

Petition No: M/350/14

**IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION**

**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 22 MAY 2014**



The Petition of Andy Erlam of 2, Joshua Pedley Mews London E3 2ZE, Debbie Simone, of Flat 12, 668, Commercial Road London E14 7HB, Azmal Hussain of 118, Brick Lane, London E1 6RL and Angela Moffat of 15 Aste Street, London E14 3NJ shows:

1. That the Petitioners Andy Erlam, Debbie Simone, Azmal Hussain and Angela Moffat are persons who voted or had the right to vote at the above election.
2. That the election was held on 22 May 2014 when the following were candidates:

Reetendra Nath Banerji
John Biggs
Reza Shoaib Choudhury
Hafiz Abdul Kadir
Mohammed Kowaj Ali Khan
Nicholas McQueen
Hugo Pierre
Lutfur Rahman
Chris Smith
Christopher Wilford

3. On 24 May 2014 the Returning Officer, John S. Williams, declared that the number of votes received for each candidate was as follows:

Reetendra Nath Banerji - 1959
John Biggs - 34143, including 6500 second preference votes
Reza Shoaib Choudhury - 205
Hafiz Abdul Kadir - 162

Mohammed Kowaj Ali Khan - 164
Nicholas McQueen - 4819
Hugo Pierre - 871
Lutfur Rahman – 37395, including 856 second preference votes
Chris Smith - 4699
Christopher Wilford - 7173

4. At the election the first named Respondent and/or his agents were guilty of:
 - a. electoral fraud in a variety of forms amounting to corrupt and/or illegal practices. These included in particular:
 - i. personation;
 - ii. casting votes, including postal votes, in the names of people not entitled to be on the electoral register;
 - iii. acquiring the voting papers of electors, including those issued to postal voters, marking votes for the Respondent on those papers and then casting the resulting fraudulent votes; and/or
 - b. making false statements as to the candidate John Biggs, in particular that he was a racist, contrary to s.106 of the Representation of the People Act 1983; and/or
 - c. employing canvassers for payment or promise of payment, including in particular to operate in groups in and around polling stations, for the purpose of procuring the Respondent's election contrary to s.111 of the Representation of the People Act 1983; and/or
 - d. the corrupt practice of undue influence contrary to s.115 of the Representation of the People Act 1983, including in particular through the activities of groups of persons both in and around polling stations on the day of the election.
5. Further or in the alternative there were corrupt and /or illegal practices for the purpose of promoting or procuring the election of the First Respondent at the election and the said corrupt and/or

illegal practices, so extensively prevailed that they may reasonably be supposed to have affected the result of the election.

6. There were multiple acts or omissions of the second named Respondent and/or his officials in breach of official duty in connection with the election and/or under the Mayoral Elections (Combination of Polls) Rules which acts/omissions affected the result and/or meant that there was substantial non-compliance with the law as to elections. In particular:
 - a. agents of the First Respondent (other than lawfully appointed polling agents attending for the purpose of detecting personation) were allowed to enter polling stations;
 - b. the statutory procedure for voting at polling stations was not followed, in particular agents of the First Respondent were permitted to canvas for votes inside polling stations, to accompany voters into the compartment when they cast their vote and to leave campaign material of the First Respondent in and around the voting compartments;
 - c. the Second Respondent failed to comply with and/or abused the statutory rules for the appointment of counting agents and/or for permitting those not entitled to do so under the rules to attend at the count, and the efficient separating of ballots and/or counting of votes was impeded by the large numbers of the First Respondent's supporters/agents attending the count;
7. The Petitioners therefore pray:
 - a. That it may be ordered that there be a scrutiny or re-count of votes recorded as having been cast in the election;
 - b. That it may be ordered that there be production and inspection of documents delivered to and retained by the registration officer following the election;
 - c. That it may be determined that the First Respondent was not duly elected and/or that his election was void;

- d. That the election be declared invalid under s.48(1) of the Representation of the People Act 1983;
- e. That the Petitioners may have such further or other relief as may be just.

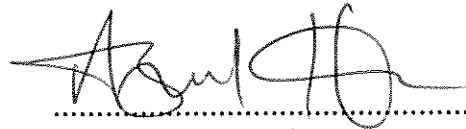
Dated 10th June 2014



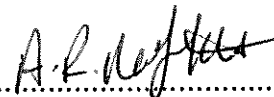
.....
Andy Erlam



.....
Debbie Simone



.....
Azmal Hussain



.....
Angela Moffat

Petitioners

This Petition was presented by Steel & Shamash, Solicitors whose address for service is 12, Baylis Road, Waterloo, London SE1 7AA solicitors for the Petitioners.

It is proposed to serve a copy of this petition on: -

1. Lutfur Rahman, of 160, Old Montague Street, London E1 5NA.
2. The Returning Officer, John S Williams of 7th Floor, Mulberry Place, 5 Clove Crescent, London. E14 2BG
3. The Director of Public Prosecutions of Rose Court, 2, Southwark Bridge, London, SE1 9HS

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P E T I T I O N

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Ref: GDS/39231.1

Petitioner's Solicitors