

Mr Andy Slaughter MP: Resolution Letter

Letter to Mr Greg Hands MP from the Commissioner, 13 December 2010

I have now concluded my consideration of the complaint you sent me on 15 February, followed by your further letter of 2 March, against Mr Andy Slaughter MP about his use of House stationery.

In essence, the complaint was that Mr Slaughter used House of Commons pre-paid envelopes to invite certain constituents and residents outside his current constituency to a party political event, contrary to the rules of the House.

I have consulted Mr Slaughter and the House authorities about this matter. I am sorry that this has taken so long to resolve.

The facts are that Mr Slaughter used House of Commons pre-paid envelopes and letter paper funded from his parliamentary allowances to send out invitations to a meeting on the parliamentary estate with the then Housing Minister, on 13 January 2010. According to the invitation, the meeting was to consider “latest developments in local and national housing policy”. I understand from Mr Slaughter that that meeting followed up an earlier meeting which he had held in the summer of 2009. He invited some 50 constituents from the White City, Batman Close and Wood Lane estates who had attended the earlier meeting. In addition, he invited some 15 committee members from the West Kensington and Gibbs Green estates, who were not his constituents, and some 20 people from other estates affected by redevelopment plans, who were all residents of the borough of Hammersmith and Fulham, although not necessarily of his then constituency. He also invited some 30 Ministers, MPs, Councillors and others. Some of these people in turn invited others.

Mr Slaughter’s evidence is that most people were invited by word of mouth or by e-mail. He told me that, in addition, volunteers in his office sent invitations in pre-paid envelopes and using paper bought from his parliamentary allowances to 25 people who had attended his previous meeting and had asked to be kept informed (although he accepts that the agenda had since moved on) and to a further twelve residents of the other estates affected by redevelopment plans. Of these twelve people Mr Slaughter estimates that half had been in contact with him about housing issues previously. I have seen a copy of a letter which Mr Slaughter had received from a tenant activist who fell into this group and who was invited to the meeting. The remainder were residents’ representatives with a direct interest. Mr Slaughter believed that he was permitted to use pre-paid envelopes for this dispatch, since he was responding to people who had been in contact previously, or contacting named residents’ representatives, which he believed was permissible according to the Green Book. He told me that while some of those invited were not his constituents, he believes he was not involving himself in another Member’s constituency, because the event related to the impact of housing policy on his own constituency.

Mr Slaughter told me that the meeting was not arranged for any party political purpose, but in order to inform residents of future plans for their homes and of the options for responding to these. He told me that the elected politicians invited—perhaps 10% of the total, and all from the same party as himself—were people who had shown an interest in the tenants’ campaign, and for that reason would not have been from the Conservative Party. They were not invited as representatives of their political party but in other capacities: as Ministers of the Crown, ward councillors, and representatives of all party groups, for example. Mr Slaughter does not know the political affiliation of the tenants who attended. He has said that he cannot be held responsible for what people said at the meeting, which was a highly charged one. In his view the news item which he posted on his website was factual and not party political. Mr Slaughter regards it as his duty to campaign on issues such as housing, irrespective of the party affiliation of the government, and has told me that he is now lobbying the current government for assistance. While he was not aware of the type of stationery used in sending out the invitations, he believes that he and his staff have acted in good faith throughout and that the quantity of disputed envelopes and notepaper used was de minimis.

The Department of Resources has told me that while Members were permitted to use House stationery and pre-paid envelopes to communicate with those who had previously contacted them, it is not clear whether all those invited to this event had actively contacted Mr Slaughter, and that it could be argued that the invitation was closer to a general update, for which pre-paid envelopes might not be used. On the other hand it was acceptable for a Member to use pre-paid envelopes to send invitations to non-constituents who had a representative role and who had previously contacted the Member about the subject of the meeting. They told me that they considered that

while the issue discussed at the meeting was one of political controversy, that did not necessarily mean it was a party political occasion. Without further information on the party allegiances of all who were invited, they were unable to offer an opinion on whether the meeting had the nature of a party political event. They also noted the former Speaker's rulings that Members should not involve themselves with another Member's constituency.

Having carefully considered all the evidence, I have concluded that Mr Slaughter's letters inviting selected people to this meeting should not have been sent in House of Commons envelopes, because they were either correspondence with constituents on issues on which they had not previously contacted him or because they were in effect inviting constituents and others to an update which did not relate to a specific case raised by a person who was his constituent. I considered also whether this was a party political event for which parliamentary stationery and postage should not have been used. I recognise Mr Slaughter's argument that his campaign for social housing was not supported by the Conservative Party. But, while I accept Mr Slaughter's evidence that he did not intend the meeting to be party political, I consider that, in view of the report produced on Mr Slaughter's blog, the meeting itself—and the conclusions which Mr Slaughter subsequently drew from the meeting—the meeting in the event constituted party political activity, contrary to the fundamental principles set out in section 1.3 of the Green Book of July 2009. In these circumstances, Mr Slaughter might have been well advised to have checked if any public funds had been used for his invitations once the meeting took such a clear party political turn, and to have repaid the cost of the House of Commons stationery used by his office.

I therefore found that Mr Slaughter was in breach of the rules of the House in his use of House of Commons pre-paid envelopes and paper funded from his parliamentary allowances to invite people to his meeting in the House of Commons on 13 January 2010 about housing policy, because this invitation was not in all cases a specific response to a case raised by the recipient but was a common format letter sent to all Mr Slaughter's selected invitees; and because, in the event, the meeting took on a party political character. This latter matter was, I believe, the essence of your complaint and I have upheld it. Mr Slaughter has accepted my conclusions. He has apologised and repaid the sums involved, namely £15.95. I consider this a satisfactory response. I now regard the matter as closed. I will report the outcome to the Committee on Standards and Privileges at its next meeting.

Mr Slaughter considers that there are inconsistencies and a lack of clarity in the rules governing communications by MPs. He has raised a wider point about how and to what extent the production and dispatch of invitations to meetings properly organised by a Member of Parliament as part of their parliamentary or constituency duties can be funded from parliamentary allowances. This is a matter which he—and others—may wish to take up with the House authorities and the Independent Parliamentary Standards Authority (IPSA).

In accordance with the resolution of the House of Commons of 2 December, this letter and the evidence on which it is based will in due course be published on my parliamentary webpages.

I am copying this letter to Mr Andy Slaughter MP.

13 December 2010

Mr Andy Slaughter MP: Written Evidence

1. Letter to the Commissioner from Mr Greg Hands MP, 15 February 2010

I am writing to you to submit a complaint against the Member of Parliament for Ealing, Acton and Shepherd's Bush, Mr Andrew Slaughter, for breaching the Members' Code of Conduct and the misuse of House Stationery.

Mr Slaughter sent unsolicited invites for a reception at the House of Commons on 13 January 2010, to my constituents in several estates in Hammersmith and Fulham, using a first-class pre-paid House of Commons envelope. I have enclosed the envelope and invitation in question which was sent to one of my constituents living in Bush Court. This invite clearly states that Mr Slaughter invited residents from "West Kensington and Gibbs Green estates" and "residents from other council estates in Hammersmith and Fulham".

I have also enclosed copies of two articles written by Mr Slaughter and published on his personal website, as well as a copy of his "Twitter" feed, which outline who else was invited to the reception. As Mr Slaughter states in one of the articles, "I organised the event to bring together members from estates across the borough". Out of the "eighty residents' representatives" who attended, and not including my constituent invited from Bush Court, there were constituents of mine from the West Kensington estate, the Gibbs Green estate and the Queen Caroline estate. I have also received reports from constituents from several other estates that they also received invites from Mr Slaughter. It would appear that Mr Slaughter sent out a very substantial number of invitations to this reception using House of Commons pre-paid envelopes.

My constituents who were invited are not constituents of Mr Slaughter and therefore these invites sent with pre-paid envelopes simply cannot have been in course of his parliamentary duties. However, as Mr Slaughter is the Labour candidate for the new Hammersmith constituency, where these constituents of mine will be voting at the upcoming election, the only possible purpose of the reception is to assist Mr Slaughter in his pursuit to be re-elected.

Indeed, the articles I have enclosed openly admit the purpose of this reception, which was, in his own words "to stand shoulder to shoulder together against the Tory Council's plans." Mr Slaughter reproduces speeches given at the reception by Housing Minister John Healey MP and Secretary of State for Communities and Local Government, Rt Hon John Denham MP. These speeches are blatant examples of electioneering to those constituents of mine who were in attendance.

This demonstrates a clear breach of the rules and guidance on the House emblem, House of Commons stationery and pre-paid envelopes. These rules set out that: The costs are paid for from public funds and it is your responsibility to ensure that all costs are wholly, exclusively and necessarily incurred on Parliamentary duties. The rules clearly state that pre-paid envelopes should not, in any circumstances, be used:

1. *"In connection with fund-raising for the benefit of a political party or supporting the return of any person to public office, or*
2. *For correspondence with constituents on issues on which they have not previously contacted you or on which they have only contacted you at your own instigation."*

In addition, these rules state that "pre-paid envelopes may only be used in pursuit of your parliamentary duties."

