

# THE COMMITTEE ON STANDARDS IN PUBLIC LIFE

## REVIEW OF MPs' EXPENSES AND ALLOWANCES

**Council Chamber, Broadway House  
Tothill Street  
London SW1H 9NQ  
30 June 2009  
Morning/Afternoon Session**

Members Present: Sir Christopher Kelly KCB (Chairman)

Dr Elizabeth Vallance JP  
Lloyd Clarke QPM  
Dr Brian Woods-Scawen DL CBE

Secretariat: Martin Adams

Witnesses: Lorely Burt MP, Chair of the Liberal Democrat  
Parliamentary Party

Peter Riddell, Journalist and Chairman of the  
Hansard Society  
Dr Ruth Fox, Director of the Hansard Society  
Parliament and Government Programme

Dan Whittle, Chair of Unite Parliamentary branch  
Kevin Flack, Branch Secretary of Unite Parliamentary  
branch  
Sian Norris-Copson, Chair of Members and Peers  
Staff Association  
Amy Normand, Liberal Democrat Staff Chair

Heather Brooke, Freedom for Information  
Campaigner  
Tom Steinberg, Director of MySociety

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1. SIR CHRISTOPHER KELLY (Chairman): Good morning.

**LORELY BURT MP, CHAIR OF THE LIBERAL DEMOCRAT  
PARLIAMENTARY PARTY**

2. LORELY BURT: Good morning.

3. SIR CHRISTOPHER KELLY: Our first witness this morning is Lorely Burt MP, the Chair of the Liberal Democrat Parliamentary Party. Thank you very much for coming. Is there anything you wanted to say by way of an opening statement?

4. LORELY BURT: Yes, just a couple of things. I think that I may be able to assist the Committee in two different ways: firstly, as Chairman of the Parliamentary Party for the Liberal Democrats, I see my role as a cross between a shop steward for the back-benches and a favourite aunt. So I do talk to all of the Members and what I want to do is to reflect the diversity of circumstances of all the different Members because, whatever else you do, Sir Christopher, I hope that you will be able to not put us in a straitjacket but enable us. It is hard enough doing the job of working in two places at the same time. So I hope that we will be able to reflect single people; people who have got young families with different needs in different places.

5. SIR CHRISTOPHER KELLY: Thank you. One of the reasons we were interested in talking to the chairs of the different parliamentary parties was because although we have already received evidence from the Leader of the House and the Shadow Leaders of the House - including David Heath - people in those positions are clearly a little bit conflicted in needing to represent the leadership as well as the views of the back-benchers. So it is very helpful to hear what you have to say.

6. Could we take that point you have just made, about reflecting the broad diversity and not ending up in a straitjacket. Where does that take you?

7. LORELY BURT: Well the difference between the Members is just about as broad as it can possibly be both in terms of the distance and the type of constituencies that they represent, their family situations and also what they do when they come here to London. So someone like, for example, our leader - who clearly has to spend most of his time in London - he has a young family. It is appropriate for him to get support in London, for London to perhaps be his main home.

8. This idea of designating one's principal home, some people have said - I know David Heath thinks - that your principal home should be in the constituency, but I would argue that we do not need to impose that on everyone because everyone is so very different. You have got other Members - particularly our Scottish Members - who have to fly down every week and they leave their families in Scotland.

9. So it is that type of difference, of being able to have a life, to be a family person as well as to fulfil your duties here that I would appreciate the Committee taking into account.
10. SIR CHRISTOPHER KELLY: Thank you. That point bears, as you say, particularly on the designation of the main home. You could take the argument about support for family life to suggest that the arrangement ought to make it possible for MPs to have their families with them in both places. Would you go that far?
11. LORELY BURT: Well, an MP has to fully fund one place, whether it is in the constituency or in London. So I do not see why if you have got a young family why an MP should not be able to bring their family down to London with them. In the House of Commons I believe that we are hopelessly out of date. There is no crèche. I had the delight of being on the longest and arguably the most boring Bill in the history of Parliament, which was the Companies Bill. Kitty Ussher, a young mum, her family care arrangements broke down and the only redeeming part of the Bill was watching that little girl learning to walk in the Committee corridor outside the Committee room there. So I think if we want to have people who have families - young families - then we should consider the needs of those families as well as the needs of Parliament and the taxpayer.
12. SIR CHRISTOPHER KELLY: Just to draw that out a bit further. That could be taken as arguing that for those with young families who themselves have a family home - for the purpose of this argument, in their constituency - you should make it possible for them to have large enough accommodation in London for them to have their family with them in London as well at public expense. If that is what you propose, it takes us a long way away from the notion of one-bedroom flats, and you either have to have a system that is generous enough to allow that for everybody or you have to differentiate between different Members of Parliament.
13. LORELY BURT: I think there has got to be a limit and there has got to be a price on the part of the Members of Parliament as well. So, if you choose to have your family then there is already a limit on the claims that one can make in the allowance. So if you choose to go above that allowance and pay for it out of your own pocket, then I think that should be allowable under the rules.
14. SIR CHRISTOPHER KELLY: In setting the limits for what is allowable for the second homes, are you saying that a limit should be set at something equivalent to a one bedroom flat and members with families should be expected to make up the difference themselves?
15. LORELY BURT: Yes, I would say so. I think it would be unreasonable to ask the taxpayer to fund that. A one bedroom flat in London, another point that quite a number of Members have raised with me, the cost of that is considerable. A lot of them were extremely worried when we had the interim rules of the £1,250 maximum in actual rent itself. I personally have my own

property and I am funding that to the tune of £200 a month. So, all I am saying is it has got to be realistic.

16. SIR CHRISTOPHER KELLY: It has got to be a realistic level. And how close does it have to be to Parliament?
17. LORELY BURT: I do not know. When you think you have got late votes so you are going to be travelling home at maybe 10.30pm, it has got to be close enough to be comfortable to actually get home. So I would say a Tube ride.
18. SIR CHRISTOPHER KELLY: The tube goes quite a long way.
19. LORELY BURT: I am not being very specific here. It is something that I have not really given a great deal of consideration to because I live within walking distance.
20. SIR CHRISTOPHER KELLY: I do not think anyone has refused to accept the argument that MPs do need to have support of some kind for living in two places at once. But the question of the principles which underlie the level of accommodation still needs to be sorted out.
21. The most frequent suggestion that has come from members of the public is that there should be some form of central provision of accommodation; usually in the form of the Olympic village. But it is possible to argue for central accommodation without thinking that MPs all need to be made to live together. Do you think there are arguments of principle against that?
22. LORELY BURT: My first job after university was as an Assistant Governor in the Prison Service and the accommodation was found and I actually spent a couple of years living on site at Holloway Prison, rattling round - a single girl - in a three bedroom flat, which was quite strange really. I would hate to think that we had all got to be accommodated in some sort of a barracks, some sort of a dormitory type place, because I think that does not reflect the need for MPs to be able to get away occasionally and also their different family needs. If they have already got a home in London then why would you make them go and live somewhere else?
23. SIR CHRISTOPHER KELLY: Yes, but it is possible to have central provision without putting people in barracks. It is possible for Parliament itself through a commercial agency --
24. LORELY BURT: So you are saying: supposing we moved to a rental situation and then Parliament actually took the responsibility for paying the rent?
25. SIR CHRISTOPHER KELLY: Through a commercial agency.

26. LORELY BURT: Lovely. I would love that because it just takes one job off what MPs have to do.
27. SIR CHRISTOPHER KELLY: All that was around accommodation. There have been quite a lot of things that have happened over the last few months. Sometimes the impression is given that party leaders have taken their parties - slightly kicking and screaming - to the position we are now in. Do you think that the proposals, as they now exist, have the support of MPs and therefore present us with a way forward?
28. LORELY BURT: Yes, I do. I suppose one concern is any retrospective application of provision. I think that the outpourings from the public when they discovered some of the practices that went on - I mean I am talking as someone who had never heard of the John Lewis list - things like furnishing petty items. I just think that is totally inappropriate now. My party has come to the conclusion that we should do away with purchase because it leaves the impression of profit at the public expense, and I think that is right now. We are in such a difficult position in the perception of the public that we have got to clean up very transparently and just get on with doing the job that we were actually elected to do.
29. DR BRIAN WOODS-SCAWEN: Could I just follow that up to say that is the party's position, it does not automatically mean that that has the full hearty consent of your cadre of trade unionists.
30. LORELY BURT: No one has said to me that they disagree. I think most people are just concerned about being able to continue to rent in London; that is the renters. I do not know many people in my party who have actually purchased property
31. DR BRIAN WOODS-SCAWEN: Yes, okay.
32. SIR CHRISTOPHER KELLY: As you reminded us, it is your party's policy that support for mortgage interest should be ended. You have mentioned transitional arrangements. How long do you think the transitional arrangement ought to be in respect of those Members of Parliament who do have mortgages?
33. LORELY BURT: In our recommendations we are saying three years, I believe. So that does not seem unreasonable to me. An alternative would be to say, "Well, for existing arrangements then those could carry on until they ceased to be". That to me would be the two alternatives.
34. SIR CHRISTOPHER KELLY: Although that could be for a very long time.
35. LORELY BURT: It might be for a long time, so perhaps that would be inappropriate.
36. SIR CHRISTOPHER KELLY: Thank you very much. Elizabeth.

