

# Rt Hon Margaret Hodge MP: Resolution Letter

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## Letter to Miss G Audritt from the Commissioner, 1 July 2008

I am writing to let you know the outcome of my consideration of the complaint you made to my predecessor Sir Philip Mawer on 10 November 2007, following your e-mail to him of 31 October last year.

In essence, your complaint was that Mrs Hodge should not have been using Parliamentary stationery to communicate to people, like you, outside her current constituency. You provided a number of examples of such communications, namely a letter of 4 July 2007 addressed to you giving notice of a coffee morning later in the month; a letter of 25 July 2007 addressed to “Dear Resident” reporting on that coffee morning; and a letter of October 2007 also addressed to “Dear Resident” reporting on Mrs Hodge’s actions as the Member of Parliament. The October letter included a card, paid for by the Communications Allowance at the House of Commons, giving information about Mrs Hodge’s advice surgeries. You believed, but could not be certain, that the letters may have come in franked envelopes or perhaps in House of Commons pre-paid envelopes.

You subsequently sent me with your letter of 5 January 2008, a Christmas card from Mrs Hodge sent in a white envelope with a Post Office stamp, and her letter of December 2007 addressed to “Dear Resident” reporting on Mrs Hodge’s work as a constituency Member of Parliament over the year.

I have considered very carefully all the issues raised by your complaint. I am sorry that it has taken quite some time to do so, but there were some complex issues where I needed to make sure that I had full information and a full appreciation of them before reaching my determination. I have sought information from Mrs Hodge on a number of occasions, and have consulted the House authorities.

Mrs Hodge has accepted that she has breached the rules of the House in that she may have used pre-paid envelopes for some at least of the two communications she sent out in July 2007. This was a breach of the rules because pre-paid envelopes must not be used for writing to people on issues on which they have not previously contacted the Member of Parliament. It was also a breach of the rules of the House to use notepaper with the Portcullis emblem for the letter she sent out in December 2007 since it post-dated the Speaker’s statement of 6 November 2007 which I refer to below, as the emblem should not be used for what is in effect, after that date, a campaigning purpose. Mrs Hodge has apologised for these breaches of the rules.

The Speaker of the House of Commons made a statement on 6 November 2007 that, until constituency boundaries changed at the next election, Members must obey the convention of not involving themselves with another Member’s constituents. It is not clear whether Members involving themselves with prospective constituents before 6 November 2007 breached any specific rule. There are therefore no grounds for me to conclude that Mrs Hodge acted improperly in using her Parliamentary allowances to communicate to prospective constituents in areas outside her current constituency boundaries up to 6 November 2007, including sending out the constituency contact card with her October letter.

I understand from Mrs Hodge, however, that she personally bought all the notepaper used for all the letters in question—the two July letters, the October letter and the December letter—and that neither pre-paid envelopes nor House of Commons envelopes paid for from Parliamentary allowances were used for either the October or the December letters. Nor did she draw on staff time funded by the allowances, nor on other public funds, for the preparation of any of these letters.

Because she could not be certain that some pre-paid envelopes were not used for her July letters, Mrs Hodge has paid from her personal resources the full estimated cost of the envelopes and postage for these July letters.

Following your complaint, Mrs Hodge has also taken action to ensure that any campaigning or casework she undertakes outside her current constituency is clearly undertaken in her role as a prospective candidate and not as the constituency Member of Parliament. Accordingly she had reinforced among her staff awareness of the protocols on communicating with voters outside her constituency.

Mrs Hodge has therefore accepted that she has breached the rules of the House in her use of pre-paid envelopes for her July 2007 letters, and her use of the Portcullis emblem in her December communication. She has met the cost of the pre-paid envelopes for the full circulation of the July letters<sup>1</sup>, although she could not be certain such envelopes were used. And she has apologised. I therefore regard the matter as closed. I will be reporting the outcome to the House of Commons Committee on Standards and Privileges. I am grateful to you for raising the matter with me.

I am copying this letter to Mrs Margaret Hodge MP.

*1 July 2008*

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<sup>1</sup> £282.68.

# Rt Hon Margaret Hodge MP: Written Evidence

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## 1. E-mail to the Commissioner from Miss G Audritt, 29 October 2007

I wish to complain regarding Mrs Margaret Hodge writing to me as one of the constituents in Parsloes ward Dagenham. She is telling me by letter “I have taken over responsibility for representing you and other residents in Alibon, Parsloes and Valence from Jon Cruddas”.

This is enforced with a card also sent with the letter “Margaret Hodge MP—Your Labour MP”.

I feel that Mrs Hodge is jumping the gun on the boundary changes which are not taking place until the next election, when she may—or may not—be voted for by the constituents in these particular wards.

Jon Cruddas was the person voted for in these constituencies, not Mrs Hodge and I object most strongly to having a person that I never voted for, indeed didn't even have the choice of on the voting form, foisted on to me willy-nilly. If this can happen, why bother to put people up for election, why not just have a choice of Labour, Conservative, etc and then we get who we are given from a pool? No? Well what is different in that scenario to what has happened in these 3 wards?

I can send you copies of the letter/card if you should so wish and give me an address.

I for one object most strongly to these “take-over” tactics.

I look forward to your comments.

*29 October 2007*

## 2. E-mail to Miss G Audritt from the Commissioner, 31 October 2007

Thank you for your e-mail below.

As Parliamentary Commissioner for Standards my role includes considering complaints that a Member of Parliament has breached the Code of Conduct or the Rules on the registration and declaration of interests approved by the House. I attach a link to a leaflet which briefly describes my terms of reference.

<http://www.parliament.uk/documents/upload/PCFSComplaintsLeaflet.pdf>

There are two aspects to the issue you raise. One—which I appreciate is your main concern—is about the respective responsibilities of your present MP and Mrs Hodge now, and as they may (subject to the important proviso of the electoral process) become in future. That is more a matter of the relationship between the two Members of Parliament, and the proprieties to be observed in that relationship and between them and their constituents, than it is for action under the Code of Conduct which I help regulate. If you wish to express your concern about this aspect, you may wish to write directly to the two Members (if you have not already done so) or to Mr Speaker at the House of Commons, London SW1A 0AA. I am not sure Mr Speaker could intervene, but you would at least have made him aware of your concern.

The other aspect may be a matter for me. That concerns the letter, card and envelope in which the letter was delivered, from Mrs Hodge. Members of Parliament receive certain allowances and facilities in order to help them communicate with their constituents. Without seeing the original of the documents circulated by Mrs Hodge, I do not know if these or party funds were used in this case. If you wish to pursue this aspect of the matter, it would be helpful if you will send me a signed letter enclosing these documents so that I can consider this further. The address to write to is in the leaflet.

*31 October 2007*

### **3. Letter to the Commissioner from Miss G Audritt, 10 November 2007**

With reference to my email of 31 October 2007 (copy enclosed).

In your reply to me you suggested I write to the two Members, I had in fact telephoned Mrs Hodge's local office but I could not get the person I was speaking to to understand my concerns.

I enclose the card and three letters, one actually addressed to me personally, that was received from Mrs Margaret Hodge.<sup>2</sup> I am afraid I do not have any of the envelopes.

I feel most strongly about what is happening here. It should not be allowed. Why is there a by-election when a MP dies, say, and the seat just not given to another person of the same party until the next election? I do not see the difference.

