

# Ms Dawn Butler: Resolution Letter

---

## Letter to Ms Elizabeth Mills from the Commissioner, 30 September 2010

I have now concluded my consideration of the complaint which you sent me on 23 March against Ms Dawn Butler, who was then the Member for Brent South, in respect of her use of House of Commons resources and stationery for some of her communications.

In essence, the parts of your complaint which I accepted were that in July 2008 Ms Butler may have used parliamentary resources for party political purposes when she asked invitees to a Labour Party fundraising dinner to respond to her parliamentary addresses; that in November 2008, she used House of Commons pre-paid envelopes and perhaps original House stationery to send unsolicited correspondence to her constituents and perhaps others; and that, in September 2009, she used a pre-paid envelope and perhaps original House stationery to send an unsolicited letter to a constituent (the vicar of a local church), together with a survey and copies of letters which she had sent to others.

I have consulted Ms Butler and the House of Commons authorities about this matter.

Ms Butler points out that she no longer has records relating to this correspondence. In respect of the fundraising dinner, her evidence is that she regularly held such dinners and that they were arranged by her constituency Labour Party. She does not recognise the invitation which you forwarded. She has told me that such invitations usually had pictures and gave an e-mail address and telephone numbers for responses, neither of which was parliamentary. I have seen an example of such an invitation.<sup>1</sup> Ms Butler believes that the invitation you sent me may have been a draft and that the use of the parliamentary address for responses was spotted and changed. She was not aware that any invitations with the incorrect information had been issued. Her evidence is that all the arrangements for this dinner were made by the Labour Party and no parliamentary resources or facilities were in fact used.

Ms Butler's evidence in respect of the "*Dear Resident*" letter of November 2008 was that it was printed on photocopied paper and in the main hand-delivered by volunteers to constituents who had taken an interest in the issues covered by the letter and placed in such locations as stalls and post offices. The Labour Party provided the paper and photocopying. She no longer has the distribution list. Ms Butler believes that if the letter was received in a House of Commons pre-paid envelope, as suggested by the envelope which you sent me with your complaint, then this was an isolated incident.

In respect of the letter to the vicar of a local church, Ms Butler believes that, while he was not a constituent, his church may have been contacted by Ms Butler's staff, along with two other churches, about this issue, and had asked for the information which was sent. She subsequently told me that she believed some members of the vicar's church were her constituents and would have signed petitions or contacted her about changes to air passenger duties and that one of these church members may have asked her for the information she sent to the vicar. I consulted the vicar and his evidence is that neither he nor his church asked for this material.

The House authorities have no record of Ms Butler or her staff contacting them to seek advice about any of this correspondence.

Having considered carefully all the evidence I have received, my conclusion is that there is no evidence that parliamentary resources were used in support of the Labour Party fundraising dinner of July 2008. I accept, however, that the "*Dear Resident*" letter of November 2008 was sent out in a House of Commons pre-paid envelope in one case. I have no evidence that pre-paid envelopes were used more substantially for this dispatch. There is a difference of evidence in respect of the circumstances which led to the letter which was sent in a House of Commons pre-paid envelope to the vicar, and to two other churches, in September 2009. I do not consider the fact that a church going constituent may have contacted Ms Butler is sufficient to justify

---

<sup>1</sup> Not included in the evidence.

her writing the letter to the vicar, using a House of Commons pre-paid envelope and House stationery. The weight of this evidence suggests that the letter was either sent unsolicited, or following an approach by Ms Butler's office. In either case, House of Commons pre-paid envelopes and original House notepaper should not have been used for this dispatch. The letter was not a response to a constituent's case. It was a general campaigns update and included a petition, and the rules do not permit the use of this stationery in these circumstances.

I conclude, therefore, that Ms Butler mistakenly used one House of Commons pre-paid envelope to send out her "*Dear Resident*" letter of November 2008, and three pre-paid envelopes with notepaper to send her letter to the three churches. I therefore uphold your complaint in respect of the error Ms Butler made in the use of these four House of Commons pre-paid envelopes and a small amount of letter paper. I do not uphold the other aspects of your complaint. Ms Butler has accepted these breaches of the rules, which were not substantial and has apologised for them. I consider that a satisfactory response and have closed the complaint on that basis. I will report the outcome to the Committee on Standards and Privileges.

If the House agrees to proposals which I made and which were supported by the Committee on Standards and Privileges in the last Parliament, you can expect this letter and the relevant evidence to be placed in due course on my parliamentary web-pages.

I am copying this letter to Ms Dawn Butler.

*30 September 2010*

# Ms Dawn Butler: Written evidence

---

## 1. Letter to the Commissioner from Ms Elizabeth Mills, 23 March 2010

With reference to my letter of the 15 February, which did not arrive at your office, please find a revised version of that letter with an amended appendices. Due to the loss of my original letter, I no longer possess some of the original evidence was necessary to verify my complaint.

As a local resident of Brent Central, the parliamentary constituency to be formed for the forthcoming General Election, I have been receiving various pieces of campaign literature from the MP for Brent South, Dawn Butler.

I would like to bring to your attention an example of what I believe to be a misappropriation of parliamentary facilities and resources by Ms Butler. The example is an invitation to a Labour Party fundraising dinner which I have scanned and printed for you.<sup>2</sup>

After having studied the Code of Conduct for Members of Parliament and the Green Book which sets out guidance on the appropriate use of MP's allowances I believe the enclosed documents represent a clear example of misuse of House of Commons facilities and a breach of the rules governing the stationery allowance.

Paragraph 14 of the Members' Code of Conduct which reads:

*"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."*

With reference to this paragraph and to the first enclosure (Appendix 1)<sup>3</sup>, it would appear to me that Ms Butler has clearly failed to comply with the Members Code of Conduct.

As you can see, Ms Butler has used her Parliamentary telephone number, fax number, personal Parliamentary e-mail address and has even stated that attendees should reply to the House of Commons postal address.

As I understand it, all post sent to the House of Commons is screened, processed and delivered by internal Parliamentary staff. It is alarming to think that all this care, time and expense has been spent on processing donations to a political party.