37. DR ELIZABETH VALLANCE: Can I just ask one thing before I go on to questions about staffing which we would like to ask you. Just on the accommodation front, it has been suggested to us that there is perhaps a mistaken thinking of MPs having a second home and that really what we are talking about is a place in London, a crash pad or something. Do you think that is reasonable?
38. LORELY BURT: Yes. I mean, that resonates very strongly with me personally. I go to my "crash pad" to sleep basically. I go out early and I come back late at night.
39. DR ELIZABETH VALLANCE: And the issues you raised about families which obviously we would want to take account of, but what we are really talking about here, if MPs live in a constituency that is a bit far flung, is three nights a week in London. A lot of people in their jobs spend perhaps three nights away from home. You would not think that is unreasonable in principle?
40. LORELY BURT: No I would not at all, and there are lots of our Members who are actually in that position. However, if someone was in a position where they had to spend more time in London, if they were in a shadow ministerial position for example, then that changes the scenario somewhat.
41. DR ELIZABETH VALLANCE: Yes, I think the position of Ministers - we are aware of - is a rather different one, or shadow Ministers. Can I turn then to staffing. One of the issues that has come up a lot in relation to staffing for us is the employment of family members.
42. LORELY BURT: Yes.
43. DR ELIZABETH VALLANCE: Obviously, as you know, this is not general practice in the commercial world or in the public service elsewhere. A lot of other legislatures have banned it now. What is your view?
44. LORELY BURT: I should declare my interest. I employ my husband two days a week. I think that if you look at certain parts of the commercial world, like for example small businesses, you can compare an MP and their team with a small business, and I have been in business with my husband in a previous life. So I do not think it is untoward, but I think what is very important is that it is real employment and that the person has to be really qualified and can be seen to be qualified to have the skills to be able to carry out whatever function it is. I mean, I employ my husband because he is the best. I cannot think of anyone I would rather have to do the work that he does for me. He is exceptionally good.
45. DR ELIZABETH VALLANCE: Is the analogy of small business, though, really a true one, in the sense that one very basic difference is that MPs are

paid and their staff are paid out of the public purse? This is not the case in business, however small.

46. LORELY BURT: No, that is absolutely true but the way I perceive my team is we are all a group of people with a common purpose all going forward. I would not like to see my team becoming a group of civil servants. Their job is to look after our purpose as a parliamentary team, to serve the people in our constituency and I think it was David Heath who made the point that we do not really want them to become part of the Executive. We want them to be separate.
47. DR ELIZABETH VALLANCE: The argument has been made to us by a number of people that it is really very difficult to manage family members that if perhaps things were not going well it would be difficult for you, or for an office manager or whoever, to manage this because these relationships are rather invidious.
48. LORELY BURT: Well ...
49. DR ELIZABETH VALLANCE: You laugh either because you agree or because you think this is so outside your experience.
50. LORELY BURT: No, I think any employee/employer relationship has the potential to be very, very good or very, very fraught with difficulty.
51. DR ELIZABETH VALLANCE: If one of your staff thought - heaven forefend - that your husband was not actually doing such a good job, would they not find it very difficult to say to you, or whoever, that this was the case? They might be very inhibited in that case.
52. LORELY BURT: They might be, but I would still suggest that it is about how you manage your team, at the end of the day, and if you are a good team and the MP is a good manager then that should not occur.
53. DR ELIZABETH VALLANCE: Thank you. Can I then turn to the problem with allowances, in relation to both party political and parliamentary activities. It is quite difficult sometimes to draw that line. There is a real kind of grey area here.
54. LORELY BURT: Yes.
55. DR ELIZABETH VALLANCE: How do you deal with that?
56. LORELY BURT: Well, we have quite a strict delineation. I have the physical accommodation and I rent out a proportion to the local party. That is all measured out. That has all been properly audited by estate agents, and I think the rules in terms of that area are quite clear and I do not think it is necessary to say you have got to have an office separate from the local party office. But you are right there are grey areas, because when does self-promulgation become political?

57. DR ELIZABETH VALLANCE: Yes, but can we stick with the office accommodation one?
58. LORELY BURT: Yes, sure.
59. DR ELIZABETH VALLANCE: You have an office which you rent and you then sublet a bit of it to the party?
60. LORELY BURT: Yes.
61. DR ELIZABETH VALLANCE: There is money clearly changing hands if you like, here and you could say that some of your allowance might go to the party in rent or whatever, or is it the other way?
62. LORELY BURT: No. It is not either way because the amount of space which is sub-let has been objectively assessed by an outside qualified agent. So it is straightforward. As long as you have got that outside objective assessment I do not see that should necessarily be a problem.
63. DR ELIZABETH VALLANCE: Are there other problems? You were going on before I rudely interrupted you.
64. LORELY BURT: You began by talking about communications generally and how do we make sure that there is no political intent in communications which are funded by the taxpayer, and I do think that that is quite difficult. It is a grey area because in serving your constituents - as long as you do it well - you are also increasing your worth in their eyes. So yes, I do think it is difficult. Again any publication or anything we put out which is funded by the taxpayer, has to receive the approval of the appropriate office in Parliament. They see everything that goes out and if they are not happy with it then that is it, it does not go.
65. DR ELIZABETH VALLANCE: I think we will probably want to come back to the Communications Allowance, per se, but just sticking with the other aspects of party political activity and parliamentary activity because there are a lot of things here in relation to staffing. What are the instructions you give your staff in this context? Do you have some staff who are overtly party political and other staff who deal with your parliamentary work or do most of them deal with both and are they able to make that distinction?
66. LORELY BURT: One deals with both and a proportion of her salary - the bit that she does for Parliament - is paid for by the taxpayer and the bit that she does for the local party is paid for by the local party. So it is a straightforward split on salary.
67. DR ELIZABETH VALLANCE: Right.

68. SIR CHRISTOPHER KELLY: How do you give yourself the assurance that that reflects the split in reality between the time she spends on the different activities?
69. LORELY BURT: To be perfectly honest it is difficult because how do you delineate the two things? But she has a job description and she fulfils that job description. That is all I can say. Maybe I should be stricter in auditing exactly how she does spend her time, but it is so difficult because at different times different things take priority.
70. SIR CHRISTOPHER KELLY: I understand the difficulty and the need to be proportionate. It is just you sign a piece of paper saying certain duties are performed, wholly exclusively and necessarily, in one particular --
71. LORELY BURT: Yes. But that is why we have the salary delineation because part of the week she is doing her organisational jobs and part of the week she is doing political work.
72. SIR CHRISTOPHER KELLY: Sorry Elizabeth.
73. DR ELIZABETH VALLANCE: No, it is quite a difficult one, as you say, and I suppose what we are trying to get at is how far you monitor this, how far you can monitor it when you are employing people who are really straddling the two roles, and I think you are just saying it is very difficult.
74. LORELY BURT: Yes, I am and also I would say every single member of my team performs over and above what you would reasonably expect them to. They all go that extra mile and when it comes to the political side of things, we have a lot of volunteers; have a lot of people who work for nothing and people who put themselves out in a most remarkable way, really, to help the party and to pursue the political objectives that we have in the constituency.
75. DR ELIZABETH VALLANCE: Yes. A lot of people have given evidence to us suggesting that it would be a great shame if in effect - as you said - all staff became civil servants who were not in any way politically involved. Of course they are, but you have still got to make the distinction.
76. LORELY BURT: Yes.
77. DR ELIZABETH VALLANCE: Ann Widdecombe, for example, said to us that if she thought there was any possibility of something being construed as political then she would not use parliamentary stationery.
78. LORELY BURT: Yes.
79. DR ELIZABETH VALLANCE: Do you have that kind of sense in your own head that there are things that you will not do?
80. LORELY BURT: Yes absolutely. Absolutely, and there really is just one particular role which has the two elements to it. I have other members of

staff, one comes in part-time, two have come in part-time and they do their role but then they stay and volunteer and sometimes when they are volunteering they are still doing parliamentary work. And some of the volunteers who come in do parliamentary work which you could pay somebody to do, but there is just too much to do to have enough people to pay to do it, basically.

81. DR ELIZABETH VALLANCE: It has been suggested to us that the register of staff interests should include all staff employed by Members, including volunteers and so on. Do you think that that would be a good idea?

82. LORELY BURT: I have got an anxiety about that because of the issue of privacy. When the Telegraph, for example, started publishing details of MPs' expenses, it was made known to us that the details of staff, their National Insurance number, their pay, their bank details, all of that had been stolen potentially, and one of my staff was really distressed about it. She spent a whole morning changing over all of her bank statements and details and everything. So I do not see why staff should not have an entitlement to privacy. The exception to that I think would be with members of the family who are employed. I think that should be public.

83. DR ELIZABETH VALLANCE: Right. But if, for example, one took account of the security element - which is really what you are talking about, redacting things like bank accounts and personal details of that kind - would you not think that it would then be possible to have all staff registered?

84. LORELY BURT: So you are saying that their names would be public?

85. DR ELIZABETH VALLANCE: Yes.

86. LORELY BURT: I am not sure what benefit that would actually bring. Because if you were a local authority you would not publish the names of all of the staff members who worked for the local authority. I think a problem is that when you are serving the public in a political way not everyone 100 per cent appreciates the service that you are trying to give them, and we had this with the stabbing of an organiser of an MP in Cheltenham. He died. So there are people around whom if they knew -- and I have had to threaten one particular constituent with police action for harassing my PA. A good job he did not know where she was because he might have got drunk one night and gone to see her. So, I am just worried that because of the roles that staff play; they volunteer to serve the public but they do not volunteer to be exposed in a way that might be very difficult for them.