Given that this is not the first time I have had cause to write to you on the matter of Mr Slaughter misusing House of Commons stationery and sending widespread letters to my constituents, I would suggest that this demonstrates that this is not an isolated and accidental breach of the rules. I believe that Mr Slaughter has been carrying out continuous breaches of the rules in his sustained campaign to seek election. In doing so, Mr Slaughter has brought the House into disrepute.

I would be most grateful if you could investigate this as a matter of urgency.

15 February 2010

2. Letter of invitation from Mr Andy Slaughter MP, 13 January 2010

House of Commons reception—Wednesday 13 January 2010 at 7pm

It is my pleasure to invite you to the House of Commons for a reception and meeting with the Housing Minister, the Right Hon John Healey MP, on the 13th January 2010 at 7pm in the Jubilee Room.

The meeting will consider latest developments in local and national housing policy. The reception will be an opportunity for you to engage with others at the forefront of action and debate over the future of social housing.

I have invited:

- Representatives from the West Kensington and Gibbs Green estates who are pioneering new legislation to empower communities by transferring their homes to a resident-controlled landlord;
- Residents from other council estates in Hammersmith and Fulham;
- Regeneration and housing practitioners, journalists;
- Councillors and Council candidates from Hammersmith and Fulham;
- Other Government ministers, MPs and trade union leaders.

Refreshments will be provided. Overleaf you will find directions to the Jubilee Room. Please leave about 15 minutes to get through Commons security. You must return the slip below and bring this letter along if you wish to attend.

I very much hope you can join the Housing Minister and me at what promises to be a lively and interesting occasion.

Yours sincerely

Andy Slaughter

PLEASE TEAR OFF AND SEND THIS REPLY SLIP TO THE ADDRESS BELOW

- I will be attending the reception at the House of Commons on 13 January 2010
- I will not be attending the reception but would like to continue to be involved in the campaign.

Please send this slip to Andy Slaughter MP, [address], London W6 ... or e-mail [address].

Or telephone [number] to confirm your attendance

3. Article from website of Mr Andy Slaughter MP, 14 January 2010

Residents declare their rights

Residents launched a borough-wide fightback against Hammersmith and Fulham's plans to knock down council housing in the borough last night. At a highly charged meeting at the House of Commons, social housing residents from across Hammersmith and Fulham declared their intention to stand shoulder to shoulder against the Tory Council's plans. I organised the event to bring together members from estates across the borough to share their stories and to lobby government Ministers *en masse*.

The meeting was addressed by Communities and Local Government Secretary John Denham, Housing Minister John Healey and Minister for London Tessa Jowell. John Denham told the eighty residents' representatives that they were in the vanguard of the battle for decent affordable homes in the UK, and that a Tory government would spread Hammersmith and Fulham's policies across the country.

Last year, secret plans by Hammersmith and Fulham (dubbed “Cameron’s favourite council”) to demolish 3,500 homes on seven estates and remove security of tenure from all social housing tenants were revealed when I obtained details under the Freedom of Information Act.

Residents responded by declaring they would stay in their homes and in the case of West Kensington and Gibbs Green are using new Government legislation to take ownership of their estates. John Healey said this is the first time that tenants have come together to use the legislation.

The meeting also heard speeches from Hammersmith and Fulham Opposition Leader, Stephen Cowan, GLA member Nicky Gavron, housing consultant Jonathan Rosenberg who is advising the tenants, Les Jackson of White City estate, Maureen Way of West Kensington estate and Desiree Briscoe-McLeary of Queen Caroline estate.

Today Boris Johnson is falsely claiming to have increased the number of affordable homes in London. But, as in Hammersmith and Fulham, any new affordable homes were approved by the previous Labour administration. The Tories’ true attitude to low-cost homes is shown by their demolition and disposals policy in councils like Hammersmith, Kensington and Westminster. If a Cameron Government follows the advice of his town hall protégés by ending security of tenure and raising rents to market levels, the future of four million families across the UK is at risk.

14 January 2010

4. Article from website of Mr Andy Slaughter MP, 27 January 2010

Hammersmith housing drawing more attention

Sheffield MP Clive Betts is the latest to raise Hammersmith and Fulham Tories’ housing policies in the Commons, asking this question to Housing Minister John Healey at Communities and Local Government Questions yesterday.¹

The Minister needed no introduction to the subject. Both he and Secretary of State John Denham spoke at our recent reception for tenants and residents’ representatives in Parliament.

Excerpt from John Healey’s speech:

“It may be West Ken first, but they are only the first. In many ways what you are facing with Hammersmith and Fulham Council is breaking new ground. This is a council which serves as warning to tenants right across the country about what Conservative councils will do in the future.

“It’s great tribute to you, because you are breaking new ground as tenants in response to that. The West Ken and Gibbs Green tenants are the first in the country to tell their council formally that they want to take over their homes for themselves. I know that you are doing that, unfortunately, because you do not trust the Council.

“Most of you and your council neighbours want to keep your council homes, your low cost long-term tenancies. But you also want the council to keep your homes up to a decent standard and you want the council to keep you informed and involved in the decision for the future of your estate and they are not doing that. That’s why your campaign is so important.

“There’s going to be an election in the next few months. This is the fourth big election that this country faces since the Second World War, 1945, 1979, 1997. Because how the country votes at the next election will shape what this country becomes over the years ahead. That’s why there is a really big choice facing the country over this next election. Different parties, different values, different priorities, different consequences to follow. That’s why the campaign that you are involved in is so important. It serves as a warning to eight million council and housing association tenants across the country.

“That’s why I am here to support you and that’s why John Denham is here to support you.”

Excerpt from John Denham’s speech:

¹ The Question itself was not reproduced in the article which the complainant sent to me.

"I just want to reinforce how much is at stake in the campaign you are running. Obviously first and foremost this is about your homes and your community. You are right to have your homes and your community. But we in the past 10 or 15 years have actually had to fight a very big battle to establish that principle at the core of the way we want our society to run. There has always been a choice to be made about whether you give people power, you give people rights, you put their priorities first, to where everything goes to those who have already got a lot.

"People have got a choice that's going to come up in a few months' time. It's the same choice [as in the 1997 election]. You need to choose the Government that is going to be closest to your values. That's going to invest in housing, that despite the economic circumstances, think our kids' schools are important. And think that fundamentally that people should be treated with dignity and respect.

"You have the misfortune to live in a council area where the leader of the council is not just the leader of your council. He is at the right hand of David Cameron in plotting out policies for local government and housing. If you think that you are not being treated with dignity and respect by Hammersmith and Fulham Council we've got to say that's what the future holds for people across the country too. One of the reason I want your campaign to be a success is that I want it to be a success for you. I don't want to use you as a political tool.

"But let me tell you though that the more successful your campaigning, the higher profile the arguments you make, the more people across the country will say, 'well how will I be treated in the future if I don't make a stand now? What's going to happen to me and my family if I don't stand with the people of Hammersmith and Fulham? I have been warned I have seen what can happen.'"

"I hope in that way you can get their support and when the time comes they choose a Government that is going to be more likely to be on your side."

"The campaign you are fighting has a real national significance as well. Because depending how easily or hard it is for the Council Hammersmith and Fulham depends how hard or easy this thing is going to be in other places as well.

"We can house the people of this country with dignity and with decent homes if we as a society choose to do so and that has got to be the aim that we all pursue over the next few months and indeed years."

27 January 2010

5. Extracts from Andy Slaughter MP on Twitter, 13 and 14 January 2010

Meeting at the House of Commons tonight for residents of social housing in Hammersmith and Fulham to talk strategy.

13 January 2010

Great turnout at our Social Housing meeting at the House of Commons last night—more on this later.

14 January 2010

6. Letter to Mr Andy Slaughter MP from the Commissioner, 18 February 2010

I would welcome your help on a complaint I have received from Mr Greg Hands MP in respect of invitations which you apparently sent in House of Commons pre-paid envelopes to certain residents in Hammersmith and Fulham to attend a House of Commons housing reception on 13 January this year.

I attach a copy of the complainant's letter of 15 February and its attachments, including a copy of your invitation letter to the person who apparently lives outside your constituency, and a copy of the House of Commons pre-paid first-class envelope in which it was sent.

In essence, the complaint is that you used House of Commons pre-paid envelopes to invite certain constituents and residents outside your current constituency to a party political event, contrary to the rules of the House.

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

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

The complainant has also referred to paragraph 15, which reads as follows:

"Members shall at all times conduct themselves in a manner which will tend to maintain and strengthen the public's trust and confidence in the integrity of Parliament and never undertake any action which would bring the House of Commons, or its Members generally, into disrepute."