It makes me feel that we as constituents have to put up with whoever we are given, it is not democratic, and makes me for one feel of no account to this government. Apart of course on election day when they are after our votes!

I look forward to hearing from you.

*10 November 2007*

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<sup>2</sup> WE 4 to 7

#### 4. Postcard circulated by the Rt Hon Margaret Hodge MP



**Margaret Hodge MP**



**MP Advice Surgeries**

You can see me at one of my advice sessions:

- **1ST FRIDAY EACH MONTH**  
4pm - 6pm  
at [redacted]
- **3RD MONDAY EACH MONTH**  
10am - 12pm  
at the [redacted]
- **4TH FRIDAY EACH MONTH**  
4pm - 6pm  
at Excite, 42-48 Parsloes Avenue, Dagenham

No appointment is necessary. For further information please phone [redacted]

**Margaret Hodge MP**  
Your Labour MP – working hard for you



**Six ways to contact Margaret**

- **WRITE** to [REDACTED]
- **WEBSITE** [www.epolitix.com/margaret-hodge](http://www.epolitix.com/margaret-hodge)
- **VISIT** me at a surgery
- **PHONE** ([REDACTED])
- **FAX** ([REDACTED])
- **EMAIL** ([REDACTED])



Provided by and on behalf of Margaret Hodge MP, House of Commons, London SW1A 0AA. Designed and printed by Public Impact, The Courtyard, 87 Southwark Street, Reading RG2 2QU. Paid for by the Communications Allowance, House of Commons.

## 5. Letter to Miss G Audritt from the Rt Hon Margaret Hodge MP, 4 July 2007



**Rt Hon Margaret Hodge MP**

T [REDACTED] F [REDACTED]  
E hodgem@parliament.uk

Gwyneth Audritt

04 July 2007

Dear Gwyneth Audritt

On Saturday I was out in Parsloes and spoke to many residents in Maxey Road and Vemey Road.

A large number of residents raised their concerns about anti-social behaviour in the Parsloes area. I saw first hand a house that had been targeted with graffiti. I was also very concerned to hear that large groups of youth congregate around Martin Corner and Parsloes Park and that many residents are intimidated by their yobbish and unruly behaviour. It is important that we tackle anti-social behaviour and crack down on crime.

I think it is important to hear the views of local people so I have arranged a coffee morning at **Wood Lane Baptist Church, Wood Lane on Friday 20 July at 11.15am** where we can have an open discussion about the best way to deal with anti-social behaviour in the Parsloes Area. At this meeting I will be joined by the Parsloes Ward Safer Neighbourhood Policing Team who will be available to address residents concerns.

In the meantime if you need to contact the Parsloes Ward Safer Neighbourhood Policing Team Sgt Barry Logan, PC Culverwell or PC Dudley are available on ([REDACTED]) or ([REDACTED]).

Please get in touch with me at the above numbers if you feel I can be of further assistance. Remember, I am on your side.

I hope you find this helpful.

With all good wishes

## 6. Letter to residents from Rt Hon Margaret Hodge MP, 25 July 2007



**THE RT. HON. MARGARET HODGE MP**  
Labour Member of Parliament for Barking

T [REDACTED] F [REDACTED] E [REDACTED]

25 July 2007

Dear Resident

I am writing to you following the coffee morning I organised at Wood Lane Baptist Church last Friday. I wanted to provide you with feedback on what was discussed and what I am going to do next.

The Coffee Morning was an opportunity for me to explain that the area you live in will be coming into the Barking Parliamentary Constituency at the next General Election. It will mean that half the constituency will be in Dagenham. I am launching a campaign to have the constituency renamed and I would like your input into that. I will be writing to you in the near future so you will have an opportunity to come up with your own ideas. Some names which have been suggested include Barking & Dagenham Central, Barking & Dagenham West, Barking & Becontree and Barking & Dagenham Heathway.

Most residents at the meeting agreed on the importance of the local community to them, but many people are concerned that more needs to be done to bring residents together, to create a greater sense of pride in the local area. So I have agreed to help facilitate the setting up of a residents' association in September. I will be contacting you to let you know the details of the meeting.

A number of residents who attended also raised their concerns about anti-social behaviour in and around the Parsloes area, including at Parsloes Park and Martins Corner. Sgt Logan who leads the Parsloes Ward Safer Neighbourhood Police Team explained that he is working with the local community to tackle anti-social behaviour and that the Council is investing in CCTV at Martins Corner. I will continue to keep an eye on the problem.

Please get in touch if there is anything else I can help you with. Remember, I am here to serve you and I am on your side.

With all good wishes.

## 7. Letter to residents from Rt Hon Margaret Hodge MP, October 2007



Margaret Hodge MP

October 2007

Dear Resident

Many of you will know me as the MP for Barking. Due to a review of Parliamentary boundaries, I have taken over responsibility for representing you and other residents in Alibon, Parsloes and Valence from Jon Cruddas.

I have been in contact with many of you already to invite you to Coffee Mornings I held earlier this year. I wanted to write to you again so you know what's happening and to let you have my contact details. I hope you find the enclosed card helpful. It means that if you ever need to get in touch with me, you can just pick up the phone, email or write to me. You can also see me at my regular advice surgeries including the one I hold in Parsloes Avenue (just around the corner from the Heathway) on the fourth Friday of the month. I'd also like to let you know my priorities for the area.

1. Time and again concerns are raised with me about the amount and pace of change that has taken place locally. There is understandable concern that this has placed additional pressure on public services, especially council housing. I understand and sympathise with these concerns. That's why my first priority is to fight for more affordable housing in the Borough and more fairness in the way that council housing is allocated so that everyone feels that the system of allocating council properties is fair and transparent.
2. Campaigning for a better health service in the Borough is a top priority for me. I've already chalked up some successes. We got the best financial settlement of any health authority in the country. We fought for and got the money to build the new Queens Hospital (although there is still work to do to get the service right.) Now, I am working with many of you to make sure we do not lose the A & E at King George and to improve services in the Borough, with more things like blood tests and X-rays offered locally.
3. Crime is down in the Borough largely thanks to the presence of Safer Neighbourhood Police Teams dedicated to each ward. However, people still feel unsafe in their street, in the town centre and in their community. I hold regular street meetings in which I bring the local Safer Neighbourhood Police team and Council officers together with local residents to discuss problems with anti-social behaviour. There is more to do to tackle crime and anti-social behaviour so we all feel really safe in our homes.
4. I spend a lot of time talking to young people, in schools and elsewhere. They face the same problems as everyone else - worrying about jobs, a home when they grow up and feeling safe on the streets. They desperately need more places to go and things to do. That is my top priority for them.
5. Britain now has enjoyed ten years of low inflation, steady growth and more jobs than ever before. I want to see more opportunities for local families on the back of our economic success as a country.

My job as your MP is to do my best for you. I am on your side, but I can only act if I know what you want of me. So do get on touch - I am here to help.

Yours sincerely,

## **8. Letter to Miss G Audritt from the Commissioner, 19 November 2007**

Thank you for your letter of 10 November and enclosures following up our exchange of e-mails at the end of October.

I note that you do not now have any of the envelopes in which the letters you received from Mrs Hodge were enclosed. Can you, however, recall whether or not these were in pre-paid envelopes (of the sort of which I enclose a photocopy); in franked envelopes; or in envelopes that were delivered by hand?