This breach also implies that Ms Butler is either using Labour party staff to process these invitations from her parliamentary office or Ms Butler's Parliamentary staff are undertaking significant, time consuming, party political work. It is my understanding that MP's staff are explicitly prohibited from undertaking such work in Parliamentary facilities.

### **Misuse of the Communications Allowance**

...

### **Purchase of a Risograph printing machine**

...

### **Misuse of Parliamentary Stationery and the Stationery Allowance**

---

<sup>2</sup> WE 2

<sup>3</sup> WE 2

Further to the issues raised above I also include a number of pieces of literature produced by Ms Butler which have been passed to me. I have removed the names of the recipients in order to protect their privacy. I however, been assured that none of the recipients have solicited the attached correspondence from Ms Butler.

The Green Book, covering the use of the stationery allowance, referring to pre-paid envelopes states in section 2.6.3.1 that

*"They should not be used to send mail to people on issues on which they have not previously contacted you. You can use stationery and pre paid envelopes to respond to contacts you have received through any medium. Pre-paid envelopes may not be used to transmit mail intended generally to inform your constituents about your work as a Member. Such communications may be funded through Communications Expenditure. "*

I also note that in Ms Butler's expenses publication she spent £25,422 on stationery in 2006/7, the final year before a cap was placed on this allowance.

However I enclose a letter addressed to [address] in the pre-paid Parliamentary envelope in which it arrived.<sup>4</sup> The opening line of "Dear Resident" would imply to me that this is not a one off letter but a mass produced mail shot.

Finally I enclose what appears to be a campaign pack from Ms Butler on the issue of Air Passenger Duty.<sup>5</sup> I have major concerns about this literature as not only was it unsolicited but it was also sent outside of Ms Butler's Brent South Constituency. Further, one of the enclosures allows Ms Butler to use any personal details on the forms for the purposes of party political campaigning. You will also note that a number of the letters in this pack are also printed on what appears to be official House of Commons paper. This is, I believe, a serious breach of the rules governing the use of the stationery allowance.

I would be grateful if you could investigate my concerns and reply to me at your earliest convenience.

23 March 2010

---

<sup>4</sup> WE 3. The envelope has not been reproduced in the evidence.

<sup>5</sup> WE 4, WE 5, WE 6

## 2. Invitation to fundraising dinner of 4 July 2008 from Ms Dawn Butler MP

Appended 1

Dear Friend,

Brent MP  
and Labour Vice-Chair Dawn Butler  
cordially invites you to a fundraising  
dinner and raffle on

Friday 4<sup>th</sup> July 2008

The dinner will be held at the  
Bombay Dreams Restaurant, 2-3  
Sevenex Parade, London Road,  
Wembley HA9 7HQ from 8:00pm till late.

Tickets are £20 per person (food and  
first drink included) and £5 for the  
raffle.

Please RSVP:

tel: [redacted]  
fax: [redacted]  
email: [redacted]

 Labour

- Yes, I will be able to attend the fundraising dinner with Dawn Butler MP*
- No, I have a prior commitment on July 4th*

*Name* .....

*Address* .....

.....

*Company* .....

*Telephone* .....

*Email* .....

*If you are able to attend, please enclose cheques payable to "Brent Central" for the amount of £20.*

*Please return this slip and payment to:  
The Office of Dawn Butler MP  
House of Commons,  
Westminster,  
London SW1A 0AA*

## Standing Order

Would you like to help Dawn win the next election? If so, it would be really great if you could make a regular donation via standing order to help with the costs of newsletters and campaigns. Anything from £2 per month would be really appreciated.

To [your bank or building society]	bank or building society name
Bank / Building Society Address	
Please pay	
Credit account name	
Account number	
The sum of	£ <i>Amount in figures</i>
	<i>Amount in words</i>
Commencing	<i>Date of the first payment</i>
And thereafter every	<i>State the payment frequency - e.g. "every month"</i>
Debit my account name	
My account number	
My account sort code	
Until you receive further notice from me.	
Signature	Date
Name	


**Labour**

### 3. Dear Resident letter from Ms Dawn Butler MP, November 2008

Dear Resident,

I am writing to you about three very important issues that affect all Brent residents and which I have received lots of enquiries about; Government investment in the Post Office Card Account, the banking crisis and the Council's mismanagement of £15million pounds.

#### Government investment in the Post Office:

I am delighted to say that the Government has decided to award the new contract for the Post Office Card Account (POCA) to the Post Office. This announcement is good news for our local Post Offices as the card account is an important source of income and brings customers through the doors of post offices across the country.

I know you were concerned about this issue and I met recently with James Purnell to raise it directly with him. That is why I welcome this news as do the people who run our post offices. The National Federation of Sub Post Masters had said that, without POCA 3,000 Post Offices could have closed across the country. This decision will help to protect the Post Offices that play such an important role in our community,

I was disappointed that we had post office closures in our constituency but I think this decision is particularly reassuring to people who will feel they need their Post Office Card Account even more during this period of financial uncertainty that began with the collapse of the American banks. The Post Office is a trusted brand and is seen as a safe, secure and a reliable provider of services in these turbulent times

The Government is offering a further subsidy of £1.7billion to help maintain a national post office network. New access criteria has also been introduced by the government to ensure we have modern Post Office branches in the right places to serve people. Along with the good news on POCA this represents a real help for these local businesses at what is a tough time.

#### **Banking Crisis:**

The Global financial problems first emerged as far back as early 2007 in America when bankers traded debts with each other at a higher rate to what they were worth in order to get massive bonuses.

As the housing and economic market slumped in the US, people defaulted on mortgages due to the amount of sub-prime loans (loans which were given to borrowers who were unable to afford any increase in repayments). Confidence amongst bankers hit an all time low as banks were too afraid to lend to one another, which meant no more loans or mortgages to ordinary people. By mid 2007, these banks came to the brink of collapse which then threatened businesses, jobs and homeowners worldwide.