The rules in relation to the use of House stationery and postage are set out in section 2 of the Green Book published in July 2009 and are subject to the fundamental principles set out in section 1 of that book.

The fundamental principles set out in section 1.3 of the Green Book include the following:

- *"Claims should be above reproach and must reflect actual usage of the resources being claimed."*
- *Claims must only be made for expenditure that it was necessary for a Member to incur to ensure that he or she could properly perform his or her parliamentary duties."*
- *Allowances are reimbursed only for the purpose of a Member carrying out his or her parliamentary duties. Claims cannot relate to party political activity of any sort, nor must any claim provide a benefit to a party political organisation."*
- ...
- *Individual Members take personal responsibility for all expenses incurred, for making claims and for keeping records, even if the administration of claims is delegated by them to others."*

The rules in relation to pre-paid envelopes are set out in paragraph 2.6.3.1 of the Green Book including:

"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 communication 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."

The section also gives examples of when pre-paid envelopes should not be used, including:

"in connection with fund raising for the benefit of a political party or supporting the return of any person to public office."

And finally:

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

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

1. why you decided to arrange the meeting on 13 January;
2. to whom the invitations were sent, including numbers sent out, why you decided apparently to invite residents who are not your constituents, and how many such non constituents you invited;

3. whether taking account of the evidence provided by the complainant, you accept that this was a party political meeting and intended to be such;
4. why first-class House of Commons pre-paid envelopes were used to invite people to this event and how many such envelopes were used for this dispatch first to your constituents and secondly to others;
5. whether you have used House of Commons pre-paid envelopes for similar meetings including people who are not your constituents in the current financial year and, if so, on how many occasions and how many such envelopes were used.

Any other points you may wish to make would, of course, be very welcome.

I enclose a note which sets out the procedure 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.

It would be very helpful if you could let me have a response to this letter within the next two weeks. If there is any difficulty about that, or you would like to discuss any matter, please contact me at the House.

I look forward to hearing from you.

18 February 2010

7. Letter to the Commissioner from Mr Greg Hands MP, 2 March 2010

Further to your letter of 18 February, I thought I should draw your attention to some remarks made by Mr Slaughter in the local press.

He is quoted in the *Fulham and Hammersmith Chronicle* as having said of my complaint that:

"His whole premise is misconceived—the idea that I can't use parliamentary envelopes to write to his constituents is ridiculous."

Yet this is precisely what the rules entail.

You will know that the circumstances in which Members write to another Member's constituents are rare; such letters are never unsolicited, and, in the case of a local issue, never sent without the courtesy of informing their actual MP. Otherwise, such letters simply cannot be in pursuit of a Member's parliamentary duties.

2 March 2010

8. Letter to the Commissioner from Mr Andy Slaughter MP, 5 April 2010

I am replying to your letters of 18 February, received in my office on 22 February, and 4 March² received on 8 March.

I will respond to the questions set out in the first letter and then respond to the further letter. If this is not sufficient for your purposes please inform me and I will try to give further information.

1. The meeting of 13 January was a response to a meeting held on the White City estate in Shepherd's Bush in summer 2009. That meeting, which was not party political, was to inform residents of that and neighbouring estates of the local council's plans for redevelopment, of which residents were not aware. I promised at the meeting to write to residents when matters became clearer and to invite them to a further meeting, provided they gave me a way of contacting them. By the end of the year matters had moved on considerably and the council's attention had focused on the West Kensington and Gibbs estates as the first to be redeveloped. In response those residents had set up associations and were planning to use legislation to take ownership of the estates so they could have more control over their futures. Rather than hold a further meeting on White City I invited the interested White City residents to the House of Commons for their update, so that they could hear

² With this letter, which is not included in the evidence, the Commissioner forwarded to Mr Slaughter a copy of Mr Hands' letter of 2 March (WE7).

both from the West Kensington residents and the Housing Minister. The invitation letter refers.

2. The invitees were as follows.
 - 2.1 Residents of White City, Batman Close and Wood Lane estates who had attended the 2009 meeting and provided details asking for an update, about 50
 - 2.2 Committee members from West Kensington and Gibbs Green estate, about 15
 - 2.3 Residents' representatives from other estates affected by redevelopment plans, about 20.
 - 2.4 Ministers, MPs, councillors and others interested in the issue, about 30
 - 2.5 People invited by the above groups, unknown.

I did not decide to invite non-constituents, I invited those with a direct interest in the issue. Some of those in groups 2.2 to 2.5 do not live in Ealing, Acton and Shepherds Bush constituency, but I took the view that this was part of my parliamentary work on behalf of my constituents.

3. This was absolutely not a party political meeting, as the invitation makes clear. I cannot be held responsible for what people said at the meeting which was on a highly-charged issue, but my purpose was to inform residents of future plans for their homes and the options for responding to these.
4. House of Commons envelopes were used to send out invitations to those who could not be contacted by other means—eg e-mail, in person.
 - 4.1 Some White City etc residents would have received letters, they are of course constituents and were receiving a response to a request to [be] informed of progress on the redevelopment issue. Say, 25.
 - 4.2 I believe all West Ken etc committee members are on e-mail.
 - 4.3 Some residents' representatives of other affected estates who are not on e-mail would have received letters, but not more than a dozen.
 - 4.4 Ministers etc were informed by e-mail or in person.
 - 4.5 I do not know how invitees of other guests received their invitations, but clearly not by letter from me.
5. I have not held any similar meetings since becoming an MP.

As regards the quotation ascribed to me in the *Fulham Chronicle*, I do not know if it is entirely accurate but it seems eminently reasonable to me. The point I am making is that there is no prohibition on my writing to someone just because they do not live in my constituency.

Normally, pre-paid envelopes are used to "*reply to letters and other contacts*" as was the case here with White City residents, but it is also permissible "*to write to individuals and organisations in pursuit of...parliamentary duties*". The letter sent to [name of individual] (who I believe is a tenants' representative on the Charecroft Estate, in the White City redevelopment area, which is wholly within my constituency save for that estate), is, in my submission, an example of this.³ It is relevant that I am seeking to inform her of developments that not only affect her estate but my constituency; it is not relevant that she lives outside that constituency.

5 April 2010

9. Letter to Mr Andy Slaughter MP from the Commissioner, 6 April 2010

Thank you for your e-mail of 5 April with your response to my letters to you of 18 February and 4 March about this complaint.

³ WE 2

I was most grateful for this response. You offered to provide further information if necessary. I think that it would be helpful if you could clarify for me the following points:

1. You refer to a meeting held on the White City estate in the summer of 2009. Could you help me on who convened this meeting, who was invited to it, and how the invitations were sent out?
2. Could you let me know how much of the White City, Batman Close and Wood Lane estates come within your current constituency of Ealing, Acton and Shepherd's Bush?
3. You refer in point 2.4 to you inviting "*Ministers, MPs, Councillors and others interested in the issue...*" Your invitation letter refers to councillors and council candidates from Hammersmith and Fulham. Your web article refers to the presence of a GLA member. Could you let me know which MPs you invited and which GLA members, councillors and council candidates you invited: specifically, how many, if any, were invited from representatives of parties other than your own?
4. You comment that you cannot be held responsible for what people say. Could you let me know who spoke from the platform at this meeting and whether any of the speakers represented any political party other than your own?
5. Could you let me know why you decided to select for the articles on your website the particular passages from the Ministers' speeches which would appear to include party political comments?
6. You refer to sending a letter to the tenants' representative on the Charecroft estate. Could you let me know whether that was one of the 20 letters you sent to residents' representatives from other estates affected by redevelopment plans (your point 2.3)?
7. Could you let me know whether any of the residents' representatives from other estates (your point 2.3) had specifically asked you that they be informed of progress on the redevelopment issue?
8. Could you let me have one or two examples of the requests you received from residents in the estates you referred to in your point 2.1 who asked you to keep them informed of progress on the redevelopment issue? (I have in mind e-mails or letters from them.)

I will not be able to resolve this complaint before the dissolution of Parliament. I will, however, continue work on it once Parliament resumes. It would be very helpful, therefore, if you could let me have a response to this letter by the end of the first week of the new Parliament. Subject to your response, I would hope then to consult the Department of Resources.

Thank you for your help on this matter.

6 April 2010

10. Letter to the Commissioner from Mr Andy Slaughter MP, 25 May 2010

As per your request I am replying to your letter of 6 April requesting further information re the above.

