

Rt Hon Harriet Harman QC MP: Resolution Letter

Letter to Mr Graham Neale from the Commissioner, 2 December 2010

I have now concluded my inquiries into the complaint which you sent me on 24 September about the use made by the Rt Hon Harriet Harman QC MP of House of Commons stationery and envelopes to send you unsolicited letters.

In essence, the complaint was that Ms Harman had used House of Commons pre-paid envelopes and House of Commons stationery to send unsolicited letters, including to people who are not her constituents. The letters complained of are a letter to you of 26 July 2010 with enclosures on advice surgery times, and another of 2 September 2010 about a police numbers campaign in the borough of Southwark.

I have consulted Ms Harman and the House authorities about this matter.

Ms Harman has confirmed that she used House of Commons original stationery and House of Commons pre-paid envelopes provided from her House of Commons stationery account to send her letters of 26 July and 2 September, as well as an earlier letter of 13 May, to the Secretaries of Tenants' and Residents' Associations in Camberwell and Peckham. The letters of 13 May and 26 July were to provide information about her advice surgeries. The letter of 2 September arose from a meeting of the cross party "Southwark Police 1000 campaign", on which Ms Harman has been writing to the Tenants' and Residents' Associations since 2002.

Ms Harman has told me that her letters were intended to be sent only to secretaries of Tenants' and Residents' Associations in her constituency. But there were boundary changes to the Camberwell and Peckham constituency for the General Election in May this year. I understand from Ms Harman that her staff checked the list of Tenants' and Residents' Associations in the borough but mistakenly included the Draper Estate as one of those now coming within Ms Harman's constituency. This was wrong because, as you know, the Draper Estate remained within the North Southwark and Bermondsey constituency. That mistake resulted in the two letters wrongly sent to you. I understand that Ms Harman has written to you direct about this. I understand also that no other association outside Ms Harman's constituency received the July and September letters.

Taking account of all three dispatches, two on her advice surgeries and one on the cross-party police numbers campaign, Ms Harman sent out 203 letters using House of Commons provided stationery and House of Commons first class envelopes to the secretaries of Tenants' and Residents' Associations. You have provided evidence, which I accept, that two of these letters were sent to you and were therefore sent outside her constituency.

The advice which I have received from the House authorities is that Ms Harman should not have used House of Commons provided stationery and House of Commons envelopes to send out these communications. The Department's advice is that the rules do not allow such House of Commons stationery and House of Commons pre-paid envelopes to be used for circulars to constituents, which would include advice surgery notices and Ms Harman's letters about policing issues. It is also the case that envelopes should not be used to write to constituents to provide them with updates unless they relate to specific cases, which did not apply to the letters on policing issues.

Ms Harman has identified several other similar dispatches which, since the start of the present Parliament in May, she has sent to schools, churches and others in her constituency about her advice surgeries, and to some schools about their GCSE results. In all, these accounted for a further 98 sheets of House of Commons notepaper and 252 first class envelopes. Most of these envelopes included only the surgery notices without a covering letter. In addition, Ms Harman has identified that she wrongly sent advice surgeries notices on 20 October 2010 to some thirty addresses which fell outside the boundaries of her constituency. This error occurred because the address list dated back to 2004 and had not been updated.

My conclusion is that Ms Harman was in breach of the rules of the House in using House of Commons notepaper and House of Commons pre-paid envelopes for these dispatches, because they were circular letters and not updates on specific cases, and because some were sent to people who were not her constituents. I accept Ms Harman's evidence that the Southwark Police 2000 campaign was a long running campaign with cross-party support which did not, as you feared, constitute party political activity. I do not, therefore, uphold this part of your complaint.

I understand from Ms Harman that she has checked with the Independent Parliamentary Standards Authority and that, with the exception of the 32 letters which went to people outside her constituency, it is possible for her to claim the costs of these letters and any future circular dispatch, from an IPSA account, namely General Administrative Expenditure. I accept Ms Harman's estimate that of the full costs incurred (£211.48), the cost of the correspondence sent outside her constituency amounted to £13.20, leaving £198.28 which she intends to claim through IPSA under General Administrative Expenditure. Ms Harman's error, therefore, was to use House of Commons stationery for dispatches which, it would appear, with the exception of the letters mistakenly sent outside her constituency, could have been claimed from an IPSA account.

Ms Harman has accepted that through administrative errors in her office she breached the rules using House of Commons-funded stationery for these dispatches and has apologised. She has paid back £211.48 to cover the full costs involved, although she expects to claim all but £13.20 of this back from her IPSA account. She has ensured that her address lists have been updated so that they identify only addresses in her current constituency and that in future her staff use stationery from the right account.

