the package.

21. In the light of these conflicting accounts, I wrote again to the Director of Housing and City Support on 28 June to clarify:

- a) Whether there had in fact been a special funding package in place at the time of Mr X's interview (and Dr Turner's subsequent conversation with Mr Aldous);
- b) Whether there had been a failure of communication within the Council about the availability to Mr X of such a package (given in particular Mr Aldous's assertion that he had been informed by senior Social Services managers that the Council had ended its duty to Mr X).

22. I received the Director's reply (of which the text is at WE15) on 17 July. The Director advised that:

- a) The Social Services department of the Council had put in place a special funding package for Mr X in February 2005. He continued:

"When we discharged our duty under the National Assistance Act following Mr X's unreasonable refusal to accept 5 suitable homes, we then advised him that we had discharged our duty. However we still wanted to enable Mr X to move into suitable housing. Working with colleagues within Housing we agreed that the funding package as set out above would still be available if required to secure a home in the City."

- b) Staff in the Adult Social Care department could not now recollect who in the Council's Housing Options and Housing Benefits Teams were aware of this package at the time. It was possible that Mr Aldous was not aware of the information.

Findings of Fact

23. In the course of a telephone conversation with Mr Aldous, the complainant, on 12 May 2005, Dr Turner swore at him in the terms recorded in paragraph 2 above. Dr Turner admits this and the accounts of others at or after the time of the conversation are fully consistent with this finding.

24. The conversation concerned a constituent of Dr Turner's, Mr X, with a long-standing and complex housing problem. Dr Turner believed that he had successfully negotiated with Council officials a special funding package which would enable that problem to be resolved, and that all that was necessary to complete the package was for his constituent to see Mr Aldous to sign a housing benefit form. Mr Aldous, however, says that he was unaware of the existence of the package and indeed had been informed by Social Service managers that all previously agreed funding arrangements with Mr X had been withdrawn. The Council's Director of Housing and City Support has conceded that it is possible that Mr Aldous was not aware of the package.

25. When, therefore, Dr Turner telephoned Mr Aldous on 12 May to check that Mr X had successfully attended the Housing Advice Centre that day to complete the form, and learned that Mr X had left with the form unsigned, he was angry and frustrated. Dr Turner says that his frustration was increased by what he perceived to be Mr Aldous's obstructive attitude. He alleges that he asked Mr Aldous to contact other Council officials to confirm the existence of the special funding arrangement for Mr X, but Mr Aldous refused to do so. In these circumstances, and fearing the loss of the solution to his constituent's long-standing housing problem which, with the help of other Council officials, he had laboriously constructed, he lost his temper. Mr Aldous denies that Dr Turner asked him to contact other Council officials to verify the existence of the special package.

26. Dr Turner subsequently himself contacted other Council officials and a solution to Mr X's housing problem was achieved. Dr Turner has consistently refused to apologise to Mr Aldous for the words he used, most recently, in conversation with me, on the grounds that in comparison with what he perceived to be Mr Aldous's absolute obstructiveness—which had been about to do tremendous damage to his vulnerable constituent—his swearing had been trivial.

27. Dr Turner concedes (his letter of 20 February) that he did say that if Mr Aldous continued to complain at having been sworn at, he would make a complaint against Mr Aldous for gross professional misconduct. He maintains that in saying this, he was not trying to intimidate Mr Aldous but simply stating a fact. He subsequently made such a complaint. The complaint was not upheld on examination by the Council.

Conclusion

28. In his letter of 23 January, Mr Aldous complained both about Dr Turner's use of foul and abusive language during their telephone conversation on 12 May 2005 and about Dr Turner's subsequent threat to make an official complaint to the Council if Mr Aldous persisted in his complaint about Dr Turner. I examine each of these in turn.

(1) Use of Foul and Abusive Language

29. There is no doubt that Dr Turner swore at Mr Aldous in the way alleged. Dr Turner admits as much. He defends his action, however, on the grounds that he was sorely provoked, was concerned for his constituent and, when compared with what he perceives to have been Mr Aldous's unjustified obstruction of the solution to his constituent's housing problem which he had worked hard to create, his swearing was trivial.

30. I have no doubt that Dr Turner was motivated throughout by a concern for his vulnerable constituent. He appears to have been justified in his belief that the special funding package he had put together with the help of Council officials was still available.¹ His frustration on hearing that his constituent had left his interview with Mr Aldous without signing the necessary housing benefit form is, therefore, understandable. And suggestions that he was seeking through threats to achieve special treatment for his constituent appear unfounded.

31. Dr Turner put Mr Aldous's refusal to accept that the funding package was still in place down to obstructiveness. It appears more likely, on the evidence available, that Mr Aldous was simply unaware that the package was still possible. Mr Aldous says that this was so and the Council's Director of Housing and City Support has confirmed both that Mr Aldous had been informed by senior managers in the Council's Social Services Department that they had ceased their duty towards Dr Turner's constituent, Mr X², and that it was "possible" that Mr Aldous was unaware of relevant conversations between the Social Services and Housing Teams about Mr X's case.³ The Director also refers to "some lack of clarity" around this issue.⁴ In short, what Dr Turner perceived to be obstructiveness was probably the result of a breakdown of communication within the local authority.