1. I convened the meeting. All residents from the three affected estates were invited. The invitations were hand delivered by volunteers.
2. They are all within the former constituency of Ealing, Acton and Shepherds Bush.
3. I invited John Denham MP as Secretary of State for Communities and Local Government, John Healey MP as Minister of State for Housing, Clive Efford MP as PPS to Mr Healey and David Drew MP as Chair of the APPG on Community Controlled Housing. I think Murad Qureshi AM was present from the GLA. The councillors and council candidates invited were those for wards which included threatened estates. All those invited were people who had shown an interest in the tenants' campaign, and for that reason would not have been from the Conservative Party. Tenants had made previous attempts to enlist the support of Conservatives including Mr Hands but they were not interested.
4. There was no platform. Everyone spoke from the floor. Other than the Ministers, people selected themselves to speak. A number of tenants and residents spoke and I have no idea of their affiliation, if any. I remember

one speech about the redevelopment of the Ferrier Estate in Greenwich which was critical solely of the Labour council there.

5. I had no record of what was said. The passages quoted were a report written by a journalist who attended.
6. Specifically I would say it was one of the dozen letters referred to in para 4.3.
7. Yes.
8. The attendees at the July meeting signed in to say they wanted to be kept informed. Their details were stored electronically, and that list was used to generate the addresses for the January meeting.

I hope this answers your questions.

25 May 2010

11. Letter to Mr Andy Slaughter MP from the Commissioner, 1 June 2010

Thank you very much for your letter of 25 May responding to my letter to you of 6 April with some further questions about this complaint following your e-mail to me of 5 April.

I was most grateful to receive this. I have one last question which I apologise for not having raised with you earlier. Could you clarify for me whether the letter paper you used for the invitations sent out in parliamentary pre-paid envelopes was your official House of Commons letter paper used for parliamentary purposes? (I see it has a prominent red banding, no portcullis and no reference to any parliamentary address, the footer referring only to what I take to be a party political promoter.) In particular did you fund this notepaper from your provided stationery account or any other parliamentary account?

If you could clarify this final point for me, I should then be clear to ask for help from the Department of Resources. Thank you again for your assistance.

1 June 2010

12. E-mail to the Commissioner from Mr Andy Slaughter MP, 14 June 2010

I refer to your latest letter on this subject dated 1 June and received in my constituency office on 3 June.

As I have tried to make clear, the meeting you are investigating and all surrounding publicity was organised in pursuance of my parliamentary duties, both the direct impact of housing policy on my constituents and the relevance of local activity to wider housing policy. The notepaper used was therefore funded from my parliamentary account.

I apologise for the time taken to respond but I am very occupied at present, not least in dealing with a vast amount of casework from my new constituents who appear to have five years of unresolved issues stored up for me. I hope we may move to a conclusion on these matters at some not too distant point.

14 June 2010

13. Letter to Mr Andy Slaughter MP from the Commissioner, 15 June 2010

Thank you for your e-mail of 14 June responding to my letter to you of 1 June about this complaint.

I will take it from your response that the notepaper you used was your official House of Commons notepaper and that it was funded from your provided stationery account (and not any other account such as your Administrative and Office Expenditure). If I have got this wrong, please let me know.

In the meantime, I am now consulting the Department of Resources. When I have their response, I will be back in touch.

Thank you for your help with this.

15 June 2010

14. Letter to the Director of Strategic Projects, Department of Resources, from the Commissioner, 15 June 2010

I would welcome your advice and comments on a complaint I have received against Mr Andy Slaughter MP in respect of his use of House of Commons provided stationery and pre-paid envelopes to send out invitations to his constituents and others to a House of Commons reception on 13 January 2010.

I enclose a copy of the complainant's letter of 15 February with its enclosures, including a copy of the letter which Mr Slaughter sent, a copy of the envelope in which it was posted, and copies of extracts from Mr Slaughter's website;⁴ I enclose also [relevant documents].

In essence, the complaint against Mr Slaughter is that he used House of Commons pre-paid envelopes to invite certain constituents and residents outside his then constituency to a party political event, contrary to the rules of the House.

I would welcome your comments and advice on this matter. In particular, it would be helpful to know whether the Department has any information about this event or the provenance of the stationery which Mr Slaughter used to send out his invitations. It would also be helpful to have any comments you may wish to make on whether, taking account of the Department's experience, the Department would consider the event arranged by Mr Slaughter to be "*a party political activity of any sort*" as referred to in the fundamental principle set out in section 1.3 of the Green Book; and, whether or not it was related to such party political activity, it was within the rules for Mr Slaughter to have used House of Commons pre-paid envelopes and notepaper from his provided stationery account to issue these invitations both to his constituents and to others outside his then constituency; taking account as necessary of the restrictions on the use of the Communications Expenditure introduced in January 2010. Finally, it would be helpful if you could give me an estimate of the likely cost of the notepaper and pre-paid envelopes used by Mr Slaughter (it would appear that he sent out about 115 invitations and used around 37 first-class pre-paid envelopes). Any other points you may wish to make to help me with this inquiry would of course be most welcome.

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

15 June 2010

15. Letter to the Commissioner from the Director of Strategic Projects, Department of Resources, 24 June 2010

Thank you for your letter of 15th June.

The Department has no information about the event held on 13th January 2010 and, in the absence of fuller information about the party allegiances of all who were invited or the nature of what was said on the occasion, cannot offer an opinion on whether or not it had the nature of a party political event. This issue discussed was one of political controversy, but that does not necessarily mean that it was a party political occasion.

As I understand it, Mr Slaughter invited to the January event people with whom he had previously been in contact. It is legitimate for Members to use House stationery and pre-paid envelopes to communicate with those who have previously been in contact with them. This is not restricted to letters to constituents; letters may also be sent to others in pursuit of parliamentary duties. It would seem to us to be perfectly acceptable for a Member to use pre-paid envelopes to send an invitation to a meeting to a non-constituent who had previously been in contact with the Member about the subject to which the meeting related, and who had a representative role connected with the Member's constituents or his or her other parliamentary duties (for example, membership of a Select Committee). However, I am not clear from the evidence you have received whether all the people invited to the

⁴ WE 1 to WE 4

event could properly be said to be people who had previously contacted Mr Slaughter in the active way in which the rules envisage. It could also be argued that the invitation was more by nature of a general rather than a specific update. Pre-paid envelopes may not be used to send general updates.

On communications with non-constituents, you will also be aware of the then Speaker's rulings that Members should not involve themselves with another Member's constituency.⁵

We have no information about the provenance of the stationery. Mr Slaughter tells you in his e-mail of 14th June that the notepaper was funded from his parliamentary account. However, it does not appear to be House stationery. I imagine therefore that it was funded from Administrative and Office Expenditure (AOE), but Mr Slaughter may provide different information in response to your letter to him of 15th June. It was not permissible to use AOE to circumvent the restrictions on Communications Expenditure which applied from January 2010. This is relevant in this case so far as the letters could or could not legitimately be sent under the normal rules which applied to stationery and pre-paid envelopes.

The cost of 115 sheets of A4 paper is £4.44, and the cost of 37 first-class pre-paid envelopes is £14.52.

Please let me know if I can help further.

24 June 2010

16. Letter to Mr Andy Slaughter MP from the Commissioner, 25 June 2010

When I wrote to you on 15 June, I said that I was now consulting the Department of Resources. I have now heard back from them.

I enclose a copy of my letter of 15 June to the Department, together with a copy of the Department's response of 24 June.⁶ As you will see, the Department suggests that in their view it would have been acceptable for a Member to have used pre-paid House of Commons envelopes to send an invitation to a meeting to a non-constituent who had previously been in contact with the Member about the subject, or who had had a representative role connected with the Member's constituents or the Member's other parliamentary duties. But the Department is not clear whether all the people you invited to the event could properly be said to be people who had previously contacted you "*in the active way in which the rules envisage*". They consider that it could also be argued that the invitation was more by nature a general, rather than a specific, update. They note, too, the then Speaker's ruling that Members should not involve themselves with another Member's constituency.⁷ They have no information about the source of your stationery, but consider (contrary to what I said in my letter to you of 15 June) that it was funded from the Administrative and Office Expenditure, since it does not appear to them to be House stationery. The Department note that it was not permitted to use the AOE to circumvent the restrictions on the Communications Expenditure, which applied from January 2010. They say that they cannot, on the basis of the information available to them, offer an opinion on whether the meeting was party political in nature.

Before coming to my own view on this matter, I would welcome your comments on the Department's response. In particular, it would be helpful to know whether you can provide evidence that all those you invited to the event using House of Commons pre-paid envelopes (the 37 envelopes referred to in your letter of 25 May)⁸ had previously and actively contacted you about this matter. And could you let me know if the residents' representatives were all representatives of people in your constituency (I took it from your earlier evidence that this was not so). It would also be helpful if you could clarify the source of the funding for the notepaper you used for all these 115 invitations. In doing so, you may wish to take account the following extract from paragraph 2.6.3.2 of the Green Book for July 2009 which reads as follows:

"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

⁵ HC Deb, 6 November 2007, col 1

⁶ WE 14, 15

⁷ HC Deb, 6 November 2007, col 1

⁸ WE 10

words 'House of Commons'. Any such use must also comply with the three requirements set out earlier in this section."

