

# Mr Mike Weir MP: Resolution Letter

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## Letter to Mr Douglas R Norrie, from the Commissioner, 26 November 2008

I have now concluded my consideration of the complaint you sent me on 15 October against Mr Mike Weir MP about the 18th birthday card received by your nephew.

In essence, your complaint was that Mr Weir used a pre-paid first-class House of Commons envelope to send an 18th birthday card on behalf of his political party to a constituent, contrary to the rules of the House.

I have consulted Mr Weir about this and the House authorities.

Mr Weir has immediately accepted that a pre-paid House of Commons envelope should not have been used for your nephew's 18th birthday card. Mr Weir and his colleagues regularly send out such birthday cards on a constituent's 18th birthday, but the cost is met by the constituency association, including the cost of the envelopes and postage.

Unfortunately, on this occasion the volunteer who was responsible for the collation and dispatch of these cards ran out of envelopes for the last three birthday cards they were due to send and wrongly used three House of Commons pre-paid envelopes to complete the dispatch.

Mr Weir has accepted that the use of these three envelopes was a breach of the rules of the House. It was not his intention that such envelopes should be used. He has unreservedly apologised for the mistake. He has taken action to try to ensure that a similar mistake does not happen again.

I therefore uphold your complaint, and consider that, in the light of Mr Weir's response, it has been properly rectified. I therefore regard the matter as closed. I will report the outcome to the House of Commons Committee on Standards and Privileges.

Thank you for raising this matter with me.

I am copying this letter to Mr Mike Weir MP.

*26 November 2008*

# Mr Mike Weir MP: Written Evidence

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## 1. Letter to the Commissioner from Mr Douglas R Norrie, 15 October 2008

I am the Uncle of [...]. He asked me to look into this matter for him before he left for College [...] on Sunday. My nephew and I are registered on the electoral roll in the Angus constituency.

My nephew who turned eighteen on the 11<sup>th</sup> October, received a Birthday Card from the Scottish National Party posted using a House of Commons pre-paid envelope. Please find enclosed the Birthday Card and the envelope used to post it. I think this must be a breach of the rules governing the use of House of Commons envelopes and therefore a misuse of taxpayers money.

The Birthday Card is clearly an SNP political promotion and is signed by Michael Weir MP, along with Andrew Welsh MSP and Ian Hudghton MEP. The card is obviously designed to persuade young voters to consider voting for the SNP. We have no problem with that in itself, but we do not see why it should have been posted using House of Commons stationery and postage.

I have looked at the Communications Allowance rules dated April 2007 (CA Rules) published on the Parliamentary website and as far as I can see, Mr Weir seems to have abused the privilege of use of House of Commons postage to further the Scottish National Party political cause. The passages which seem to cover this are:—

Page 5, paragraph 1.7 that it is the responsibility of the MP to ensure that *“all expenditure funded under the Communications Allowance and the provision of House stationery and pre paid envelopes is wholly, exclusively and necessarily incurred on your Parliamentary duties.”*

and:—

Appendix Four, page 33 of the CA Rules at paragraph 10 states, *“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.”* Paragraph 14 adds, *“Pre-paid envelopes must not be used (g) for birthday or greeting cards or messages.”*

Mr Weir has previous form at this sort of thing as he recently sent us by post and funded by his Communications Allowance, a leaflet which seemed to mainly contain 1) a diatribe against the government 2) photographs of himself at various SNP functions with senior SNP politicians and 3) adverts for the ANGUS SNP website. I felt at the time that he was sailing a bit close to the wind with that leaflet and now having read about the Communications Allowance on your website, I am pretty sure that leaflet was in breach also. Unfortunately, I binned that leaflet or I would be sending it to you also.

In my view, it is fairly clear that Mr Weir is using taxpayers money to further the SNP political cause through the sending of these political birthday cards. If that is not the case, I would appreciate an explanation of why he is allowed to do this. Alternatively, if he has breached the rules, I assume you will investigate this and I would appreciate a note of confirmation of that investigation to pass to my nephew.

15 October 2008.

Birthday card sent to [...], by Mr Mike Weir MP







## 2. Letter to Mr Mike Weir MP from the Commissioner, 21 October 2008

I would be grateful for your help with a complaint I have received from Mr Douglas Norrie about your use of a House of Commons pre-paid envelope to send an 18th birthday card to his nephew.