32. Dr Turner says that he asked Mr Aldous to contact other Council officials to check that the package was still available. Mr Aldous denies that Dr Turner made such a suggestion. On this point there is a straight conflict of evidence. When their conversation became difficult, Mr Aldous suggested that Dr Turner speak to his line manager. Dr Turner declined because he thought the manager would not know whether the package was still available to Mr X. Thus any opportunity to achieve a common understanding of the council's position in relation to Dr Turner's constituent was lost and the conversation drew to its recriminatory close.

33. It is a further irony that, as the Director of Housing and City Support concedes in his letter of 6 July (WE15) if the primary object of Mr X's visit to the Council offices on 12 May 2005 was to sign a housing benefit form, Mr Aldous, in the Council's Housing Advice Centre, was not the best person for him to see. The best place to have signed the form would have been the Housing Benefits Office, closely located to the office Mr Aldous and his father did in fact visit.

1 Director's letter at WE15

2 WE9

3 WE15

4 WE9

34. Having examined how the unsatisfactory conversation between Dr Turner and Mr Aldous probably arose, I turn to address the question whether Dr Turner's conduct during it, and in particular his use of foul language to Mr Aldous, breached paragraph 15 of the Code. In an earlier case⁵ I set out the key tests (and some subsidiary considerations) which I suggested should be applied in deciding whether this provision has been breached:

a) Was the action complained of taken in a parliamentary capacity, or in any other public capacity in relation to which his or her membership of the House is relevant to a material extent (ie not merely incidental)?

b) Was the conduct such as might reasonably be considered likely to damage public trust and confidence in the integrity of Parliament or to bring the House, or its Members generally, into disrepute?

35. It is clear that Dr Turner's conduct met the first of these tests. He was making representations to the Council on behalf of his constituent and thus clearly acting in a parliamentary capacity.

36. Was the conduct such as might damage public confidence in the integrity of Parliament or bring Members generally (as opposed to Dr Turner personally) into disrepute? An individual Member, acting improperly in his or her capacity as a Member, will tend to damage the reputation of Members generally if the misconduct in question is taken by the public to be the kind of conduct that might be expected of any Member. Conversely failure to reprove a Member who behaves in a fashion clearly not expected of Members generally may also undermine public confidence.

37. In my view, however understandably frustrated Dr Turner was by his telephone conversation with Mr Aldous, and however laudable his motives were in terms of his concern for his constituent, it was not acceptable for Dr Turner to swear at Mr Aldous. Such behaviour would be unacceptable when directed at anyone, but was particularly unacceptable when directed at a relatively junior public servant in a demanding front-line role.

38. I conclude that Dr Turner breached paragraph 15 of the Code in his use of foul and abusive language to Mr Aldous.

(2) Alleged Attempt to Intimidate Mr Aldous

39. Mr Aldous alleges that Dr Turner tried to intimidate him into not pursuing a complaint about Dr Turner, by himself threatening to and subsequently making an official complaint against Mr Aldous.

40. Any proven attempt to intimidate a potential complainant into not pursuing a legitimate complaint under the House's standards arrangements would be wrong. The House might also want to form a view on whether such conduct constituted a contempt.

41. Dr Turner admits that he said that if Mr Aldous continued to complain at having been sworn at, he would make a complaint against Mr Aldous for gross professional misconduct. The threat is referred to in the Unison Regional Manager's letter of 9 September 2005 at WE3 and confirmed by Dr Turner in his letter of 20 February 2006 (WE8). Dr Turner, however, says that he was not trying to intimidate Mr Aldous but simply stating a fact. He did not initially complain because "I really have better things to do" (WE8). Subsequently he did make such a complaint, which was not upheld.

42. I am not surprised that given the Unison Regional Manager's report of his conversation with Dr Turner, Mr Aldous should have read a threat into Dr Turner's remarks. Dr Turner would have been well-advised not to have made any statement of the sort attributed to him. That said, just as Mr Aldous had a right to pursue his complaint about Dr Turner to me, so Dr Turner had a right to pursue a complaint about Mr Aldous to the Council. Given the evidence uncovered by my inquiry, it is not entirely surprising that Dr Turner was so unhappy about his conversation with Mr Aldous that he felt justified in making a complaint, although after proper examination, his complaint was not upheld. The way forward in such circumstances is indeed to allow cross-complaints of this nature to proceed and to be determined through the appropriate complaints procedure.

43. Is the evidence as to Dr Turner's motivation sufficient to prove an intention to intimidate Mr Aldous? On balance I do not think so. Did his behaviour have that effect? Clearly not, to Mr Aldous's credit. **I do not therefore, on balance find this aspect of the complaint proven.** That said, Dr Turner would have been well advised to have refrained from making any link at all between Mr Aldous's intention to complain and his own.

Summary

44. **To sum up, I recommend that Mr Aldous's complaint about the use of foul and abusive language by Dr Turner be upheld. I do not so recommend in relation to his complaint that Dr Turner attempted to intimidate him into not pursuing his complaint with me.**

45. I conclude by expressing regret that Dr Turner has not, so far at least, seen fit to apologise to Mr Aldous for the language he used. I note that Mr Aldous said in his letter of 19 January 2006:⁶

"This matter could have been resolved some time ago if Dr Turner had simply apologised for his behaviour and agreed not to conduct his business in such a manner again."

I hope that even now, on the basis of this report, Dr Turner will be prepared to make such an apology.

18 July 2006

Sir Philip Mawer

Written evidence received by the Parliamentary Commissioner for Standards

1. Letter to the Commissioner from Mr Aldous

I would like to make a complaint about the behaviour of local MP, Dr Des Turner, in relation to an incident that occurred at my place of work which I would like to be investigated by your office as I consider it likely to demonstrate that there has been a breach of the appropriate code of conduct.