I am sorry to press you on this point, but it is very relevant to the complaint you have made. If you can let me know the answer, I will consider your complaint carefully and then be in touch with you again.

*19 November 2007*

## **9. Letter to the Commissioner from Miss G Audritt, 29 November 2007**

Thank you for your letter of 19 November 2007.

I have had a good look around for the envelopes that you need, without any success I am afraid. I did not really have much hope of finding them as I recycle envelopes along with the rest of the paper just keeping the letters normally.

However, what I can tell you is this—I save stamps for guide dogs and have stamps going back at least 2 years. I obviously do not keep franks. I have looked through the bag that I keep the stamps in and cannot find any that have the remains of envelope attached that is the same colour as the envelope you sent to me, or indeed any others that I have received (and still have for one reason or another) from the House of Commons.

This leads me to the conclusion that the letters from Mrs Hodge either came in a stamped white envelope or came with a House of Commons frank. I do not believe they were delivered by hand.

I am sorry that I cannot be more help, but at the time of receiving the letters I never gave a thought to the fact that the envelopes would have been important at a later date.

I do not think it will be long until we all receive yet another mailing from Mrs Hodge and I will of course forward it to you complete with the envelope.

Thank you for looking into my complaint. I look forward to hearing from you.

*29 November 2007*

## **10. Letter to Rt Hon Margaret Hodge from the Commissioner, 10 December 2007**

I am sorry to have to write to you again about your use of House stationery but on this occasion I have had a very specific complaint from a Miss G Audritt.

Miss Audritt is currently a constituent of Mr Jon Cruddas but lives in a part of the Dagenham constituency (Parsloes ward) which is to transfer to the Barking constituency at the next general election. She initially contacted me by e-mail and subsequently wrote to complain about three letters she and other residents of her ward received from you, even though you are not currently her MP. A copy of Miss Audritt's letter of 10 November, her initial e-mail of 29 October and of the three letters from you (dated 4 July 2007, 25 July 2007 and October 2007) about which she is complaining is enclosed.

You will see that Miss Audritt is particularly concerned about the statement in your letter of October 2007 to local residents that you "*have taken over responsibility for representing you and other residents in Alibon, Parsloes and Valence from Jon Cruddas*". She regards this as anticipating both the expected boundary changes and the outcome of the electoral process.

I have suggested to Miss Audritt that her complaint raises two issues. One is about the respective responsibilities of Mr Cruddas and yourself to the residents of the three wards (including Parsloes) which I understand are to transfer

at the next election. This is more a matter of the courtesies to be observed between Members than it is for action under the Code of Conduct. The importance of these courtesies, however, was underlined by Mr Speaker at the beginning of the current Parliamentary session when he said:

*“As Members, we are aware that the boundary commissioner is looking constantly at constituency boundaries. Hon Members have a duty to look after the constituents who elected them. Those boundaries do not change until the next election, so we must obey the convention of not involving ourselves with another Member’s constituency until that time.”*

The other aspect of Miss Audritt’s complaint may, however, be a matter for consideration under the Code. This concerns the extent to which, if at all, facilities provided by the House to enable you to carry out your Parliamentary work were employed in any respect in the preparation and distribution of the letters.

As you know, paragraph 14 of the Code of Conduct approved by the House provides:

*“Members shall at all times ensure that their use of expenses, allowances, facilities and services provided from the public purse is strictly in accordance with the rules laid down on these matters, and that they observe any limits placed by the House on the use of such expenses, allowances, facilities and services.”*

Detailed guidance on the use of the new Communications Allowance (CA) and of House stationery was circulated to all Members in April of this year. The guidance makes clear that the allowance is provided “to help you to improve proactive communication with **your constituents**” (paragraph 1.4 of the introduction) — not your prospective constituents. House stationery and pre-paid envelopes are made available “to enable you to carry out your parliamentary duties” (paragraph 1 of the Rules on House stationery, etc), which would not include mass unsolicited mailings to people who are not your constituents. Moreover, “Neither the Communications Allowance nor House stationery, including pre-paid envelopes, can be used for personal benefit or for party political activities or campaigning” (paragraph 1.4 of the introduction to the booklet).

It may be, of course, that none of the cost of preparing and distributing the enclosed three letters fell on public funds. In order for me to resolve Miss Audritt’s complaint, I should therefore be grateful if you would let me have your response to it, including information on the following:

1. the background to your despatch of each of the three letters;
2. how many copies of each letter were circulated and to whom?
3. how they were distributed (whether by hand or post). If the latter, were pre-paid envelopes used?
4. was the time of any of your Parliamentary-funded staff used in the preparation and despatch of any of the letters?
5. how was the printing and despatch of each of the letters funded? Did any portion fall on public funds?
6. were you in touch at any time with either the Department of Finance and Administration (DFA) or the Serjeant at Arms to seek advice prior to despatch of the letters?

Once I have your response to the complaint I shall seek advice from the DFA and the Assistant Serjeant at Arms as appropriate in the light of what you say before deciding how to proceed.

I am enclosing a note I send all Members who are the subject of a complaint, which sets out the procedure involved. If at any point you would like a word about the complaint please do not hesitate to ring me on the number above.

I appreciate that with the Christmas recess fast approaching, you may not be able to reply before the House adjourns. If that proves to be so, it will fall to my successor, Mr John Lyon CB, to decide how best to carry matters forward. Mr Lyon is expected to take up his post on 3 January.

10 December 2007

## 11. Letter to the Commissioner from Rt Hon Margaret Hodge MP, 11 January 2008

Thank you for your letter of 10 December concerning the complaint that you have received from Miss G Audritt of [...] Road, Dagenham, concerning three letters she has received from me. I would like to address the points you raise.

Following the Electoral Commission's review of Parliamentary boundaries, when it was decided that Alibon, Parsloes and Valence Wards would come into the Barking constituency, Jon Cruddas (Member of Parliament for Dagenham) and I agreed that I could take on responsibility for issues that arise in these wards, including dealing with casework.

I did not seek advice about this from the Department for Finance & Administration or from Serjeant At Arms because Mr Cruddas and I had come to this agreement by common consent over a year ago—well before Mr Speaker's ruling to which you refer. Indeed, the arrangement has worked very well, and I now hold a regular advice surgery which is well attended in the centre of Dagenham.

I would now like to turn to the preparation and distribution of the three letters.

It is my policy in line with the rules of the House only to use pre-paid envelopes when writing to residents and organisation on matters relating to 'personal' casework.

You will recall that I deal with a high quantity of casework and that this places a great demand on the resources available to me as a Member of Parliament, from my letter to you dated 3 December. At the beginning of the financial year, I examined my budget. This showed that the funds available in the Communications Allowance and the House of Commons stationery allocation would be insufficient to carry out both casework and communicate proactively with residents in the existing wards in my constituency or the three new wards in Dagenham about the street surgeries and coffee mornings and other events of this nature that I hold in the area. Therefore, the stationery I used in the preparation of the three letters was part funded by me personally.

As is my policy, I use volunteers wherever possible to deliver letters.