Quite easily, this global crisis could have become a catastrophe but our Prime Minister, Gordon Brown has taken decisive action. His rescue package includes:

[Second page not supplied]

#### **4. Letter to individuals about air passenger duty from Ms Dawn Butler MP, 24 September 2009**

Dear Friend,

Thank you for contacting me to discuss your concerns about changes made to Air Passenger Duty (APD) by the Finance Act 2009.

The changes currently due to take effect from November 2009 would impose a greater tax on many long-haul flights. However in its present form the tax increases do not seem to be uniform and will affect some air travellers more greatly than others. Due to the formula for calculating the new rate of APD, travellers to the Caribbean may find themselves paying a higher cost per ticket than those flying much further distances to places such as Hawaii and the west coast of the United States.

*I recognise that these changes will impact disproportionately on travellers to the Caribbean, including the West Indian Diaspora in the UK. I am unhappy about the proposals on APD and the unfair consequences that they may have on so many of my constituents. I am currently pushing for the solution put forward by the Prime Minister of Jamaica, which is to have the Caribbean linked in with the USA. I have organised a meeting with the Chancellor of the Exchequer, Alistair Darling, to discuss this proposal in detail.*

Please be assured that I will write to you and keep you informed on the results of this meeting and any other further developments on the issue.

If you require any clarification on this response, or if I can be of assistance in any other matter, please do not hesitate to contact me once again.

## 5. Letter to Father David Clues about air passenger duty from Ms Dawn Butler MP, 25 September 2009

Dear Friend,

I have been contacted by some churches, members of which have expressed their concern about a letter they have received from another Member of Parliament.

The letter related to an issue in which I have been the lead MP for a number of months. I have already taken strong action on this issue. Please find the enclosed letter that I sent to concerned constituents on the proposed changes to Air Passenger Duty (APD).

I arranged a meeting with the Chancellor of the Exchequer, the Rt Hon Alistair Darling MP, and after direct lobbying from Dianne Abbott and I, on 9 July 2009, the minister in charge has announced that the Government will be reviewing its proposals on APD, and is considering bringing APD levied on air travel to Jamaica into line with that on flights to the USA. This is excellent news and is what was requested by the Jamaican Prime Minister, the Most Honourable Bruce Golding MP.

I have been working on this issue for many months and I wanted to assure you that the matter is firmly in hand and is being dealt with.

Another concern is the move by Virgin Atlantic Airways to renege on its promise not to make additional changes to the flight route between London and Kingston. They plan to reduce the baggage allowance on flights to the Caribbean from two cases to just one; please also find my enclosed letter to the Chief Executive of Virgin, together with a petition.

I would be grateful if you could encourage your congregation to sign the petition, which I aim to present to Richard Branson in November.

## 6. Letter to CEO of Virgin Atlantic Airways, enclosed with Ms Butler's letters to local vicar and others about air passenger duty

Our ref: [REDACTED]  
15 September 2009

Dear Mr Ridgway,

**Re: Baggage Allowance changes**

I write to you to discuss the changes being made to Virgin Atlantic's baggage allowance policy from November 25<sup>th</sup> 2009.

I understand that after that date Virgin is to reduce its free baggage allowance for economy class passengers on almost all flight routes from two cases to one; passengers will be charged £32 thereafter for checking in each additional bag on the Internet, or £40 if they do so at the airport.

This is a change that will cause great inconvenience and increased costs to many of my constituents who travel between the UK and the Caribbean. Large groups of such air travellers are visiting family abroad and rely on your service to carry essentials, presents and other items to their relatives.

Therefore, to them the baggage allowance is of crucial importance and the lowering of the threshold will impact on the ability of some to embark on their much-needed journeys. I also have many elderly constituents who prefer to carry two smaller bags that they are more able to manage, rather than one larger case that would prove hard for them to carry.

Since Virgin took over Air Jamaica's London to Kingston route in a codeshare deal in October 2007, travellers from the UK have had to travel from Gatwick rather than Heathrow, and the frequency of flights has been reduced from daily to twice weekly. I recall that after the takeover Virgin pledged to make no further alterations to the operation of the route.

The new policy on baggage allowance would renege on the promise not to enact further changes – I would like to know why the prior vow is to be broken and how this is supposed to improve the service for its users.

I am pleased to note that flights to Kenya and Nigeria will not be affected by the planned changes, with visitors to those nations still to be permitted to check in two cases without any charges for surplus. It would be helpful if, for the purpose of clarity, you could explain why there will be no alteration to the baggage allowances for flights to those countries.

At the very least, it would be helpful to apply the same rules to transatlantic and Caribbean flights as to those already in place for South Africa, Australia and Asia.

I would be grateful if you could provide an in-depth response addressing the aforementioned queries, as well as providing details of Virgin Atlantic's most recent financial data for total turnover and net profit.

## 7. Letter to Ms Dawn Butler from the Commissioner, 6 April 2010

I would welcome your help on a complaint I have received from Ms Elizabeth Mills about your use of House of Commons stationery and pre-paid envelopes for some of your communications.

I attach a copy of a letter of 23 March from the complainant, together with the attachments to that letter.<sup>6</sup>

In essence, the parts of her complaint which I have accepted are that in July 2008 you may have used parliamentary resources for party political purposes when you asked invitees to a Labour Party fundraising dinner to respond to your parliamentary addresses; that in November 2008, you used House of Commons pre-paid envelopes and perhaps original House stationery to send unsolicited correspondence to your constituents and perhaps others; and that, in September 2009, you used a pre-paid envelope and perhaps original House stationery to send an unsolicited letter to a constituent together with a survey and copies of letters which you had sent to others. I have not accepted for inquiry the remaining parts of the complaint about further pieces of literature from which the complainant had removed the recipients' names and addresses (which were not included in the evidence which I received), or about the alleged misuse of a risograph or about your newsletters, because either there does not appear to have been a breach of the rules of the House or there is insufficient evidence of a breach of those rules.