I attach a copy of Mr Norrie's letter of 15 October. In essence, his complaint is that you used a pre-paid first-class House of Commons envelope to send an 18th birthday card on behalf of your political party to a constituent, contrary to the rules of the House.

The Code of Conduct for Members of Parliament provides in paragraph 14 as follows:

*"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."*

The rules for the use of House of Commons pre-paid envelopes, and the rules in respect of the Communications Allowance, are set out in a booklet published in April 2007 entitled 'The Communications Allowance and the use of House stationery'. Paragraph 10 to Appendix Four sets out the rules for the use of pre-paid envelopes as follows:

*"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. You should refer to the guidance note on publications funded from the Communications Allowance (such as annual reports) for help with the costs of mail to inform your constituents about, for example, news about your work as a Member."*

Paragraph 14 of the same Appendix sets out the circumstances in which pre-paid envelopes must not be used including:

“ ...

*g) for birthday or greeting cards or messages*

...”

Appendix Two to the same publication gives rules and guidance on producing newsletters and other publications funded from the Communications Allowance. In paragraph 5, it identifies publications where funding is not permitted by the Communications Allowance. This includes specifically 18th birthday cards.

In the light of the complaint and this summary of the rules, I would welcome your response to this complaint. In particular, it would be helpful to know:

1. whether you consider that the dispatch of this birthday card in a House of Commons pre-paid envelope was within the rules of the House;
2. how many such 18th birthday cards have been sent by you using House of Commons pre-paid envelopes over the last twelve months;
3. whether any Parliamentary funds, including the Communications Allowance, were used for the production of the 18th birthday card itself.

Any other comments you wish to make would of course be very welcome. I attach a note which sets out the procedure I follow with complaints. I have informed the complainant that I have accepted his complaint and am writing to you about it. It would be very helpful if you could let me have your response within the next three weeks. If there were any difficulty with that, or if you wanted to have a word, please feel free to contact me at the House.

I would welcome your help on this matter.

*21 October 2008*

### **3. Letter to the Commissioner from Mr Mike Weir MP, 27 October 2008**

I refer to your letter of 21<sup>st</sup> inst. And note what you say.

I would, first of all, unreservedly apologise for this incident. I was at a complete loss as to how this could have occurred as I have never, and would never, authorise the use of envelopes for this purpose, which is clearly outside the rules of the House. I was particularly concerned as the cards in question are not sent out by my office and my staff have no role in either preparing or posting them.

On receipt of your letter I made urgent enquiries to try and ascertain what had happened in this instance.

I should perhaps explain that the process for dealing with these cards is that there is a volunteer who is responsible for preparing and sending them out. In this particular case the volunteer is responsible for the area of my constituency that corresponds to the Angus seat in the Scottish Parliament, which comprises part of my Westminster seat and part of the Dundee East Westminster parliamentary seat.

My only role in the process is signing the cards. The cards are passed back to the volunteer after signature and she will thereafter dispatch them as required to arrive on, or as near as possible, the constituent's 18<sup>th</sup> birthday. She is supplied with white envelopes and stamps by the constituency association for the task and all cards were, as far as I was aware, dispatched in white envelopes with a normal adhesive stamp.

Unfortunately what happened in this case is that the volunteer had prepared the cards in the normal manner but was short of a few envelopes. Foolishly, and without seeking authorisation, she used some pre paid House of Commons envelopes to make up the shortfall. She is adamant that only three House of Commons envelopes were used.

In answer to your specific questions

1. Clearly, the use of House of Commons pre paid envelopes for the dispatch of birthday cards is wholly inappropriate and outwith the rules of the House.
2. As indicated above as far as I can ascertain only three envelopes were used and this was an unfortunate one off incident.
3. I should explain that the birthday cards in question have not been produced using any House of Commons allowances. They are produced by the local constituency association and are, as you can see, signed by myself and my MSP and MEP colleagues. They are clearly party and not parliamentary publications. The cost is met by the constituency association, as are the costs of envelopes and postage for them.

I trust that this adequately explains this very unfortunate incident.

*27 October 2008*

#### **4. Letter to the Director of Accommodation Services, Department of Facilities from the Commissioner, 29 October 2008**

I would welcome your advice on a complaint I have received against Mr Mike Weir MP in respect of his use of pre-paid House of Commons envelopes to send some 18<sup>th</sup> birthday cards to his constituents and others.