However, I have examined in detail the production and distribution of the three letters which Miss Audritt has complained about. The two letters which invited constituents to a coffee morning and then informed them of the outcome of the meeting could, because of administrative error, have been delivered using House of Commons envelopes. Because of the uncertainty I would feel better if I paid for these out of my own pocket.

The letters were produced by my staff and printed on my House of Commons headed paper as I believed the issues covered in them concerned my Parliamentary duties. I would like to explain why.

The purpose of my letter dated 4 July 2007 was to inform residents living in Maxey and Verney Road and the adjacent roads (including [...] Road where Miss Audritt lives) of my intention to hold a coffee morning to discuss problems with anti-social behaviour in the area which had been brought to my attention. I estimate that approximately 500 of these letters were distributed. This was followed by my letter dated 25 July in which I summarised the discussion that had taken place at the coffee morning, including my intention to set up a residents association to help tackle the problem. A similar number, 500, were distributed. I feel I should pay for these although I am assured that none were posted.

My letter dated October 2007, three months later, also mentions the changes to the Parliamentary boundaries and included a card which provided details for local residents wishing to contact me or see me at the advice surgery I now hold in Dagenham. It also set out my priorities for the area and reflected the main issues that had been raised with me up to that point in Alibon, Parsloes and Valence.

On reflection, and having regard to the advice you have provided me, I could have expressed my fifth point in a way that better reflected my priorities as a constituency Member of Parliament—something which I believe the rest of the letter achieves. I used volunteers to deliver these letters.

I believed all three letters were permissible under the guidelines set down for use of stationery from the Communications Allowance and in light of my agreement with Mr Cruddas. I had no reason to believe otherwise.

I hope I have helped to clarify the issue concerning these three letters. I obviously regret that Miss Audritt does not accept that my contact with her was not designed to stop her using the services of Mr Cruddas. It has never been the intention to mislead anyone. Indeed, many residents report that they are very happy with the arrangement which was reached by common consent.

*11 January 2008*

## **12. Letter to the Commissioner from Miss G Audritt, 5 January 2008**

I refer to the above complaint. In my previous letter dated 29 November 2007 to Sir Philip Mawer I promised to send him any further mail I received from Mrs Hodge.

I received the enclosed Christmas card (posted on 28 December 2007!) I did not have the letter tucked into the card but my neighbour did and kindly gave me his copy.<sup>3</sup>

I have enclosed the envelope this time as was requested by Sir Philip.<sup>4</sup>

Thank you for continuing to look into this complaint.

*5 January 2007*

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<sup>3</sup> The card is not included in the written evidence. The letter is at WE 13

<sup>4</sup> This was a cream envelope bearing a stamp.

### 13. Letter sent to residents by Rt Hon Margaret Hodge MP, December 2007



December 2007

Dear Resident,

As we come to the end of another year I thought I would take this opportunity to write to you about some of the things we have faced here in Barking, as well as looking ahead to 2008 and the challenges that face us here in Barking and across London.

Firstly, I want to say how delighted I was that so many children entered my Christmas Card Competition. This year I received 4,536 entries from 26 Primary Schools – twice as many than ever before. I can't tell you what a thrill it is to see so many entries from over half the Primary School pupils in the constituency! It is always great to see how bright, talented, enthusiastic and full of potential the children of Barking and Dagenham are.

This year saw the beginning of our fight to save King George Hospital with thousands of you signing my petition and joining me to campaign against its closure. Next year will be no different with our local Primary Care Trust (PCT) considering what health services go to Whipps Cross, King George and Queens Hospital in Romford.

We must continue working together to fight this closure. Moving services away to Romford and Waltham Forest will mean some people will have to travel further to access the health services we all need and use.

The good news in 2007 was my success to get 'babies born in Barking' again. We finally saw the funds secured that will see the Upney Lane hospital site develop a maternity unit so that mothers won't have to travel miles to have their babies.

I started this year, as a trial, my 'coffee mornings' where I hear from you in your own neighbourhoods and you tell me what your priorities are. I am pleased to say that there was such a good response. You raised a range of very important issues such as crime, anti social behaviour, migration and the environment that I will be increasing the number I do in 2008 so that I am able to respond to your concerns in a manner that has seen real success.

My watchword for 2008 will be 'fairness'. Every week whether on the doorstep, in my advice surgery or at my coffee mornings people tell me all they want is a fair deal. Fairness in being able to get a home for their children. Fairness in making sure we all have the right to live somewhere clean and safe. Fairness is having equal access to our health services. Fairness in ensuring our local council listens to your concerns and does something about them.

Fairness doesn't mean giving people special treatment, it means making sure that those that play by the book are treated fairly. People that have lived here for years shouldn't have to go to the bottom of a waiting list for services just because the powers that be

Rt Hon Margaret Hodge MP, 2

Tel: [REDACTED] Fax: [REDACTED] Email: [REDACTED]

haven't planned for enough homes, GP surgeries or hospital places. For me getting people in authority to understand the pressures ordinary people in Barking face will be a big challenge.

You have shown by the way so many people rallied to save our hospital and supported my campaign to get maternity services in Barking that working together we can do so much more.

There will be times during the coming year when our community will be under threat – either by decisions taken outside of Barking or by people from outside of Barking trying to turn our community on itself. I promise to give a lead in uniting our community. I hope that I will be able to count on your support when the time comes.

Whatever the challenges we face you can be assured that I will work tirelessly to see that we get the fair deal we all want and deserve.

In the meantime, if you or your family need any help or advice I would be delighted to see you at one of my advice surgeries or coffee mornings. Please telephone my office on [REDACTED] or write to me at [REDACTED], or email me at [REDACTED].

Please accept my very best wishes for Christmas and the New Year.

With all good wishes.

#### **14. Letter to Rt Hon Margaret Hodge MP from the Commissioner, 15 January 2008**

Thank you for your letter of 11 January to my predecessor, Sir Philip Mawer, replying to his letter of 10 December about Miss Audritt's complaint. I am now considering your letter.

In the meantime, I have received from Miss Audritt the attached letter of 5 January with the Christmas card you sent her, together with the envelope and your accompanying newsletter to residents (which Miss Audritt has obtained from a neighbour).<sup>5</sup> I enclose copies of these documents. I would be grateful for your comments on this further communication. In particular it would be helpful to know what was the circulation for this dispatch, the source of funding for the card and postage and for the production of the newsletter, and the costs involved.

*15 January 2008*

#### **15. Letter to Rt Hon Margaret Hodge MP from the Commissioner, 16 January 2008**

I have now had an opportunity to consider your letter of 11 January responding to Sir Philip Mawer's letter to you of 10 December with the complaint from Miss G Audritt of [...] Road, Dagenham.

Before I seek the advice of the Department of Finance and Administration and the Serjeant at Arms, I would be most grateful if you could confirm my understanding of the actions you propose to take having considered the complaint and Sir Philip's letter.

I take from your letter that:

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<sup>5</sup> WE 13

- a) you have decided to meet the full cost of House of Commons pre-paid (second class) envelopes for the distribution of your letters of 4 July and 25 July to the constituents in Mr Cruddas's constituency: 500 envelopes for each despatch;
- b) your letter of October 2007 did not use House of Commons envelopes or Parliamentary funded postage since they were delivered by volunteers;
- c) you have already met from your own resources some or all of the cost of the House of Commons stationery you used for each of the three letters in question. I am not clear whether that contribution met the full cost of the stationery used in communicating with Mr Cruddas's constituents. Could you either kindly confirm this or let me know what the full cost was and what proportion of that cost you personally met?
- d) your staff produced these three letters. It would be helpful for confirmation that these were staff paid for from your Parliamentary allowance and to have some estimate of the time they spent on the production of these letters;
- e) you have accepted that the final point in your letter of October 2007 is phrased in a way which is not in accordance with the requirement that the Communications Allowance and House stationery should not be used for party political activities.