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 on the Incidental Expenses Provision and the Staffing Allowance were set out in the Green Book. Section 5 deals with the Incidental Expenses provision. The 2006 edition, which is likely to be the most relevant, includes the following at paragraph 5.1.1:

*“The Incidental Expenses Provision (IEP) is available to meet costs incurred on Members’ Parliamentary duties. It cannot be used to meet personal costs, or the costs of party political activities or campaigning.”*

Paragraph 5.13.3 includes under the heading of Allowable Expenditure

*“purchase of stationery and consumables.”*

Section 6 deals with the Staffing Allowance. Paragraph 6.2.1. provides as follows:

*“...It is a Member’s responsibility to ensure that staff paid from this allowance are:*

- employed to meet a genuine need in supporting you, the Member, in performing your parliamentary duties;*
- able and (if necessary) qualified to do the job;*
- actually doing the job*

*and that the resulting costs, in so far as they are charged to this allowance, are reasonable and entirely attributable to the Member’s parliamentary work.”*

The rules in relation to the use of House stationery were at the time set out in a booklet published in April 2007 entitled “The Communications Allowance and the use of House Stationery”. The rules in relation to pre-paid envelopes are set out in Appendix 4 of that booklet. Paragraph 10 provides:

*“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*

---

<sup>6</sup> WE 1 to WE 6

*note on publications funded from the Communication 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 13 provides:

*“Pre-paid envelopes may only be used to send updates to constituents on an ongoing basis where the updates relate to specific cases which have been raised with you by those constituents (such as progress on asylum applications). Pre-paid envelopes may not be used to send updates of more general concern.”*

Paragraph 14 provides that pre-paid envelopes must not be used

*“f) for questionnaires and surveys*

...

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

And paragraph 18 provides:

*“You are encouraged to use second-class pre-paid envelopes. First-class envelopes should only be used for priority mail.”*

The rules in relation to the use of original House stationery are also set out in Appendix 4 of the April 2007 booklet. Paragraph 6 provides:

*“In the course of a financial year, a Member is entitled to be provided free of charge with original House stationery to a value of up to £7,000. This includes the cost of both the stationery itself and the cost of postage on pre-paid envelopes. Members may also purchase original House stationery (but not pre-paid envelopes) using their Incidental Expenses Provision.”*

And paragraph 9 provides:

*“If you wish to use original House of Commons stationery to send to people on issues on which they have not previously contacted you, you must purchase it from the suppliers. Alternatively, you may photocopy stationery which includes the crowned portcullis and the words “House of Commons”. Such mail must comply with the rules set out in paragraph 7 and may not be sent using pre-paid envelopes.”*

I would welcome your comments on this complaint in the light of this summary of the relevant rules. In particular, it would be helpful if you could let me know:

1. why you asked recipients of the invitation to your July 2008 Labour fundraising dinner to reply to your parliamentary postal address, parliamentary email address or parliamentary phone number, how many did so, who processed the responses and whether any parliamentary staff time was used in making the arrangements for this fundraising dinner;
2. the circumstances in which you came to send your update letter of November 2008;
3. how many such letters you sent out;
4. whether they were all sent to your constituents, or whether they were sent to others, and, if so, who; and how many were sent;
5. whether the notepaper used for the letter was funded from parliamentary resources and, if so, from which allowance;
6. how many first- (or second-) class House of Commons pre-paid envelopes you used for this dispatch;
7. why you used House of Commons pre-paid envelopes for this communication;

8. the circumstances in which you came send to the vicar of one of your local churches your letter and its enclosures of 25 September 2009;
9. why you used a House of Commons pre-paid envelope to send this correspondence, with which you enclosed copies of your letter of 15 September 2009 to the chief executive of an airline, your letter of 24 September 2009, apparently to a constituent, and your survey;
10. why you apparently used original House stationery for your letter to the vicar of 25 September 2009 and for the copies of the enclosed letters of 15 and 24 September 2009, and the source of funding for this stationery;
11. how many letters you sent to others on the same lines of your letter of 25 September to the vicar of a local church, including copies of the same correspondence;
12. whether you used House of Commons pre-paid envelopes for each of these dispatches and, if so, why you did so in the light of the rules against using pre-paid envelopes to send mail to people on issues on which they had not previously contacted you;
13. whether you have at any time consulted the House authorities about any of these matters.

Any other points you may wish to make to help me with this complaint would, of course, be very welcome.

I attach a note which sets out the procedures I follow. I have written to the complainant to let her know the parts of the complaint I have accepted, and that I am writing to you about it.

I would be very grateful if you could let me have a response to this letter either before Dissolution (if that were possible) or within the first two weeks after Parliament has resumed. I will wish to conclude this inquiry whether or not you are returned following the election, and I would be most grateful for your help with this.

*6 April 2010*

## **8. Letter to the Commissioner from Ms Dawn Butler, 9 June 2010**

Thank you for your letter dated the 18th May concerning the matter of Ms. Mills.<sup>7</sup> Please accept my apologies for the delay in responding to you.

Ms. Mills sets out a number of complaints against me and I will respond to each matter in turn.

### **July 2008 Parliamentary resources for party political purposes:<sup>8</sup>**

The letter that was sent out to Ms. Mills inviting her to a fundraising dinner was made in error. Fortunately, I noticed this error and rectified it immediately. I was not aware that any invitations had been sent with the incorrect information until your letter of correspondence. Had Ms. Mills contacted me about the error sooner, I would have dealt with the matter directly. I can assure you that attendees responded to the local Party via their telephone and email addresses and not my parliamentary address, hence the reason why I was concerned to hear of Ms. Mills experience. The invitation was sent out by the local party and not by my Parliamentary staff.

### **November 2008 unsolicited correspondence:<sup>9</sup>**

The letter was concerning issues that many of my local constituents had contacted me about. I refute the suggestion that I had sent out the letter using House of Commons pre paid stationery as the letter was hand delivered by volunteers and the Portcullis Crest was copied onto the sheet of paper. The letters were sent to

---

<sup>7</sup> With this letter, which is not included in the written evidence, the Commissioner forwarded a further copy of his letter of 6 April 2010.

<sup>8</sup> WE 2

<sup>9</sup> WE 3

my constituents and I am afraid that I do not know the exact amounts that were delivered as it was such a long time ago.