I consider this a satisfactory resolution of this matter and that Ms Harman has taken appropriate action to rectify the situation. I have, therefore, closed the complaint on this basis. I will inform the House of Commons Committee on Standards and Privileges of the outcome. In due course, in accordance with a resolution of the House of 2 December 2010, this letter and the evidence relating to it, will be published on my webpages.

I am copying this letter to Ms Harriet Harman QC MP.

2 December 2010

Rt Hon Harriet Harman QC MP: Written Evidence

1. Letter to the Commissioner from Mr Graham Neale, 24 September 2010

I am very concerned about the correspondence which I have received from Harriet Harman MP and which is clearly paid for by the taxpayer. Please accept this letter as a formal complaint into her conduct.

I enclose photocopies of the letters which I have received and the envelopes in which they arrived.¹ I have the originals if you need to see them, but I did not want to risk losing these in the post.

As you can see, the letters from Harriet Harman MP are completely unsolicited and use parliamentary stationery and postage. The second letter relates to a political campaign and I am really troubled that tax payers' money is being used to fund this kind of propaganda. If I have received two letters in the last few months, how many others have been sent in this way? I will be astounded if this is an acceptable use of MPs' expenses.

Furthermore, I do not even live in Harriet Harman's constituency so I am even more troubled that she is using parliamentary resources to campaign to people who are not her constituents.

I would be very grateful for a full investigation into this misuse and abuse of the position of a Member of Parliament. Please could you tell me whether Harriet Harman has breached the rules and, if so, what you will be doing to ensure that the matter is dealt with?

24 September 2010

2. Letter to Mr Graham Neale from Rt Hon Harriet Harman QC MP, 26 July 2010

I am writing to update you on my upcoming advice surgeries and how residents can contact me. Enclosed are two sheets with further details. I would be grateful if you could display these on your notice boards.

If you require assistance with any issue, please do not hesitate to contact me.

26 July 2010

¹ WE 2, 3, 4. The envelopes are not included in the evidence.

3. Rt Hon Harriet Harman QC MP: constituency advice surgery poster



Harriet Harman QC MP

Member of Parliament for Camberwell and Peckham

Advice Surgery Times – July, August, September and October 2010

Friday 2 nd July 2010	9am
Friday 16 th July 2010	9am
Friday 30 th July 2010	9am
Tuesday 10 th August 2010	5pm
Friday 20 th August 2010	9am
Friday 3 rd September 2010	9am
Friday 17 th September 2010	9am
Tuesday 21 st September 2010	5pm
Tuesday 5 th October 2010	5pm
Friday 15 th October 2010	9am
Friday 29 th October 2010	9am

All surgeries will take place at:

The list will open at 9am on Friday surgery days and 5pm for Tuesday surgeries. Harriet and her team will see the first 60 "new cases" to put their name on the list. We will try and see you as quickly as possible but we are afraid we cannot keep your place on the list if you leave.

I will also be having an extra advice surgery on Friday 8th October 2010 at 9am in

All surgeries held at:

If you have already been seen by Harriet or a member of her team, and want to give further information or get an update on your case, you do not need to return to surgery, but should write to Harriet at the House of Commons, London, SW1A 0AA or

If you have not been to an advice surgery before, and want to discuss an issue with Harriet and her team, then please come to at the times detailed above.

Are you a Council leaseholder? If so, and you would like to contact other Council leaseholders in Southwark, then you can contact LAS 2000 to let them know about your experiences and to find out about membership and meetings at:

4. Letter to Mr Graham Neale from Rt Hon Harriet Harman QC MP, 2 September 2010

I am writing to you to ask your support for the 'Police 1000' campaign to protect Police numbers in our borough.

We need to protect the current levels of police in Southwark. An effective police presence is vital to help maintain the downward trend of crime in our borough. Southwark has one of the highest crime rates in the country. Since 2002 local people and elected representatives have worked together to increase the number of Police Officers in Southwark to meet these challenges.

According to the Metropolitan Police, Southwark has the second highest incidence of crime out of the 32 London boroughs, even though it only has the tenth largest population. Crime is falling in Southwark; this is due to a combination of factors, not least the introduction of Safer Neighbourhood Teams, increased numbers of police and community support officers. Local residents value their Safer Neighbourhood Teams and the close connection that police and community support officers develop with an area. If police numbers are cut and Safer Neighbourhood Teams are scaled back then the impact on local people will be significant.

Draper Estate TRA does important work in Southwark and I would be grateful if you would consider signing up to an open letter that will be sent by your local MPs and Assembly Member to the Home Secretary, Theresa May MP and the Mayor of London, Boris Johnson. If you would like to support our campaign please complete and send back the attached return slip by Friday 17th September 2010.

