

**PANEL DYFARNU CYMRU
ADJUDICATION PANEL FOR WALES**

DECISION REPORT

TRIBUNAL REFERENCE NUMBER: APW/002/2007-08/A

**APPEAL AGAINST STANDARDS COMMITTEE DETERMINATION IN
RELATION TO A POSSIBLE FAILURE TO FOLLOW THE CODE OF CONDUCT**

APPELLANT: Cllr Desmond Thomas

RELEVANT AUTHORITY(IES): City and County of Swansea

1. INTRODUCTION

- 1.1 An Appeal Tribunal convened by the President of the Adjudication Panel for Wales has considered an appeal by Cllr Desmond Thomas against the decision of the City and County of Swansea's Standards Committee that he had breached the authority's code of conduct.
- 1.2 A hearing was held by the Appeal Tribunal at 10.00am on Tuesday 11 December 2007 at the Ramada Hotel, Phoenix Way, Swansea. The hearing was open to the public.
- 1.3 Cllr Thomas attended and was represented by Ms Frances Randle, Solicitor.

2. PRELIMINARY DOCUMENTS

2.1 Appeal Against Decision of Standards Committee

- 2.1.1 In an electronic mail message dated 13 July 2007, the Adjudication Panel for Wales received an appeal from Cllr Thomas against the determination of the City and County of Swansea's Standards Committee that he had breached the authority's code of conduct and should be censured in respect of one matter and suspended for 1 month in respect of another.
- 2.1.2 The Standards Committee's determination followed its consideration of a report by the Public Services Ombudsman for Wales ("the Ombudsman") under the terms of sections 69(4)(c) and 71(2) of the Local Government Act 2000.
- 2.1.3 The allegations were that Cllr Thomas had breached the authority's code of conduct by failing to reach a decision on the basis of the merits of the circumstances involved when he attended a meeting of the Planning

Committee on 20 July 2006 and, in so doing, had also failed to have regard to the advice of the authority's Monitoring Officer.

2.2 The Councillor's Written Response

2.2.1 Cllr Thomas disputed that he had failed to comply with either paragraph 8(a) or 8(b) of the Code of Conduct. He said that he did not vote at either of the meetings so that the suggestion of pre-determination was not relevant. He said he had given advice to both supporters and objectors. He said he had regard to the advice of the Monitoring Officer but chose not to follow it.

2.2.2 Matters commented on by Cllr Thomas, referred to by paragraph numbers of the Ombudsman's report:

- a) **Paragraph 9 on Page 3** – Cllr Thomas said he did not vote but abstained although unfortunately he did not record his abstention.

He said that at the consultation stage he had given advice to constituents who enquired how they could best express an opinion for or against the proposal.

He said that the leaflet/newsletter in question was produced by the local Labour Party who had taken a stand against the matter. He said he was not involved in the preparation or publication of the leaflet.

- b) **Paragraph 2 on Page 4** – Cllr Thomas said that this gave the impression that he had spoken often and perhaps controlled the meeting. He said that he made only one speech of up to 3 minutes duration.
- c) **Paragraph 13 on Page 5** - Cllr Thomas said that he had not said that he would vote. Cllr Thomas said that he had asked for a copy of the Barrister's advice and the questions asked of the Barrister and that it was refused.
- d) **Paragraph 18 on Page 6** - Cllr Thomas said that he did not vote on 4 July or 20 July 2006.
- e) **Paragraph 19 on Page 6** - Cllr Thomas said that the Newsletter was produced and distributed in October 2005 during the consultation stage and that the planning stage began in February 2006.

Cllr Thomas said that there is significant legal precedent which accepts that in principle a member may be politically predisposed to a particular view without being disqualified from considering a matter due to bias.

- f) **Paragraphs 17-20 on Pages 6 and 7** - Cllr Thomas said that it seemed that the reasoning of the Ombudsman in relation to the breaches referred to is muddled by the advice given by the Barrister in relation to his participation in and voting at the planning meetings. He said he

considered that he did not "reach a decision" as referred to in Paragraph 8(a) of the Code of Conduct and therefore there was no breach. He said that as he did not vote on the matters, the Ombudsman and the Standards Committee reached the wrong conclusion.

In the alternative Cllr Thomas said that if the Adjudication Panel were to find that he had voted, then the comments in the leaflet do not evidence predetermination and that predisposition does not equate to predetermination.