**September 2009 unsolicited correspondence:**<sup>10</sup>

The matter was a direct result to a campaign that I had ran some months before within the borough. Many local churches had signed up to the campaign and the few that hadn't (approximately three local churches) were contacted and asked if they would be interested to hear more about the issue. [I] can only assume that the letter of correspondence that Ms. Mills had sent came from one of the churches that we had contacted directly. I would not have sent the information on the campaign using parliamentary stationery if the Church had not requested the information.

I hope that I have helped in resolving some of the concerns of Ms. Mills. If you would like any further information, please do not hesitate to contact me.

*9 June 2010*

**9. Letter to Ms Dawn Butler from the Commissioner, 14 June 2010**

Thank you for your letter of 9 June responding to mine of 18 May concerning the letter I sent you on 6 April about this complaint in respect of your use of House of Commons stationery and pre-paid envelopes for some of your communications in the last Parliament.

It was most helpful to have this response. I would be grateful, however, if you could clarify for me some of the points you have helpfully made:

1. **July 2008 invitation.** I am unclear from your evidence whether you are saying that the invitation which the complainant received with your House of Commons contact details was different from the invitation that was sent to everyone else, which had the Labour Party contact details. If so, could you explain how this happened? If in fact she and others received invitations bearing your House of Commons addresses, how is it possible that all those invited responded to the local Party addresses?
2. **July 2008 invitation.** I note that the invitation was sent out by the local party and not by your Parliamentary staff. Could you give me the name and address of someone in your local party who was responsible for sending out this dispatch whom I would consider approaching for witness evidence about it?
3. **November 2008 correspondence.** Could you let me know whether any of these letters were sent to people who were not your constituents?
4. **November 2008 correspondence.** Could you let me know whether Parliamentary resources met the copying and paper costs for the notepaper which you used for this dispatch?
5. **November 2008 correspondence.** The complainant included a copy of a first class House of Commons envelope in which she says this letter was sent. Your letter says that all these letters were hand delivered. Are you saying the complainant is mistaken in thinking that the first class House of Commons pre-paid envelope she included was the one in which you sent her your letter of November 2008? If so, can you explain how the recipient came to receive this envelope?
6. **September 2009 correspondence.** I have noted your evidence that the vicar to whom you wrote on 25 September 2009 must have requested the information you sent. I am writing to the vicar to ask him to confirm this. In the meantime, I am assuming that you sent three such letters to local churches in September 2009 after you had contacted them and they had asked to receive the information. If this is the position, I will need to consider whether it was appropriate for you to use House of Commons pre-paid envelopes and House of Commons provided stationery for these three dispatches. I am assuming that you

---

<sup>10</sup> WE 4,5

used your provided stationery account to copy your letters and petition to each of these three churches, but if this is wrong, please let me know.

I would be very grateful if you could let me have a response to this letter in the next two weeks. Meanwhile, I am writing to the vicar identified by the complainant. Thank you for your help.

*14 June 2010*

## **10. Letter to Father David Clues from the Commissioner, 14 June 2010**

I am writing to you to ask for your help on a complaint I have received against Ms Dawn Butler when she was the Member of Parliament for Brent South in the last Parliament.

I attach a note which sets out the procedure I follow in inviting evidence from witnesses. As you will see, this letter is marked "Private and Confidential" and is subject to Parliamentary privilege. I would be grateful, therefore, if you did not disclose this letter or your response more widely. I am likely to show your response to Ms Butler in the course of this inquiry. You should expect your response to be published along with other evidence I have received once my inquiry has been concluded. I would expect to identify you by name, but not your address. If there is any difficulty about this, do let me know.

The complaint against Ms Butler includes an allegation that in September 2009 Ms Butler used a House of Commons pre-paid envelope and perhaps original House stationery to send an unsolicited letter to you together with a copy of two other letters and a petition. I enclose a copy of the letter to you of 25 September, together with its enclosures.

Ms Butler's evidence to me is that she had been running for some months a campaign within the borough—apparently about changes to Air Passenger Duty. She says that many local churches had signed up to the campaign. Your church was one of the few that had not. She says that your church was contacted and asked if you would be interested to hear more about the issue. Ms Butler can only assume that the letter she sent you came as a result of the contact her office had with your church. She said that she would not have sent the information on the campaign using parliamentary stationery if your church had not requested it.

I would be very grateful if you could confirm Ms Butler's account. In particular, it would be helpful if you could let me know whether your church was contacted about her campaign and if you asked Ms Butler or her office to send you the information on the campaign. As you will see, in the event Ms Butler wrote to you about Air Passenger Duty and about Virgin Atlantic's baggage allowance changes with a petition.

I would be very grateful if you could let me have a response to this letter within the next two weeks. If there is any difficulty about this, or you would like a word, please contact me at the House of Commons. I would be most grateful for your help on this matter.

*14 June 2010*

## **11. Email from Ms Dawn Butler to the Commissioner, 4 August 2010**

Thank you for your letter.

I have been investigating your queries to enable me to obtain a substantive response for you. It is clear to me that I have not breached any parliamentary procedures, but in order for me to trace a photocopied draft invitation which is over two years old will take a substantive amount of time.

I can confirm that in all of the complaints put by Ms Mills no parliamentary paper was used.

In addition to this [personal reference to third party] must be my priority.

I can commit to collating all the information which will be given to me by the Labour party and providing it to you as soon as possible and no later than the end of the month.

4 August 2010

## **12. Email to the office of the Parliamentary Commissioner for Standards from Father David Clues, 20 August 2010**

Thank you for your letter of 20 July regarding the Commissioner's enquiry. I apologise that as a result of holidays and the original letter being wrongly delivered, I have not been able to reply sooner.

I can confirm that at no point was I or any other member of my church in touch with Ms Butler's office. I was only aware of the campaign on Air Passenger Duty through my own local MP, Ms Sarah Teather. My church was not contacted by Ms Butler's office and we did not request information from her. The communication that arrived was unsolicited.

I hope that helps with your enquiry. My apologies again for the inordinate delay.