Please do not hesitate to contact me if I can be of assistance with this or any other issue.

2 September 2010

Police 1000 Campaign Letter Return Slip:

We, the undersigned urge the government to protect the current levels of police in the London Borough of Southwark. Maintaining an effective police presence is vital to help maintain the downward trend of crime in our borough. As you are no doubt aware Southwark has one of the highest crime rates in the country. Since 2002 local people and elected representatives have worked together to increase the number of Police Officers in Southwark to meet these challenges.

According to the Metropolitan Police, Southwark has the second highest incidence of crime out of the 32 London boroughs, even though it only has the tenth largest population. Crime is falling in Southwark; this is due to a combination of factors, not least the introduction of Safer Neighbourhood Teams, increased numbers of police and community support officers. Local residents value the Safer Neighbourhood Teams and the close connection that police and community support officers develop with an area. If police numbers are cut and Safer Neighbourhood Teams are scaled back then the impact on local people will be significant.

We urge the government to protect this vital public service. Cutting back police and community support officers will lead to an increase in crime which will cost society and the economy more over time.

Name of Individual/Organisation:

I/We* agree to support the Police 1000 campaign and that my name/our organisations name* is included in a letter to the Home Secretary and Mayor of London.

*(Delete as applicable)

Signed

Date.....

Address

Email Address.....

Telephone Number

PLEASE RETURN COMPLETED SLIPS BY FRIDAY 17th SEPTEMBER 2010 BY POST TO:

[...]

BY EMAIL TO:

[...]

5. Letter to Rt Hon Harriet Harman QC MP from the Commissioner, 27 September 2010

I would welcome your help on a complaint I have received from Mr Graham Neale about your use of House of Commons stationery to send him unsolicited letters.

In essence, the complaint is that you have used House of Commons pre-paid envelopes and House of Commons stationery to send unsolicited letters, including to people who are not your constituents. The letters complained of are a letter of 26 July 2010 with enclosures on advice surgery times, and a letter of 2 September 2010 about a police numbers campaign in the borough of Southwark.

The Code of Conduct for Members 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 in relation to the use of House stationery and postage were set out in section 2.6 of the Green Book published in July 2009. Paragraph 2.6.3.1 sets out the provision for the use of pre-paid envelopes, including the following:

“Pre-paid envelopes are designed to enable you to reply to letters or other contacts you receive, and to write to individuals and organisations in pursuit of your parliamentary duties. 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.

...

Pre-paid envelopes may only be used to send updates to constituents on an ongoing basis where the updates relate to specific cases (such as the progress on asylum applications). Pre-paid envelopes may not be used to send general updates.”

Pre-paid envelopes must not be used:

- ...for questionnaires and surveys
- ... for correspondence you instigate with constituents on issues which they have not previously contacted you...

Questionnaires and surveys...must not be attached to correspondence legitimately sent in pre-paid envelopes.

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

Paragraph 2.6.3.2 sets out the provisions on the use of House stationery including the following:

“If you wish to use House of Commons stationery to write to people on issues on which they have not previously contacted you, you must purchase it from the suppliers, not as part of your cash-limited entitlement. Alternatively, you may photocopy stationery which includes the crowned portcullis and the words ‘House of Commons’... “

It may also be relevant that the then Speaker said in his statement of 6 November 2007:

“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.”

I would welcome your response to this complaint, taking into account the summary of the relevant rules. In particular, it would be helpful to know:

1. the circumstances in which you came to send out each of the letters received by the complainant, and why you apparently used House of Commons first class pre-paid envelopes and House of Commons provided stationery for these dispatches;
2. what category of people were sent the letters and, within the total, how many were sent to people who were not your constituents;
3. whether they were in common format, identical or nearly identical for each of the addressees;
4. whether since the beginning of this Parliament you have sent out similar dispatches using House of Commons pre-paid envelopes and House of Commons provided letter paper and if so, I should be grateful for details including the purpose, dates, the number of letters dispatched and the amount of envelopes and notepaper used.

Any other points you may wish to make to help me with this inquiry would be most welcome. I attach a note which sets out the procedures I follow. I have written to the complainant to let him know that I have accepted his complaint and I am writing to you about it.

I would be most grateful if you could let me have a response to this letter within the next three weeks, although I appreciate we are now in the Conference Recess. If there were any difficulty with that, or you wanted to ask about any other matter in relation to this complaint, please contact me at the House.

I would be very grateful for your help with this matter.

27 September 2010

6. Letter to the Commissioner from Rt Hon Harriet Harman QC MP, 7 October 2010

Thank you for your letter dated 27th September 2010 about the letter you received from Graham Neale, the Secretary of the Draper Estate Tenants’ and Residents’ Association.