2.3 The Ombudsman's Written Representations

2.3.1 No further representations were made.

3. ORAL SUBMISSIONS

3.1 The Appeal Tribunal heard oral evidence and submissions as follows.

Mr Gwilym Gruffudd

3.2 Mr Gruffudd was present at the meetings on 4 and 20 July 2006. He said that Cllr Thomas had spoken at both meetings against the development. He said, at this point in time so long after the meetings, he could not recall what Cllr Thomas had actually said and in cross examination Mr Gruffudd seemed a little confused about the events of the meetings. He was clear that Cllr Thomas had voted on 4 July because it was following this meeting that he had made a complaint to the Ombudsman, on 19 July. He had complained that Cllr Thomas had voted against the proposal in the planning committee meeting held on 4 July and that he had no right to vote as he had previously spoken out strongly against the proposal and had been quoted in the "West Cross Labour News" issued by the Labour Party as saying "I urge everyone to object". Mr Gruffudd confirmed the accuracy of his complaint to the Ombudsman. Mr Gruffudd could not recall whether Cllr Thomas had voted at the meeting on 20 July but he recalled that he had sent an email to the Ombudsman after that meeting. Mr Gruffudd was referred to the email and confirmed its accuracy. The email stated that Cllr Thomas had not voted on 20 July. Mr Gruffudd had no details about any participation by Cllr Thomas in any public/residents' meetings and was not aware of any advice which Cllr Thomas may have given to constituents, other than for the remarks attributed to him in the newsletters.

Mr David Daycock

3.3 Mr David Daycock is the Monitoring Officer and the Head of Legal Services of the City and County of Swansea Council. Mr Daycock confirmed that at the meetings on 4 and 20 July he had advised Members that failure to withdraw from the meeting in circumstances where a reasonable onlooker could conclude that they had predetermined the matter, could result in any decision being challenged and may also constitute a breach of the Code of

Conduct. He recalled that the advice was specifically addressed at certain Councillors including Cllr Thomas. He confirmed that he had also given advice in similar terms to Cllr Thomas at his office on 13 July 2006. Mr Daycock also confirmed that he had obtained the opinion of a Barrister who supported his view and that he had made Cllr Thomas aware of this. Mr Daycock confirmed that Cllr Thomas was present at the meetings on 4 and 20 July and had spoken against the development. He said he was fairly certain that Cllr Thomas had not voted on 20 July and fairly certain that he had on 4 July. He said that his evidence in relation to the voting was information which he had obtained verbally from the Clerk of the meetings. Mr Daycock also confirmed that Cllr Thomas had attended a public meeting which he believed had been organised by opposers to the planning application and that this meeting had taken place between 4 and 20 July. Mr Daycock was asked whether he accepted there was a distinction between predisposition and predetermination. He confirmed that he accepted that there was a distinction, but was of the view that in this case Cllr Thomas was predetermined. Mr Daycock was of the view that Cllr Thomas' connection with the Labour Party and with the local labour group, the quotation attributed to him in the West Cross Labour News, his opposition to the proposal in the meetings on 4 and 20 July and his attendance at the public meeting, would lead a reasonable onlooker to conclude that he was predetermined. Mr Daycock considered that Cllr Thomas should not have participated in any way in the meetings on 4 and 20 July and should have withdrawn. He confirmed that he was of the view that "withdrawal" means to leave the Chamber. Mr Daycock was also asked as to his view of the meaning of having "regard" to advice given by the Monitoring Officer. Mr Daycock confirmed that he was of the view that it meant following the advice unless there were strong reasons not to. In this instance Mr Daycock said that Cllr Thomas had informed him that he felt very strongly about the matter and would not be "gagged". Mr Daycock confirmed that he had not given Cllr Thomas a copy of Counsel's Opinion as he had not considered it necessary to do so in view of the fact that Members are required to have regard to the advice of their Monitoring Officer and he had made his advice clear to Cllr Thomas and other Members and had also told them that his advice was supported by Counsel's Opinion.