20 August 2010

## **13. Letter to the Commissioner from Ms Dawn Butler, 1 September 2010**

In regards to your recent correspondence please find response below. I have tried to be as comprehensive as possible, and I have numbered my response in line with your letter to me. I hope that it is clear that I have not breached any parliamentary rules. I do hope that the response is sufficient. If you require further information please do not hesitate to contact me.

1. This invitation is not in line with invitations that the party normally distributes, or one which I would approve. Invitations usually have freepost Pavitt hall details on it, and my Dawn Butler events email address as demonstrated by other information Ms Mills has sent to you. There are no pictures on this invite and we generally put pictures on the invitations I can only surmise that this was a draft invitation. I cannot understand how this invite has inadvertently ended up in Mrs Mills or, anyone else's possession. (see example invitation attached).<sup>11</sup>

This invitation is over two years old therefore it is impossible to say with any certainty how Miss Mills happened to obtain this invite as she is obviously not a labour supporter. The local party have looked up Ms Mills and the only information that can be found is that her partner stood as a Liberal Democrat Candidate in the last election. In regards to your question on pre-paid envelopes I can confirm that any person who writes to me in regards to policy issues will receive a response from me on HOC paper and in a HOC envelope. My parliamentary computers have been wiped clean it seems like a long shot that any policy information can be obtained. I again stress that If this issue was raised in 2008 I would be able to provide a more comprehensive response. It is disappointing that someone would hold onto a complaint like this for two years.

I apologise for not having all the information to hand but if I had been aware of this situation two years ago I would have been able to give a more substantive response.

2. I'm afraid no one from the party can remember who was responsible for organising this mailing as it was two years ago. And our secretary has since moved on. But generally volunteers at the Labour Party office would help with this type of work.
3. In regards to your question on distribution unfortunately I have not got the 2008 distribution list — I can only assume that this letter was sent to individuals who had previously expressed an interest in the subject matter. As evident from the document it was a photocopied letter as the portcullis is very large. It is definitely not original HOC stationery it may also have been distributed at stalls and shops, as Ms Mills states in her letter she was handed some of my information from other people.

---

<sup>11</sup> Not included in the evidence.

4. All photocopying and paper would have been done by the party.
5. You ask whether I have ever purchased HOC stationery from my own funds and the answer is yes I have done so on a regular basis direct from the suppliers. This paper would have been used for mailings to anyone who had not previously contacted me, and general mailings. I had a long term volunteer from CARE(Christian Action Research and Education) making a Christian difference for the sake of the future. Who contacted churches in Brent on a regular basis. I have looked at the vicar who has complained and he is the Liberal Democrat Councillor Revd David Clues for Dudden Hill ward. I had spoken to my CARE intern, he could not remember the specifics of any of his conversations but he assures me that he did in fact contact churches to double check that they had previously enquired about the issue and to book visits which I did regularly. This situation actually arose because during my visit to churches, and various community events the issue was raised and I promised I would send out information at a later date, to constituents and their church leaders etc. My intern could not remember whether he spoke directly to Reverend Clues or someone else at the church. I have since received further information from you in this regard. I am not surprised that Lib Dem Cllr Clues believes that no-one spoke to anyone from my office, but I am disappointed at his response as he would have been aware that I initiated the campaign and members of his congregation would have signed the petition on this very issue.

I do not accept that I broke parliamentary rules in this regard. This situation seems to hang on one word against the other and I would rather not prolong this situation-any further, as I am no longer in contact with the intern responsible.

I do hope you find the above in order. I would like to resolve this matter ASAPP. I believe that I have acted in accordance with parliamentary rules.

*1 September 2010*

## **14. Letter to Ms Dawn Butler from the Commissioner, 1 September 2010**

Thank you for your email of 1 September responding to my letter to you of 14 June about this complaint.

I appreciate that you would like this matter resolved as soon as possible. It has, of course, been delayed by the time you have taken to respond to my letters, although I appreciate the other pressures on you at this time.

I will need to seek the advice of the Department of Resources on the issues raised by this complaint, but, to help speed that, I hope it might be possible to agree with you the evidence which you have given me. The complaint relates to three different items of correspondence. I will deal with each separately:

1. **Your invitation to a fund raising dinner on July 2008.** The complaint is that you used House of Commons facilities for this party political event by giving your House of Commons telephone numbers and email address and having invitees reply to your House of Commons office. In your letter of 9 June, you said that this was a letter sent out in error. You noticed it and rectified it immediately. You said that attendees responded to the local party and not your parliamentary address. In your email of 1 September, however, you have said that this was a draft invitation and you cannot understand how it ended up in the complainant's possession. Such party invitations, you have said, use a non-parliamentary email account and telephone number for responses—as well as pictures. I am having difficulty in reconciling these two explanations. Was this an invitation which was sent out in a first class House of Commons envelope and which you immediately noticed was wrongly drafted and dispatched and so stopped all other invitations being sent out in this form—as implied in your letter of 9 June? Or did you have no recollection of what happened with this invitation, but can only surmise that it was a draft which somehow reached the complainant as suggested in your email of 1 September?
2. **The “Dear resident” letter of November 2008.** The complainant says that this letter was sent out in first class House of Commons pre-paid envelopes. Your evidence in your letter of 9 June, taken with your email of 1 September, appears to suggest that you used no Parliamentary resources for this letter. It was printed on photocopied paper and hand delivered by volunteers to constituents who had taken an interest in the issues covered by the letter. Could you confirm my understanding of your evidence that no

parliamentary resources were used for the printing or distribution of this letter? I find this difficult to reconcile with the complainant's evidence that one constituent at least received a copy of this letter in a House of Commons pre-paid envelope. Was this, in your view, a one-off mistake or were other constituents likely also to have received this letter in a House of Commons pre-paid envelope?<sup>3</sup> **The letter of September 2009 to Father Clues and to other churches.** It would appear from the evidence of Father Clues that this letter was not a response to a contact made by him or his church with you. It would appear that he is a constituent of another Member. Your evidence is that you funded the parliamentary notepaper which was used to send out the letters, and presumably the attachments. But the evidence would appear to suggest that you used House of Commons pre-paid envelopes to send the letter to Father Clues and to two other churches. Could you confirm this? The issue I will need to resolve is whether the use of such envelopes was within the rules, given Father Clues' evidence that he and his church did not ask for this material.