Keeping in touch with T&RAs in my constituency is an important part of my role as the Member of Parliament for Camberwell and Peckham.

At the general election on 6th May 2010 there were boundary changes to my constituency.

After these boundary changes, a member of my staff requested from Southwark Council an updated list of the Secretaries and Chairs of the Tenants’ and Residents’ Associations that now fall in my constituency.

My staff member was told that the list was not broken down by constituency and was sent the list for all the Tenants' and Residents' Associations in the London Borough of Southwark.

My staff member went through the list checking the addresses against the new boundaries and deleting the names and addresses of the T&RA Secretaries and Chairs whose T&RA falls outside Camberwell and Peckham.

Two new T&RAs came into my constituency from the former constituency of North Southwark and Bermondsey. But the Draper Estate stayed within North Southwark and Bermondsey and did not come into my constituency.

By mistake my member of staff failed to delete Mr Neale and the Draper Estate from the list and his name was included in the list of Camberwell and Peckham Tenants' and Residents' Associations.

This was an administrative error which I have now corrected. I have written to Mr Neale explaining the administrative error and assuring him that I will not be writing to him again. I have removed Mr Neale's name from my list.

You have asked:

1. The circumstances in which you came to send out each of the letters received by the complainant, and why you apparently used House of Commons first class pre-paid envelopes and House of Commons provided stationery for these dispatches.

Letter of 26th July 2010²

As I have explained above, the letter was sent to the complainant by mistake. The letters sent to the Secretaries of T&RAs in my constituency informed them of the time and place of my forthcoming advice surgeries. It enclosed a poster showing the time and place of my advice surgeries.³ It is important that my constituents know how to contact me when they need my help. Usually T&RAs put these posters up on the notice board in their TA hall.

First Class pre-paid envelopes

As soon as I have arranged the dates for my surgeries I notify the T&RAs. It is a priority. But if 1st class stamps are not to be allowed for this I would of course be happy to comply with that ruling.

Letter of 2nd September 2010⁴

The letter of 2nd September arose from a meeting of the cross party "*Southwark Police 1000 Campaign*". That is a campaign of the borough's 3 MPs, councillors and tenants' and residents' representatives whose objective is to increase the number of police in Southwark. We have been working together on this since 2002 when the "*Southwark Police 1000 Campaign*" was formed.

My letter invited the tenants and residents representatives to co-sign a letter from me, Simon Hughes MP and Tessa Jowell MP arguing that while crime is coming down in Southwark it is still too high and that cutting neighbourhood policing would risk crime rising. The letter is to the Home Secretary and the Mayor of London. The letter is co-signed by all the Lib Dem councillors as well as all the Labour councillors in Southwark. It was not a Labour Party letter.

I sent the letter dated 2 September 2010 to Camberwell and Peckham T&RA Secretaries inviting them to co-sign this letter. I did not intend to send it to any T&RA outside my constituency — that was left to Simon and Tessa. Because all the T&RAs in my constituency were written to, and because Mr Neale was inadvertently on the list, he was written to by mistake.

² WE 2

³ WE 3

⁴ WE 4

First Class pre-paid envelopes

The letter was sent in first class envelopes because we wanted to send it out with all the co-signatures before decisions on policing in Southwark were made.

2. The category of people who were sent these letters.

Both letters were sent to the secretaries of the 67 T&RAs in Camberwell and Peckham. I have checked my list and only Mr Neale was on the list in error. I have amended the list accordingly.

3. Whether they were in common format, identical or nearly identical. All letters were nearly identical.

All letters were nearly identical.

4. Whether you have sent out similar dispatches

Since the start of this parliament in addition to the two letters referred to above — ie the surgery information and the Southwark Police 1000 campaign, I have sent out one further letter. I enclose a copy.⁵

I have written to Mr Neale and assured him that I have not been using parliamentary pre-paid envelopes for a political campaign. I have assured him that he has been removed from my list of Camberwell and Peckham T&RAs.

Please find enclosed my cheque made out to IPSA for £1.50 which I estimate to be the cost of 2 first class stamps, 2 envelopes and 4 sheets of paper which were sent out in error.

Mr Neale expresses concern about the misuse of parliamentary resources. If he had just written to me or called my office I would have just taken his name off the list and this could have been sorted out without the time and expense that dealing with this as an official complaint has caused.

7 October 2010

7. Letter to Secretaries of Camberwell and Peckham Tenants' and Residents' Associations from Rt Hon Harriet Harman QC MP, 13 May 2010

It is a great honour and a privilege to have been re-elected as your Member of Parliament for Camberwell and Peckham. I look forward to working with you. I just wanted to write to you to let you know that my constituency is my foremost priority.