I attach a copy of the complainant's letter of 15 October, with its enclosures, and a copy of Mr Weir's letter to me of 27 October responding to the complaint.

It would appear, that due to a mistake by one of his volunteers, Mr Weir has inadvertently breached the rules of the House in using three pre-paid envelopes for this dispatch.

I would be grateful for any comments or advice you can give me on this complaint, including any action you consider that Mr Weir might wish to take. If it were possible to let me have a response within the next two weeks, that would be very helpful in me moving towards what I hope might be a speedy resolution of this matter.

*29 October 2008*

#### **5. Letter to the Commissioner from the Director of Accommodation Services, Department of Facilities 11 November 2008**

Thank you for your letter dated 29 October 2008, concerning a complaint against Mr Mike Weir MP on his use of pre-paid envelopes, from his House of Commons stationery budget, for sending 18<sup>th</sup> birthday cards to his constituent and others.

I see in copy correspondence to you from Mr Weir dated 27 October, that three pre-paid envelopes were used for sending out the birthday cards, that Mr Weir accepts that an accidental error was made, and that he has apologised for that error. It is my opinion that Mr Weir has breached the regulations approved by the Members' Estimate Committee in his use of pre-paid envelopes involved as set out in your letter of 29 October and Mr Weir's letter to you dated 27 October. However, the cost of raising an invoice and processing a payment from Mr Weir would total more than the costs of three pre-paid envelopes, and so to avoid nugatory expenditure to the public purse I suggest that Mr Weir should not be invited to repay the cost of the pre-paid envelopes.

I hope this is helpful.

*11 November 2008*

#### **6. Letter to Mr Mike Weir MP from the commissioner, 18 November 2010**

I have now heard from the Director of Accommodation Services at the Department of Facilities about this complaint concerning your use of House of Commons pre-paid envelopes to send three 18<sup>th</sup> birthday cards from your constituency. I attach a copy of his letter to me of 11 November.

As you will see, the Director confirms that there was a breach of the regulations in using these three pre-paid envelopes, but considers that it is not necessary to ask you to repay the cost. I need now, therefore, to decide on the way forward.

It is open to me on the basis of this complaint and your response to resolve the complaint through the rectification procedure. This means that I would write to the complainant to let them know the outcome, and report the matter informally to the Committee on Standards and Privileges. I would not, however, prepare a formal Memorandum for their consideration. I am able to use this procedure because you have fully accepted your breach of the rules of the House, you have apologised unreservedly, and because of the scale and nature of the breach itself. It would be helpful, however, to know what action you might propose to take to avoid any recurrence. I would report that action as well as your overall response to the complainant.

I would tell the complainant that you and your colleagues regularly send out 18<sup>th</sup> birthday cards on a constituent's 18<sup>th</sup> birthday. The cost is met by the constituency association, including the cost of the envelopes and postage. Unfortunately, on this occasion, the volunteer who was responsible for the collation and dispatch of these cards ran out of envelopes for the last three birthday cards they were due to send and therefore used three House of Commons pre-paid envelopes to complete the dispatch. It was not your intention that such envelopes should be used, and you have unreservedly apologised. It would be helpful if I could add that you have taken some action to ensure that a similar mistake does not happen again.

I would be grateful to know, therefore, whether you agree to me resolving this complaint through the rectification procedure on this basis.

*18 November 2008*

## **7. Letter to the Commissioner from Mr Mike Weir MP, 25 November 2008**

I refer to your letter of 18<sup>th</sup> inst, and note what you say. I would confirm that I am content for the matter to be dealt with in the way which you suggest.

I have taken several measures which should ensure that there is no repetition of this unfortunate and embarrassing incident namely

- The volunteer has been reminded that *under no circumstances* should she use Parliamentary envelopes.
- I have taken measures to ensure greater security of Parliamentary envelopes by moving all those in my offices into locked cabinets or areas to which no one but staff members have easy access.
- Although this incident did not involve any member of my staff I have prepared and circulated to all staff a memo setting out the rules relating to the use of Parliamentary stationery. I have stressed that no one else should be allowed any access to stationery and that, if they have any doubt about use they should adopt the precautionary principle and use a stamp.

I hope I have taken all possible steps to avoid any recurrence.

*25 November 2008*