87. DR ELIZABETH VALLANCE: Okay. Thank you. Can I just turn --

88. SIR CHRISTOPHER KELLY: Perhaps we will leave that one until last.

89. DR ELIZABETH VALLANCE: The regulator?

90. SIR CHRISTOPHER KELLY: Yes.

91. DR ELIZABETH VALLANCE: Okay. Fine.
92. SIR CHRISTOPHER KELLY: Brian.
93. DR BRIAN WOODS-SCAWEN: Can I ask you a question which you will be familiar with because of your HR background. In most organisations, in many organisations, when staff join they are inducted into standards, values, procedures, what is expected of them. You joined the House in 2005?
94. LORELY BURT: Yes.
95. DR BRIAN WOODS-SCAWEN: Did you get any kind of induction around those issues?
96. LORELY BURT: The staffing issues?
97. DR BRIAN WOODS-SCAWEN: No, around standards, values, procedures?
98. LORELY BURT: Standards, values.
99. DR BRIAN WOODS-SCAWEN: How to ensure compliance with requirements?
100. LORELY BURT: Yes, I think the House Authorities did a whole series of very helpful seminars for people - they could not have been more helpful - in terms of the technicalities of the role of an MP. My own party ran a series of seminars on what the party expected of them as an MP. It was really so weird for me because I had no expectations coming in. I overturned a large majority for another party, and I won by 279 votes so I could not allow myself to think about what it was going to be like when I got there. I had to just focus on the winning line and worry about it after I stepped over. So I am probably one of the most naive new Parliamentarians that you could ever wish to meet. So I did struggle in the early days, in terms of the technical competence that you suddenly need to assume, not least of all the deluge of casework that comes.
101. DR BRIAN WOODS-SCAWEN: Can I turn to outside interests. Some have put to us that the new requirements with hours and earnings, and with no lower level below which you do not have to give all of that detail because it is relatively unimportant, goes too far. Would you agree?
102. LORELY BURT: You are asking me about second jobs?
103. DR BRIAN WOODS-SCAWEN: Yes, second jobs.
104. LORELY BURT: Or are you asking me about one off things that we do like --

105. DR BRIAN WOODS-SCAWEN: Well, both because they are both covered by the new requirements.
106. LORELY BURT: I find it difficult to know how anybody could manage a second job, quite honestly. I mean we do work phenomenal numbers of hours but I have colleagues - I have one in particular who had a company before he came in. He is still nominally the head of that company. The argument against it is because the salary of a Member of Parliament is relatively low compared to the quality of a lot of the people and the salaries that they have had before they came in, to say, "Well, you have got to survive on £64,000". To some of my constituents £64,000 would be an amazingly wonderful amount of money. But to some of the people coming in it may be only a fraction of what they had earned before. So we do not want to stop good people coming in, but I do have an anxiety about enabling people. Their first loyalty has got to be surely to Parliament and to doing that job.
107. DR BRIAN WOODS-SCAWEN: Do you think it ought to be a full-time job for everybody or are you simply saying it is a full-time job for you and for many others? Is that a choice that individual Members can and should make?
108. LORELY BURT: To be a good constituency MP, even as a back-bench MP, it is a big job. So if you are doing something else and it may just involve one day a month for example, well I do not think that would be unreasonable.
109. DR BRIAN WOODS-SCAWEN: Just to go back to disclosures, the disclosures of all interests, all earnings and all hours, do you think that is a sensible and proportionate response to the concerns?
110. LORELY BURT: I think there should be some sort of de minimis, really, because for example we are always being exhorted to do surveys or interviews and things like that and, "We will pay £40 to the charity of your choice" and now we have to declare that, and you think, "Flipping heck, is it worth it?" So I think there should be an element of just reasonableness. If someone gives you a bunch of flowers after you have spoken for a dinner, for example, and you get a free dinner as well, does the public really need to know all about that? I would suggest not.
111. DR BRIAN WOODS-SCAWEN: So some proportionality around it?
112. LORELY BURT: Yes.
113. DR BRIAN WOODS-SCAWEN: Just to go back to your earlier comment. Do you think that the proposed arrangements could have an effect of deterring some people from wanting to join Parliament because of the intrusive nature of the arrangements?
114. LORELY BURT: Yes. Not that I had much of a clue before I came here, but certainly what we have been through and the exposure that we have had, I could never in my wildest dreams have imagined that I was going to be ever in that position.

115. DR BRIAN WOODS-SCAWEN: Former Ministers getting jobs is an issue of great interest, and there are those who - rightly or wrongly - seek to draw a linkage between the nature of those jobs and the Minister's previous experience. Do you think this is an issue and if so what should be done about it?
116. LORELY BURT: Well in industry, and if you have been a consultant, very often they build into your contract that you have got to take gardening leave for a period before you are allowed to join a rival company. So perhaps some sort of a gardening leave period. Because you have got some skills and knowledge to bring to bear because you held the position of a Minister, I am not convinced that that bars you from ever using that experience that you have got ever again.
117. DR BRIAN WOODS-SCAWEN: So you would allow the principle but look again at the period of time before you could take up appointments? That would be your response?
118. LORELY BURT: Yes, I would think so. That is off the top of my head, though. I have not really thought that one through.
119. DR BRIAN WOODS-SCAWEN: Is it an issue that you sense has caused concern?
120. LORELY BURT: No, not in my case.
121. DR BRIAN WOODS-SCAWEN: Or is it lower down the issues list?
122. LORELY BURT: Yes, I suppose, but it has not been raised with me at all.
123. LLOYD CLARKE: Could I revisit the conversation you had at the start there, which was about the induction and the series of seminars that you were talking about when you first entered Parliament, and can I apply that to a very practical allowance that you get at the minute, which is the Communications Allowance?
124. LORELY BURT: Yes.
125. LLOYD CLARKE: I know the submission is silent on that and no doubt you have got a view about it, but what I am interested is testing this kind of induction and your understanding of it. The two differences seem to me, there is a principles issue which is about the individual Member's responsibility for being very clear about where the fence should be divided, and the second one is then the process which is about the rules and you talked about getting authority for communications. Can I ask you: how do you personally ensure that you have got that division, that personal responsibility, making sure of the parliamentary and the political spend? How do you do it practically?

126. LORELY BURT: Well we have a programme of what we want to achieve.
127. LLOYD CLARKE: This is you within your constituency?
128. LORELY BURT: In the constituency.
129. LLOYD CLARKE: Okay.
130. LORELY BURT: In the constituency we have a programme and then there is a figure attached to the various things that we want to do, but they are put in two separate columns, so it is very clear. For example, the MP's report will be non-political. And so we start out from that perspective.
131. LLOYD CLARKE: The MP's report is something that you decided to do. There is no requirement or is there a party requirement that you do that?
132. LORELY BURT: We all do it. We all did it before the Communications Allowance came along and we would continue to do it if there was not a Communications Allowance, because we think that is an important way we keep our constituents informed of what is going on.
133. LLOYD CLARKE: Okay. I am sorry, I stopped you. So you have got this. That is an example that is in that column that clearly is parliamentary.
134. LORELY BURT: Yes.
135. LLOYD CLARKE: Other things in there and then what is on the other side of the line?
136. LORELY BURT: Over the other side is our focus newsletters, letters which are political in content which we send out, pamphlets. All sorts of different things. But there are letter write-outs as well. So that would be people that are using the parliamentary communications who have written to us on a specific issue where perhaps the issue had now subsided but we knew that they had got that interest. They had originally contacted us about that issue, so we might use the Communications Allowance to reignite some issues that have subsequently arisen.
137. LLOYD CLARKE: Other than yourselves within the office actually deciding that that is the appropriate way to use it, who audits that? Who independently checks that that use of that Allowance is appropriate?
138. LORELY BURT: Well, everything is checked by the Parliamentary Authorities.
139. LLOYD CLARKE: How do they actually do it? Can you explain how they do it?

140. LORELY BURT: Yes, it just gets sent over electronically and it is either approved or it is not approved.
141. LLOYD CLARKE: And in respect of rules changes that have come along in recent years, I think I am right in saying if you are spending a certain amount - up to about £1,000 - you have actually got to get prior approval for that. Does that work?
142. LORELY BURT: Yes. My organiser just sorts it out. I do not actually have any involvement in that because it is all done by staff. That is not a problem as far as I understand.
143. LLOYD CLARKE: do you actually feel that the use of the Communications Allowance has improved communication between an MP and the constituents and how has it actually proactively done that?
144. LORELY BURT: It has improved in my own constituency, insofar as I am not now spending the money that I would have been spending on things like the MPs' report. I am diverting that into other things. That is money that is raised within the constituency by our supporters. I mean I think with other Members maybe they were not communicating just quite as proactively in other parties. But in our party that is what we do. We are always writing to constituents.
145. LLOYD CLARKE: A final question on this area. You talk about the MPs' report. How do you actually do that? Is it on a website? Is it web-based? Do you actually provide hard copies?
146. LORELY BURT: It is printed.
147. LLOYD CLARKE: How do you circulate that or where to you place that?
148. LORELY BURT: Our volunteers deliver it.
149. LLOYD CLARKE: You actually deliver it to all homes in the constituency?
150. LORELY BURT: Yes.
151. LLOYD CLARKE: Okay. Thank you for that. A question if I might in respect of the Resettlement Grant. Some have argued that we as a committee should be forward thinking and that any rules that we might enforce should not be retrospectively applied. You clearly through your party have asked us to look at that issue because those who stand down when this Parliament concludes should not actually get the Resettlement Grant if they are resigning or retiring?
152. LORELY BURT: Yes.

153. LLOYD CLARKE: Why is that, and should that apply right across the piste irrespective of individuals who one could say are resigning because of the expenses scandal, as an example. So why should everyone receive it?
154. LORELY BURT: Well I do not think they should, I mean particularly people who are resigning because of the expenses scandal. To then give them the equivalent of redundancy pay I think would be inappropriate, and I think the general public would be quite cross about that.
155. LLOYD CLARKE: But whose responsibility is it to come to that conclusion because in real terms, okay, the parties have held their own autopsies of what has gone on and maybe come to some conclusions but that has not been to the Standard and Privileges Committee and surely they should be the people who make those decisions?
156. LORELY BURT: Yes, but if you are voluntarily resigning from a job in industry you do not get redundancy pay. So I do not quite understand why if you are retiring from a parliamentary job -- the only thing, just to contradict myself for a moment, is because you do not know when the election is going to be it is very difficult to plan any other type of job. In industry you can give notice, but if you do not want to put your party in a by-election situation then you have to have that --
157. LLOYD CLARKE: But in principle, you do see the Resettlement Grant as being the equivalent of a redundancy payment?
158. LORELY BURT: Yes, I would think so.
159. LLOYD CLARKE: As a principle?
160. LORELY BURT: Yes.
161. LLOYD CLARKE: Okay. Thank you very much.
162. SIR CHRISTOPHER KELLY: Just a couple of final questions, please, bearing in mind your participation in Northern Ireland I think.
163. LORELY BURT: That was at the very, very beginning of my time as an MP.
164. SIR CHRISTOPHER KELLY: So not any more?
165. LORELY BURT: No. Not any more.
166. SIR CHRISTOPHER KELLY: Well, in that case you may not have a particular view, but the question was whether you think that MPs who do not actually take up their seat should be entitled to the same allowances as anybody else?