I apologise for inviting you to confirm my understanding in this way, but I did want to put the issues to the DFA and the [Department of Facilities] as clearly as possible since I hope that that will enable me to decide on the way forward without undue delay.

*16 January 2008*

## **16. Letter to the Commissioner from Rt Hon Margaret Hodge MP, 25 January 2008**

Thank you for your letter of 16 January. I am happy to provide the clarification you have requested.

I can confirm that I have agreed to meet the cost of the pre-paid second class envelopes used in the distribution of my letters of 4 July and 25 July. That is, two lots of 500 envelopes. I want to stress that I am not saying that I definitely used pre-paid envelopes on these occasions. But I cannot be sure that my staff did not, by mistake, use some and I would prefer to err on the side of caution.

Having examined the matter in more detail, I have calculated that a maximum of three hours of my Parliamentary staff's time would have been used on this work. Volunteers were involved in printing and stuffing envelopes.

I can confirm that my letter of October 2007 did not use House of Commons envelopes or Parliamentary funded postage.

I can also advise you that I paid for the stationery used in each of the three letters in question.

Further to your letter of 15 January I can confirm that none of the costs involved in producing and delivering my Christmas Card or newsletter were paid for from public funds.

*25 January 2008*

## **17. Letter to the Assistant Director of Operations, Department of Resources from the Commissioner, 20 January 2008**

I would welcome your views on a complaint I have received from Miss G Audritt about the funding of communications which the Rt Hon Margaret Hodge MP has sent to constituents in part of Mr John Cruddas's constituency.

I attach [relevant material].

I apologise that the paperwork for this is convoluted. In essence, it would appear that Mrs Hodge is continuing to communicate with residents in Mr Cruddas's constituency, believing that that is acceptable since she put in place the arrangements with Mr Cruddas before Mr Speaker's guidance. I would welcome your views on the consequences of that for her claims on House of Commons allowances. In particular, is it your view that such claims cannot be met from facilities provided by the House to Members to enable them to carry out their Parliamentary work?

From what Mrs Hodge reports, it would appear that there are no issues arising from Miss Audritt's complaint of 5 January; and there are no issues relating to the Communications Allowance. I would welcome your views, however, on Mrs Hodge's report that three hours of the time of her staff paid from her Parliamentary allowance were used in the preparation of the letters, your views on the wider implications and for any other points you may wish to make.

Once I receive your response (and those of the [Department of Facilities] to whom I am also writing) I shall consider further how best to proceed.

*30 January 2008*

### **18. Letter to the Head of Client Relations, Department of Facilities from the Commissioner, 30 January 2008**

I would welcome your views on a complaint I have received from Miss G Audritt about the funding of communications which the Rt Hon Margaret Hodge MP has sent to constituents in part of Mr John Cruddas's constituency.

I attach [relevant material].

I apologise that the paperwork for this is convoluted. In essence, it would appear that Mrs Hodge is continuing to communicate with residents in Mr Cruddas's constituency, believing that that is acceptable since she put in place the arrangements with Mr Cruddas before Mr Speaker's guidance. I would welcome your views on the consequences of that for her claims on House of Commons allowances. In particular, is it your view that such claims cannot be met from facilities provided by the House to Members to enable them to carry out their Parliamentary work?

More specifically, I would welcome your advice on Mrs Hodge's proposals for reimbursing the cost of the pre-paid envelopes (2 lots of 500 envelopes). From what I can see, otherwise Mrs Hodge made no use of House of Commons envelopes, Parliamentary funded postage or paid for stationery for these communications, including those included in Miss Audritt's complaint of 5 January.

I would welcome your comments on whether you believe this to be a satisfactory resolution of the postage costs (and any other stationery costs which you think may have been incurred) as a result of Mrs Hodge's communications, for any views you may have on the wider implications and for any other points you may wish to make.

Once I receive your response (and those of the Department of Resources to whom I am also writing) I shall consider further how best to proceed.

*30 January 2008*

### **19. Letter to the Commissioner from the Head of Client relations, Department of Facilities, 1 February 2008**

I am content that the use of pre paid envelopes in this case is treated as an administrative error and I will ask our finance office to bill Ms Hodge for 1000 second class pre-paid envelopes.

I do not think that any correspondence with residents in Mr Cruddas's constituency by Ms Hodge can be funded from her allowances (either financial or in terms of stationery). However, I do wonder whether Mr Cruddas could claim for these and ask Ms Hodge to deal with the case work on his behalf. I think that this would still to go against the Speaker's statement and if Ms Hodge and Mr Cruddas do not put a stop to these arrangements there is the potential for complaints from other Members in similar positions who may feel disadvantaged.

I hope this is helpful.

1 February 2008

## 20. Letter to the Commissioner from the Assistant Director of Operations, Department of Resources

You wrote to me on 30 January 2008 referring to a complaint from Miss G Audritt about the funding of communications which the Rt Hon Margaret Hodge MP has sent to constituents in Mr John Cruddas MP's constituency. The issue you raised relates to the use of the Parliamentary allowances to prepare for regular meetings that take place in Mr Cruddas's constituency.

Mrs Hodge in her letter to Sir Philip dated 11 January 2008 makes it clear that she has been undertaking such meetings with Mr Cruddas's approval. However, although this case relates to the use of the allowances in general, perhaps I can start by addressing it from the point of view of our advice to Members on the Communications Allowance (CA), as I believe the principles are the same. As you know, the booklet on the allowance, *The Communications Allowance and the use of House stationery*, clearly states that the CA "provides funds to allow you, as a Member of Parliament, to communicate proactively with your *constituents...*" (p4, my italics). Following the Boundary Commission review of constituency boundaries, a number of Members sought to use their communications allowance to contact constituents of neighbouring Members who would fall within their constituency at the next election.

We did not initially object to such contacts provided the two Members were in agreement (as indeed appears to be the case in this instance), partly because the original Resolution passed by the House, dated 1 November 2006, allowed for the establishment of a "separate Allowance for Members...to assist in the work of communicating with the public on parliamentary business". There is thus an ambiguity between the original motion and the booklet as approved by the MEC, and in general we have sought to assist Members in striking the correct balance between the two areas.

However, there were some complaints on the Floor of the House that some Members were not consulting each other when contacting neighbouring constituents, as a result of which the Speaker made his statement of 6 November 2007. This is very clear in that it states that "Hon. Members have a duty to look after the constituents who elected them. Those boundaries do not change until the next election, so we must obey the convention of not involving ourselves with another Member's constituency until that time".

The Speaker's statement invalidates any previous advice we have offered on the matter. We do occasionally still receive requests from Members who wish to use their CA in this way, and our answer to them is that they cannot. This would be applied to any ongoing arrangements as well. However, as it is debatable whether the rule was clear before the Speaker's statement, I would expect to allow claims that referred to the circulation of material—or related matters—before the date of the said statement.