The issues I will need to resolve are:

1. whether this was a general update meeting or a meeting in response to specific matters first raised with you by each of those invited to the meeting. In doing so, I will take account of the phrasing of the invitation: *"The meeting will consider latest developments in local and national housing policy. The reception will be an opportunity for you to engage with others at the forefront of action and debate over the future of social housing."* I will also take account of the evidence you have given me about the nature of this meeting, and any further information you may provide about whether the people you invited had first themselves contacted you about specific relevant issues;
2. whether, given the nature of the meeting, it was permissible for you to have funded your notepaper from your provided stationery account or from your AOE (taking account of the Department's advice on this);
3. whether, in the circumstances, it was permissible for you to have used first-class House of Commons pre-paid envelopes to send out 37 of these invitations to those you have identified, namely some White City residents within your constituency, and some residents' representatives from outside your constituency;
4. whether the meeting constituted party political activity.

You have already given me evidence relating to each of these points, but any further comments you may wish to give to help me in resolving these four issues would, of course, be most welcome.

Once I have your response, I will consider how best to resolve this matter. It would be very helpful, therefore, if you could let me have a response to this letter and to the Department's advice within the next two weeks.

25 June 2010

17. E-mail to the Commissioner from Mr Andy Slaughter MP, 27 July 2010

I am replying to your letter of 25 June (and also that of 15 June, the matter of which is subsumed within the later letter), and apologise for the delay in doing so.

As to your paragraph 2, I say:

As previously stated all correspondents were written to in pursuit of my parliamentary duties as allowed under the rules. The invitations were specific and the recipients carefully chosen. I do not see how they could in any way be characterised as general updates. I was not involving myself with another Member's constituency. The event related to the impact of the matters under discussion on my constituency. The notepaper, I believe, dates from 2007 at the latest, it would have been purchased from AOE or whatever the equivalent allowance was at that time. I repeat that the meeting was not party political and pray in aid the invitation.

As to your Paragraph 3, I say:

I assume you arrive at the number 37 by adding my estimate of 20 White City and neighbouring estate residents to the maximum of 12 residents of other estates who received their invitations by post. All of the first group and some of the second group had previously contacted me on the instant matter. The first group were among those who attended the 2009 meeting in White City. The second group were representatives of the other estates. As I say, some had been in contact previously, a few were the named residents' representatives. These fall squarely into the groups whom it is permissible to contact in pursuit of parliamentary duties by my reading of the Green Book. I repeat what I say in response to Paragraph 2 above as regards the origin of the stationery. I do not understand from where the figure of 115 pieces of paper comes. If it is the aggregate of the invitations in paragraph 2 of my letter of 5 April, the majority of these were sent by e-mail. I think the more relevant figure is the 37 you have taken from my e-mail of 5 April⁹ (not 25 May). I do not understand the relevance of the quotation from the Green Book, as this is about use of stationery for writing to people who have not contacted you.

⁹ WE 8

As to your numbered points:

1. As stated above, this was a specific invitation to individuals which was the promised follow up to the 2009 meeting. The fact that the agenda had moved on and the venue was different from the previous meeting does not alter this. Almost all the invitees had been in contact on the matters under discussion. Those few who had not were legitimately being invited to join the meeting as part of my parliamentary duties.
2. I do not think it is relevant whether Commons stationery or purchased stationery was used, but it was the latter.
3. As stated above, all the White City etc residents had asked individually for a follow up response. Some of the others (up to 12) had also been in contact. The few remaining were representatives with a direct interest who are covered by the Green Book criteria for use of pre-paid envelopes.
4. See above. If this were party activity then any piece of casework on this matter, any discussion with tenants and any opinion on the legal or professional basis for the housing policies under discussion would also be.

I have tried to deal comprehensively with your queries, though I confess I am confused by some of the points raised in your most recent correspondence. I have now spent an inordinate amount of time on this matter to the detriment of other work. Mr Hands is a serial complainant to regulatory bodies with the effect that I have less time to represent my constituents and am constrained in my ability so to do.

In summary, my understanding of the points in issue, and my response is as follows.

1. If the meeting were party political the full expenditure is invalid, ie the £14.52 plus part of the £4.44. I take these figures from the end of [the Director of Strategic Projects'] letter of 24 June, save that (see above) the number of sheets of paper should be 37 not 115 (*pro rata* = £1.42). This is plainly wrong. Both the conception and organisation of the meeting were not party political, it was for tenants and residents of specific housing estates with no reference to their political affiliation.
2. If the invitations to the meeting were general not specific, the cost of paper is allowable but not the pre-paid envelopes, ie £14.52. This is also wrong. Every invitee was chosen for their specific involvement in the issue under discussion.
3. If the invitation was specific but went to some recipients who had not specifically asked to be informed about the issue (some of the 12 not at the 2009 meeting) these envelopes (say, six) were wrongly used. I reject this. Anyone in this category who received a letter did so as an accredited representative of a residents' organisation with a direct interest in the subject of the meeting. In my submission this is within the definition of permissible correspondents ie "*individuals and organisations in pursuit of your parliamentary duties*" (Green Book 2.6.3.1).
4. For completeness and in any event, I aver there is an ambiguity in the rules regarding this point, that I and my staff have acted in good faith throughout and that the quantum of disputed envelopes is *de minimis*.

27 July 2010

18. Letter to Mr Andy Slaughter MP from the Commissioner, 29 July 2010

Thank you for your e-mail of 27 July responding to my letters to you of 15 and 25 June.

My answers to the points you raise are:

1. Yes, I did arrive at the number 37 by adding your estimate of the White City and neighbouring estate residents who, in your e-mail of 5 April, you told me numbered 25 (not 20) plus the 12 "*residents' representatives from other affected estates*".
2. Yes, the 115 pieces of paper was an aggregate of what you told me in paragraph 2 of your e-mail letter of 5 April about those you had yourself invited. You suggest that the more accurate number is 37—the number who received the invitation in House of Commons pre-paid envelopes. But that takes no account of any who may have received the invitation in person, as suggested at point 4 in your e-mail letter of 5 April. For the sake of completeness, could you give me an estimate of how many in addition to the 37 who received the invitation

in envelopes, received the invitation using the same notepaper in another way?

3. The quotation from the Green Book was to identify the rule relating to use of House stationery to write to people on issues on which they had not previously contacted the Member, although I recognise that you consider that most of those invited had indeed done so on the matter under discussion.
4. You have raised a number of complex matters relating to the interpretation of the Green Book rules as applied to the particular circumstances of the invitations which you sent out. You also make clear that the number of invitations, and the costs associated with them, are modest. I assume nevertheless that you would wish me to come to a determination on whether you were in breach of rules, in preference to accepting that the rules in this area are complex (and in your view ambiguous) and you deciding to accept a possible breach and repaying the sums involved.

On the assumption that you would not wish me to consider resolving this matter on the basis of you deciding to accept a breach, it would be very helpful if you could clarify for me the following three points, which, as your helpful letter suggests, go to the central point about whether this was a party political meeting or alternatively whether non-constituents should have been invited to a function which you organised as part of your parliamentary duties. These points are:

1. It would be helpful if you could respond to the suggestion that, given the politically controversial subject of the meeting, the fact that, other than the tenants, no one from the Conservative party was invited, and that most, if not all, of the non-tenant invitees were of the same political party (the Labour party), this had the effect of making this a party political event.
2. How do you justify the non-political nature of the meeting given the statements on your blog about the meeting identified by the complainant in his initial letter of 15 February? You said in your e-mail letter of 5 April that you could not be held responsible for what people said at the meeting. And in your letter of 25 May, that the passages quoted were a report written by a journalist who had attended. It would appear, however, that the blog was not written by a journalist, but apparently in your name and posted by "Andy". It started with:

"Residents launched a borough-wide fight back against Hammersmith and Fulham Council's plans to knock down council housing in the borough last night. At a highly charged meeting at the House of Commons, social housing residents from across Hammersmith and Fulham declared their intention to stand should-to-shoulder together against the Tory Council's plans. I organised the event to bring together members from estates across the borough to share their stories and to lobby Government Ministers en masse."

If any of this blog came from the journalist's report, did you consider sourcing the references, and, if you did not agree with them, making that clear on your blog? (If you had a copy of the original article, I would be most grateful to receive it.)

3. Given that 12 of the invitees from other estates outside your then constituency had previously contacted you on social housing matters, could you help me on the suggestion from the complainant that you were, in effect, dealing with the concerns of some people who were his constituents and, if so, that they should therefore have been referred to him? And how do you respond to the suggestion that the inclusion of people who were not then part of your constituency (but are now) in order to stand against "Tory Council plans" and to "lobby Government Ministers en masse" went beyond your parliamentary duties and was, in effect, party political activity?

It would be very helpful if you could let me have a response to this letter by the end of August. I appreciate that you would like this matter resolved—as would I—as soon as possible. I would hope that your response would enable me to come to a view on how best this is to be achieved.