167. LORELY BURT: I do not see why they should if they are not here. I am not probably qualified to go there because if I do I am bound to cause some controversy, so I think I will just say I do not have a view on that..
168. SIR CHRISTOPHER KELLY: A wise response. And secondly, on the staffing point and the employment of family members, one of the arguments put to us is that the effect of the very large number of MPs who employ family members in their office is to reduce the pool of those who get access to political experience.
169. LORELY BURT: Yes, that is true. You could also look at the intern system. People who get recruited very often start off as interns but only certain young people - who are possibly being supported by their family who are in a position to do so - are actually able to do that. So, in the same way we are restricting the pool of people. So I think it is a very important issue. One of my colleagues when the issue of employing family members came up and it was suggested that we would not be able to do that, his wife texted him and said, "You had better divorce me darling otherwise you are going to lose the best caseworker you have ever had".
170. SIR CHRISTOPHER KELLY: Yes, there is no dispute that large numbers of family members work tirelessly and provide great value for money. The issue is, I think, mainly one of starting from where we are, whether demonstrating to the public that the system has been completely cleaned up requires you to stop the practice after an appropriate transition.
171. LORELY BURT: Well, I just think that would be tragic in a lot of circumstances because of this team thing. You could look at what to my mind would be one of the best scenarios; you could actually view your whole parliamentary team as like a family because it is not just a job. There is a big emotional bond. There is a huge commitment which takes people right over the limit of what you might expect in terms of performance and of loyalty. So I think it would be tragic to lose that.
172. SIR CHRISTOPHER KELLY: Thank you very much. Is there anything else you wanted to say to us?
173. LORELY BURT: No. I am glad you did not ask me, necessarily, what I thought we should do now. I know that my colleague Nick Harvey has been talking about lump sums and night expenses. The only other thing I would like to just mention about expenses per night, is that my constituency is in the West Midlands, so I will work more days than I will be there nights. So, if I come down on Monday and go back on a Thursday, that will be three nights, although I have been there four days, and when I have been claiming subsistence I have done it on a day basis rather than a night basis. But if you just say it is a certain amount for every night that you are in Parliament then will people feel, "I have got to go down there and physically be there", sort of "bums on seats" type of thing, So I do not think that would be a helpful way to do it.

174. I think you have got an incredible job because I think - just as a closing statement - the perception of the public, which has been fuelled by newspapers, has taken us beyond the realms of where reasonableness should actually lie. We have gone too far in terms of what has been allowable, but at the same time, in order to be reasonable, I would ask the Committee not to go too far the other way and put us in that straitjacket that I mentioned earlier on, not being able to do our job.
175. SIR CHRISTOPHER KELLY: I understand that point. The difficulty is we start from where we start.
176. LORELY BURT: Indeed. I do not envy you, Sir Christopher.
177. SIR CHRISTOPHER KELLY: Thank you very much.
178. LORELY BURT: Thank you.

**PETER RIDDELL, JOURNALIST AND CHAIRMAN OF THE HANSARD SOCIETY, DR RUTH FOX, DIRECTOR OF THE HANSARD SOCIETY PARLIAMENT AND GOVERNMENT PROGRAMME**

179. SIR CHRISTOPHER KELLY: Our next witnesses are Peter Riddell and Ruth Fox from the Hansard Society. You are both very welcome. Thank you for coming and for your very interesting and clear evidence. We have had the benefit of reading some of the other material you produced including the work you did on Members of Parliament. Is there anything you want to say by way of introduction?
180. PETER RIDDELL: Just very briefly, Dr Fox has run our Parliament and Government programme since the end of last year which is one of our four programmes. The Hansard Society is a non-partisan charity set up during the war to promote understanding of Parliament. We have participants from all parties. We have clerks from the House involved; we have outsiders; a wide range of people on our council. As a charity we are governed by trustees. We see our role as doing the research which Dr Fox runs. We have the democracy programmes where we have been pioneers. We have a scholars' programme and a citizenship programme which looks at promoting citizenship. A couple of weeks ago we ran the Hustings for the Speaker and the new Speaker was a member of our council and his opponent was a former member of our council so we are very involved in that.
181. Two final points: Dr Fox, before working for us, worked for an MP and has a personal perspective there which is not the collective view of the Society. As you may be vaguely aware I have been writing about Parliament for about the last 30 years. The written evidence and our views come from the research we have been doing. It is very much an evidence approach to that but that is our collective view as a Society. We also have personal views, some of which perhaps I disagree, but from our different personal experiences. What we presented is based on our research and the work we have been doing over the years.

182. SIR CHRISTOPHER KELLY: Thank you very much. Since your stock in trade in the Hansard Society is to understand Parliament, could you help us understand how we got into the current situation and whether or not the measures that are now being taken are likely to deal with the issue?
183. PETER RIDDELL: If I can do a preliminary answer to that and hand over to Ruth. I read the transcripts of your first scoping - the later ones of course have not been out - and I largely agree with the analysis being offered by various MPs, if not some of the later points. It goes back to a classic interest policy attempt to hold down pay and the allowances brew in a messy ad-hoc way as a recognition that pay could not be increased further, with the complicity of the party whips. At the beginning of every Parliament, at the briefing sessions given by the whips they said, "This is how you claim your expenses and allowances" because it is a recognition that pay is being held down because that is what governments always do. The present Government is no different from the previous Government on that.
184. That is how it has arisen plus a very inward-looking culture at Westminster. The belief that there should not be transparency; the Fees Office was in collusion with MPs in doing it which resulted in a lot of the moral confusion we have seen since the Telegraph exposé has happened. That is how it has arisen and it has got worse because at various stages there was resistance to clearing it up from interested groups, all working on the assumption that none of this would ever come out. That is why there was a battle over FOI because it was viewed as a completely private matter. Philip Mawer has written evidence to you. I do not agree with all his conclusions but his analysis I 100 per cent agree with; it was a crash waiting to happen.
185. It has been said by some MPs that journalists knew all about it. That is just not true, for the obvious reason, it was all a secret. We suspected that the allowances were being used as a bit on the side, as used to happen in the old days with journalism. It has not happened for 20 years because the HMRC are very tight on it and I have to receipt everything I do. But, again, that was true when I started out a long time ago. It was that culture that fed it and led to the clashes and Philip Mawer was absolutely right on that: warnings were made; they were ignored by people at the top of the Commons; there was a collusion of the party whips, "If we hide it we will not be found out".
186. I have a lot of sympathy for a lot of MPs. Clearly there are people who have behaved utterly wrongly and some of them may face criminal action as well as their careers being ruined. In other cases it is a thoroughly morally confusing background and in stark contrast to what happens in the private sector.
187. DR RUTH FOX : The only thing I can add is the nature of the Westminster village is such that in terms of how individual MPs made a judgement as to whether when they are submitting a claim it is appropriate or not, they are not necessarily judging it in terms of how the public might see it or how it might be dealt with in the private sector. As Peter said they did not

expect a lot of this to come out. Freedom of Information had not applied when a lot of this was going on. Very often it will be a partisan or political judgement of a Labour MP, for example, saying, "Well, the Conservatives do it so why should we not?" And vice versa Conservatives saying, "Well, labour MPs are doing it" and as Peter said, you then get that culture that grows up and escalates and carries on and there is no mechanism there for rolling it back.

188. SIR CHRISTOPHER KELLY: If that is the diagnosis, which as you say is a fairly familiar one, how confident are you both that the measures that have been implemented or proposed - a combination of transparency, creation of an external regulator and some changes to the rules and regulations - will actually deal with the issue? Or do you think there is something more fundamental that is required?

189. PETER RIDDELL: I think something more fundamental than is covered by your terms of reference that you could conceivably produce. One of the issues that has been let loose: wider feelings about the political trials and what happens at Westminster which is way beyond your terms of reference, which is not to say you want to get this right. My view on this is we are still not yet over the "let us chop their heads off" phase. The Telegraph may have died down with some of its revelations. Tomorrow we are going to get outside earnings coming through; we have already seen a bit of what happens with that. The Times are very interested in the hourly rate claimed by the Shadow Education Secretary. You are going to have a lot of that going on when these things are released and we have seen people stepping down. We also expect there to be more hard cases to peers being investigated by the police. All my information suggests that process has a long way to go. It was put to me perhaps one aspect of public response will be to see people in jail, but that is way beyond your Committee.

190. In terms of tidying up we are in this very bizarre position with the Bill now going through to Commons with one Bill being put in place while you are reporting with a commitment to fulfil what you recommend - providing it quotes it is sensible or some caveat which is always used by press people - and then presumably further legislation before the election. Yes, that is all necessary but I think in terms of re-establishing trust some of the trust is clearing out what is happening now. The second part is what you are charged to do: the clearing up. I think what you have to do is aim above the bar; it has to be pretty thorough changes. You operate within this very tight framework that the Government, which only introduced its legislation last week, and your first hearing people were saying, "I cannot tell you what is in the Bill" which is a most bizarre position. Now we know what is in the Bill. The Government have yesterday had to withdraw one clause from the Bill and this is a continuing story.

191. The fact that what you produce will not restore trust does not mean it is not worthwhile. A point Tony Wright, Labour MP, makes: if you go back to the history of this Committee, what you have done is right but it has not necessarily restored trust because the trust is a much more complicated thing

which does not mean to say, "Is it relevant what you have done?" That is not right. It is relevant but it is not going to satisfy people.