Please do not hesitate to get in touch with me on any issue. Please let me know how things are going with you. Let me know your progress as well as your problems. My commitment is always to be available for you and to get back to you as soon as you contact me.

I have regular surgeries in Southwark Town Hall on Peckham Road where any individual can come to see me. And you can contact me by email on [...] or by phone on[...].

Very best wishes and I look forward to seeing you soon.

13 May 2010

8. Letter to Rt Hon Harriet Harman QC MP from the Commissioner, 11 October 2010

Thank you for your letter of 7 October responding to mine of 27 September about this complaint.

⁵ WE 7

I was most grateful for this prompt response.

You have helpfully explained how Mr Neale came to receive the two letters he sent me. You have also explained why you consider it was acceptable for you to have used House of Commons stationery for the two dispatches which otherwise went to people in your constituency. There is, however, a further question which arises from Mr Neale's complaint. It relates to the source of the stationery which you used. It would appear that you used House of Commons pre-paid envelopes for both your dispatches. You may also have used House of Commons original stationery from your provided stationery account. From what you say, there were three such dispatches to the secretaries of the Tenants' and Residents' Associations in your constituency (plus the two to Mr Neale)—203 in all. It would appear from what you have said that these letters were not written to people on issues on which they had previously contacted you, and, since they informed your constituents about your work as a Member, it would appear under the rules that pre-paid envelopes and perhaps provided stationery should not have been used.

I will need to consult the Department of Resources about this. But before doing so, it would be very helpful if you could let me know whether you did indeed use House of Commons original stationery from your stationery account for these letters, as well as House of Commons pre-paid envelopes, or if not, the source of the funding for your letter paper.

In the meantime, I am holding your cheque for £1.50 to IPSA, since I would expect that you would want to address the question of any possible repayment, and to which account, once I have received advice from the Department of Resources. If you could let me have a response to this letter within the next week, I will then consult the Department. Thank you for your help.

11 October 2010

9. Letter to the Commissioner from Rt Hon Harriet Harman QC MP, 13 October 2010

Thank you for your letter dated 11th October 2010. You have asked if I used House of Commons original stationery from my stationery account, as well as House of Commons pre-paid envelopes, for the letters which I sent to Tenants' and Residents' Associations Secretaries on 13th May, 26th July and 2nd September 2010. I can confirm that I did.

You have said that you will need to consult the Department of Resources because you claim it appears that my letters were written to constituents concerning my work as a Member about issues which the constituents had not previously contacted me.

Letters of 13th May and 26th July 2010⁶

The rules state "*Pre-paid envelopes are designed to ...write to individuals and organisations in pursuit of your parliamentary duties*". Holding regular advice surgeries so my constituents can seek my help is one of my most important parliamentary duties. My team and I see the first 60 people who arrive at my advice surgeries. Often more than 60 people seek my help at each surgery. Advertising my advice surgeries so constituents know how to contact me is essential. Both my letters of 13th May and 26th July enclosed advice surgery posters.

Letter of 2nd September 2010⁷

The letter of 2nd September arose from a meeting of the cross party "*Southwark Police 1000 Campaign*". That is a campaign of the borough's three MPs, councillors and tenants and residents representatives whose objective is to increase the number of police in Southwark. We have been working together on this since 2002 when the "*Southwark Police 1000 Campaign*" was formed. I first wrote to the Tenants' and Residents' Associations consulting them about the "*Southwark Police 1000 Campaign*" in 2002 and was pleased with the very positive response. My letter of 2nd September 2010 was not contacting a constituent about a new issue.

⁶ WE 7, WE 2

⁷ WE 4

I would be grateful if you would advise the Department of Resources accordingly.

13 October 2010

10. Letter to the Director-General, Department of Resources, from the Commissioner, 18 October 2010

I would welcome your advice and comments on a complaint I have received against the Rt Hon Harriet Harman QC MP about her use of House of Commons stationery for two letters she sent to secretaries of Tenants' and Residents' Associations.

In essence, the complaint is that Ms Harman used House of Commons pre-paid envelopes and House of Commons stationery to send unsolicited letters, including to people who are not her constituents. The letters complained of are a letter of 26 July 2010 with enclosures on advice surgery times, and a letter of 2 September 2010 about a police numbers campaign in the borough of Southwark.