29 July 2010

19. E-mail to the Commissioner from Mr Andy Slaughter MP, 15 August 2010

I am replying to your letter of 29 July.

As to your numbered points:

1. You are right it is 25 not 20. My apologies, a slip of the pen.
2. These are not exact figures, but in addition to the 37 stated above, I believe the remainder would have received invitations by e-mail, via third parties or in person, by which I mean orally.
3. Agreed.
4. Agreed. Although I would ask for the opportunity to comment further on your interpretation of the rules when you have made this.

As to your questions:

1. The subject of the meeting may be controversial but the meeting itself was not called for any party political purpose. You say "*other than the tenants, no one from the Conservative party was invited*". I do not know if the tenants were Conservative (or any other party) members or supporters. The same applies to everyone else invited save some of those in listed in paragraph 2.4 of my letter of 5 April.¹⁰ Where those invited were representatives of a political party (perhaps 10% of those invited and half of those referred to in Paragraph 2.4) they were not invited as such but in other capacities—as Ministers of the Crown, ward councillors or representatives of All-Party Groups for example—and having an interest in the subject.
2. The passage you quote here is a news item from my website describing what happened at the meeting. Even were it written in a party political way or describing party political events I do not see how that affects the calling of the meeting which must be judged on its own terms not with hindsight. But I do not think this is party political. It correctly describes the purpose of the meeting: to share information between residents on an important issue and to lobby Ministers. The only reference to any party is the description of the Council as Tory-controlled, which is factual and allowable under the guidance governing use of the communications and other allowances. I do not know what you mean by the "*original article*".
3. To be clear, I am estimating that of a dozen residents from estates other than White City who received invitations by Royal Mail, half had previously been in contact on this issue (my final paragraph 3 of my letter of 27 July). They are all residents in the borough of Hammersmith and Fulham, but not necessarily of the former Hammersmith and Fulham constituency. But that is not the point. The purpose of the meeting was to share information and inform residents and others with a legitimate interest in the future plans for council housing in the borough and for them to express their views to government. I repeat what I say at 2 above about it being a "*Tory Council*". The same applies to "*Government Ministers*". It is absolutely my parliamentary duty to campaign on such issues, and I do so irrespective of the party affiliation of the government, central or local. If you wish I can provide ample example of this.

15 August 2010

20. E-mail to Mr Andy Slaughter MP from the office of the Commissioner, 16 August 2010

Thank you for this email. I apologise for not sending the Commissioner's letter via e-mail. We have made a note of your preference and will ensure that we send both in future.

The Commissioner has asked me to say that he has seen this e-mail and will give you a considered response in a couple of weeks or so, as he is not in the office at present. In the meantime, the Commissioner asks if you could confirm that the report on your website was written by you (or otherwise clarify why it appears to be written referring to you in the first person); and if you could send him an example of each of the contacts from constituents and from non-constituents to which you refer in your point 3.

¹⁰ WE 8

16 August 2010

21. Letter to Mr Andy Slaughter MP from the Commissioner, 2 September 2010

Thank you for your email of 15 August responding to my letter to you of 29 July about this complaint.

I know that my office emailed you on 16 August¹¹ to let you know, that while I was away from the office, I had nevertheless seen your email and had a couple of points on which I needed your further help. I understand that you will be responding to this once you return from your own annual holiday.

Meanwhile, it may be helpful if I responded more fully to some of the points made in your email. They are:

1. Thank you for your response to my answers to the points you raised in your email of 27 July. Once I have the final pieces of the information which I requested from you in my office's email of 16 August, I will need to review all the evidence and decide how best to resolve this matter. It may be that I will conclude that I should put a memorandum to the Committee on Standards and Privileges. You should draw no inferences from that, but, in that case, you would see my conclusions including my interpretation of the Green Book rules, once I had submitted my full memorandum to the Committee. I will let you know about this once I have your response and have reviewed all the evidence.

2. I have noted what you have said about the political affiliations of some of those you invited. I have taken as authoritative the evidence which you gave me in your email of 5 April and your letter of 25 May. Your email of 5 April said that you invited residents of three estates who had attended the 2009 meeting, committee members from the West Kensington and Gibbs Green Estates, residents' representatives from other estates, and Ministers, MPs, Councillors and others interested in the issue. In your letter of 25 May, you stated in relation to this last group: "all those invited were people who had shown an interest in the tenants' campaign, and for that reason would not have been from the Conservative Party." I took it from that statement that, other than residents and residents' representatives, all those invited (Ministers, MPs, Councillors and others interested in the issue), were from parties other than the Conservative Party, and that most, if not all, were from the Labour Party. If this is wrong and you wish to modify or clarify your evidence of 25 May, please let me know.

3. You say in your email of 16 August that you do not know what I meant by reference to the "original article". The original article which I had in mind was the report which you said in your letter of 25 May was written by a journalist. You told me in your letter of 25 May that the passages quoted in your blog came from this report. I asked in my letter of 29 July to see a copy of that report. As you know, I have asked you further about who wrote the blog which refers to you in the first person.

I would be very grateful if you could let me have a response to this letter as well as my office's email of 16 August within the next two weeks. I would hope then to be able to bring this matter to a conclusion. I am grateful for your help.

2 September 2010

22. Letter to the Commissioner from Mr Andy Slaughter MP, 11 October 2010

I am replying to your outstanding correspondence.

Firstly, let me apologise for the delay in responding and thank you (and your staff) for your forbearance. As you will appreciate I have been struggling to find adequate time this year to deal comprehensively with your enquiries given my other duties. As I now also have front bench responsibilities this is likely to prove even more difficult if new lines of enquiry continue to ramify. I will endeavour to answer your outstanding points below and hope we may then move to closure.

As you will appreciate I feel very strongly that this matter however *de minimis* in cash terms raises important points of principle. I (or those acting on my behalf) acted in good faith throughout in arranging the meeting in

¹¹ WE 20

January to help residents threatened with losing their homes. We are now lobbying the current government for assistance, just as we did the last (see below).

Also I believe there are inconsistencies and a lack of clarity in the rules governing communications by MPs. This was difficult enough while the communications allowance was available, now it is abolished but the rules remain unaltered it is difficult to see how MPs can send out letters save under very narrow circumstances unless they pay from their own pockets, as I and I suspect many others are already doing for staff and other office costs.

Nevertheless if you decide to find against me I would, given the time pressures and sums involved, opt for rectification rather than a further round of argument before the Committee. I don't think I have given any other indication but if I have, for the avoidance of doubt, I withdraw it.

Turning to your several outstanding letters:

1. Email of 16 August

I can't say exactly how the website entry is compiled but I am responsible for its content and it would have been written by me, dictated by me, copied from something else I had written or be a version sourced from other things I had written.

I attach a letter from [name], a tenant activist on Ashcroft Square estate in W6.¹² She was sent an invitation, attended and I think spoke at the meeting. I cannot recall exactly who else wrote to or spoke to me and subsequently received a letter rather than email from other threatened estates. I will continue to look for further letters but these were sent out on an ad hoc basis. Can I confirm that you want a letter from one of my constituents (not living on the White City Estate) as I understood Mr Hands was complaining about letters to his constituents such as the one he produced.

2. Letter of 2 September

As to your para 1 and the references to CSP I have dealt with this above.

As to your para 2, I would ask you to read my previous correspondence again. I had good reason to invite the various non-resident guests which were unrelated to their Party affiliation if any — these included lawyers, journalists and academics. A central purpose of the meeting was for tenants to explain to the housing minister the importance of enabling tenant ownership by introducing regulations under the 2008 Act. The battle to do this continues. In the last week I have travelled to meet tenants who have set up community-owned housing outside London and met tenants' associations in Hammersmith to discuss how we can lobby the current government to introduce the regulations which the previous one failed to do. This is a special project of mine, partly for constituency reasons and partly because of my wider involvement with tenant management and ownership (eg through the APPG). The reason I raise this is because you have been given a partial unrepresentative and misleading view of the meeting by Mr Hands for his own purposes. If you start from this perspective it is difficult for me to persuade you how the meeting was conceived and executed. But I refer again to the invitation and the background to it which I have set out at length. If you find this is outwith the rules, how can I continue to liaise with tenants organisations on this or other issues without funding the costs from my own pocket?

As to your para 3, the journalist who wrote the report was from the Hammersmith & Kensington Times. I don't have a copy from January. I have dealt with the authorship point above.

3. Letter of 8 September.¹³

I think I have dealt with this above.

¹² Not included in the evidence

¹³ Not included in the evidence

11 October 2010

23. Letter to Mr Andy Slaughter MP from the Commissioner, 14 October 2010

Thank you for your e-mail of 11 October responding to my letter to you of 8 September and my office's e-mail of 16 August.

I have, as you requested, now carefully considered all the evidence in relation to this complaint, including your comments and explanation, and the advice and comments from the Department of Resources.