Cllr Mark Child

- 3.4 Cllr Child is a Labour Councillor and a member of the Branch Labour Group. He confirmed that he and Cllr Thomas were present at the meetings on 4 and 20 July and that they both participated in the debate. He said that Cllr Thomas had spoken against the proposal on the basis of issues of safety, traffic and environmental factors. He was certain that Cllr Thomas did not vote at either meeting and he said he was sitting next to him. Cllr Child confirmed that he and Cllr Thomas had called a public meeting initially and had attended a second one called by local residents. He said that Cllr Thomas had not expressed any opinion at these meetings but had advised constituents how to express their opinion. Cllr Child confirmed that he had produced the West Cross Labour News letter, where Cllr Thomas was quoted as saying "I urge everyone to object". He explained that he had

selectively quoted Cllr Thomas who had also urged everyone who supported the proposal to show their support. When asked whether Cllr Thomas has remonstrated with him about the quotation, he said that Cllr Thomas had informed him that they needed to be careful not to be seen to be expressing a view but Cllr Thomas had not asked him to correct or clarify the quotation and he had not done so. He said that the newsletter expressed the view of the Branch Labour Group. He said that Cllr Thomas could not be entirely divorced from that Group. He said that when the Labour Group vote on planning matters, Cllr Thomas would leave the room. Cllr Child confirmed that at the meetings on 4 and 20 July and also on 13 July 2006, the Monitoring Officer had given advice to Cllr Thomas about not taking part in a meeting if he did not have an open mind.

Cllr David Phillips

3.5 Cllr Phillips introduced himself as the Leader of the Labour Group and hence the opposition on the City and County of Swansea Council. He said he had known Cllr Thomas for many years. He said that the Labour Group did not discuss planning applications and that the Group was always mindful of its position in respect of the Code of Conduct and of the advice of the Monitoring Officer, although it took cognisance of public opinion. Cllr Phillips said that Cllr Thomas was always clear about not having an opinion on matters and that the Branch Labour Group did not have a view on the proposed School although they had a policy view on the relocation of the Children's Home. Cllr Phillips stated that there was never a whip or party instruction given on planning matters. He expressed an opinion that Cllr Thomas was always on the cautious end of abiding by the Code of Conduct and always moderate and measured in his attitude. Cllr Phillips confirmed that Cllr Thomas did not vote at the meetings on 4 or 20 July 2006. He confirmed that he had participated in the debates. Cllr Phillips said that he was sitting next to Cllr Thomas at both meetings. Cllr Phillips stated that Cllr Thomas was opposed to the proposed development, not in principle, but about the detail and that in his view Cllr Thomas could not be said to be predetermined. Cllr Phillips also said that he believed that if Cllr Thomas had been given a copy of Counsel's Opinion he may have acted differently. Cllr Phillips expressed a view that the Council's Monitoring officer is very cautious in his advice.

Cllr Desmond Thomas

- 3.6 Cllr Thomas made the following oral submissions:
- 3.6.1 Cllr Thomas introduced himself as a longstanding Councillor of 33 years and Magistrate for over 30 years.
 - 3.6.2. He confirmed that he had been present at the meetings on 4 and 20 July 2006 and that he had not voted at either meeting.
 - 3.6.3 Cllr Thomas confirmed that he had participated in the debates in the meetings on 4 and 20 July and that at both meetings he had spoken against

the planning application. He explained that he was not, in principle, opposed to the development of a new Welsh Medium School in the area, but objected to the planning application because of his concerns on various issues including parking, transport, traffic, environmental factors and so on.

- 3.6.4 Cllr Thomas confirmed that he had attended public/residents' meetings to listen to views expressed and to advise both objectors and supporters as to how they should make their feelings known. He confirmed that a meeting on 12 July 2006, which he attended, was organised by those who opposed the planning application.
- 3.6.5 Cllr Thomas said that he first saw the edition of the West Cross Labour Newsletter where he was quoted as saying "I urge everyone to object" in the late summer of 2005. He said he had been misquoted or not fully quoted in that he had actually urged everyone, whether they objected or supported the planning proposal, to take part in the process and to make their feelings known. He said he had admonished Cllr Child about the quotation attributed to him, but had not taken any steps to correct or clarify what he had said.
- 3.6.6 Cllr Thomas confirmed the account given by Mr Daycock of the advice given to him. Cllr Thomas said he did not consider that he had failed to have regard to Mr Daycock's advice. He said he had considered the advice and had decided to speak at the meetings, but not to vote. Cllr Thomas also confirmed that he had said that he would not be gagged. Cllr Thomas could not fully explain why he had considered it appropriate to speak at the meetings on 4 and 20 July but not to vote, except to say that it showed that he had given regard to the Monitoring Officer's advice.
- 3.6.7 Cllr Thomas said that he was not predetermined, but when it was put to him whether the quotation, his association with the local Labour Group, his vigorous objections at the meetings on 4 and 20 July against the planning application, and his attendance at public meetings organised by objectors, including one on 12 July 2006, might lead a reasonable onlooker to conclude that he was predetermined, he said he could not answer the question.