By implication, my view is that something that is not allowed out of CA should not be allowable from any other Parliamentary allowance. In Mrs Hodge's case, therefore, despite the fact that she has clearly taken steps to ensure her actions were cleared with Mr Cruddas, my view is that any time spent by Mrs Hodge's staff on preparing for these sessions should not be chargeable to the allowances (unless it took place before the 6 November statement).

If you would like me to quantify exactly how much this represents, I would need to know which of Mrs Hodge's staff did the work. However, assuming that it was Mrs Hodge's research assistant, the overall cost of three hours of their time, including NI, would be in the region of £40 (£10.90 gross p/h for 3hrs = £32.70, employers NI @ 12.8% = £4.19, 10% pension = £3.27, Total £40.16). A view will need to be taken as to whether the Member should repay this or not, but I do not believe it would be fair to expect the member of staff to repay it, as they have undertaken work they have been asked to do by the Members. Instead, if you choose to go down this route, it would seem sensible to approach it in the same way as for a Dissolution period, during which Members may allow their staff to undertake political activities at this time (admittedly this is clearly not the case here) but the Member themselves must reimburse the staffing allowance and repay pension contributions.

I hope this is helpful. Please let me know if you require any further information, and I am of course happy to discuss further any aspect of this letter.

28 February 2008

## **21. Letter to Rt Hon Margaret Hodge MP from the Commissioner, 3 March 2008**

I am writing to follow up your letters to me of 11 and 25 January in response to the complaint from Miss G Audritt about some correspondence she received from you in July and October 2007, and again at the end of the year.

In essence, her complaint was that correspondence to people like her outside your constituency should not be funded from Parliamentary allowances.

As I promised in my letter to you of 16 January, I have now consulted what is now the Facilities Department and the Department of Resources. I attach copies of a letter of 1 February from the Head of Client Relations in the Facilities Department, and of 28 February from the Assistant Director of Operations in the Department of Resources.

As you will see, the Facilities Department would be content with your proposal to meet the cost of the pre-paid second class envelopes used in the distribution of your letters of 4 July and 25 July, at a total of 1,000 pre-paid envelopes. On the basis of your letter of 25 January, that would appear to meet the full cost of any pre-paid envelopes which may have been used for any of the distributions in question.

You will see also that the Department of Resources makes some proposals for meeting the staff cost of this work on the basis of the estimate given in your letter of 25 January, and I would welcome your views on this.

Once I have your response, I will need to come to a view on the best way forward, including whether this is a matter which I should report formally to the Committee on Standards and Privileges. It would help me in this respect to know what arrangements you now have in respect of the constituents in Mr Cruddas's constituency, taking account of the guidance given by Mr Speaker in November 2007. In particular, it would be helpful to know whether you are continuing to deal with Mr Cruddas's constituency cases, and, if so, to know how you are achieving that without incurring expenditure from your Parliamentary allowances in respect of staff time and your use of Parliamentary facilities and stationery costs. It would help me too to know whether you now accept that the preparation and distribution of these letters were not permissible under the guidelines and whether you would wish me to pass on any apologies to the Committee for that.

3 March 2008

## **22. Letter to the Commissioner from Rt Hon Margaret Hodge MP 17 March 2008**

Thank you for your letter of 3 March. I have noted your comments and am happy to take your advice on these matters.

I would be happy to meet the full cost of the pre-paid stationery and staff time used in the preparation and distribution of my letters dated 4 July and 25 July as outlined by the Facilities Department and Department of Resources.

I am also happy to provide you with clarification about the arrangements I have now put in place when communicating with the residents of the three Dagenham Wards that fall within Mr Cruddas's constituency taking into account Mr Speaker's advice issued after I had sent my letter in November 2007.

Since being advised of the complaint that was lodged I have changed the way I work. It is my intention to campaign in these wards which will be part of my constituency from the next general election onwards and to do so as the prospective parliamentary candidate.

I now personally fund all correspondence being sent to these wards. I can also confirm that no time has been spent by staff funded from my Parliamentary allowances in the preparation and distribution of this correspondence and that I am assisted with this correspondence by volunteers.

I look forward to receiving your advice again concerning the costs I have agreed to pay.

17 March 2008

### **23. Letter to Rt Hon Margaret Hodge from the Commissioner, 25 March 2008**

Thank you for your letter of 17 March following up mine to you of 3 March.

I have now reviewed all aspects of the complaint and the correspondence on it. I have concluded that I should prepare a formal memorandum to the Committee on Standards and Privileges on the complaint. Please do not, however, draw any inferences from this decision.

Accordingly, I shall now start to draft my memorandum. In accordance with published procedures. I will show you the factual sections of the memorandum and invite any comments you may wish to make on their factual accuracy. When I have your agreement, I shall prepare my conclusions and will submit the memorandum to the Committee. The Committee's Clerk will let you have a copy of the full memorandum.

It may take a little time for me to prepare the draft memorandum, but I shall let you have the factual sections as soon as I can.

Meanwhile, it would be very helpful if you could clarify one issue for me. Am I right in taking from your letter that, while you will campaign in the three Dagenham wards in question, and send residents correspondence funded by you, you will no longer be offering to represent them in the current Parliament or deal with constituency cases from these wards? While, of course, the only matter for me in respect of the Code is the funding of these communications, I think it would be helpful if I could cover this last point in reporting on the arrangements which you have now instituted.

I am also checking with the Facilities Department their view on the use of House of Commons stationery, however funded, for, in effect, campaigning purposes in the light of Paragraph 7 to Appendix 4 of the Communications Booklet issued in April 2007. That paragraph says that original House stationery, however it is acquired, should not, in any circumstances, be used, among other things, for supporting the return of any person to public office.

I am grateful for your continued help with this complaint.

25 March 2008

### **23. E-mail to the Commissioner from the Head of Client Relations, Facilities Department, 27 March 2008**

I do not think that Margaret Hodge can contact the people in Jon Cruddas' constituency using headed paper or the Portcullis for the purposes she mentioned (even if self funded) as they cannot be used for the support of getting people elected to office.

I hope this is helpful.

27 March 2008

### **24. Letter to Rt Hon Margaret Hodge MP from the Commissioner, 28 March 2008**

I wrote to you on 25 March about the next steps in my consideration of the complaint from Miss Audritt.

Among other things, I said I was checking with the Facilities Department their view on the use of House of Commons stationery for your communications with residents in three of the Dagenham wards.

The reply I have received from the Head of Client Services at the Department of Facilities reads as follows "I do not think that Margaret Hodge can contact people in John Cruddas' constituency using headed paper or the Portcullis for the purposes she mentions (even if self funded) as they cannot be used for the support of getting people elected to office".

I would of course welcome any comments you may wish to make on this as well as the clarification of the arrangements you have now instituted in respect of these wards which I raised in my letter to you of 25 March.

*28 March 2008*

## **25. Letter to the Head of Client Relations, Department of Facilities from Rt Hon Margaret Hodge MP, 16 April 2008**

I am writing further to your letter to John Lyon, Parliamentary Commissioner for Standards, dated 1 February.

I am enclosing a cheque for £282.68 made payable to 'House of Commons Administration' account within the Facilities Department for 1,000 window peel and seal second class pre-paid envelopes which were charged at £70.67 per 250 at the time I purchased them.