I am minded to conclude that you should not have used House of Commons pre-paid envelopes and House of Commons stationery for the 37 people whom you invited to your meeting on 13 January 2010. This is because I consider that the invitations amounted to a breach of the rules because they were either correspondence with constituents on issues on which they had not previously contacted you, or because they were inviting recipients to an update which did not relate to a specific case raised by a person who was your constituent. I consider also that the meeting took on such a party political aspect that it constituted party political activity, contrary to one of the fundamental principles in the July 2009 Green Book.

Given your evidence that you did not intend the meeting to be party political and that you believed that you were within the rules in your use of House of Commons stationery and postage, and given the amount involved (£19), I consider that, if you agree, it would be appropriate to resolve this complaint through the rectification procedure. To do this, you would, as you know, need to accept my conclusions; repay the £19 involved to the Department of Resources; and the Committee on Standards and Privileges would expect you also to have apologised.

I appreciate that you would like this matter resolved as soon as possible. Given what you say in your e-mail, therefore, I enclose an extract from the letter which I would propose to send to the complainant closing this complaint.¹⁴ While the content of the letter is, of course, a matter for me, if you were to accept that this complaint should be resolved through the rectification procedure, I would be grateful for any comments on the factual accuracy of the attached draft.

I should say that, if the House were to agree to recommendations supported by the previous Committee on Standards and Privileges, I would expect to publish the rectification letter, and the evidence related to it, on my webpages.

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

14 October 2010

24. Letter to the Commissioner from Mr Andy Slaughter MP, 1 November 2010

I am replying to your letter of 14 October 2010, giving your draft findings in the complaint against me. I would ask you to reconsider those findings on the basis of the evidence and submissions in this response.

I have reviewed all the correspondence, spoken where possible to those engaged in the mail despatch and contacted both the Serjeant at Arms' Office and IPSA for their interpretation of what the Green Book rules say on this matter and what would be allowable by them.

The decision to hold the meeting was mine. It was specifically a follow up to the previous meeting in White City. The names of attendees had been collected at that first meeting with the intention of letting them know what would happen next in relation to the plans for the estates and what residents could do in the light of this. So the people who were initially invited were White City residents and those who could answer their questions (whether ministers or tenants from other estates).

¹⁴ Not included in the evidence

The process for sending out invitations was left to my constituency office. No instruction was given by me as to how to send the invitations out, but it is our practice to use email where this is possible and surface mail where not. Because this was a small mailing and effectively writing to a self-selecting group of constituents I gave no thought to the appropriate stationery to use, but it seems to me that House of Commons envelopes are appropriate because this is following up a previous request. The use of First Class envelopes was because this was near Christmas and the post accordingly unreliable.

The additional envelopes were sent out slightly later at my suggestion as I thought that it would be useful to have representatives of the other threatened estates there. Again I gave no thought to the type of stationery, as these were a handful of extra invitations. Some were previous correspondents on the subject and some were not.

These are the points I took up with the relevant authorities. The view of the House authorities was that it would normally be appropriate to use Commons stationery to reply to any correspondence received, and also to deal with any correspondence that arose from a constituency matter. Beyond this they advised me to speak to IPSA. IPSA's view was that provided a letter was individually addressed and did not have the characteristics of a circular its cost (paper, envelope and purchased stamps) could be met from the GAE account.

Applying this to what I did, I would say that all the letters I sent fit the Commons authorities' criteria. They are either sent in response to an enquiry or they arise from such an enquiry — the extra people invited from other estates were intended to inform the meeting and share knowledge with those already invited. Even if I am wrong about this, the paper used was not paid for from Commons stationery budgets but from the predecessor of the GAE and the costs of the envelopes and stamps would have been the same from whichever budget they were paid. In any event, there is beyond doubt grey areas in this part of the rules. I have asked a number of MPs what their understanding of the proper uses of the various types of stationery is and none is aware of your narrow and rigid interpretation of the rules. Neither do the relevant authorities appear to concur with this.

For completeness, I do not agree your figure of £19. The actual costs at the time of posting (assuming all envelopes were first class) was 37 x 39p (stamps); 37 x 3.1p (envelopes); and 37 x 2.28p (paper). A total of £16.42.

Your other point is that this was (seen in hindsight) a political meeting. My response is firstly that it was not. I do not challenge the fact that political things were said or that I afterwards quoted them, including on my website. But this is in the context of a meeting lasting around three hours which heard many non-political speeches and was mainly a chance to network and share experiences. I attach an article from *New Start* magazine reporting on the meeting which gives a better flavour of the range of opinions and issues raised.¹⁵

Anyone can quote selectively from such an occasion and make it seem something that it was not. To illustrate this I have included with this email some examples of false statements that Mr Hands has made about me in recent times. In each case the assertions he makes are simply untrue or so selectively quoted as to mislead the reader. I do this to show a course of conduct of which the current complaint is an example.

You also say it was a political meeting only in hindsight. In other words, in the days after the meeting I should have concluded that it was party political in nature and begun an inquiry into whether the funding of it should be re-examined. Bearing in mind I had no knowledge at that stage how it was funded (ie what stationery was used) and regarded it as a tenants' meeting rather than a political one I think this is asking too much. Natural justice surely does not require me to go back over the organisation of a meeting and make decisions on the basis of what might have been disallowed.

I am very angry at the amount of time I have spent of this matter, and because I believe your office is being misled and used as a means of political point-scoring. Nevertheless I am persevering in the hope of achieving what I think is an honest outcome.

1 November 2010

¹⁵ WE 25

26. Letter to Mr Andy Slaughter MP from the Commissioner, 3 November 2010

Thank you for your e-mailed letter of 1 November responding to the letter which I sent you on 14 October about the resolution of this complaint.

I wrote to you in the terms I did on 14 October because I had taken from your letter of 11 October that, while you felt very strongly about this matter, if I were to decide to find against you, you would opt for rectification rather than “a further round of argument before the Committee.”

I take it from your letter of 1 November that you have decided not to accept rectification. I will, therefore, need now to take forward my inquiry again in the light of your letter. I should make clear that I have set aside the conclusion which I was previously minded to reach in the light of your suggestion that you would, if necessary, like the matter to be resolved through the rectification procedure. I will consider the matter afresh in the light of all the evidence, including your letter of 1 November, once I have completed the further inquiries necessary following the additional evidence you have produced, and then bring the matter to a conclusion.

I was grateful to see the article you enclosed from New Start magazine attached to your letter, which you had not, of course, previously sent to me. It would be very helpful if you could let me have the date of the article, and (if you know it) the author’s name.

You asked about costings. The amounts were given in the Department of Resources’ letter of 24 June which I sent you the following day. These costings included 115 sheets of your House of Commons notepaper. I see from your e-mail to me of 27 July that you used “purchased stationery.” I was grateful for your confirmation in your e-mailed letter of 1 November that that paper was paid for from the predecessor of GAE which I believe to be Administrative and Expenditure Office. I will, therefore, need to consider whether it was appropriate for you to use this source of funding for this dispatch.

You have referred to taking advice from the Serjeant at Arms office. I will, therefore, need to seek that office’s comments on your exchanges with them. It would be very helpful before I do so if you could let me know whom you consulted and the terms in which you consulted them together with any documentary evidence relating to those exchanges. If you could let me have that information within the next week, I would be most grateful.

I see that you have also consulted IPSA. The complaint, however, related to the rules as they were in January 2010, before IPSA was established. I do not, therefore, intend to take account of the advice they have given you about the operation of the GAE in considering this complaint, or to extend my inquiries to IPSA. If you disagree with that view, please let me know within the next week, together with your reasons.

As you will see, in the light of your letter, it will I am afraid, unavoidably take further time before I can bring this matter to a conclusion. If you could let me have a response to this letter within the next week, then I will write straightaway to the Serjeant at Arms. Once I receive her response, I will show it to you for any further comments you may wish to make. I hope then that I shall be able to bring this matter to a conclusion.

I look forward to hearing from you.

3 November 2010

27. Letter to the Commissioner from Mr Andy Slaughter MP, 15 November 2010

I am replying to your letter of 3 November 2010.

1. As regards process, my understanding is as follows. Your investigation looks at all the relevant evidence and submissions and reaches a conclusion. If I am not happy with that conclusion and if (as in the current case) you are prepared to offer rectification (ie payment of a sum assessed by you) I have the choice of paying the sum stipulated or declining to do so in which case the matter will be referred to the Standards and Privileges Committee which will in practice act as an appeal body hearing the case de novo. Please tell me if I have got this wrong.

Until I know what your conclusions are going to be I cannot make a decision as to whether to settle, but I certainly have not decided to reject rectification. The purpose of my letter of 31 October was to try and correct matters which I thought you had wrong in your draft judgment.