4. FINDINGS OF FACT

- 4.1 The Appeal Tribunal found the following **undisputed** material facts:
- 4.1.1 Cllr Thomas is a long-standing councillor.
- 4.1.2 Cllr Thomas is a member of the City and County of Swansea Council ("the Council").
- 4.1.3 On 15 June 2004, Cllr Thomas signed an undertaking to observe the Council's code of conduct.

- 4.1.4 On 4 July 2006 the Council's Area 2 Development Control Committee recommended the granting of an application for planning permission for a new school at West Cross Swansea.
- 4.1.5 The Minutes of the above meeting record that the Head of Planning Services presented a Supplementary Report, that further information from the Director of Education was presented, that a further petition of support (800 names) and further letters of support (33) and one against were received.
- 4.1.6 The application was referred to the Council's Planning Committee meeting, which was held on 20 July 2006, for a decision.
- 4.1.7 Cllr Thomas was present at both of the above meetings (4 and 20 July) and took part in the debate.
- 4.1.8 Prior to both meetings, the Council's Monitoring Officer advised members that any member who thought that he had predetermined the application should not speak or vote.
- 4.1.9 Cllr Thomas attended two public meetings on 27 June 2005 and 12 July 2006.
- 4.1.10 Cllr Thomas gave advice to constituents.
- 4.1.11 Cllr Thomas was quoted in a newsletter (the 'West Cross Labour News') produced by a local Labour group as saying "I urge everyone to object".
- 4.1.12 In another edition of the West Cross Labour News, Cllr Thomas' name and contact details are given as the local Labour councillor under the heading "Your Labour Team".
- 4.1.13 The local Labour Party was opposed to the development of the new school at West Cross. Cllr Thomas withdrew from a Branch meeting in mid 2005 at which the Party's policy in respect of the school was determined.
- 4.1.14 Cllr Thomas was appointed as a member of the Council's Standards Committee in June 2006. He has no experience of attending misconduct hearings.
- 4.2 The Appeal Tribunal found the following **disputed** material facts:
 - 4.2.1 Did Cllr Thomas vote in the meeting on 4 July 2006?
 - 4.2.2 What was the nature and extent of Cllr Thomas' participation in the debate at the meeting on 4 July 2006?
 - 4.2.3 Did Cllr Thomas vote in the meeting on 20 July 2006?

- 4.2.4 What was the nature and extent of Cllr Thomas' participation in the debate at the meeting on 20 July 2006?
- 4.2.5 Did Cllr Thomas, prior to either of the said meetings, express an opinion against the Planning Application?
- 4.2.6 What was the nature and extent of Cllr Thomas' participation in the public meeting/residents meeting?
- 4.2.7 When did the public meeting/residents meeting take place?
- 4.2.8 What advice did Cllr Thomas give to constituents?
- 4.2.9 What was the context of the quote attributed to Cllr Thomas "I urge everyone to object"?
- 4.2.10 When were the newsletters, which appear as Appendices A and B of the Ombudsman's report published?
- 4.2.11 What consideration did Cllr Thomas give to the advice given by the Monitoring Officer prior to the meeting of 4 July 2006.
- 4.2.12 What consideration did Cllr Thomas give to the advice given by the Monitoring Officer prior to the meeting of 20 July 2006.
- 4.3 The Appeal Tribunal found the following in respect of the disputed facts:
 - 4.3.1 The Appeal Tribunal found that Cllr Thomas did not vote at the meeting on 4 July 2006. The evidence was conflicting. Cllrs Thomas, Child and Phillips were adamant that he had not voted. Mr Daycock was fairly certain that he had voted, but relied on hearsay evidence. Mr Gruffudd was certain Cllr Thomas had voted. The Appeal Tribunal was in doubt as to whether Cllr Thomas had or had not voted and in those circumstances gave the benefit of that doubt to Cllr Thomas.
 - 4.3.2 The Appeal Tribunal found that Cllr Thomas had participated vigorously in the debate and had spoken against the planning application. Cllr Thomas admitted such participation and the evidence of the other witnesses was consistent on the point.
 - 4.3.3 The Appeal Tribunal found that Cllr Thomas did not vote at the meeting on 20 July 2006. The evidence of all witnesses was consistent on the point.
 - 4.3.4 The Appeal Tribunal found that Cllr Thomas had participated vigorously in the debate and had spoken against the planning application. Cllr Thomas admitted such participation and the evidence of the other witnesses was consistent on the point.