192. SIR CHRISTOPHER KELLY: Transparency which is one of the more important components of all this, may reduce trust if it reveals things which are hitherto --

193. PETER RIDDELL: Yes.

194. SIR CHRISTOPHER KELLY: One of the difficulties facing this Committee is that there are, in a number of areas, arguments on both sides. There are very few things that are black and white except that we cannot do everything to restore trust. Nevertheless given that we start from where we are there might be thought to be arguments of being whiter than white where there is a balanced judgement to be made. One of those situations is over mortgage interest. Your submission, for example, does not rule out mortgage interest but says that securing best value for the taxpayer also needs to take into account public concerns about abuse of the system. That sounds to me like saying, "Actually, in order to demonstrate that the system has been completely cleaned up, you have to lean over backwards and even though support for mortgage interest might be a cheaper thing to do from the point of view of the taxpayer that actually a requirement to demonstrate the system is now completely clean might make you think it should be abolished.

195. DR RUTH FOX: I think the concern with mortgage interest that we have is in the way the Langlands Inquiry looked at it and came to the conclusion that possibly mortgage interest was better for taxpayer value in the medium to long term. I think the difficulty is, in the context this is being discussed, is the issue if members have a capital asset, what is the claw back mechanism for Parliament? I think the public would want some kind of claw back mechanism and the difficulty we have is that I have not been able to think of anything else that anyone else has offered that amounts to a constructive claw back mechanism that would satisfy the public in a way that would not be administratively and bureaucratically a mess, and imply extra cost that would cancel out the cost of the benefits of mortgage interest. On that basis, if you cannot come up with that mechanism, that creates a real difficulty and therefore we suggest possibly other alternatives have to be looked at.

196. PETER RIDDELL: The problem has arisen, in part, over the level of mortgage interest payments. The real problem is over capital gains. Let us say on the revenue side you wanted to cap it, have you allowed for the enormous variations in house prices across the country where people live; whether their second house is in London or Carlyle. Some of the concern is making sure that the HMRC definition of capital gains tax is aligned exactly with the parliamentary ones. People cannot have it both ways; the flipping issue. Once someone has designated a second home that is the one you pay tax on, unless there is a totally convincing justification for people changing: divorce or children leaving home and their family life changes. They cannot

shift it around. In other words they do pay tax on it. That would allay some concern.

197. The point Ruth makes in the paper: the Scottish one is a difficult one because (1) the Scottish Parliament meets less frequently than the Westminster one; and (2) the nature of Scottish society is very different from as wide an area as the UK. I was attracted by Alan Langlands's analysis but I think there are enormous difficulties. I think the key there is capital gain. If you look at where the concern is, it is really about capital gains. You could do some degree of a cap but it is very difficult to do without getting exactly the problem, as Ruth says, of making it administratively hideously difficult.

198. SIR CHRISTOPHER KELLY: The concern has been about capital gains. There is an argument that says it is completely irrelevant and the taxpayer should not be concerned about it. The taxpayer should only be concerned about the cheapest way of supporting MPs when they need to live somewhere else. The difficulty is not just a complicated administrative result but also that it is almost impossible to persuade people that that is a fair system.

199. PETER RIDDELL: But I think you cannot ignore the gain.

200. SIR CHRISTOPHER KELLY: No, you cannot, although the situation we are now in is that the HMRC rules do not actually require you to demonstrate that you spend most of your time in the house which you designate as your main home for capital gains tax purposes. The obligation party leaders now have is actually tougher on MPs than it is on normal citizen. Thank you very much. Let us move on. Elizabeth.

201. DR ELIZABETH VALLANCE: You mentioned already the new Bill that is going through Parliament at the moment and you are on record, Peter, as saying it is inadequately scrutinised and flawed. Would you like to develop that a bit?

202. PETER RIDDELL: This is a moving target. I might say something different tomorrow, for obvious reasons, without being flippant. It raises fundamental constitutional issues way beyond the scope of this Committee as well as the political point that a large part of the building block had been put in place when the rest of it you are looking at, so it is a very strange way of doing it. It is entirely for political purposes. As the Prime Minister repeatedly said it is to clean up politics; it is to do with political symbolism and I do not think consequences have been fully thought out. My worry is the wider constitutional points are being rushed; they need to be debated.

203. DR ELIZABETH VALLANCE: Do you mean by "the wider constitutional points" the points that Malcolm --

204. PETER RIDDELL: The points Malcolm Jack made but if you look at his memorandum he offers a way around it. The end of it is there is an Australian Parliamentary Privilege Act which finesses that.

205. DR ELIZABETH VALLANCE: Tell us a bit more about that.
206. PETER RIDDELL: What you do is ensure you narrow the scope of the exemption for parliamentary privilege. In other words the ability to use material said and behaviour in Parliament, you limit the scope of its alleged offence. It goes back to the Neil Hamilton exemption - the defamation exemption - whereby Parliament allowed an exemption so he could use material said in Parliament in his defence of his libel case. The worry was that that was the thin end of a wedge and it has been used much more broadly. What you can do is make it much more specific to the allegation rather than wider. It is doable.
207. DR ELIZABETH VALLANCE: So, you do not get into these questions about sovereignty of Parliament and so on?
208. PETER RIDDELL: What I am saying is this is not an argument against having an independent regulator; far from it. It just needs to be done in a different way and less hurriedly. I also think they are going to face awful problems with the Lords in the next week or the week after because the Lords is exempted from this Bill but their Lordships fear, given their own recent problems, that any future legislation, say, a post-report legislation from you, will include the Lords even though you are not looking at them, in it. They are not even at step one of having a Parliamentary Commissioner. I have had talks with the Leaders' Group under Lord Eames on these topics and it is very interesting because they are one step behind. One of the worries is, in relation to the Chairman's initial point, you have the legislation in place, it will be unsatisfactory, some aspects would be workable and it will make it more difficult when it comes to looking at what you are recommending in the autumn. It makes your position more difficult; that is my concern. I am in favour of independent regulation properly done. My worry is that to make a political point, which the Government want to make and the opposition parties want to make (that is why there was no division on it last night), they are colluding and making a political point and producing a mess which will make it much more difficult to implement your recommendations.
209. DR ELIZABETH VALLANCE: Thank you. There are obviously worries about the authorisation and scrutiny being in the same pot so they are quite practical deals here. You mentioned culture and our concern has been on whether we actually need another overall body. There are a lot of bodies already in existence which are doing some of the job here. Is it a mistake to produce another body even in the sense that it suggests to Parliamentarians that this is not a matter of their culture and having to clean up their act and individual MPs taking responsibility, but they can just sling it out of Parliament and it will get sorted? Does that worry you?
210. DR RUTH FOX: On the cultural issue I do not think the setting up of a new body in and of itself will deal with the problem. We think one of the strongest things that could be done - and this is looking to the future in terms of a new culture and the potential for a significant new intake of new MPs at

the next election - is induction processes. It is something we criticised in our Year in the Life Report which was that induction for MPs is extraordinarily poor historically. It was better at the last election; there are plans in place for the next election so things are improving but it is broadly in the hands of the whips and whatever the officials of the House of Commons seeks to do, they are stymied by control of time and management of the process by the whips.

211. Whilst that is the case it goes to “nod and winks” by the whips and actually it is much more than that; it was rather more obvious than nods and winks about how to use the allowance system. Whilst the induction process is in their hands there is a danger that that could carry on. The new regulator may address some of those issues. Just the very nature of transparency will help but we strongly think that some form of induction around the Seven Principles of Public Life. The reasons given by MPs, for example, that they all regret it now; could not see it at the time; it was the rules. Well, it was the rules but the seven principles of public life and the wording that has existed about “solely and exceptionally in relation to your parliamentary duties” has existed and is an umbrella over the rules, and yet that side of it was ignored. That concerns me in terms of the culture. It seems to me if we are going to have a large intake of new MPs, that is the opportunity to do it and it could be something that this Committee, with the regulator or separately, could look at. Anything that can break down that sense that the induction processes are solely controlled by the whips I think would be helpful.

212. PETER RIDDELL: On your point of the proliferation of regulators, parliamentary privileges or standards will be subsumed by being this curious office floating within the investigator who will be a separate appointee within it. I am not sure how those governance arrangements will work. We do mention in our paper the argument of splitting the administration. There is a danger MPs will say, “Tick box. We are moving across”. I think the problem is the current Fees Office is so discredited that you have to have a new body. It is very difficult in the culture of Westminster where the MPs are the masters and there is a curious master/servant relationship with the officials of the House. A lot of the clerks think, “They have been around longer than most MPs. They know how the system works. They are supposed to be subservient” and it produces lots of ambiguity. In my mind it totally justifies creating a separate administrator for it. Whether it might have been better to retain the Parliamentary Commissioner is an issue.

213. Going back to your earlier question if I might refer to some research which Ruth has done, emergency legislation, the record on that is rotten. Emergency legislation invariably produces perverse results and there should be some set clauses and so on. It needs to be looked at and in this case I can easily see this Act being rewritten after you report. Interesting use of parliamentary time.

214. DR ELIZABETH VALLANCE: Thank you very much. Can I quickly turn to staffing and take your view here. The distinction between parliamentary work and party political work is obviously one that is quite important and needs

to be maintained. There are tremendous grey areas around this. Do you have views on this on how it might be addressed?