I enclose [relevant correspondence]. As you will see, Ms Harman accepts that she should not have used House of Commons pre-paid envelopes and provided stationery to write to a secretary of a Tenants' and Residents' Association which is not in her constituency. She does not, however, accept that provided stationery and House of Commons pre-paid envelopes should not have been used for the rest of her dispatches within her constituency. She argues that informing individuals and organisations about her advice surgeries is in pursuit of her parliamentary duties, which she suggests the rules on pre-paid envelopes allow; and that the letter on the police campaign followed up responses from the Tenants' and Residents' Associations—although apparently contact was first initiated by her in 2002.

I would be grateful for your advice and comments on Ms Harman's response to this complaint, and in particular, in addition to the two letters which were sent outside her constituency, whether the Department consider that Ms Harman's use of House of Commons pre-paid envelopes and provided stationery for these dispatches was within the rules of the House. It would be helpful also if you could let me have an estimate of the cost of the use of House of Commons pre-paid envelopes and provided stationery for these dispatches (which I estimate to be 203 letters in all) for the Tenants' and Residents' Association in her constituency; and the cost of the two House of Commons first class envelopes and sheets of original House notepaper plus three sheets for enclosures, which she used to write to the secretary of the Tenants' and Residents' Association outside Ms Harman's constituency.

It would be very helpful if you could let me have a response to this letter within the next two weeks.

18 October 2010

11. Letter to the Commissioner from the Director-General, Department of Resources, 1 November 2010

Thank you for your letter of 18th October.

The House's rules before IPSA came into being made a clear distinction between proactive communication and responses to constituents (and others) who had contacted a Member for advice on a specific issue. Communications Expenditure provided funds for, inter alia, stationery and postage to send out proactive communication. Pre-paid stationery was provided for the more limited purpose of replying to specific letters and contacts.

Since 7th May, IPSA have allowed for *"the purchase of stationery and postage costs (to the extent that they are not already provided directly by the House of Commons)"*. This is paid for from the General Administrative Expenditure (GAE). The GAE also covers the cost of advertising constituency meetings or surgeries. Separately, a budget of £7,000 per annum is provided by the House to allow Members to use various types of stationery in addition to the postage costs of pre-paid envelopes.

The House Guidance provides that pre-paid envelopes *"are designed to enable you to reply to letters or other contacts you receive, and to write to individuals and organisations in pursuit of your parliamentary duties"*. This includes *"correspondence with constituents in connection with an issue on which they have previously contacted"*

you”, though pre-paid envelopes are not restricted to use for mail to constituents. Pre-paid envelopes should not be used to send out questionnaires, surveys and circulars (that is unsolicited letters sent in identical or near identical form to a number of addressees). Moreover updates should only be sent to constituents on an ongoing basis where they “*relate to specific cases*”. Pre-paid envelopes may not be used to send general updates or to transmit mail “*intended generally to inform your constituents about your work as a Member*”.

The rules on provided headed notepaper are that they should not be used for circulars, unless they are purchased by the Member or photocopied at their own expense.

Ms Harman's letter to Tenants' and Residents' Associations giving details of advice surgeries appears to be a circular (as defined above) and to be proactive communication. Ms Harman tells you that advising constituents of surgeries is part of her parliamentary duties (with which I agree), but this sort of communication does not fall within the House's provision.

The letter to Tenants' and Residents' Associations regarding policing issues again appears to be an unsolicited circular. Ms Harman tells you that the correspondence forms part of an ongoing campaign that has been running since 2002. However, ongoing correspondence from the House's stationery should be restricted to updates on a specific case. This does not appear to be the position here. Once again, the House's provision should not, under the rules, be used for this.

While it is for IPSA to determine whether or not what Ms Harman did would qualify under their scheme, it seems likely to me that it would since her actions were such a fundamental part of a Member's way of relating to constituents. However, the formal position is that Ms Harman's actions do not seem to be in accord with the rules the House operates for provided and pre-paid stationery.

You ask about the cost of letters. That is as follows:

203 first class pre-paid envelopes @ 41p = £83.23

203 sheets of headed notepaper @ £3.86 per hundred = £7.84

2 first class pre-paid envelopes @ 41p = £0.82

5 sheets of headed notepaper @ £3.86 per hundred = £0.19

Total cost = £92.08

It is, of course, for you to decide whether Ms Harman should be asked to repay any of this sum, but you will no doubt consider whether she could have received some at least of it from public funds through IPSA in any case.

Please let me know if I can help further.

1 November 2010

12. Letter to Rt Hon Harriet Harman QC MP from the Commissioner, 3 November 2010

I have now heard back from the Department of Resources with their advice and comments on this complaint about your use of House of Commons stationery for two letters which you sent to the secretaries of local Tenants' and Residents' Associations.