- 4.3.5 The Appeal Tribunal found that Cllr Thomas had not, prior to the meeting on 4 July expressed an opinion against the Planning Application, but that he had expressed such opinion prior to the meeting on 20 July. The quotation attributed to Cllr Thomas in the West Cross Labour Newsletter "I urge everyone to object" was prior to the planning application being submitted, but Cllr Thomas spoke in the meeting on 4 July against the planning application, and accordingly he had spoken against it prior to the meeting on 20 July.
- 4.3.6 The Appeal Tribunal found that at the public/residents meetings Cllr Thomas listened and dealt with questions. On the basis of the evidence before the Appeal Tribunal, there was nothing to indicate that he did anything other than that.
- 4.3.7 The Appeal Tribunal found that the public/residents meetings took place on 27 June 2005 and on 12 July 2006 as confirmed by Cllr Thomas and other witnesses.
- 4.3.8 In respect of paragraphs 4.2.8 and 4.2.9 above the Appeal Tribunal found that Cllr Thomas had urged everyone to object to the building of a 480 place school in West Cross Swansea. Cllr Thomas gave evidence that he had been misquoted and that he had urged everyone to participate in the debate whether they opposed or supported the proposal. Cllr Child gave similar evidence on the point. Nevertheless the Appeal Tribunal found that Cllr Thomas subsequently had the opportunity of correcting any error or clarifying his position but failed to do so.
- 4.3.9 The Appeal Tribunal found that the newsletters were published, respectively, in or around October 2005 and June 2006 as confirmed by Cllr Thomas and other witnesses.
- 4.3.10 In respect of paragraphs 4.2.11 and 4.2.12 above The Appeal Tribunal found that Cllr Thomas had considered the advice given by the Monitoring Officer prior to the said meetings but had not followed the advice. He had decided to participate in the debate in both meetings because he had decided that he was not predetermined. Cllr Thomas stated in his evidence that his decision not to vote showed that he had given consideration to the Monitoring Officer's advice and as to whether or not he was predetermined, but he could not explain why he felt it appropriate to speak but not vote.

5. FINDINGS OF WHETHER MATERIAL FACTS DISCLOSE A FAILURE TO COMPLY WITH THE CODE OF CONDUCT

5.1 The Appellant's Submissions

- 5.1.1 Cllr Thomas submitted, in respect of the alleged breach of paragraph 8(a) of the Code of Conduct that he had an open mind about the planning application. He said other than for the quotation attributed to him in the West Cross Labour Newsletter "I urge everyone to object", he had not

expressed any opinion at any time. He had attended consultations, described the process to and advised constituents, he had listened to various views and had personally considered the wisdom of the planning proposal and application.

- 5.1.2 Cllr Thomas submitted that the Tribunal should look behind the wording of the actual paragraph to the issues of objectivity and propriety and to find that he had acted in the best interests of his constituents, bearing in mind the inherent tension in a councillor's role. He submitted a reasonable member of the public would know how he had behaved, namely that he had acted with integrity and that the definition of the reasonable man (say the man on the Clapham Omnibus) would include a person or persons in the public gallery who would know that Cllr Thomas had an open mind. Cllr Thomas also asserted that he firmly believed he was not predetermined.
- 5.1.3 As to paragraph 8(b) of the Code of Conduct, Cllr Thomas submitted that he had not failed to have regard to the Monitoring Officer's advice. He said he had considered it as evidenced by the fact that he had not voted at the meetings. He had also considered whether he was predetermined and was firmly of the opinion that he was not. Cllr Thomas said that he was in a "no win" situation - if he had not spoken against the planning application he would have annoyed local objectors and if he had spoken, as he did, he would have got into trouble with the Monitoring Officer. He submitted that "having regard" does not necessarily mean following the Monitoring Officer's advice and he had doubted the accuracy of the advice given as he had not seen Counsel's Opinion, as the Monitoring Officer was generally cautious and as he was certain that he was not predetermined.