I would be very grateful if you could let me have a response to this letter within the next two weeks. That would enable me to consult the Department of Resources. I would then show you their response for any comments you might wish to make. I would hope that that would then conclude the inquiry and enable me to come to a conclusion on how best to resolve it.

*1 September 2010*

### **15. E-mail to the Commissioner from Ms Dawn Butler, 6 September 2010<sup>12</sup>**

1. Invitation to a fundraising dinner, July 2008. This invitation is not in line with normal invitations and therefore I have surmised that it was indeed a draft invite. I have been assured me that if this invitation was sent, the error would have been rectified immediately. Invitations are not sent in HOC envelopes and therefore I assume that it was an isolated error, if made at all. The invites were also managed in the Labour party office.

2. "*Dear Resident*" letter of November 2008 — it is very difficult to say for certain how a constituent would have received this letter in a House of Commons pre-paid envelope. The fact that this constituent then waits for two years before reporting it makes it even more difficult to explain. I can only say that in my view this may have been an isolated incident as these letters were in the main hand delivered and placed on stalls and in post offices etc I can confirm that to my knowledge no parliamentary resources were used and this letter was in the main hand delivered. The constituency does sometimes do mass mailouts to constituents who have signed petitions on a particular issue but this is done in plain envelopes and franked.

3. The letter of September 2009 to Father Clues and to other churches. I am of the understanding that the information was sent to Father Clues and two other churches in parliamentary envelopes. Although I still maintain that all the churches were contacted.

*6 September 2010*

### **16. Letter to Ms Dawn Butler from the Commissioner, 8 September 2010**

Thank you for your email of 6 September with your response to my letter of 1 September annotated on that letter. I am quite content to receive your evidence in this way.

It would appear from what you have said that you deny that Parliamentary resources, including House of Commons funded stationery and House of Commons pre-paid envelopes, were used for the fundraising dinner or the "*Dear Resident*" letter from 2008, other than the invitation letter and the "*Dear Resident*" letter received by the complainant in a House of Commons pre-paid envelope. You also continue to believe that the letter you sent, in a House of Commons pre-paid envelope and using provided stationery, to a church had

---

<sup>12</sup> This e-mail consisted of annotations to the Commissioner's letter of 1 September.

been requested by them, contrary to the evidence of the witness whom I have consulted. If you have any evidence to substantiate your belief, that would be most helpful. In the meantime, I am consulting the Department of Resources about these matters and will be back in touch when I have their response.

Thank you for your continued help with this.

*8 September 2010*

### **17. Letter to the Director of Strategic Projects, Department of Resources from the Commissioner, 8 September 2010**

I would welcome your advice and comments on a complaint which I received against Ms Dawn Butler when she was the Member for Brent South in respect of her alleged use of House of Commons stationery and pre-paid envelopes for certain dispatches she made in 2008 and 2009.

I attach [relevant correspondence].

In essence, the part of the complaint into which I am inquiring is that in July 2008 Ms Butler may have used Parliamentary resources for party political purposes when she asked invitees to a Labour Party fundraising dinner to respond to her Parliamentary addresses; that in November 2008 she used House of Commons pre-paid envelopes and perhaps original House stationery to send unsolicited correspondence to her constituents and perhaps others; and that, in September 2009, she used a pre-paid envelope and perhaps original House stationery to send an unsolicited letter to a constituent together with a survey and copies of letters which she had sent to others.

I would welcome any comments you may wish to make on this matter in the light of the evidence which I have received. In particular, it would be helpful to know whether there is a record in the Department of any contacts Ms Butler may have made with the Department in respect of any of these communications. It would appear that Ms Butler denies that the fundraising dinner in July 2008 used any Parliamentary resources, apart from the envelope which was the subject of this complaint which she says, was an isolated error, if made at all; similarly for the "Dear Resident" letter of November 2008 which she believes may have been an isolated incident. She also considers, contrary to the evidence of the witness I consulted, that her letter of September 2009 was sent in pre-paid envelopes to three churches after they had been contacted. Any evidence the Department may have to help me analyse Ms Butler's evidence would be most welcome.

I would be very grateful if you could let me have a response to this letter within the next three weeks. Thank you for your help.

*8 September 2010*

### **18. E-mail to the office of the Commissioner from Ms Dawn Butler, 9 September 2010**

Thank you for your letter. I am afraid that the only evidence I would have had would have been the notes and check list which would have been on the parliamentary computers. The only other means would be to check the telephone records.

Because of the timing of this complaint it has made it very difficult for me to obtain solid evidence and it again will boil down to one word against the other.

I wish I were able to obtain the evidence as I do think that this is a malicious and unjust complaint. But we are not as calculated or organised as our opposition, but these are the lessons that one learns.

9 September 2010

## 19. Letter to the Commissioner from the Director of Strategic Projects, Department of Resources, 15 September 2010

Thank you for your letters of 8th and 9th September.<sup>13</sup>

There is no record of Ms Butler, or any of her staff, contacting the Department of Resources in order to seek advice on any of the items of correspondence referred to in the complaints you have received.

Ms Butler made regular use of her Communications Allowance in each of the three years from 2007/2008. Expenditure was as follows:

2007/2008	£11,396.21
2008/2009	£12,519.02
2009/2010	£10,400.00

As well as the risograph referred to by the complainant, there were claims for stationery, postage and distribution services. This would suggest that Ms Butler was aware of the rules regarding pre-paid envelopes and stationery and sought to meet the costs of mass mailings from the appropriate allowance.