The facts of the case are set out in 'Document 1'.

As can be seen in 'Document 2' Dr Turner does not dispute that the incident took place or that he used the foul and abusive language against me. The facts of the matter are therefore not contended.

The basis of my complaint is that Dr Turner not only used outrageous and totally unacceptable language but that he was doing so in a manner designed to bully and intimidate me. I consider that he was attempting to use his position of authority to unjustly influence the outcome of a statutory decision on a homeless application that had been submitted to the Local Authority. I consider that this went way beyond what is accepted as being a reasonable attempt by a local representative to further his constituent's interests.

I also consider that Dr Turner attempted to intimidate and threaten me to not pursue my complaint against him further when he asked the Director of Housing and City Support to review the way that I had handled the particular case in question and also that I had been guilty of 'professional misconduct'. (see 'Documents 2 and 3').

The incident was a profoundly disturbing and upsetting experience for me not only on a personal and 'human' level but also as it is shocking to think that an MP considers that he can get his own way by bullying a front-line member of staff carrying out his daily duties. It is bad enough when a member of the public is abusive but at least this is usually done in the context of a very stressful and traumatic time for the person concerned which to some extent makes it understandable. It is very much worse when an MP attempts to bully and intimidate in what I see as a calculated manner to influence the outcome of a decision on a statutory application to a Local Authority. This is particularly so in the specifics of the case concerned in which there is the context of the government of which he represents applying ever more pressure on Local Authorities not to 'Accept' statutory homeless applications and to encourage homeless and potentially homeless people to pursue alternative housing options. This contrasts with Dr Turner trying to unduly exert pressure on a member of staff to 'cut corners' in an attempt to gain social housing; a very precious and dwindling resource, for a person who he had become involved with.

On a personal basis I think it is relevant to state that I have been employed in my position as a Homeless Persons Officer for 15 years with an exemplary work record and having only ever taken four days off for sick-leave throughout this time. This job is generally considered to be one of the most demanding and stressful front-line jobs and has a high 'burn-out' of staff. It is outrageous that I have had to be subjected to such humiliating and demeaning personal abuse as well as the aforementioned intimidation to further the interests of a person at the expense of others.

It is also notable that I have received support in this matter throughout my management structure from my team leader (see 'Document 4') right through to the Director of the service and the Chief Officer (see 'Document 5'). Dr Turner at each stage has resolutely refused to apologise while at the same time not disputing the details of the matter.

This matter could have been resolved some time ago if Dr Turner had simply apologised for his behaviour and agreed not to conduct his business in such a manner again. I have very patiently pursued the matter through the proper channels and only now, having exhausted all other options, do I feel the necessity to request your assistance in furthering this case. I feel completely justified in doing so as I consider this to be an explicit and calculated abuse of power.

Contextually it is interesting to note that this government, and not least the Prime Minister, has been stressing the importance of all members of society acting with ‘respect’ for one another. Surely such a laudable concept should be disseminated from the government's representatives first and foremost as an example to others. Dr Turner has clearly demonstrated that he has not learned this lesson.

I would be grateful therefore if you would investigate this matter fully and I hope that it will lead to a satisfactory conclusion with Dr Turner being censured in the appropriate manner.

2. Enclosure—Document 1 (Memo. by Mr Aldous, 12 May 2005)

I have been advised by my Unison Rep to write to yourselves regarding an incident that has taken place regarding a telephone conversation that I have just had with Des Turner MP.

Dr Turner had been in contact a couple of times over the past couple of days regarding a homeless application that I am dealing with from Mr X. Dr Turner rang again at 2.35 this afternoon wishing to discuss what progress had been made on the case. I explained that I was required to assess his homeless application, like any other, to determine what duties the council may have to Mr X. I further explained that Social Services consider that they have discharged their duty to Mr X as they had made several offers of accommodation to him which were considered to be reasonable for his needs.

Dr Turner, in an aggressive manner, stated to the effect that it was ridiculous that Mr X needs to be assessed again as he had already been assessed many times. I tried to explain that, as a homeless officer I was required to carry out the necessary enquiries under the terms of the homeless legislation, and that these were not necessarily the same as a Social Services assessment.

Dr Turner was clearly quite exasperated at this and I heard him angrily, what sounded like, throw the phone receiver onto the desk (or something similar). He picked it up and angrily stated that Mr X was a very vulnerable man and that I should ‘just f***ing house him’. I tried to explain that I was simply doing my job and I asked that he speak to me in a more polite manner. I offered to ask a manager to call him as it was apparent that he did not accept what I was saying. He asked the names of my managers and when I responded he angrily stated that he had ‘never heard of them’. I then asked what he would like me to do and he responded by shouting down the phone that I ‘was just a little f***ing useless pen-pusher’. At this I said that I was not prepared to tolerate such abuse and that I was going to put the phone down, which I did.

I would like to have on record that, despite the abuse and intimidation, I remained polite and offered what help I could throughout the conversation. I am not easily offended, but I was actually more shocked and offended by this call than I have been over the 14 years that I have been dealing with some of the most vulnerable and ‘challenging’ people in our society.

I would be grateful if you would take this matter further on my behalf.

3. Enclosure—Document 2 (Letter to the Branch Secretary from the Unison Regional Manager, 9 September 2006)

Thank you for the Case Form regarding the above member. I met with Mr Turner today (8 Sept) to clarify his position on this matter. Mr Turner confirmed that he had said what Mr Aldous claimed and he also confirmed that he would not apologise.