215. PETER RIDDELL: This is an area where Ruth and I discuss in the paper Ruth's experience working for an MP and we took different views on it. We came out with transparency and so on because on some of the staffing points, because of her own experience, she had a slightly different view from me.
216. DR RUTH FOX: It is a bit like the incumbency issue. A lot of the critique for example of Communications Allowances; were about incumbency? My argument would be anything that is given from the public purse to an MP to enable them to do their job effectively one could argue aids incumbency. Where do you draw the line? In terms of this party political parliamentary political divide it is an incredibly grey area and I do not think it is possible to draw what I refer to in the evidence as this bright line. Quite clearly if you are talking about a general election campaign anything being used from public resources within the context of a general election campaign would be problematic. However, there is then the argument in the age of the permanent campaign is where does the general election campaign begin? There is the technical issue of it begins when it is triggered through the dissolution of Parliament but to all intents and purposes campaigning is going on all year around from within a month of the last general election you are starting into the next one.
217. If you are an MP or an MP's staff member and, for example, you have a policy issue - take the example of a runway at Heathrow - that can generate as a Parliamentarian increasingly these days through email and social networking sites a huge mailbag. I think there is an understandable expectation on behalf of the public that they will receive a response to their concerns in that form. If you respond to them using parliamentary stationery and it literally runs to hundreds - and it can - over the course of a year on that issue, particularly as a lot of these policy issues/campaigning issues run on for months if not years; they are not things that are --
218. DR ELIZABETH VALLANCE: It is not just one communication or even two, yes.
219. DR RUTH FOX: And you certainly get a situation where you have an organised campaign in your constituency by people who oppose a housing development or a mobile telephone mast, for example. That will lead to perhaps six, seven, eight communications from that group in some form en masse over the course of several years. In my instance one big campaign issues was illegal travel encampments. I spent an inordinate amount of time getting to grips with those issues with local authorities and so on. In terms of the local community we would get hundreds of letters. They would organise hundreds of letters each week and you had the moment the situation arose; a week later when they had not had a satisfactory response from the police and the council; you would then have them lobby for a public inquiry. You then have them lobby for you - the MP - to give evidence to the public inquiry.

They then want to know what you said at the public inquiry and it goes on and on. It would then go to an appeal. Some of these cases lasted three years and you are generating hundreds of letters. Is that party political or is that parliamentary? The critics of it - primarily the political opponents of the particular MP - would argue, "They are abuse the parliamentary stationery budget". On the other hand I have never met a constituent who objected to receiving a letter to be informed about what was being done.

220. DR ELIZABETH VALLANCE: I was going to say does it matter?
221. DR RUTH FOX: My sense is that it does. If you do not respond to a constituent's letter you will get follow-up letters objecting, or people writing letters to the press saying, "So-and-so has not responded to my letter". People do welcome it. One thing sometimes criticised is advice surgery calendars - there are no party symbols; no references to parties; it is simply an annual calendar distributed in late December/January that provides information on how to contact your MP and advice surgery information - and that is paid by and large by most MPs from --
222. DR ELIZABETH VALLANCE: And it looks neutral?
223. DR RUTH FOX: It looks neutral although most produce it in the red or the blue or the yellow gold so there is a clear link there.
224. DR ELIZABETH VALLANCE: Let me stop you there because you provided very good examples for us. It is clearly, as you say a really grey area but needs to be thought about. Can I turn to the employment of family members? This is a thorny one that we are dealing with. Certainly in employment terms this is the one that we had most evidence on. The suggestion that since this is not a practice that tends to be norm in other parts of the public service, nor indeed in most of the commercial world and is now outlawed in many legislatures. Why should it continue here? You are happy to endorse it provided it is hedged around certain conditions.
225. PETER RIDDELL: We have a disagreement on that. Can I go back on your earlier question because I think whilst an MP is obviously partisan I can see advantages with trying to separate the local party function from the community function. Use of party offices for surgeries. Every MP I talk to says, "If you come to my constituency how the hell am I supposed to organise it?" I think neutral venues are better. Some people would be rather wary of going to a Labour, Tory or Lib Dem office. It should be the Town Hall or wherever. Lots of people take practical objections to that. I think whilst there are enormous grey areas, as Ruth rightly identified, insofar as one can separate out the role as being constituency-wide from the MP's one.
226. On the families point I take a contradictory view but I think all employers I worked for say, "Absolutely not". No one says in the classic answer which you have had in all your evidence, "MPs are different". I know a large number of cases when I dealt with MPs who do employ family members who really work hard. In a lot of cases the husband and wife is a team. You can say that

is old-fashioned but it is true, particularly if the wife is living in the constituency and in a sense is the representative of the MP in the constituency. Unwinding that is going to be very difficult. I see that it works well in the unusual circumstances. What you might say is, "Okay, it should only be the immediate spouse or partner rather than children or anything like that" and there ought to be total transparency for contracts. I find it very difficult to say that MPs should not have their wife working provided it is properly authenticated. Ruth, you take a different view.

227. DR RUTH FOX: For a member of staff, yes I do. Most parliamentary offices will consist of three people. In the set-up I was in I was a senior member of staff. In many instances I am aware of where a spouse is employed they tend to be the senior member of staff. I think there are issues there - if I were a junior staff member coming into that environment - about employment relations with the member.
228. DR ELIZABETH VALLANCE: About whether it is possible to manage the situation?
229. DR RUTH FOX: Yes, because who do you turn to if you have a problem with the Member of Parliament? You are turning to their spouse as your line manager. I think that raises some very serious questions. Apart from the parliamentary staff union representatives there really is no one else. If the staff representatives are also representing the spouses there are all sorts of issues there.
230. DR ELIZABETH VALLANCE: Perhaps it is a good place to leave it with you disagreeing.
231. PETER RIDDELL: It shows the complexity of the issues actually.
232. DR ELIZABETH VALLANCE: Absolutely.
233. LLOYD CLARKE: Just to follow that one a bit further, it is interesting because I think it is about 250 MPs employ family members in some way, shape or form. That means 400 manage without employing family members as well and do it quite successfully, which is quite an interesting thought.
234. PETER RIDDELL: It is and partly to do with the personal relationships. In many cases increasingly the partner will have their own career so that is why it does not occur. From my experience there are genuine cases where it works extremely well, recognising the points Ruth makes. I think it is a real conundrum and I think the answer, with most things, is complete transparency, proper employment contracts and verification.
235. LLOYD CLARKE: As in all these things, the boundaries are grey and I want to talk about the Communications Allowance. I thought it was interesting what you said about those things which are constituency issues from the new runway to the annual calendars. Throughout your submission you talk about communications on a number of occasions and then you get to the specific in

respect of the Communications Allowance. Can I ask a broad question: recognising the evidence you have given us, any evidence that the Communications Allowance per se has encouraged better engagement with constituents?

236. DR RUTH FOX: I think it is too early to judge in the sense there has been no independent analysis of it. The reality is it was brought in for explicitly political reasons. It was not brought in with the purpose of encouraging communication, otherwise why did they agree £10,000? That was out of the hat. It was brought in because the use of the stationery budget was being criticised; they wanted to pull that back. On the other side there was some talk around the opposition parties were injecting vast sums of cash from the other end of the system. I think the question is: is it the right amount and how is it utilised? I think there is a debate to be had about that.

237. The principle of communicating and how you do that seems to me is critical and anything that seeks simply to abolish it and provide no mechanism for MPs to communicate seems to me would be a backward step. The amount and how it is utilised can be looked at. I am not aware of any evidence - other than this generic in principle critique of the allowance - of any particular large-scale abuse of it. When I was working for the MP - I left a couple of years ago - it was the very start of when the Communications Allowance came in. Even when communications could be paid from what was the Incidental Expenses Provision allowance, if we were getting something printed externally for distribution, to have any hope of that invoice being paid it had to have been run by the Fees Office. They would look at it quite carefully and I would want, before I allowed it to go to the printers, an email from the Fees Office saying, "Yes, this is authorised". In my experience they did suggest changes occasionally and you would learn about what they would permit and would not.

238. PETER RIDDELL: The principle of communication is a really good one. It is also going to be two-way. I think that the encouragement of greater involvement is something that should be supported. The incumbency involved I think is less so. If you talked to a few MPs now in marginal seats they do not think they have an advantage at all. The opposition parties, where they see a target seat, they are pouring money in far, far more than the sitting MP can raise in most cases. It is taxpayer money at issue; not the amounts of money. Statistically once on re-election, an MP who has won a seat does better next time around. The underlying point is one should not get away from desirability of communication. The question is the terms of it.

239. LLOYD CLARKE: Exactly. The principle is right but it is then the rules that go around it and how you police it. Interestingly enough we have been told of abuses but these are party-political abuses and that is the difficulty. Two former Parliamentary Commissioners that we have spoken said it was difficult to police. No different from what you are saying. It is a grey area; clear guidance needs to be given; there needs to be some independent audit and authorisation. But then you go further which is talking about the availability and capacity of technology to suggest that MPs could use it better

than they have done in the past. I think you are also suggesting maybe even spending it on training. Is that an appropriate use of public money if it is spent on that kind of personal development?

240. PETER RIDDELL: Ruth produced a very interesting pamphlet in January on the ability of MPs to be involved in new technology and this is going way beyond emails and so on. It is mainly to do with age but not entirely and it varies a lot. That has an effect in MPs involvement. To my mind it is thoroughly desirable if MPs - those who blog, for example - interact with constituents in that way.
241. LLOYD CLARKE: And as you have said, whether it be social networking sites, the difficulty is policing that, is it not, if it is public money that has been spent on it? I would be interested to see a copy of that brochure.
242. DR RUTH FOX: We will send it. I think on the social networking, yes you would have the investment in training for MPs and staff and so on but looking to the long term, in terms of digital engagement improvements as we go forward, it is a way to reduce the cost to the public purse. It costs nothing to set up Twitter or very minimal amounts to set up a website. In terms of effective engagement with the next generation and the next generation after that, thinking long term, it is actually more cost effective. They can set it up at minimal cost if they have the skills to do it. You cannot police the internet or social networking and you have to accept that. But to my mind, there is a lack of professional training and development in terms of their role across the board; not just in this area.
243. LLOYD CLARKE: That is most helpful. Final question in a completely different area altogether which is about the Resettlement Grant. Is it there just as a redundancy package or should it also be there because MPs are different and they have - with the dissolution of Parliament and not being re-elected - difficulty in the job market? Should it be there for that purpose as well?
244. PETER RIDDELL: The two are linked in effect.
245. LLOYD CLARKE: Yes, they are.
246. PETER RIDDELL: My view on that is insofar as we moved to a more rules-based system in dealing with abuse, those who have been found guilty of abuse - and you would obviously need to have a line of where it is and you do get a problem with those who resign ahead of censure - should not receive the grant or if there is a pending case which awaits that which is a way around to do it. Otherwise I think it is legitimate because it is a different job and it is both a combination of redundancy and resettlement. The evidence in 1997, some ex-MPs found it quite difficult to get jobs. It is not exactly the best brand. A number of Tory MPs who lost their seats in 1997 found it quite difficult and in quite different circumstances so I - given the uncertainties of it - defend that with an important standards caveat.

