

Contents

| | | |
|----|---|----------|
| | Summary | 2 |
| | Mr Stephen Twigg MP: Resolution letter | 3 |
| 5 | Letter from the Commissioner to Cllr Steve Radford, 29 January 2018 | 3 |
| | Written evidence | 4 |
| | 1. Letter from Cllr Steve Radford to the Commissioner, 15 January 2018 | 4 |
| | 2. Letter from the Commissioner to Mr Stephen Twigg MP, 22 January 2018 | 5 |
| | 3. Letter from Mr Stephen Twigg MP to the Commissioner, 23 January 2018 | 8 |
| 10 | 4. Letter from the Commissioner to Mr Stephen Twigg MP, 24 January 2018 | 8 |
| | 5. Letter from Mr Stephen Twigg MP to the Commissioner, 25 January 2018 | 10 |

Summary

5 I investigated an allegation that the Member had misused House-provided stationery and postage paid envelopes by writing to a number of constituents at the request of a local councillor and a prospective candidate in the May 2018 local elections.

10 On receipt of my letter notifying him of the inquiry, the Member immediately said that, having reflected, he recognised he had acted in breach of the rules on the use of House-provided stationery, and paragraph 15 of the Code of Conduct for Members. He apologised unreservedly and agreed to refund the House authorities for the misused stationery and postage (£691.52).

I considered that to be an appropriate outcome and concluded the inquiry using the rectification procedure available to me under Standing Order No 150.

Mr Stephen Twigg MP: Resolution letter

Letter from the Commissioner to Cllr Steve Radford, 29 January 2018

I wrote to you on 22 January to tell you that I had begun an inquiry into your allegation of misuse of House provided stationery by Mr Stephen Twigg MP.

5 When I put that allegation to Mr Twigg, he responded by return. He said that on reflection he realised his letter of 2 January 2018 could confer an undue advantage on a political organisation. Mr Twigg acknowledged and apologised profoundly for his breach of the rules, and offered to refund the cost of the misused stationery. He has agreed to repay the sum of £691.52 in respect of the headed notepaper and
10 postage-paid envelopes used for this mailshot.

I should be clear that I do not consider Mr Twigg's letter to be in breach of the rule against using House-provided stationery for a newsletter or a general update on a range of issues. His letter was about a single specific issue.

15 While it has the potential to do so, I am not persuaded that the letter has actually conferred an undue advantage on a political organisation. However, it was clearly in breach of the rule against using House-provided stationery "*for or at the behest of a political party*" as it was sent at the request of a local councillor and a
20 prospective candidate for a local election.

I consider Mr Twigg's acknowledgement and apology for a breach of the Code of Conduct, and the refund to which he has agreed, be an appropriate outcome and the matter is now concluded, by way of the rectification procedure available to me under Standing Order No 150. I will notify the Committee on Standards in due
25 course of this outcome.

29 January 2018

Written evidence

1. Letter from Cllr Steve Radford to the Commissioner, 15 January 2018

5 Please find enclosed a copy of a generic 'newsletter' being sent on House of Commons notepaper and House of Commons posted franked envelopes throughout the Tuebrook and Stoneycroft ward in Liverpool.

You will note that the letter purports to have been authored and sent out by Stephen Twigg MP. I wish you to undertake an investigation as it appears that such actions are in breach of the 'Rules for the use of stationery and postage paid envelopes provided by the House of Commons.'

10 Specifically:

15 MPs should not use House of Commons stationery to publish a general letter or report to constituents (example 2 in paragraph 3 of the Rules); and that MPs should not use House of Commons stationery in connection with work for or at the behest of a political party (including fundraising for a political party, advocating membership of a political party or supporting the return of any person to public office. Example 1 in paragraph 3 of the Rules.

20 In the letter the opening paragraph states that the letter is on behalf of (or at the behest of [name redacted] who is the sole Labour Party ward councillor) and a [name redacted] who has already been promoted and published as the Labour candidate for the Tuebrook and Stoneycroft ward in the May 2018 local elections, see for example [details omitted].

I would invite you to take robust action in the event there is a breach of the rules as plainly parliamentary material has been used for unfair electoral advantage.

15 January 2018

25 **Enclosure with Cllr Radford's letter: Letter from Mr Stephen Twigg MP, 2 January 2018**

Stop the Scramblers

[Names redacted] have asked me to update you on my work in Parliament on the Stop the Scrambler campaign.

I asked the Home Secretary what the Government is doing to help our police deal with this issue. I have enclosed the reply I received from the Home Office.¹

5 The response is inadequate. As you know, Scramblers have been an ongoing nuisance in Tuebrook and Stoneycroft for far too long. I will continue to pressure the Government to realise the nuisance, and clear risks, caused by the bikes.