His reasons for not apologising were that Mr Aldous had jeopardised Mr X’s position. He began to discuss Mr X’s case but I stated that it must be confidential and that I did not wish to discuss it. I also pointed out that the Director had said that this was immaterial in how Mr Turner spoke to Mr Aldous, and that I agreed.

Mr Turner stated that Mr Aldous is guilty of professional misconduct. I said that that was a serious allegation and, as such, Mr Turner should raise it with the Council. Mr Turner said that if Mr Aldous continues with his complaint against him then he will make an official complaint against him to the Council I am not sure that there is any legal redress in this matter, however, I am prepared to refer it to Thompson’s Solicitors for advice.

Please confirm with Mr Aldous that he wishes us to proceed with this.

4. Enclosure—Document 3&5 (Letter to Mr Aldous from Director of Housing and City Support, 1 August 2005)

Thank you for meeting with me on Friday of last week, it was good to see you again.

As I said to you then both the Chief Executive, Alan McCarthy, and myself have now spoken with Des Turner, Member of Parliament. We have both made it clear to Des that we feel that the language that he used when he spoke with you in regard to Mr X's Housing Application, was totally inappropriate. We have both also asked Des to apologise for the way that he treated you.

However, as you know, Des is not prepared to apologise, and in fact asked me to review the way Mr X's application was handled by yourself. However, I explained to Des that I would not be doing this, as even if there were concerns, that could not possibly warrant the tone and language that Des used towards yourself.

I regret that I have not been able to achieve your desired outcome, which was an apology from the Member of Parliament, but can assure you that we have taken this matter seriously. Having discussed the matter with [the] Director of Strategy and Governance, I am clear that there is no further action that we can take within the City Council. As I said to you on Friday, this should not be construed as a lack of support for you. You can, of course, take this matter up privately which I gather from our conversation you are likely to do, and there may well be parliamentary procedures that can help you.

Anyway, I am sorry that we have had to have contact in such circumstances, but of course I wish you well for the future, and thank you for all the hard work that you undertake on the Council's behalf.

I hope you have had a good and relaxing holiday.

5. Enclosure—Document 4 (Memo. By Mr Aldous's Line Manager, 12 May 2005)

Just had a bit of a shocking experience with Des Turner who has phoned on behalf of a client by the name of Mr X.

Dr Turner has phoned on two occasions today, the first occasion this morning when he was inquiring about Mr X and was quite abrasive in nature when Jerry (the HPO for Mr X) tried to answer his inquiries surrounding the client.

Following this inquiry Mr X presented to CDC and Jerry immediately went to see him (dropping literally everything) to prioritise Mr X's appointment that had not been scheduled (Mr X had missed three previous appointments). Off the back of this I understand that Dr Turner then telephoned Jerry to follow up the appointment and the short conversation ended in Dr Turner literally shouting abuse down the telephone to Jerry.

In terms of gauging the level of abuse that Dr Turner aimed towards Jerry during this short telephone call phrases included, "you're just a useless f***ing pen pusher", before this Jerry had offered to pass the inquiry to one of his line managers (myself immediately, or Rachel) on this Dr Turner asked who these were and on Jerry mentioning the relevant names Dr Turner retorted that he had never heard of them. Rather bewilderingly Dr Turner was also heard banging his telephone on his desk during the development of the conversation regarding Mr X.

The conversation broke down to the extent that following Dr Turner's increasing abuse Jerry had no other option other than to terminate the call.

In terms of the accuracy of what has been reported although I was not in the office at the time of the call being received I have no doubt that Jerry would have dealt with the inquiry with the utmost of professionalism. He is one of the team's most experienced and professional officers. Equally, from gauging the look of sheer shock on Jerry's face immediately after the call, together with the reaction of fellow officers nearby to the call, I am also convinced that events developed as described and that Dr Turner did exhibit the unacceptable, inappropriate and deplorable behaviour that was described.

As you will appreciate I am very concerned and perplexed as to what on earth is going on here. We have a supposed respected and recently re-elected member of parliament exhibiting similar behaviour patterns to that of some of our most vulnerable clients who exist in often the most dire circumstances and attempting to bully through a solution for Mr X.

My team are under enough stress working with the challenging client groups that faces it every working day (and evening when on call) I would not expect this from one of our MPs. Had Dr Turner been a client of the service he - believe it or not - would most likely have been entered onto the departmental (and council wide) Clients of Concern database for reference by other officers of the authority.

I understand that Jerry has reported this to the UNISON branch office to report his concerns and he will soon be forwarding me a report about the incident as advised by UNISON.

Can anything be done in terms of complaining about this? Is there a code of conduct that MPs should adhere to (bearing in mind the responsibilities, duties and expectations of the individual that are consummate with their elected office)?

6. Letter to Mr Aldous from the Commissioner, 24 January 2006

Thank you for your letter of 19 January and enclosures, in which you indicate that you wish to complain about what you allege was abusive and intimidating behaviour by Dr Turner during a telephone conversation with you on 12 May 2005. You also allege that Dr Turner attempted to intimidate you into not pursuing a complaint about his behaviour.

I enclose a note which sets out the procedures I follow when investigating a complaint against a Member. This also contains other important information for complainants. I draw your attention to paragraphs 16 and 26 in particular.