247. LLOYD CLARKE: I suppose in the real world, not greatly different though from people who have got a skill, a trade or a craft finding difficulty in the marketplace so there are some parallels there.
248. PETER RIDDELL: They get redundancy payments too.
249. LLOYD CLARKE: Yes. Thank you.
250. DR BRIAN WOODS-SCAWEN: Part of the rush is the new rules around registration of outside interests. What impact is all this going to have?
251. PETER RIDDELL: You are already seeing the impact in two ways: (1) David Cameron with his front bench team. The revealing one, and I think we are seeing more of this, is people with big outside interests saying, "Can I defend it?" In a case of a couple of ex-Ministers we have already had them announcing that they are stepping down from Parliament. People who credibly earn money externally in two cases. I think we have yet to see the full fallout from it. The fallout is quite simply can you defend it? That is where transparency comes in. If you cannot, you may have to say, "It is the other interest I want to pursue and not parliamentary ones". The net effect of it will be some reduction in interest. I do not think over the long term it will be quite as Draconian as some MPs now fear because people will be able to say, "I have this other interest and it actually makes me a better MP". They have to be able to defend it and that is the key. I do not think you could or should ban apart from - going back to the original inquiry with political consultancy - and arguably the rules should be tougher there. Beyond that I think it is a matter of justification.
252. DR BRIAN WOODS-SCAWEN: Do you think the detail of the rules is disproportionate in terms of timesheets and hours?
253. PETER RIDDELL: I think there is a disproportionality argument and again it goes back to so much being rushed. I now work three days a week for the Times and two days for the Government. I do not do timesheets. Perhaps I ought to actually. It is basically on trust. I think the balance between trust and rules, in current climate everything is going towards rules but I think they are disproportionate in the current position.
254. DR BRIAN WOODS-SCAWEN: Is it implicit, the fact that you ban it, a view that some outside interests at least do make people better informed in terms of adding to the debate and shaping policy?
255. PETER RIDDELL: Some do, but again it is justification. I think the interesting question there is some may not but they may find it quite hard to justify. Some do but I would not overdo it. A very interesting case is those who are territorial and reserve officers. Are they better informed as MPs? They probably are.
256. DR BRIAN WOODS-SCAWEN: There is a view that, notwithstanding the registers, that the nature of the registration process means that they are

actually not as transparent as you might think and that most constituents would not be aware of what has been registered. Do you think there is a case for some appropriate form of periodic disclosure to constituents of what they are doing?

257. PETER RIDDELL: I would fancy if you were facing an opponent who had seven or eight outside interests the other candidate might draw people's attention to it as is happening. Why did certain MPs step down? Because they did not fancy fighting elections on that basis and we are seeing more doing so. There are problems with registers. They can produce a ticking box in both ways. They become over-prescriptive; you have to get the balance right. I am not worried about are they too obscure; I am sure it will be publicised.
258. DR RUTH FOX: I tend to agree. You could go down the line of saying, "MPs have to put it on their websites" or somewhere on the parliamentary website that would be accessible and updated every three months or something but at the end of the day most opponents with any ounce of sense will be jumping on that as a campaign issue. I do not think that will be a major issue going forward.
259. DR BRIAN WOODS-SCAWEN: It sounds like a capitalist response: rely on the power of competition.
260. PETER RIDDELL: Competition and regulation; I think it is a balance between the two.
261. DR BRIAN WOODS-SCAWEN: Okay. If one of the impacts is that members, or potential members, who do have the potential for relatively higher earnings choose not to do this stuff because of disclosure and pressure and so on, is that going to reduce the vitality of the parliamentary stock?
262. PETER RIDDELL: There is a broader argument, not just on this issue. Exactly the same arguments were heard in 1994/95 when I was covering the original report under Lord Nolan and the response to it. Even then, on the very narrow point, which is advocacy basically and declaration, political ambition stirs people. Some may be put off, yes. Do I see the really ambitious being put off? No. The structures of power tend to overcome those of money.
263. SIR CHRISTOPHER KELLY: The question is not whether the really ambitious are put off. The question is whether people of the calibre you want to see in the House of Commons are put off.
264. PETER RIDDELL: Yes, I take the distinction. Some will be. But given I have heard this warning before it has not reduced the competition for numbers of seats. My view is if you want a diverse group of people; not just in the classic gender, ethnic sense but a diversity of background. That is more of a problem; do you narrow that? If you were, say, a small businessman wanting to become an MP you could defend yourself on that. It may deter

some - to get your quality point which is the point behind your question - but if people have got the political bug, they have got the political bug on the whole. That is a risk and one should not underrate that risk.

265. DR RUTH FOX: The only thing I would add to that is in terms of candidate recruitment and selection. I do not think the issue of interests is so much a problem. I think the bigger problem - and it is not something this Committee can address and solve - is the role of political parties and the relationship with political parties and MPs. It goes partly to this issue of how do we draw the line between an MP as a Parliamentarian and an MP as a party representative? My slight worry about this is we are possibly in danger of trying to separate politicians from their parties and there are some implications for that in terms of we are a represented democracy predicated on the organisation of political parties; not of individuals. My concern generally about candidate recruitment is that it is quite poor by the parties generally and is something that the Speaker's Conference is looking at.
266. PETER RIDDELL: And that is as much social as it is gender and ethnic. One of the features of the House of Commons in the time I have covered it is you have very few manual workers. Equally many few are from private sector apart from some small businesses and people who have made their money out of that. But working for larger organisations, many fewer of those because everything has become more professional and more career-structured. Will this make it more difficult? Yes, it probably will but it is part of a much broader issue of party recruitment of candidates. We have a test case now with David Cameron and a large number of seats opening up. Let us see who gets picked. I think only a few are total newcomers to politics. I am sceptical that there is that many. Just as candidates; I am not talking about who gets elected in the general election.
267. DR BRIAN WOODS-SCAWEN: You mentioned earlier ministerial roles. There are those who argue that ministers do not get all these jobs because they have some kind of unique talent but rather that they have contacts and relationships which can be helpful. Do you think the rules are tough enough around ministers taking up subsequent employment particularly where it is adjacent to their area of ministerial responsibility?
268. PETER RIDDELL: That reaches quite far and also applies to people in public services generally; public servants and so on. Certainly in public service where there are quite generous pensions and so on I think the intervals should be greater. There is a tendency to say, "It will be all right" and I think we need bigger noticeable gaps and much greater restrictions on contact with former departments and people than applies. I think that applies both to public service and to Ministers. I think there is a common problem there. You cannot prevent people earning an income, fine, but I think you could ensure the gap is larger and the restrictions are greater on that.
269. DR BRIAN WOODS-SCAWEN: Can I turn finally to Northern Ireland and the issue of if it is wholly exclusively and necessarily that you are not doing the job, should you get allowances?

270. PETER RIDDELL: I rather sympathise with your previous witness on that who was I think probably worried about contradicting her party's policy; she was trying to remember what it was.
271. DR BRIAN WOODS-SCAWEN: Well, we are going to Belfast tomorrow so we will have some informed --
272. PETER RIDDELL: Northern Ireland was always different. I would draw a distinction if possible. What do the Sinn Fein MPs do? They do do some constituency work - we have to recognise that - but they do not play any part at Westminster so clearly they deserve some money. It is how you draw the line. It is arbitrary but you have to recognise they are constituency MPs and that is how they get elected. How you do it is invariably arbitrary and should not be regarded as having any broad implications.
273. DR BRIAN WOODS-SCAWEN: The view has been expressed to us that because it is different this is part of a pragmatic settlement and we should draw a line around it and not attribute standards issues to it.
274. PETER RIDDELL: Going back to the report your predecessors did on funding the parties and accepting that the funding of parties in Northern Ireland was different. In time, perhaps not. Now they are all playing a part - Sinn Fein is fully playing a part - it can perhaps alter in time but I think it is a pragmatic one.
275. SIR CHRISTOPHER KELLY: An observation and a final question, if I may. The observation is that one of the strongest arguments I have heard against a ban on outside paid interests for Members of Parliament is that if you ask member of the public what they want of their MPs they want independent thought above anything and banning outside interests means that the whips have even more power.
276. PETER RIDDELL: But also after tomorrow's revelations if I organised a poll in the Times this weekend, you get people saying, "This is absolutely scandalous. At the same time I want more independent MPs". You get both contrasts.
277. SIR CHRISTOPHER KELLY: The question is this: IPSA is described as an independent body in its name and yet the appointments are approved by the Speaker of the House of Commons through his Committee and the budget is also approved by the Speaker of the House of Commons through his Committee. The argument seems to be no one can think of anyone else to do either function. Have you got views on that?
278. PETER RIDDELL: No. You would not want a Prime Minister to do it, and you would be back in a circle if you said Prime Minister with the party leaders, which maybe okay for some roles. I cannot see an easy alternative to that. The example, of course, is the Electoral Commission. The evidence there is, for all the problems, in terms of appointment it had been pretty

independent from what I understand. But it is very difficult to find an alternative mechanism except that perhaps it would require the Speaker's Committee to be a more back-bench dominated Committee and less by the "good and the great at Parliament".

279. SIR CHRISTOPHER KELLY: Yes. The last appointment at the Electoral Commission was not distinguished in terms of the efficiency of the process.