10 In December, I signed cross-party legislation which calls on the Government to ensure the police have the proper powers to address Scramblers. I am delighted that the bill has now progressed further in its legislative stages. This will increase the pressure on the Government to recognise that specially-trained police drivers should be able legally to chase Scrambler bikes.

Since I asked the questions, the Home Secretary has announced a review into police chases. I welcome the review and will argue that we need to change the law to give the police the right powers to tackle Scramblers.

15 The Stop the Scramblers campaign continues. I will update you on developments in due course.

Best wishes for Christmas and the New Year.

2. Letter from the Commissioner to Mr Stephen Twigg MP, 22 January 2018

20 I would welcome your help with an allegation I have received from Cllr Steve Radford about your compliance with paragraph 15 of the House of Commons Code of Conduct for Members. I enclose a copy of Cllr Radford's letter and the enclosures he sent with it.

The scope of my inquiry

25 The scope of my inquiry will be, in essence, to establish whether you have used parliamentary resources to confer an undue advantage on a political organisation, by using House-provided stationery in connection with work "for or at the behest of a political party" ...

The relevant rules and guidance

Paragraph 15 of the Code of Conduct (copy of Code enclosed) says that:

30 *"Members are personally responsible and accountable for ensuring that their use of any expenses, allowances, facilities and services provided from the public purse is in accordance with the rules laid down on these matters. Members shall ensure that their use of public*

¹ Not reproduced as it is not relevant to this inquiry

resources is always in support of their parliamentary duties. It should not confer any undue personal or financial benefit on themselves or anyone else, or confer undue advantage on a political organisation."

5 The Rules for the use of stationery and postage-paid envelopes provided by the House of Commons, and for the use of the Crowned Portcullis (enclosed) say, at paragraphs 2 and 3:

10 *"2. The rules cannot be expected to cover every eventuality; Members should therefore always behave with probity and integrity when using House-provided stationery and postage. Members should regard themselves as personally responsible and accountable for the use of House-provided stationery and postage. They must not exploit the system for personal financial advantage, nor (by breaching the rules in paragraph 3 below) to confer an undue advantage on a political organisation.*

15 *3. House-provided stationery and pre-paid envelopes are provided only for the performance of a Member's parliamentary function. In particular, this excludes using stationery or postage:*

- 20 • *In connection with work for or at the behest of a political party (including fund-raising for a political party, advocating membership of a political party or supporting the return of any person to public office;*
- *...."*

Paragraph 8 of the same rules gives examples of permissible uses of House-provided stationery, among which is

- 25 • *"Correspondence with constituents, including contact by Members about a specific issue with people who have not previously contacted them and questionnaires and surveys (but not newsletters, annual reports or general updates on a range of issues"; "*

Next steps

30 I would welcome your comments on the allegation that your letter amounts to a breach of the House's rules and the Code of Conduct for Members. In particular it would be helpful to have the following information:

- how many letters were distributed as part of this mailing;
 - whether the headed notepaper used was part of your House-provided allocation of stationery (I believe the postage pre-paid envelopes are clearly so);
- 35

— if the paper was not, please provide supporting evidence

- how it came about that this letter was sent in a House-provided postage pre-paid envelope;
- whether Cllr Radford’s statement that [name redacted] has been selected as a candidate for the May 2018 local elections is accurate (I have already seen evidence of [name redacted] status as a local councillor); and
- whether you consider this letter could reasonably be construed as being “in connection with work for or at the behest of a political party” and, if you do not, the reason(s) for that belief;

10 I would be glad to receive any other information you consider relevant to my inquiry.

I enclose a copy of the *Commissioner’s Information Note*,² which sets out the procedure I follow. I am writing to Cllr Radford to let him know that I have decided to begin an inquiry into this matter. I will shortly update my parliamentary web pages to show the fact that I am conducting an inquiry into an allegation into an alleged breach of paragraph 15 of the Code of Conduct. My office will not comment further on any aspect of the inquiry to third parties. They will, however, confirm that I have begun an inquiry if asked before this information is posted on my webpages and they will answer factual questions about the processes I follow and the standards system more generally.

As you will be aware, my inquiries are conducted in private. This letter and any subsequent correspondence between us is protected by parliamentary privilege. Until such time as a final report is published, I must ask that you respect that confidentiality and do not disclose the contents of our correspondence to any third party. I have made a similar request of Cllr Radford.

My decision and all the relevant evidence, including our correspondence, will be published at the end of the inquiry.