You will see from paragraph 18 of the note that I cannot consider, as part of your complaint, how Dr Turner decided to handle Mr X's housing problem. However, the two aspects of Dr Turner's conduct to which you have drawn my attention—and which I summarise above—are matters on which I believe it appropriate to make preliminary inquiries of Dr Turner. In the light of his response it may also be necessary for me to make other inquiries about the matter.

I will let you know when my inquiries have reached a conclusion. If in the meantime you have any questions about the process, please do not hesitate to get in touch on the number above.

7. Letter to Dr Turner from the Commissioner, 25 January 2006

I enclose a letter of complaint and enclosures I have received from a Mr Jerry Aldous. Also enclosed is a copy of my reply.

You will see that Mr Aldous, an officer in the Homeless Persons Unit of Brighton and Hove City Council, complains that you behaved in an abusive and intimidating manner towards him during a telephone conversation you had with him on 12 May 2005 about one of your constituents, a Mr X. Mr Aldous also alleges that you later attempted to intimidate him into not pursuing a complaint about your behaviour, and that you did this by threatening to make an official complaint against him to the Council (document 2 of the enclosures), and subsequently by asking the Director of Housing and City Support to review the way he had handled Mr X's application for housing (document 3).

I enclose a copy of a procedure note which I routinely send Members who are the subject of a complaint. You will note from paragraph 7 of this that I am not able to consider complaints about a Member's decision on how to handle a constituent's case. I have accordingly told Mr Aldous that I cannot consider, as part of his complaint, how you decided to handle Mr X's housing problem.

However, the two matters I have mentioned above—your alleged abusive and intimidating manner during a telephone conversation and your alleged attempt to intimidate Mr Aldous into not pursuing a complaint—

appear to fall within the scope of the Code of Conduct. Specifically, paragraph 15 of the Code approved by the House on 13 July 2005 provides:

“Members shall at all times conduct themselves in a manner which will tend to maintain and strengthen the public’s trust and confidence in the integrity of Parliament and never undertake any action which would bring the House of Commons, or its Members generally into disrepute.”

In accordance with the procedures approved by the House, I should therefore be grateful if you will let me have your observations on Mr Aldous’s complaint. What is asked is that you let me have a full and truthful account of the matters which have given rise to the complaint. It would be helpful if this included your response to the following.

1. Do you accept the account of your telephone conversation with Mr Aldous contained in his contemporaneous note at document 1 and apparently confirmed in paragraph 1 of the note by [the Unison Regional Manager] at document 2, and in the note by [the line manager] at document 4?
2. Do you accept that the effect of your words and behaviour was such as to bully or intimidate Mr Aldous, and thus inappropriately to influence him in carrying out a statutory responsibility of the Council?
3. By threatening to pursue an official complaint against Mr Aldous (document 2) and asking the Director to review the way in which Mr Aldous had handled Mr X’s housing application (document 3), were you seeking to dissuade him from pursuing a complaint against you?
4. Do you regard your conduct in this matter as being fully in keeping with that expected of a Member?
5. Do you feel that any form of apology is due to Mr Aldous? If not, could you explain why?

I look forward to receiving your observations as soon as possible. If you would like a word at any point, please do not hesitate to give me a call on the number above.

8. Letter to the Commissioner from Dr Turner, 20 February 2006

Thank you for your letter dated 25 January 2006 informing me of a complaint from a Mr Jerry Aldous. I did indeed swear at Mr Aldous. And, I did indeed say that if he continued to complain at having been sworn at I would make the official complaint against him for gross professional misconduct that I should have done in the first place, except that I really have better things to do. I have now formally complained to Brighton and Hove City Council about his conduct.

You must decide for yourself what you wish to do with this complaint. I can only tell you that Mr Aldous is the only local governmental officer or any equivalent person that I have ever sworn at in my long career in public service, and he was also the most deliberately obstructive jobsworth that I have ever encountered.

The reason for my anger with him was that he completely disobeyed instructions that he had been given by senior managers in Brighton and Hove Council in dealing with a particularly vulnerable constituent of mine. Mr Aldous acted in such a way that it nearly undid years of patient work and could have led to very severe consequences, the least of which being my constituent wandering the streets of the county of Sussex because of his particular amnesic problems.

Should you wish to pursue this complaint further I will be very happy to give full details of the situation involved but clearly it would not be brief. I leave the handling of this complaint to your discretion.

9. Letter to the Commissioner from the Director of Housing and City Support, 27 March 2006

Thank you for your letter dated 28 February 2006 regarding a complaint that you have received from Mr Jerry Aldous against Dr Turner. Please accept my apologies for the delay in responding.

This relates to a complicated case that has taken many years to reach a resolution. In response to your specific enquiry, Brighton & Hove City Council did not find Jerry Aldous guilty of misconduct in his dealings with Mr X and Dr Turner. Jerry Aldous did not disobey instructions that he had been given by senior managers in Brighton & Hove Council, but acted in good faith on the information that he had been given. He acted appropriately as a homeless officer in making statutory enquiries under the homeless legislation.

However, there does appear to have been some lack of clarity around whether a previously agreed funding package was still available to Dr Turner's constituent. Dr Turner was angry with Mr Aldous because he understood that the funding package was still in place and was concerned that previous arrangements were being undone. Conversely, Mr Aldous had been informed by Senior Managers in Social Services that they had ended their duty towards Mr X, ceasing all previous funding arrangements and that they would no longer fund Mr X's housing.