*16 April 2008*

## **26. Note of meeting between the Commissioner and Rt Hon Margaret Hodge MP, 13 May 2008**

Present

Rt Hon Margaret Hodge MP (MH)

John Lyon (JL)

Member of Ms Hodge's staff [staff member]

[Note-taker]

1. JL thanked MH and [her staff member] for coming. He explained that the purpose of the meeting was to enable MH to raise her concerns and to ensure he had full understanding of the issues. [The note-taker] would take a note, which would be checked with MH for factual accuracy. The note would be appended, along with other correspondence, to any memorandum he prepared for the Committee on Standards and Privileges. MH could therefore expect it to be published. JL would send MH the factual parts of any memorandum before it went to the Committee, but not his conclusions. MH said she felt she ought to see the conclusions and JL explained that she would do so: the Clerk to the Committee on Standards and Privileges would send her the full memorandum, including the conclusions, before the Committee considered it.
7. MH said she understood that JL did not always produce a memorandum and asked why JL planned to do so in this case. She was aware of others who had made the same mistake, although she did not wish to name them. Why was hers to be brought into the public domain? She felt there was a question of fairness. JL said she should not infer anything from his intention to produce a memorandum. He felt that there were points which the Committee could help to clarify, but he undertook to consider the case for preparing a memorandum in the light of MH's representations, the outcome of the current meeting and his consideration of all the issues.
2. JL began by asking MH to confirm the facts. MH confirmed that from at least early 2007 she had agreed with Mr Jon Cruddas (Dagenham) that she would take responsibility for constituents in three Dagenham wards: Alibon, Valence and most of Parsloes, the rest already being MH's constituents. MH agreed that she had sent letters to an estimated 500 residents in Parsloes on 4 July and 25 July using House of Commons notepaper and perhaps pre-paid envelopes. MH did not agree that these were unsolicited letters: during a morning spent knocking on doors in Maxey Road and Verney Road, residents had raised issues relevant to the locality, and she had promised a response. She said that this practice of writing to those outside her current constituency was in her view within the rules of the House until November 2007, when following the statement from Mr Speaker she had immediately changed her practice. She no longer used the portcullis imprint when writing to such people; she used volunteers to prepare and deliver the letters, and she used paper bought from her own resources.
3. MH said that the number of Parsloes residents spoken to was about 120, but she wrote to up to 500 because the issues raised (principally antisocial behaviour) were relevant to all in the immediate area. She was not sure how many letters were sent, but it was no more than 500. She had bought the paper from her own resources and had since refunded the costs of 1000 pre-paid envelopes in case any were used on these two occasions, although she

was most anxious that the repayment should not be taken as amounting to an admission that they were in fact used. She explained that her general practice was to have such letters delivered by hand but she wished to err on the side of caution, hence the repayment. The staff time involved in preparing the letter (3 hours) was that of [her staff member]. The time used was part of the excess hours he worked over and above those paid for by the allowances. [The staff member] provided a table showing the excess hours he had worked in 2007.

4. JL asked whether MH accepted that it would have been wrong to use pre-paid envelopes for the July 2007 mailings which appeared to be unsolicited. He showed MH Appendix 4 of the booklet “The Communications Allowance and the use of House stationery”, which said in paragraph 10:

*“In broad terms, the pre-paid envelopes are designed to enable you to reply to letters received and to write to individuals and organisations in pursuit of your parliamentary business. They should not be used to send mail to people on issues on which they have not previously contacted you.”*

5. And in paragraph 14

*“Pre-paid envelopes must not be used...*

*h) for correspondence with constituents on issues on which they have not previously contacted you or on which they have only contacted you at your own instigation.”*

6. MH did not agree that she had used the pre-paid envelopes for unsolicited letters. She felt that if pre-paid envelopes could be used following her street surgeries only for letters to those residents to whom she had spoken, and she were not able to write to the others to whom she had not spoken, her work as an MP would be made very difficult. It was her habitual way of working to knock on doors to find out the issues that needed addressing, and then to write to all those in the area who would be affected. This was often necessary to find a way forward that was satisfactory to all.
7. JL said that he believed the Communications Allowance (CA) could be used in the sort of situation described by MH. The CA could be used to fund the sending of newsletters, circulars and targeted communications, but pre-paid House of Commons envelopes could not be used for such communications. It might be possible to argue that pre-paid envelopes could be used in the circumstances described by MH where she had spoken specifically to a resident and each of the residents she had spoken to raised all the issues described in her letter of 4 July. If MH wished to argue that—or that her use (if any) of pre-paid envelopes was within the rules of the House for both of her July letters— then he would be very ready to consider these arguments in coming to his conclusion on the complaint.
8. In response, MH said that while she could not be certain that she had sent any of her July communications in pre-paid envelopes, she accepted that if she had done so it would not have been in accordance with the current rules of the House, and that was why she had decided for the avoidance of any doubt to pay the full estimated cost of the envelopes for all these letters. She added that she found the rules difficult to interpret and that they were difficult to apply to the way in which she, and other Members, wished to conduct their constituency business.
9. MH confirmed that in October she had sent a further letter to the residents in Parsloes ward, using House of Commons headed paper and enclosing a constituency advice surgery card funded by the CA. This was delivered by volunteers. She also said that in December 2007 she had sent to the same residents a circular newsletter with a Christmas card, using photocopied paper carrying the portcullis emblem for the letter. This too was delivered by volunteers. Apart from the advice surgery card, these two further communications in October and December had not been financed by the allowances in any way.
10. MH further clarified that following the Speaker’s ruling on 7 November 2007 she had sent no other mailings (apart from the December letter and card) outside the Barking constituency. She had not at any time sent mailings to the other two wards which were due to transfer to the Barking constituency. But MH had before November 2007 undertaken some casework in these areas using House stationery and pre-paid envelopes. It was impossible to say how much, but it was only ‘a bit’.
11. [Ms Hodge’s staff member] said that he had not used Parliamentary IT to produce the July letters. He had undertaken the work on these letters in his own time and had used a printer purchased by MH from her own

resources.

12. In relation to the contact cards which were sent outside the constituency, MH agreed to check how much these would have cost and inform JL.
13. JL asked MH when she believed that using parliamentary resources to communicate with people outside a Member's constituency as if they were constituents became outside the rules. Was it November 2006 on the Communications Allowance resolution of the House; April 2007 when the CA booklet was published, or November 2007 when Mr Speaker made his statement? He showed MH the relevant guidance on the CA which said in paragraph 6.1.1 on page 13

***“Scope and purpose of the allowance***

*6.1.1. The Communications Allowance (CA) is available to meet the cost of Members engaging proactively with their constituents through a variety of media...”*

14. MH confirmed that in her view the relevant date was November 2007. From that date onwards she had ceased funding such communications from her allowances. She did not accept that the relevant date was April 2007 when the guidance on the CA took effect, as this said only that the new allowance was for ‘communicating proactively with your constituents’ and she believed that the residents of Parsloes were at that time effectively her constituents because of the arrangement she had agreed with Mr Cruddas. She noted that the Assistant Director of Operations’ letter of 28 February to JL stated:

