

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION

Petition No. M/350/14

THE ELECTION COURT

Mr COMMISSIONER MAWREY QC

AND IN THE MATTER OF THE REPRESENTATION OF THE PEOPLE ACT 1983

AND IN THE MATTER OF A MAYORAL ELECTION IN THE LONDON
BOROUGH OF TOWER HAMLETS HELD ON 22ND MAY 2014

BETWEEN:

ANDREW ERLAM

-and-

DEBBIE SIMONE

-and-

AZMAIL HUSSEIN

-and-

ANGELA MOFFAT

-and-

Petitioners

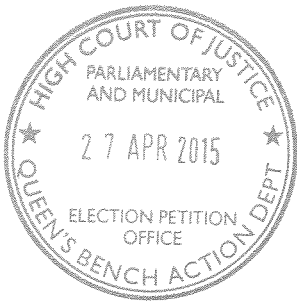
MOHAMMED LUTFUR RAHMAN

-and-

First Respondent

JOHN S WILLIAMS

Second Respondent



ORDER

UPON THE TRIAL of an election petition in respect of the London Borough of Tower Hamlets mayoral election as aforesaid

AND UPON HEARING Counsel for the Petitioners, Counsel for the First Respondent, Counsel for the Second Respondent and Counsel for the Director of Public Prosecutions

IT IS DETERMINED AND ORDERED THAT

1. Pursuant to sections 159(1) and 164(1) of the Representation of the People Act 1983, the mayoral election of 22 May 2014 is avoided by corrupt or illegal practices and for general corruption
2. A new election shall be held to fill the vacancy in the office of Mayor of the London Borough of Tower Hamlets
3. The First Respondent was guilty by his agents of corrupt practices contrary to both sections 60 and 62A of the Representation of the People Act 1983
4. The First Respondent was guilty by his agents of illegal practices contrary to both sections 13D(1) and 61(1)(a) of the Representation of the People Act 1983
5. The First Respondent was personally guilty and guilty by his agents of an illegal practice contrary to section 106 of the Representation of the People Act 1983
6. The First Respondent was guilty by his agents of an illegal practice contrary to section 111 of the Representation of the People Act 1983
7. The First Respondent was personally guilty and guilty by his agents of a corrupt practice contrary to section 113 of the Representation of the People Act 1983
8. The First Respondent was personally guilty and guilty by his agents of a corrupt practice contrary to section 115 of the Representation of the People Act 1983.

9. There were corrupt and illegal practices for the purpose of promoting or procuring the election of the First Respondent at the Mayoral election in the London Borough of Tower Hamlets on 22 May 2014 and that such practices so extensively prevailed that they may reasonably be supposed to have affected the result of the election: further, corrupt practices extensively prevailed both for the election of the Mayor and of the election for Councillors for the twenty wards of the London Borough of Tower Hamlets held on 22 May 2014
10. Pursuant to section 164(1)(b) of the Representation of the People Act 1983, the First Respondent is incapable of being elected to fill the vacancy in the office of Mayor for the London Borough of Tower Hamlets
11. Pursuant to section 162 of the Representation of the People Act 1983, the judgment of this court and the Order herein shall be brought to the attention of the Solicitors Regulation Authority
12. Alibor Choudhury was guilty of a corrupt practice contrary to section 113 of the Representation of the People Act 1983, and illegal practices contrary to sections 106 and 111 of that Act
13. The First Respondent is to pay the Petitioners' costs of the petition, including any costs reserved, to be assessed on a standard basis if not agreed
14. The First Respondent is to pay, on account of such costs, the sum of £250,000
15. That the sum of £2500 paid into court, by way of security for costs on the 11th June 2014 pursuant to the order of the High Court of the same date be paid out to the Petitioners
16. The First Respondent is to pay the Second Respondent's costs of the petition, including any reserved costs, to be assessed on a standard basis if not agreed
17. The First Respondent is to repay to the proper officer of the London Borough of Tower Hamlets or to the Treasury as the case may be, pursuant to section 133 of the

Representation of the People Act 1983, such expenses as are referred to in section 131 of the Representation of the People Act 1983, and such remuneration and allowances as referred to in section 132 of the Representation of the People Act 1983

18. The First Respondent is to pay the costs of the Director of Public Prosecutions, assessed at £7,848
19. The First Respondent is to pay the costs of the Metropolitan Police assessed at the sum of items 2 and 4 on a schedule provided by the Metropolitan Police amounting to £3,087.20
20. Paragraph 12 of the Order of Mr Justice Supperstone of 31 July 2014 is discharged; all documents held pursuant to Rule 59 of The Local Authorities (Mayoral Elections) (England and Wales) Regulations 2007, SI 1007/1024 are to be retained until 18 June 2015, whereupon in the absence of further order they are to be dealt with in accordance with Rule 59
21. All documents presently held by Sharpe Pritchard, solicitors to the Second Respondent, or by the jointly instructed handwriting expert relating to the Mayoral election of 22 May 2014 are to be released into the custody of the relevant registration officer for the purpose of Rule 59 of the 2007 Rules.



Richard B Mawrey QC
Election Commissioner

23 April 2015