Ms Butler submitted a number of items of correspondence (intended for circulation to constituents) to the Department for consideration. A summary for the 2008/2009 and 2009/2010 financial years is below:

March 2009	Annual report	Agreed
March 2009	Council tax — letter	Disallowed
April 2009	Sri Lanka — letter	Agreed
April 2009	Tower block — letter	Agreed
November 2009	Freedom Pass — letter	Agreed
November 2009	Young people — letter	Agreed
December 2009	Newsletter	Agreed
January 2010	Letter to pensioners	Disallowed

As part of general advice given to Ms Butler, she was informed that correspondence should only be sent to existing constituents; and that stationery and postage for mass mailings should be met from the Communications Allowance.

I make two general comments.

While Members ought not to use parliamentary facilities for party political purposes, I think it is important to recognise that Members do receive all kinds of party political correspondence at their parliamentary addresses, and that staff time is inevitably spent in dealing with this correspondence.

Secondly, in the case of a body like a church, the question of what is, and what is not, solicited correspondence may not be straightforward. So it is possible that an individual leader of a church did not communicate with a Member, but that the Member had received representations from church members and felt that he or she should use the agency of the church leader to communicate with the wider church body.

---

<sup>13</sup> With his letter of 9 September, which is not included in the evidence, the Commissioner forwarded his letter to Ms Butler of 8 September and her response of 9 September.

...

Please let us know if the Department can help further.

*15 September 2010*

## **20. Letter to Ms Dawn Butler from the Commissioner, 20 September 2010**

I last wrote to you on 8 September to let you know that I was consulting the Department of Resources about this complaint. I have now heard back from them.

I enclose a copy of my letters of 8 and 9 September to the Department of Resources, and a copy of their response of 15 September. As you will see, they have no record of you or your staff contacting the Department of Resources about any of the items of correspondence referred to in the complaints. They have set out details of your Communications Allowance claims and details of your consultations with them about items of correspondence to be funded from the Communications Expenditure in 2009 and 2010. They have also made some general observations.

I need now to consider how best to resolve this complaint. I am minded to conclude that the evidence I have received does not substantiate the allegation that parliamentary resources were in fact used for your Labour Party fundraising dinner. While there is a difference in the evidence about your letter to the three churches, I think it is clear from this evidence that the approach came initially from your office and, in that case, provided House stationery, including pre-paid envelopes, should not have been used. You have accepted that you may have mistakenly used one House of Commons pre-paid envelope to send out one of the "Dear Resident" letters of November 2008. I believe it would be right to conclude that you did so.

I do not consider these to be substantial breaches of the rules and would therefore be ready, with your agreement, to use the rectification procedure to resolve this complaint. That would mean me writing to the complainant explaining my conclusions and closing the complaint on that basis. I would report the outcome to the Committee on Standards and Privileges.

I enclose a draft of a letter which I would propose with your agreement to send to the complainant closing the complaint on this basis. I would be very grateful to know whether you are content for me to resolve the matter in this way and, if so, whether you have any comments on the factual accuracy of the enclosed draft.

If the House agrees to proposals which I made which were supported by the previous Committee on Standards and Privileges, you can expect my letter to the complainant, and the relevant evidence, to be placed in due course on my parliamentary webpages.

If you were not to agree to this course of action, I would need to consider preparing a memorandum to the Committee on Standards and Privileges, despite the very minor nature of this breach of the rules.

*20 September 2010*

## **21. E-mail to the Commissioner from Ms Dawn Butler, 24 September 2010**

Thank you for your latest correspondence. Apologies that it has taken me a few days to respond. I note your proposal on how to proceed and I am in agreement that this is the best way to conclude this matter.

In reference to the draft letter to Ms Elizabeth Mills I wonder if you would be mindful to mention that although the vicar may not have been my constituent, many members of his church were in fact my constituents and would have signed various petitions and contacted me in regards to this issue. I therefore believe that it is possible that the approach may have come from my office, but equally possibly that it may have come from a church member.

I may not have been very clear in my evidence to you and I apologise for that. But the approach from my office was to ensure that we sent the information to the head of the church as a matter of respect. This was an important campaign in the borough and thousands of representations were made to me. I can guarantee that someone from his church was involved.

I am mindful of the wording of your final letter as I am sure that it will be reproduced and embellished on a much wider scale by the Liberal Democrats and for such a minor breach I would like to ensure that I am not unnecessarily criminalised.

I hope that you find my email in order.

*24 September 2010*

## **22. Letter to Ms Dawn Butler from the Commissioner, 28 September 2010**

Thank you for your email of 24 September responding to my letter to you of 20 September about the resolution of this complaint. I am most grateful for this prompt response.

I have noted your additional suggestion that your letter was sent to the vicar following signed petitions or contacts you had had from constituents who were also members of the church. I appreciate that it can be difficult to recall the reasons why any particular action was taken, but you have now given me two possible reasons why your letter was sent. First, you told me on 1 September that the letter was requested by the church following contact from your office. Secondly, you have told me in your email of 24 September that the letter may have been sent following contacts from your constituents. The vicar has, of course, told me that neither he nor the church asked for this material.

I will record the two different reasons you have given me for the letter. You have not, of course, provided any substantiating evidence for either of your explanations. Given that you no longer have access to your documentation from when you were a Member of Parliament, and to keep this matter in proportion, I do not suggest we take this any further. The fact that church-going constituents may have contacted you is not, in my judgment, sufficient to justify your writing your letter to the vicar, or to the other two churches, using your provided stationery. Taking all the evidence together, your letter to the vicar either appears to have been unsolicited by him or to have been sent following an approach to the three churches from your office and either way, provided stationery should not have been used.

I enclose a revised draft letter to reflect the further statements which you have made. You will appreciate, of course, that I have prepared the letter on the basis of the evidence I have seen, and would not, of course, take account of any likely reaction from the complainant to these findings. I have also removed the reference to full co-operation since, as you know, it took until 1 September for me to receive a substantive response to my letter of 14 June. I am sorry not to have picked up earlier this factual point.

Could you confirm by mid-day 30 September the factual accuracy of the attached draft? Thank you for your help.

*28 September 2010*

## **23. E-mail to the Commissioner from Ms Dawn Butler, 30 September 2010**

I agree to the draft letter that I have seen to be sent to the complainant.

*30 September 2010*