I enclose a copy of my letter of 18 October to the Department of Resources, and their response of 1 November.⁸

As you will see, the Department's view is that you were in breach of the rules of the House in respect of the use of provided stationery in sending these dispatches to the secretaries of the Tenants' and Residents'

⁸ WE 10, WE 11

Associations, both in your constituency and outside, because the letter giving details of your advice surgeries was a circular under the rules and was a proactive communication; and that the letter on policing issues was an unsolicited circular and was not, in their view, an update on a specific case. They estimate the total cost of both dispatches to have been £92.08. They note that, in their judgment, it is likely that you could have claimed for these costs from IPSA from the General Administrative Expenditure.

I would welcome your comments on this advice. It would also be helpful if you could confirm that you have not sent out any other similar material in pre-paid envelopes in this Parliament or, if you have, to let me know how much provided stationery and how many pre-paid envelopes you have used for these. I will need then to decide how best to resolve the complaint. If I were to accept the Department's advice that you were in breach of the rules of the House, then it would be open to me to consider whether, with your agreement, I could resolve it through use of the rectification procedure. That would require you to accept that these dispatches were in breach of the rules of the House in respect of this use of House of Commons provided stationery, for you to have repaid the amount involved (£92.08 on the basis that there have been no other cases) and to have taken appropriate action to avoid a recurrence. The Committee on Standards and Privileges also expects Members to have apologised. It would be a matter for you whether you wished to seek to recoup the cost of these dispatches from the IPSA-provided General Administrative Expenditure.

I should make clear that I have come to no conclusion myself on this matter. I would only do so once I receive your response to the Department's letter. Meanwhile, I am returning the cheque for £1.50 payable to IPSA which you sent me with your letter of 7 October.

It would be most helpful if you could let me have a response to this letter within the next two weeks. I look forward to hearing from you.

3 November 2010

13. Letter to the Commissioner from Rt Hon Harriet Harman QC MP, 10 November 2010

Thank you for your letter dated 3rd November 2010 in which you enclose a letter from [...], Director of Resources.

[The Director-General] states that it is for IPSA to determine whether or not postal costs of my letters of 13th May and 26th July advising my constituents of my advice surgery dates, and my letter of 2nd September 2010 concerning the cross party campaign to protect police numbers in Southwark, would come within the General Administrative Expenses Scheme (GAE). I have sought advice from IPSA who tell me that my letters "appear to be within the rules of the scheme" and therefore the costs can be claimed from the GAE budget.

As these postal costs are within the GAE rules I will reimburse the House £92.08 and submit a claim to IPSA under the GAE budget. There will be no problem with this amount as I have £7,382 left in my GAE budget for 2010/2011.

You have asked if I have sent any other "similar material in pre-paid envelopes" during this Parliament. I have listed below letters sent as part of my parliamentary duties where the postage costs should probably have been claimed from the GAE budget, rather than been sent as part of the House stationery allowance.

13th May 2010	Letter to schools in my constituency with advice on how to contact me enclosing advice surgery poster for school notice board ⁹	33 sheets headed paper, 33 first class pre-paid envelopes
13th May 2010	Letter to churches in my constituency enclosing advice	28 sheets of headed paper, 28 first class pre-paid

⁹ WE 14

	surgery poster ¹⁰	envelopes
	Letter to GP's surgeries in my constituency enclosing advice surgery poster ¹¹	23 sheets of headed paper, 23 first class pre-paid envelopes
7th June 2010	Letter to Head Teacher of schools joining my constituency after the boundary changes at the General Election with advice on how to contact me	5 sheets headed paper, 5 first class pre-paid envelopes
15th – 24th September 2010	Letter to Head Teachers of secondary schools in my constituency following the publication of GCSE results ¹²	9 sheets of headed paper, 9 first class pre-paid envelopes
20th October 2010	Advice surgery posters sent to churches, GP's surgeries, Sheltered Housing Units, Libraries, T&RA's, and voluntary organisations	154 first class pre-paid envelopes

I have sought advice from IPSA regarding the above letters and have been advised that these letters “appear to be within the rules of the scheme” and as such the costs can be claimed from the GAE budget.

By [the Director-General's] calculations I estimate that the above letters to cost:

252 first class pre-paid envelopes @ 41 p = £ 103.32

98 sheets of headed paper @ £3.86 per hundred = £3.78

Total cost = £107.10

So I will add this to the amount I reimburse the House and claim it instead from the GAE budget.

I enclose herewith a cheque for £199.18.

Due to an administrative error 30 advice surgery notices were posted on 20th October 2010 to addresses which fall outside the boundaries of my constituency. The addresses were from a list dating back to 2004. This list has been updated so it will not happen again. I estimate the cost of these 30 pre-paid envelopes to be £12.30. I enclose a separate cheque for £12.30.