It was this lack of clarity that led to the Dr Turner's anger and frustration and the telephone call in which he admits he lost his temper with Mr Aldous. Whilst I can understand Dr Turner's frustration, I do not feel that he was justified in speaking to Mr Aldous as he did. The file notes that immediately after the phone call, Mr Aldous reported to his line manager that Dr Turner had said that he should "just f***ing house him" and that Mr Aldous was "just a f***ing useless pen pusher". I would also point out that Mr Aldous acknowledged Dr Turner's frustration and offered to refer him to his manager in an attempt to defuse and resolve the situation.

I am therefore satisfied that Jerry Aldous handled Dr Turner's approach appropriately. However, I have acknowledged that Mr X experienced difficulty in getting the current funding package agreed and that this required Dr Turner's intervention.

I hope that you find this information useful. Please do not hesitate to contact me if you would like to discuss the matter further.

10. Note of meeting with Dr Turner, 3 May 2006

PM showed DT a letter to PM dated 27 March from the Director of Housing and City Support, Brighton and Hove Council.

DT commented that the local authority had not made a good job of dealing with his complaint against Mr Aldous (JA).

DT said that the case concerned a constituent of his (Mr X), a man who, as a result of brain injury, had no sense of place and needed to be housed, with council help, in a specific, and very expensive, location. Without this help he would, and did, wander off into the Sussex countryside until he was found and brought back. He did, however, appear superficially normal, and it was hard for people to be convinced that he had a problem.

For years, Mr X had been supported by the Council in unsatisfactory circumstances, rejecting every offer of accommodation the Council made to him; the Council in turn rejected his reasons for rejection. The Council officials eventually became exasperated with the trouble and expense. When they despaired, they offered Mr X the opportunity to find accommodation for himself; whenever his efforts failed he would come back as homeless. DT wanted this cycle broken.

Mr X's specific requirements made him particularly difficult to house, as his preferred area, the Brighton sea-front, had very little appropriate accommodation and very few landlords would accept tenants on housing benefit.

DT had eventually negotiated with the council officers a package for Mr X, supported by funds from the housing *and* disability departments of the council, which amounted to sufficient to meet his needs. Meanwhile, stimulated by the Council's attitude, Mr X had found himself premises in an area he knew well. It would, however, be necessary for the council to provide a guarantee of the package and to assure the landlord that the rent would be forthcoming. During the election campaign, DT had approached the council's disabilities manager to inquire if the package was still available and had been told that it was, but that it needed confirmation. This confirmation was subsequently forthcoming from the adult services department and legal services.

The circumstances had taken place during the general election campaign of 2005; he had no paper trail because the discussions had been conducted on his mobile telephone while he was canvassing.

DT then told Mr X that the package was available, and Mr X and his father went to the Housing Advice centre so that Mr X could receive and sign the necessary housing benefit form which DT understood had been pre-processed. JA, however, insisted on treating Mr X as a new applicant, being adamant that the council had discharged its obligations to Mr X and thereby threatening to void Mr X's prospective housing solution. Mr X, who was fairly volatile, had then left the centre.

DT rang JA just to check that all had gone well and was appalled to hear what JA had done. He told him the support package was in place, but JA refused to accept this. DT suggested JA contact the Benefits Officer or the Disability Manager but he refused to do either. DT found it the last straw that a council official should refuse to take notice of such a simple and straightforward request from an MP. In the end DT had used the words of which JA complained; it was the first time in thirty years of public service he had sworn in this way, but, he said, he had never met such an obstructive official, one whose actions would, unchecked, have put a most vulnerable man back on the streets.

Subsequently DT had done what JA had refused to do. He had called the Benefits Officer and the Disabilities Manager and had confirmed that the package was indeed available. The matter was resolved.

PM said that the information contained in the council's letter of 27 March was not at odds with DT's account. DT said that the important bit that was missing was it did not record DT's request that JA should contact the Benefits Officer and the Disability Manager, and his refusal to do so. PM said that it appeared from the Council's letter that JA's reason was that he had no information to believe the matter was otherwise than as he thought, having not been made aware of the special funding package.

PM said that it was not infrequent to meet obstructive people but that that was no excuse for losing one's temper, particularly with junior staff; JA *had* suggested to DT that if he did not believe him he should speak to his line manager. DT said that there would have been no point in speaking to the line manager, as he was out of the loop. PM asked if it was the case that if JA was unable or unwilling to help there was no-one in the section in a position to deal with the matter? DT said that that was so, which was why he had circumvented him. DT said that JA's attitude was the last straw and added that if he had not used the words complained of, JA would have had no basis for his complaint.

PM said that JA had remarked that whilst he was used to being abused by distressed clients, he was not used to being sworn at by elected representatives: DT commented that he must in that case have led a sheltered life.

DT said that JA had not been properly briefed. PM said that this appeared to be so. JA had apparently acted on the information he had from his local authority. DT said that that was doubtful because the only reason Mr X had been told to see him was so that he could receive the signed benefit form.

PM accepted that there had been an agreed package available which had been reconstituted following DT's intervention. It appeared, however, that JA had not known of its availability at the time of his interview with Mr X. PM accepted that DT had acted in what he believed to be the best interest of his vulnerable constituent. However, in abusing JA, in his view DT had behaved in a way not expected of an elected representative, especially to a junior official.

PM explained that he and AB⁷ would prepare a note of the conversation, on which DT would have an opportunity to comment. PM would speak to JA and the local authority to see if there was anything more he could learn from them. Thereafter he would need to decide whether to proceed to a report to the Committee. Meanwhile PM and DT could reflect on the situation.