2. Article from *New Start* magazine. I recall seeing this article when it was published but did not have a copy of it — indeed I could not remember which magazine it was in or the date of publication. After receiving your draft judgment, I tried to locate it but could not. However, one of the housing professionals who attended the meeting was able to find it for me. That is why I have not had access to it previously. The date of publication is February 2010 and the author Clare Goff (these are on the pdf but cut off on the printed version). I do not remember speaking to her at the meeting and have not done so since.

3. Quantum and source of notepaper. I thought this matter was concluded. My email of 15 August refers explaining why 37 is the correct figure not 115. You do not challenge this in later correspondence. Equally, the term 'purchased stationery' is clearly used to refer to one of the predecessor budgets of the GAE. This is not new information so I do not see why a new line of enquiry has to be opened here.

4. Serjeant at Arms. I had two conversations on this matter (that is the principles rather than the details of the complaint which I understood to be confidential). One was with [name] and one with [name]. I did ask for an email confirming the conversations, but they seemed reluctant to commit themselves to paper, perhaps unsurprisingly given the ambiguities which currently exist. I understand the Administration Committee will be shortly looking into the rules on use of stationery which clearly need clarification and updating.

5. IPSA. The reason I spoke to IPSA is that they now stand in the shoes of the House authorities as regards the former allowances for office expenses and communications. Indeed several of the former resources staff have now transferred to IPSA. I do not know the name of the person to whom I spoke, all enquiries are directed to the information desk. I believe IPSA is relevant here as regards actual use of purchased stationery (as defined by me) and in determining whether purchased stationery could have been used in place of House of Commons stationery. As you know I believe I was justified in using House of Commons stationery, but if I am wrong about this, I say that it would have been appropriate to use purchased stationery (for envelopes and stamps in addition to notepaper) and therefore if there is any breach it can be rectified by making payment from IPSA budgets to the Commons stationery account.

15 November 2010

28. Letter to Mr Andy Slaughter MP from the Commissioner, 18 November 2010

Thank you for your e-mail of 15 November responding to my letter of 3 November.

You ask about the procedure for rectification. To summarise: I wrote to you on 8 September about the options open to me in resolving this complaint.¹⁶ Following your response in your e-mail of 11 October, I wrote to you again on 14 October in response to your suggestion in that letter that, if I decided to find against you, you would opt for rectification rather than "a further round of argument before the Committee." I therefore wrote to you on 14 October to say how I was minded to conclude this complaint and inviting you to confirm that you wished to have the matter resolved through the rectification procedure. In your e-mail of 1 November, you appeared to resist this conclusion. I therefore asked you for further information in my letter of 3 November, to which your e-mail of 15 November is the response.

The position remains largely as I set out in my letter of 14 October.¹⁷ I am prepared to offer you the option of resolving this matter through the rectification procedure, on the basis set out in that letter, subject to the modifications which I identify in the following paragraphs. If you were not to agree to this, I will submit the matter to the Committee on Standards and Privileges. The process then is that the Committee will consider my memorandum alongside any evidence you may yourself wish to provide, in writing or orally, to the Committee. The Committee will then come to its own conclusion and decide what, if any, action to recommend to the House. The Committee's report, together with my memorandum and the relevant evidence, is published by the House.

¹⁶ Not included in the evidence

¹⁷ WE 23

If I am to rectify this matter with your agreement, then I consider that it would be wholly disproportionate for me to continue inquiries, including with the Serjeant at Arms office and with IPSA. This is because, in the case of the Serjeant at Arms office, I have already received authoritative advice from the Department of Resources. I would only want to go to the Serjeant at Arms if I were pursuing this matter to a formal memorandum, which would not be concluded until the New Year – nearly twelve months after the original complaint. Nor do I see any need to consult IPSA since the complaint relates to a period before IPSA began to deal with Members' expenses. My role in the current Parliament is to consider complaints about the alleged misuse of House of Commons provided stationery. It is for IPSA to decide whether it would entertain a claim from you for similar communications under its expenses regime.

Having carefully considered the additional information which you have provided, namely the article from the *New Start* magazine, the basis of any rectification would be as set out in my letter to you of 14 October. I would be prepared to accept your evidence, however, that you had used no parliamentary funded notepaper to send out your invitations, beyond the 37 invitations which you sent in pre-paid envelopes. The total costs, therefore, would be the cost of 37 House of Commons pre-paid envelopes and 37 sheets of notepaper. Using the costings from the Department of Resources' letter of 24 June,¹⁸ these would be £15.95.

I hope, therefore, it will now be possible to resolve this matter, either through rectification on the basis of the conclusions set out in my letter of 14 October, as modified by this letter, or by your deciding not to accept rectification, in which case I will need to check the advice which you received from the Serjeant at Arms office and then, subject to any further comments you may make, I will prepare a memorandum for the Committee on Standards and Privileges.

I hope that it might be possible, to let me have your decision on this within the next week. If you would like a word to clarify any matter, please let me know. If you were to agree to rectification, then any comments you may wish to make on the factual accuracy of the draft letter attached to my letter to you of 14 October¹⁹ would be very welcome. I would, of course, add a reference to the *New Start* magazine article in paragraph 5 of that draft and amend the sum to be paid back.

I look forward to hearing from you.

18 November 2010

29. Letter to the Commissioner from Mr Andy Slaughter MP, 27 November 2010

I am replying to your letter of 18 November 2010. I understand your wish to conclude this matter and that given the sums involved any further enquiries might seem disproportionate, and this is one reason I do not wish to proceed to the further stage of investigation.

However, there is a clear conflict between what you are minded to conclude and the advice I (and you) have had from the Department of Resources. In particular, they do not think it is unreasonable to send either letters to people who have not contacted me or multiple copies of letters on the same subject, provided they are individually addressed and the subject matter arises out of a constituency issue and correspondence. They also say (in their letter to you of 24 June²⁰) that the meeting in question was not necessarily a party political occasion.

I (and unless you have made similar rulings with other MPs) and I alone must therefore follow a far more restrictive set of rules with regard to use of publicly-funded stationery. I have for the present instructed my office not to use this save in the most clear circumstances (eg a single response to a communication from a constituent dealing in terms with the content of their request and excluding those which raise political issues), and that in all other cases I will pay for the stationery and postage myself. However, I do not think this is a fair or reasonable way to proceed in the long term.

Rather than continue this correspondence could I take up your suggestion that we discuss the matter? I would be happy to meet as your earliest convenience with a view to resolving any outstanding query.

¹⁸ WE 15

¹⁹ The draft letter is not included in the evidence

²⁰ WE 15

27 November 2010

30. Letter to the Commissioner from Mr Andy Slaughter MP, 10 December 2010

Thank you for meeting me last week to resolve my remaining concerns with the complaint against me. Like you, I am keen to bring this matter to a close which I think we can now do. After considerable correspondence and a large number of questions from you all of which I hope I answered in full, I think the issues between us resolved to two: whether the meeting I held in January 2010 was political and whether the invitations were responses to constituents' correspondence.

1. Political meeting. I think you accept that the meeting was not intended to be party political, that the invitations were sent out in good faith by volunteers working in my office over Christmas 2009, that I was not aware of the type of stationery used, and that while the 37 envelopes were pre-paid house of Commons stationery, the paper used was my normal headed notepaper originally paid for from general administrative budgets. However, in the light of speeches with political content being made at the meeting your view is that I should have ascertained if any public monies had been spent on the mailing inviting people to the meeting, and retrospectively offered to refund the cost. I felt this was a hard test to apply but I accept you are within your rights to do so.

This also raises the question of when something an MP does is political. Inevitably there is political content to much that we do. For example, if in replying to a constituent I say that their problem cannot be dealt with because of the policies of another party that is currently in power locally or nationally, that is both factual and party political. In the case of the meeting, I accept there were speeches made that had political content but these were only part of the proceedings. The meeting was for residents and their representatives, none of whom expressed party affiliations. However, I accept your judgment that it was not permissible to use pre-paid stationery or bought stationery to invite people to this meeting.

2. Use of pre-paid stationery. I felt that your interpretation of the Green Book rules was very restrictive and not one of which the Commons authorities or Members generally were aware. That is to say only in very narrow circumstances can House of Commons pre-paid envelopes be used to write to constituents. This was not in fact the subject of the complaint but something which you introduced in the course of your investigation. I accept your interpretation of the Green Book, but it will be very difficult for my office to function in the future unless I pay for much of the correspondence myself. The problem arises from the rule changes on use of stationery introduced at the same time as the Communications Allowance. These tried to draw a distinction between reactive and pro active correspondence, which was not always clear. Of course, the Communications Allowance is now defunct and there are new rules governing the use of the GAE budget, but these make pro-active communications more proscribed. If in addition to this your interpretation of the rules is enforced only a proportion of the reactive correspondence can be replied to using pre-paid stationery.

I hope this has clarified my understanding of the rules and your decision, and I am happy therefore to enclose a cheque made out for £15.95 to [...] as requested.

10 December 2010