In future, sending out my advice surgery notices will be claimed from the GAE budget and not sent in pre-paid House of Commons envelopes.

As (apart from the £12.30) this matter is about claiming from one budget rather than another, I hope that this can be concluded and that it can be dealt with through the use of the rectification procedure. But if you want further information please do not hesitate to contact me.

¹⁰ WE 15

¹¹ WE 15

¹² WE 16

10 November 2010

14. Letter to Head Teachers from Rt Hon Harriet Harman QC MP, 13 May 2010

It is a great honour and a privilege to have been re-elected as your Member of Parliament for Camberwell and Peckham. I just wanted to write to you to let you know that my constituency is my foremost priority.

Please do not hesitate to get in touch with me on any issue. Please let me know how things are going with you. Let me know your progress as well as your problems. My commitment is always to be available for you and to get back to you as soon as you contact me.

I have regular surgeries in [...] where any individual can come to see me. And you can contact me by email on [...] or by phone on [...].

I would be delighted to help arrange a visit for your pupils to come to the House of Commons and see Parliament in action. Please do get in touch with [...] in my office on [...] or the Education Service on [...] if you would like to arrange a visit.

Very best wishes and I look forward to seeing you soon.

13 May 2010

15. Letter to a surgery Practice Manager and a Pastor from Rt Hon Harriet Harman QC MP, 13 May 2010

It is a great honour and a privilege to have been re-elected as your Member of Parliament for Camberwell and Peckham. I look forward to working with you. I just wanted to write to you to let you know that my constituency is my foremost priority.

Please do not hesitate to get in touch with me on any issue. Please let me know how things are going with you. Let me know your progress as well as your problems. My commitment is always to be available for you and to get back to you as soon as you contact me.

I have regular surgeries in [...] where any individual can come to see me. And you can contact me by email on [...] or by phone on [...].

Very best wishes and I look forward to seeing you soon.

13 May 2010

16. Letter to Head Teachers from Rt Hon Harriet Harman QC MP, 13 May 2010

Congratulations on your recent excellent GCSE results. I would be grateful if you would pass on my congratulations to your staff, governors and pupils.

Your school has continued to build upon already excellent GCSE results. This year 85% of your students gained 5 A*-C including Maths and English, which is a fantastic achievement. Your school continues to achieve at higher levels than the national average and I hope that this continues. Once more, congratulations to everyone at your school!

I would also like to welcome the year 7 pupils and wish them good luck in their future studies.

Please do stay in touch and do not hesitate to contact me if you require assistance with any issue.

13 May 2010

17. Letter to Rt Hon Harriet Harman QC MP from the Commissioner, 23 November 2010

Thank you very much for your letter of 10 November responding to mine of 3 November about this complaint and enclosing two cheques made payable to the House of Commons for, respectively, £199.18 and £12.30.

I was grateful for your response. If you agree, I consider that this matter can be resolved through the rectification procedure. Under that procedure, you would need to accept that you were in breach of the rules of the House in using House of Commons stationery and pre-paid envelopes for all the dispatches which you have identified, including those in your constituency. The Committee on Standards and Privileges also expects Members to have apologised. You are paying back the full costs and you have taken action to avoid a recurrence.

If you were to agree to rectification, then I would write to the complainant explaining the outcome of my inquiries and closing the complaint. I attach a draft of the letter which I would propose to send.¹³ While the content is, of course, a matter entirely for me, it would be helpful if you could just confirm the factual accuracy of the draft letter. In the meantime, I have sent your two cheques to the Director General in the Department of Resources [...]so that he can arrange for them to be paid in.

I should say that, if the House of Commons approves the recommendations of the Committee on Standards and Privileges, my rectification letter, and the evidence related to it, will be published on my webpages.

It would be very helpful if you could let me have a response to this letter within the next week so that with your agreement, I can bring this matter to a reasonably early conclusion. I was grateful for your prompt response to my last letter and look forward to hearing from you.

23 November 2010

18. Letter to the Commissioner from Rt Hon Harriet Harman QC MP, 1 December 2010

Thank you for your letter of 23rd November 2010.

I do agree to the rectification procedure.

- I apologise that in respect of sending out my advice surgery timetable and in respect of a cross party campaign on policing, I have been in breach of the rules in using £199.18 worth of House of Commons stationery when I should instead have claimed for it through IPSA under General Administrative Expenditure and that
- I have been in breach of the rules by using £12.30 worth of House of Commons stationery in respect of sending such correspondence to addresses which are not in my constituency.

I have ensured that these administrative errors will not reoccur.

1 December 2010

¹³ Not included in the evidence