PM asked DT if he would confirm that he still saw no reason to modify or withdraw his language. DT said that in comparison with JA's absolute obstructiveness his swearing had been trivial. JA had been about to do tremendous damage to DT's vulnerable constituent.

11. Letter to Mr Aldous from the Commissioner, 16 May 2006

Further to my letter of 21 April I have now been able to see Dr Turner about your complaint. A few points of some possible importance have emerged from this on which I feel it right to seek your comments before I reach a conclusion on the complaint.

Dr Turner has told me that his conversation with you concerned an appointment one of his constituents (Mr X) had with you, at which it was Dr Turner's understanding that Mr X was to sign a housing benefit form which was part of a special funding package Dr Turner had negotiated with Brighton and Hove Council to meet his constituent's rather particular housing needs. His anger with you arose when you insisted on treating Mr X as a new applicant, thereby threatening to abort Mr X's prospective housing solution and the arrangements Dr Turner had, with the help of other council officials, laboriously constructed for his vulnerable constituent.

In this context Dr Turner alleges that:

- you refused to accept that the special funding package was in place. I believe that this may have been because you were unaware of the package. Dr Turner has suggested that you are likely to have known of the package because the only reason Mr X had come to see you was in order to receive the signed housing benefit form which was part of it. Could you please confirm which account is correct?
- you refused to accept Dr Turner's suggestion that you contact the Benefits Officer or Disability Manager to confirm the existence of the special package. May I ask whether this was so, and if it was, why you declined to adopt Dr Turner's suggestion? Dr Turner says that he found your refusal to take notice of such a simple and straightforward request from an elected Member the last straw. When you declined his suggestion, he himself did what he had proposed and the situation was thereby swiftly resolved.

I emphasise that I ask these questions purely to clarify in my own mind the precise circumstances of your conversation with Dr Turner. Once I am clear about the facts, I hope rapidly to resolve your complaint. If you would like a word about either point I have raised, or more generally please do not hesitate to give me a ring.

12. Letter to the Commissioner from Mr Aldous, 26 May 2006

Thank you for your letter of 16 May in which you ask for my comments on statements that Dr Turner has made to you.

1. I was not aware of any 'benefits package' and my file notes record that when Dr Turner rang me prior to Mr X coming to the office mentioning such a thing I advised him of this fact. If, as he has stated to you that he had sorted this 'benefits package' out with Brighton & Hove Council then surely he should have directed his enquiry to whoever this had been arranged with.
2. Dr Turner is absolutely incorrect to state that the only reason Mr X had come in to see me was to sign a housing benefit form. In fact the only reason Mr X came to the office was because the temporary accommodation that had been provided for Mr X had been cancelled due to his repeated failure to provide requested ID and income proof (which is necessary so that housing benefit can be obtained for the temporary accommodation). Furthermore, he had failed two previously arranged appointments with me which had been set up to discuss his housing options. The interview that was conducted and is the subject of this enquiry was unarranged and I had to drop other things that I was involved with at the time to see Mr X.
3. File notes record that the bulk of the interview that I had with Mr X (and his father who accompanied him) was concerned with what they considered to be the inappropriate accommodation that Mr X had been offered by Social Services over the previous few years. It is true that they then asked about the

funding for a flat that they had identified as being suitable. My response was that I could refer them to one of the council's 'Housing Options Officers' who could discuss with Mr X the possibility of funding any rent in advance and deposit that may be required. I also directed them to the Housing Benefit Office as the appropriate agency to deal with their enquiry about how much of the rent would be covered by housing benefit I advised them that my role was quite separate to this and that I was required to assess any statutory duties owed to Mr X under the terms of the homeless legislation. Mr X had been provided with temporary accommodation under this legislation and therefore the duty was to assess any ongoing duties to him.

4. It is pointedly interesting that neither Mr X or his father made any reference to Dr Turner having secured a 'benefits package' or made any suggestion that I should contact him about this.
5. I would absolutely refute that Dr Turner suggested that I contact the 'Benefits Officer' or 'Disability Manager' in order to confirm the existence of a 'special package' I can assure you that Dr Turner made no such constructive suggestions and that from the outset he was aggressive and combative. In fact it was impossible to have a constructive discussion of the situation, as it was very apparent that he was determined to take out his frustrations on the next council officer that he encountered who did not instantly respond in the way that he wanted. This was apparent from the start, as we had barely begun to discuss the situation before he exhorted me to 'just f***ing house him'. This then led on to the disgusting abuse as previously stated.
6. I would repeat that, if he considered that it was simply a matter of Mr X finalising a pre-arranged deal set up between Dr Turner and other council officers then he should have ensured that he contacted those involved in this deal and not with myself who had not been advised of it and had no knowledge of it.
7. Contrary to the claim that I had knowledge of particular 'deals' or 'packages' I had in fact been clearly advised that Social Services had withdrawn all previously agreed funding arrangements with Mr X because of his repeated refusal to accept accommodation that had been arranged for him.
8. In order to try and defuse the very difficult conversation with Dr Turner and to assist him I offered to ask a manager to talk to him. He dismissed this suggestion with barely a moments consideration. This again leads me to think that he was determined to take out his frustration on me and leads me to wonder if he was actually interested at all in seeking my assistance in sorting the problem out.