5.2 The Ombudsman's Report

- 5.2.1 It was contended that the conduct of Cllr Thomas amounted to breaches of paragraph 8(a) and paragraph 8(b) of the Code.

5.3 Appeal Tribunal's Decision

- 5.3.1 On the basis of the findings of fact, the Appeal Tribunal found by a unanimous decision that there was a failure to comply with the City and County of Swansea's code of conduct as follows:
- 5.3.2 Paragraph 8(a) of the code of conduct states "*[Members:] must reach decisions on the basis of the merits of the circumstances involved and in the public interest.*"
- 5.3.3 The Appeal Tribunal was satisfied that Cllr Thomas did not appreciate that he was predetermined and, in fact, that he was convinced that he was not. Cllr Thomas genuinely believed that he was acting in the best interests of his constituents and with an open mind. However, the Appeal Tribunal found that the test is not subjective, but objective. It considered that the newsletters, the failure to correct or clarify the information which appeared in them, together with Cllr Thomas' active opposition in the meetings on 4 July

and 20 July 2006 and his attendance between those two dates at a public meeting convened to oppose the scheme would, on the balance of probabilities, lead a reasonable onlooker to conclude that he was predetermined.

5.3.4 Paragraph 8(b) of the code of conduct states “[Members] must reach decisions having regard to any relevant advice provided by the authority’s officers – particular by:…the authority’s Monitoring Officer…”

5.3.5 The Appeal Tribunal was of the view that the meaning of “having regard” to advice given by the Monitoring Officer means accepting such advice in the absence of good reasons not to. The Tribunal concluded that no such reasons were given.

6. SUBMISSIONS ON ACTION TO BE TAKEN

6.1 The Appellant’s Submissions

6.1.1 Cllr Thomas contended that he had acted throughout in good faith and had genuinely believed that he was not predetermined. He said there was no personal gain or any question of personal gain. Cllr Thomas referred to his long service of over 30 years, his blemish free record during that time and his efforts at all times to serve "by the book". He submitted that as a Magistrate he is an "upholder of the law". Cllr Thomas also submitted that he considered the penalty imposed by the Standards Committee to be harsh in comparison to penalties imposed by the Standards Committee for similar breaches. He submitted that in real terms it equated to a heavy fine and was concerned that he would need to draw it to the attention of the Justices Clerk's Office. Cllr Thomas submitted several character references including a letter by Mark Caton, MP and local residents.

6.2 Appeal Tribunal’s Decision

6.2.1 The Appeal Tribunal considered all the facts of the case and all of the appellant’s submissions. The Appeal Tribunal considered that breaches of paragraphs 8(a) and 8(b) of the Code of Conduct are potentially very serious breaches which might, in certain circumstances, merit a lengthy suspension or even disqualification. The Appeal Tribunal gave consideration to the matter of public perception and its function to uphold standards in public life. The Appeal Tribunal also considered that a Member should follow advice given by a Monitoring Officer unless there are good reasons not to. In this case no such reasons were given. However the Appeal Tribunal fully accepted and gave particular consideration to Cllr Thomas' genuinely, although mistakenly, held belief that he was not predetermined and to his genuinely held view that he was acting in good faith and in the best interests of his community. The Appeal Tribunal also fully accepted that there was no personal gain nor indeed any suggestion whatsoever that Cllr Thomas was motivated by personal gain. The Appeal

Tribunal also gave regard to Cllr Thomas' long and blemish free public service and to the written references.

6.2.2 The Appeal Tribunal accordingly decided by unanimous decision to uphold the determination of City and County of Swansea's Standards Committee that Cllr Thomas had breached the authority's code of conduct. The Appeal Tribunal further determined to endorse the decision of the Standards Committee that Cllr Thomas should be censured for breaching paragraph 8(a) of the code and suspended for 1 month for breaching paragraph 8(b) of the code.

6.2.3 The City and County of Swansea's Standards Committee is notified accordingly.

Signed.....
Mrs Helen Cole
Chairperson of the Appeal Tribunal

Date...14 January 2008.....

Mr Ian Blair
Panel Member

Mrs Christine Jones
Panel Member