*“We did not initially object to such contacts provided the two Members were in agreement (as indeed appears to be the case in this instance) partly because the original Resolution passed by the House, dated 1 November 2006, allowed for the establishment of a ‘separate allowance for Members ... to assist in the work of communicating with the public on Parliamentary business.’ There is thus an ambiguity between the original motion and the booklet as approved by the MEC and in general we have sought to assist Members in striking a correct balance between the two areas...”*

*“...The Speaker’s statement invalidates any previous advice we have offered on the matter. We do occasionally still receive requests from Member who wish to use their CA in this way, and our answer to them is that they cannot. This would be applied to any ongoing arrangements as well. However, as it is debatable whether the rule was clear before the Speaker’s statement, I would expect to allow claims that referred to the circulation of material—or related matters—before the date of the said statement.”*

15. MH therefore accepted that she should not in December 2007 have used notepaper with the portcullis emblem to communicate with residents in Parsloes ward who were outside her constituency. She also accepted that she should not have included in her October letter a reference to Britain's prosperity in the last 10 years [“*Britain has now enjoyed ten years of low inflation, steady growth and more jobs than ever before.*”]
16. JL asked MH about her future plans for the three wards. She said that her activities in these areas were now campaigning. She did not draw on Parliamentary funding. She did undertake some casework, but only as part of the campaigning. [Her staff member] confirmed that for this she used paper carrying the Labour party logo and the words ‘prospective parliamentary candidate’. The stationery used did not carry the portcullis and the letters did not refer to her as a Member of Parliament.
17. MH said that she had been very anxious to avoid infringing the rules and for that reason she had repaid the cost of the envelopes used. She had changed her working practices after November 2007. She took very seriously the proper use of her allowances: she had never claimed the Additional Costs Allowance to which she was entitled or until recently claimed for her travel. She paid significant sums from her own resources in order to carry out her constituency duties in the way she felt necessary. She was concerned because she could not be certain that the pre-paid envelopes had not through an error been used for the mailings in July, she would be subject to a memorandum to the Committee.
18. JL said that [the note taker] would now produce a note of the meeting which he would forward so that she could satisfy herself of its factual accuracy. He would then consider the way forward in the light of the information he had received. He thanked MH and [her staff member] for their time and their help with this inquiry.

*Agreed 28 May 2008*

## **27. Letter to the Commissioner from Rt Hon Margaret Hodge MP, 28 May 2008**

Thank you for sending me a note of our meeting. I can confirm that I agree with its contents.

I undertook to provide you with the information about how many contact cards I sent to Parsloes Ward in October 2007. I estimate that this number came to no more than 500 based on the number of letters that could have been delivered in this area in June and July 2007.

*28 May 2008*

## **28. Letter to Rt Hon Margaret Hodge MP from the Commissioner, 17 June 2008**

Thank you for your letter of 28 May confirming the accuracy of the note of our meeting on 13 May. I am grateful to you for your help on this matter.

I undertook when we spoke to consider further in the light of our discussion whether I needed to submit a memorandum to the Committee on Standards and Privileges about this complaint, or whether I considered it could be resolved without such a memorandum. Resolution without a formal memorandum to the Committee involves the Member accepting that there has been a breach of the rules and agreeing some form of rectification and assurances about action taken to prevent a recurrence. In such circumstances, the Commissioner writes to the complainant with the outcome of their complaint, informing them what part or parts of their complaint have been accepted as a breach and advising what relevant action has been taken. The Commissioner also reports the outcome informally to the Committee. The Committee expect in such circumstances that the Member, having recognised that they have breached the rules, has offered an apology.

As you know, this is a complaint about certain communications you made to people outside your current constituency. They were a letter of 4 July 2007, a letter of 25 July 2007, a letter of October 2007 with a constituency surgery card enclosed and a Christmas letter and card of December 2007.

For me to consider resolution under the rectification procedure, I would need to conclude that your communications to people outside your current constituency before November 2007, (when you believe that the position changed because of the Speaker's statement) were not in themselves a breach of the rules in relation to the use of House stationery and the Communications Allowance since it is possible to interpret the rules as not unequivocally preventing such communication. And, given that the two July communications were sent in common format to people not all of whom you had met, I should have to conclude that pre-paid envelopes should not have been used since pre-paid envelopes should not be used to send mail to people on issues on which they have not previously contacted you. Because you could not be certain that some were not used, you would need to accept that there was a breach of the rules in that matter. In response, and for the avoidance of any doubt, I would note that you have already paid the full estimated cost of the envelopes for all these letters. That amounts to £282.68, the cost of envelopes and second-class postage for 1,000 letters in all.

You have also accepted that it was a breach of the rules to use notepaper with the Portcullis emblem when you communicated in December 2007 with residents in the Parsloes Ward who are outside your constituency since this communication came after the Speaker's statement of November 2007.

As I understand it you do not believe that there was any breach of the rules in respect of the remainder of the complaint. You have said that you personally bought the stationery used for all of these letters, the two in July, the one in October and the one in December. You have also said that you did not draw on staff time funded by the allowances, nor on other public funds, for the preparation any of these July, October or December letters, and that neither pre-paid envelopes nor House of Commons envelopes were used for either the October or December letters. And, since it was dispatched before the Speaker's statement, you believe it was legitimate for the contact card you included in your October letter to be funded from the Communications Allowance. Since your October letter was fully funded from your own resources, and despite the inclusion of the contact card funded from the

Communications Allowance, you do not accept that there has been a breach of the rules in respect of what you wrote about the state of Britain's prosperity in the last 10 years [*"Britain has not enjoyed ten years of low inflation, steady growth and more jobs than ever before"*] although you think you could have written it in a better way to reflect your constituency priorities.

You have since the statement by Mr Speaker in November 2007 taken action to ensure that neither you nor your staff use Parliamentary resources for communications, for meetings, surgeries or for casework in respect of voters living outside your current constituency. Any casework or other letters you do send to such people outside your current constituency do not use the House of Commons Portcullis (the Portcullis used in the December letter was a mistake) and they refer to you as the prospective Parliamentary candidate, not as a Member of Parliament.

I would be grateful to know if I have correctly summarised your response and if you are content for me to consider further a resolution on this basis. I should say that in such cases the Committee places some importance in the Commissioner receiving an apology and I would be grateful if you could consider that as well. In this case the apology would relate to the use of pre-paid envelopes and to the use of the Portcullis on your December letter.

When I have your response, I shall consider whether I can resolve it through the rectification procedure or whether I should submit a memorandum to the Committee. If you would like a word about any of this, please let me know. I would be most grateful for your help to enable me to reach a conclusion on this complaint.

*17 June 2008*

## **29. Letter to the Commissioner from the Rt Hon Margaret Hodge MP, 23 June 2008**

Thank you for your letter of 17 June.

I agree with and accept the conclusions that you reach.

I should like to apologise for the use made of pre-paid envelopes and the use of the Portcullis emblem in the letter that was sent from my office in December, both of which, following your advice, I accept were in breach of the rules.

I would like to reiterate that since this matter was brought to my attention and again following our meeting, I have reinforced awareness of the protocols on communicating with voters living outside my constituency with staff in my office. Given my acceptance of all you say and my apology I trust you will feel able to deal with this matter through the rectification procedure.

Thank you for allowing me the opportunity of meeting you. I am very grateful for the advice and assistance that you have provided and for the patience you have shown in resolving this matter.

*23 June 2008*