I hope that this is useful and answers your queries about some points that you consider may be of some possible importance. However I am somewhat perplexed as to the relevance of such detailed questions about the actual nuts and bolts of the case. I believe you will be aware that I have had the support from my immediate line manager through to the Director of Housing and City Support (who also assured me that I have the support of the Chief Executive). I believe I have been totally exonerated of any mishandling of the case. And surely, even if the case had been dealt with wrongly that this would still not justify such foul mouthed and personally directed abuse to a front line public sector worker working in a highly pressured and demanding job. That is the essence of my complaint. Furthermore, I would personally like to ask Dr Turner, in respect to the government that he serves and the constituents that he represents, how he believes his behaviour fits in with the government's much lauded 'Respect' agenda.

Thank you for your continuing interest and involvement with this matter.

13. Letter to Mr Aldous from the Commissioner, 12 June 2006

I am sorry not to have replied earlier to your letter of 26 May in response to mine of 16 May about this complaint. Your letter arrived during the recent Parliamentary recess when I was away from the office.

I am grateful for the full response you have given to my questions about your conversation with Dr Turner. I am sorry if my questions have perplexed you in any way: it is simply that I want to understand fully the circumstances of your conversation with Dr Turner. These are relevant not only to assessing your complaint itself but to the question how it should be handled should I find Dr Turner in breach of the Code of Conduct for Members.

I am sharing your response with Dr Turner and will write again as soon as I can to let you know what will then happen.

14. Letter to the Commissioner from Dr Desmond Turner, 20 June 2006

Thank you for your letter and for the extensive reply from Mr Aldous. He is quite simply wrong. I had been informed by the disability manager that it had been agreed that Mr Aldous should receive Mr X to complete a housing benefit application and it is as simple as that. If Mr Aldous was not properly informed of the situation that may well be true but that was the very clear understanding that I had from the disability manager. He is completely wrong in alleging that I never asked him to contact the benefits manager or the disability manager to confirm what I said to him. It is as simple as that.

15. Letter to the Commissioner from the Director of Housing and City Support, 6 July 2006

Thank you for your letter dated 28 June 2006 regarding the completion of your enquiries. In particular you asked me to clarify two points in relation to;

9. Was there in fact a special funding package in place at the time of the interview, as Dr Turner claims or was this simply his impression, an impression which only later became a reality?

There was an agreed special funding package put in place by Social Services under the National Assistance Act in February 2005 to enable Mr X to find private sector accommodation which totalled £695.23 per calendar month. This included local housing allowance, contributions from discretionary housing benefit and the Social Care Physical Disability Team. Any additional rent would be the responsibility of Mr X.

When we discharged our duty under the National Assistance Act following Mr X unreasonable refusal to accept 5 suitable homes, we then advised him that we had discharged our duty. However we still wanted to enable Mr X to move into suitable housing. Working with colleagues within Housing we agreed that the funding package as set out above would still be available if required to secure a home in the City.

10. Was there as your reference to a “lack of clarity” implies, a failure of communication within the Council about the availability to Mr X of a special funding arrangement?

Adult Social Care worked closely with several colleagues in the Housing Options and Housing Benefits Teams during this time. It is difficult for staff in Adult Social Care to recollect now which other housing colleagues were aware of the availability of the special financial package, but it is possible that Mr Aldous was not aware of this information.

Finally, yes the best place for Mr X to have visited to sign a housing benefit form would have been the Housing Benefits Office, which is closely located to the office he did in fact visit.

I trust this additional information is helpful.

Formal minutes

Monday 24 July 2006

Members present:

Sir George Young, in the Chair

Mr Kevin Barron

Mr Andrew Dismore

Mr Brian Jenkins

Mr Elfyn Llwyd

Mr Chris Mullin

The Hon Nicholas Soames

Dr Alan Whitehead

* * *

The Committee deliberated.

Draft Report [Conduct of Dr Desmond Turner], proposed by the Chairman, brought up and read.

Ordered, That the Chairman's draft Report be read a second time, paragraph by paragraph.

Paragraph 1 read, amended and agreed to.

Paragraphs 2 to 6 read and agreed to.

Paragraphs 7 and 8 read, amended and agreed to.

Resolved, That the Report, as amended, be the Fourteenth Report of the Committee to the House.

Ordered, That the Chairman do make the Report to the House.

A Paper was ordered to be appended to the Report.

Ordered, That the Appendix to the Report be reported to the House.—(*The Chairman.*)

* * *

[Adjourned till Tuesday 17 October at 10.30 am.]

Reports from the Committee on Standards and Privileges in the current Parliament

Session 2005–06

First Report	Conduct of Mr Jonathan Sayeed	HC 419
Second Report	Conduct of Mr John Horam	HC 420
Third Report	Conduct of Mr Tony Baldry	HC 421
Fourth Report	Pay for Standing Committee Chairmen	HC 568
Fifth Report	Electoral Administration Bill: Simplification of Reporting Requirements	HC 807
Sixth Report	Mr Stephen Byers (Matter referred on 19 October 2005)	HC 854
Seventh Report	Conduct of Mr George Galloway	HC 1067
Eighth Report	Conduct of Mr Mark Lancaster	HC 1144
Ninth Report	Lobbying and All Party Groups	HC 1145
Tenth	Conduct of Mr Michael Foster (Worcester)	HC 1223
Eleventh	Conduct of Ms Emily Thornberry	HC 1367
Twelfth	Conduct of Nadine Dorries	HC 1368
Thirteenth	Conduct of Mr John Prescott	HC 1553
Fourteenth	Conduct of Dr Desmond Turner	HC 1578