As a matter of courtesy, I should say now that I may make enquiries of the relevant House authorities in due course. If I do so, I will share that correspondence with you. While I do not, at this stage, know whether it will be necessary to interview you about this matter, it would be open to you to be accompanied at any such interview. I am, of course, very happy to meet with you at any stage if you would find that helpful.

² <http://www.parliament.uk/documents/pcfs/New%20Website%20Documents/PCS-Information-Note.pdf>

I would appreciate your help and co-operation, and welcome your comments on the allegation, together with any evidence you feel may assist my investigation, as soon as possible and no later than 5 February 2018.

22 January 2018

5 **3. Letter from Mr Stephen Twigg MP to the Commissioner, 23 January 2018**

Thank you for giving me an opportunity to respond to your inquiry.

On reflection, I agree that the reference to [names redacted] could confer "an undue advantage on a political organisation" (Paragraph 15 of the House of Commons Code of Conduct for Members).

10 I apologise unreservedly for this breach of the Code. I will of course pay the House back for the costs incurred in sending this letter.

15 The letter in question was sent to 950 of my constituents who had signed a petition on the issue of scrambler bikes. These letters were printed on headed notepaper that was part of my House-provided allocation of stationery. They were sent in postage pre-paid parliamentary envelopes.

I can confirm that [name] is a Labour Party candidate in the May 2018 local elections.

20 The purpose of the letter was to outline the actions I had taken in Parliament on the issue of scrambler bikes, including responses I had received from the Government to some Written Questions. I believed that because I was writing to constituents who had signed the petition, I was able to use parliamentary stationery to keep them abreast of the actions I had taken. I accept that the names of [the candidate and councillor] should not have been included in the letter.

25 Once again, I am profoundly sorry this has happened. I would be very happy to meet with you at your earliest convenience.

23 January 2018

4. Letter from the Commissioner to Mr Stephen Twigg MP, 24 January 2018

30 Thank you for your letter of 23 January 2018. I am grateful for your extremely prompt response, acknowledging and apologising unreservedly for the misuse of House of Commons stationery.

My decision

The use of House of Commons stationery, to update constituents at the request of a local councillor and a prospective candidate in the May local elections was work “for or at the behest of a political party” and therefore amounts to a breach of paragraph 15 of the Code of Conduct for Members.

- 5 For the avoidance of doubt, I should add that the rules allow a Member to update constituents about a specific issue and that the breach of the rules arises because the letter was sent at the request of local politicians rather than because of its content.

Next steps

- 10 In light of your very helpful response, I do not see any need for us to meet to discuss this matter. It can be resolved without delay through correspondence. Under Standing Order No 150 I may conclude an inquiry without making a referral to the Committee on Standards in certain circumstances, using the “rectification” procedure. I would be willing to use that procedure in this case.
- 15 You have already acknowledged the breach of the rules, apologised and offered to refund the House authorities for the cost of the misused stationery. The refund can be made either by electronic transfer using the following details [redacted] or by sending a cheque payable to [redacted] to my office. If you choose to make an electronic transfer, I would be grateful if you would send me a copy of the
- 20 confirmation of the transaction. Whichever method you choose, the refund (based on 950 single sheets of headed notepaper and 950 first-class postage paid envelopes) should be for the sum of £691.52.

- Assuming you are content to conclude this matter by way of the rectification procedure, I would write to Cllr Radford to inform him of my decision and, in due
- 25 course, notify the Committee on Standards of the outcome. The written evidence pack (enclosed) would be published on my webpages³ and your name removed from the list of current inquiries.

- The content of my letter to Cllr Radford is, of course, a matter for me but you are invited to comment on its factual accuracy. The draft text of that letter is shown as
- 30 the first item after the summary in the enclosed evidence pack. I would be pleased to have any comments you wish to make on the draft letter as soon as possible and no later than 7 February 2018.

- Our correspondence continues to be protected by parliamentary privilege. Until I send you and Cllr Radford letters concluding this inquiry, this matter should remain
- 35 confidential.

³ <http://www.parliament.uk/mps-lords-and-offices/standards-and-financial-interests/parliamentary-commissioner-for-standards/complaints-and-investigations/allegations-the-commissioner-has-rectified/>

24 January 2018

5. Letter from Mr Stephen Twigg MP to the Commissioner, 25 January 2018

Thank you for responding to my letter so promptly.

5 I am happy for this matter to be resolved through the rectification procedure. I will post a cheque to the sum of £691.52 to your office when I return to Westminster on Monday.

I believe the draft letter to Cllr Radford is accurate and have no suggestions to add to it.

10 I greatly appreciate the efficiency with which you have dealt with this matter and apologise again for breaching the code.

25 January 2018