280. PETER RIDDELL: That is correct for a variety of reasons. I know a bit about it as you do, Christopher. It was not but it certainly produced a fairly independent choice.

281. SIR CHRISTOPHER KELLY: Indeed.

282. PETER RIDDELL: The process was interfered with by the Commons authorities who changed the terms of the contract but no more transparency and openness in the process. There is a lot wrong with the process but I cannot see any easy alternative.

283. SIR CHRISTOPHER KELLY: I think the point is that there appears to have been some interference in the process in an area which of interest to Parliament but not as close as the setting up of an independent regulator. If you cannot think of an alternative the question then turns to other safeguards that you can build into the process.

284. PETER RIDDELL: One of the safeguards is having one-term appointments.

285. SIR CHRISTOPHER KELLY: At the moment the Bill has renewable appointments unless it was amended.

286. DR ELIZABETH VALLANCE: No, five years non-renewable.

287. SIR CHRISTOPHER KELLY: That may be the case for the Chair but the last version I saw had renewable terms.

288. PETER RIDDELL: I think non-renewable would help. How you can safeguard about what happened with last year's Electoral Commission Chair I do not know except it should be more open. That would be more difficult if what I learnt subsequently and you learnt subsequently was revealed at the time. The trouble is the party whips were involved in it. What happened on the Electoral Commission was the Labour whips were worried about the appointment and they did some arm-twisting and reduced the term and the pay.

289. SIR CHRISTOPHER KELLY: Do you know whether OCPA were involved in that appointment?

290. PETER RIDDELL: OCPA were involved in sitting in on the appointments from what I gather.
291. SIR CHRISTOPHER KELLY: But not in policing it?
292. PETER RIDDELL: Not in the way they would otherwise be. There may be an argument for making it more formal in the OCPA regime. The head of OCPA would be able to cry foul as they should have done if they had been in a position. But it was done following procedures but not under their control.
293. SIR CHRISTOPHER KELLY: Thank you. Is there anything else either of you would like to say to us?
294. PETER RIDDELL: Just very briefly: however wise and balanced your conclusions are it is not going to rebuild trust in politics. It is a necessary step but there is a hell of a lot more which is totally out of your hands.
295. SIR CHRISTOPHER KELLY: I am grateful that you recognise that. Dr Fox?
296. DR RUTH FOX: No, I agree. We did some research last year before the scandal broke that showed only 19 per cent of the public then thought Parliament was working for them so it reinforces Peter's point that these issues about role of political parties, political engagement go much more widely and deeply than the expenses issue. Peter is right; this needs to be resolved to go forward but a lot more needs to be done and that cannot all be on this Committee.
297. SIR CHRISTOPHER KELLY: Thank you very much indeed. That was extremely helpful. We resume at 1.00pm.

(Break)

**DAN WHITTLE, CHAIR OF UNITE PARLIAMENTARY BRANCH, KEVIN FLACK, BRANCH SECRETARY OF UNITE PARLIAMENTARY BRANCH, SIAN NORRIS-COPSON, CHAIR OF MEMBERS AND PEERS STAFF ASSOCIATION, AMY NORMAND, LIBERAL DEMOCRAT STAFF CHAIR**

298. Thank you very much to all of you for coming and to those of you who have given us evidence, which we have from Unite and also from the Liberal Democrats. We also have opening statements from Dan Whittle and Sian Norris-Copson.<sup>1</sup>
299. It would be helpful if you could tell us who each of you are please. I hope you will not feel it necessary to read your opening statements, because we will read them into the record, but if there is anything that you want to say, anything you particularly want to draw our attention to by way of opening remarks, please do so.

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<sup>1</sup> The statements are appended to this transcript.

300. DAN WHITTLE: Dan Whittle, I am Chair of the Unite Parliamentary Staff Branch.
301. KEVIN FLACK: I am Kevin Flack and I am secretary of the branch.
302. SIAN NORRIS-COPSON: I am Sian Norris-Copson, Chair of Members and Peers Staff Association.
303. AMY NORMAND: I am Amy Normand and I am the Staff Chair for the Liberal Democrat Staff Association.
304. SIR CHRISTOPHER KELLY: Thank you. Does anybody want to say anything by way of introduction, other than the statements we have? No? Thank you.
305. Am I right in reading into the evidence in the statements some surprise at the announcement about the possibility of central employment for staff? Presumably that was done for what might be cosmetic reasons, but it clearly also, as your evidence brings out, has some quite major implications for a number of things to do with the terms and conditions of employment of staff.
306. Reading your evidence, I was slightly struck by that you seemed to be asking for was, on the one hand to have all the advantages of central employment, including common pay rates, health and safety, more security over contracts, accessibility to a better pension scheme and so on, whilst still on the other hand retaining the flexibility of being appointed by individual MPs and free to work in the flexible way that you are at present. Is that an unfair characterisation of your position?
307. SIAN NORRIS-COPSON: Yes, I think so. I think our view was that, if we were to exchange the terms and conditions we have now, which a lot of people are very keen to keep, if we were to exchange those then obviously we would want something better in return. So it is not a question of wanting everything.
308. SIR CHRISTOPHER KELLY: All right. But you prefer to stay where you are?
309. SIAN NORRIS-COPSON: I think at the moment, as I have said here, because we just do not know, we just do not have enough detail I think to make an informed decision, so hence all the questions we are raising, which still do not seem to have been sufficiently answered by anybody, which is why we are all sort of up in arms about it. I do not think it is a question of wanting our cake and eating it.
310. KEVIN FLACK: I think there are two points there. First of all, I have to say, from the trade union's point of view, we are very keen on the central employment of staff, but we quite understand why a lot of staff remain worried about it, because it was suddenly announced in public without any

consultation with any of us, so we can understand your concerns. But, in terms of our long-term aim, a central employment structure we are very keen on.

311. The reason why I think probably in all the submissions we have seen people have said about the MPs employing the right to hire and fire, it is simply because we do not think they would give it up, and we have to be realistic in what we are asking for. We cannot see them wishing to stop being our line managers and to stop having the right to hire and fire. So it is not so much having our cake and eating it, it is recognising what is achievable.
312. SIR CHRISTOPHER KELLY: Right.
313. AMY NORMAND: I do take your point and I think as I have gone through it, trying to hold on to the advantages of flexibility and keeping the MPs as our managers and things like that, it seems that central employment is hard to realise. I do not know who would employ us, would it be the House of Commons Commission, would it be the Parliamentary Standards Authority, it is just hard to comment, really, without knowing what is at stake and what are the advantages.
314. SIR CHRISTOPHER KELLY: Do you think, leaving to one side for the moment Unite's desire to have the terms and conditions you are asking for, do you think there are any issues here that need addressing in the context of our inquiry about MPs' expenses?
315. KEVIN FLACK: Yes. Obviously the issue of transparency, it needs to be very clear, or it needs to be clearer, what staff do, who is employed to do what job. There have been some high profile media cases relating to this in the recent past. We see ourselves as the frontline staff of MPs, we are the first port of call, whether it is an irate journalist or a constituent at the end of their tether, and we feel that we have been sort of lumped in with the expenses issue, if you like, which is completely unfair. So anything that improves the transparency and the clarity of what MPs' staff do and how they are employed we would very much welcome. The first thing obviously would be completely separating the Staffing Allowance from all MPs' other allowances, because I do not know any other job where somebody's secretary or their researcher would be lumped in as a sort of perk of the job. I think there are very fundamental issues there about that clarity.
316. The other one is obviously people presumably would expect a fair employment practice and one of the things that has really concerned us is that there is an increasing number of staff that do not have employment contracts, and after a two-month period that is actually illegal. It was down to 218 last year and it is currently on 256, and we feel that the Government should be leading as an example of best practice rather than as one with quite clearly an area where it needs to improve.
317. SIR CHRISTOPHER KELLY: A couple of points there. You say there are a number of well-publicised cases to do with abuse of the system. How

widespread do you think the abuse is? Were those isolated cases or do you think there is a significant problem of abuse?

318. KEVIN FLACK: I would say isolated, but it only takes one case to bring the whole area into disrepute.
319. SIR CHRISTOPHER KELLY: Do you agree, isolated?
320. AMY NORMAND: Yes.
321. SIAN NORRIS-COPSON: Yes, I would think so, and I think, as we were saying earlier, lumping family employment in this whole argument is a bit of a red herring really, and it is a distraction I think from what we would like to see, better terms and conditions, transparency, or whatever, and I think it is a whole part of this sort of knee-jerk reaction that we saw on the YouTube announcement. I think in a sense it is a bit of a distraction from the rest of the argument.
322. SIR CHRISTOPHER KELLY: Would you know if abuse was widespread?
323. SIAN NORRIS-COPSON: Yes, I think so, because we all talk amongst each other and I think if somebody was not really pulling their weight or whatever, people do know, because we would all be very angry about it.
324. SIR CHRISTOPHER KELLY: You are all based in Westminster, are you?
325. SIAN NORRIS-COPSON: Yes.
326. SIR CHRISTOPHER KELLY: So would you know about abuse in constituencies?
327. SIAN NORRIS-COPSON: I think we would, yes.
328. KEVIN FLACK: I think people would tend to come to us as the representatives, yes.
329. SIAN NORRIS-COPSON: I think so. You do hear things on the grapevine; I think you would.
330. SIR CHRISTOPHER KELLY: Thank you. The second interesting question arising from what you have just said is the point about contracts. It is against the law. Contracts are supposed to have been lodged presumably with the House Authorities. Why have the House Authorities not followed up on those MPs that have not?
331. KEVIN FLACK: I am very pleased you ask that question; we ask it regularly.

332. SIR CHRISTOPHER KELLY: What is the answer you get?
333. KEVIN FLACK: That they currently have a policy of not paying staff if a contract is not registered within the legal limit, but they are not enforcing that. Bizarrely it is the member of staff who is punished rather than the employer, but as far as we know, and I think we would hear very quickly, no member of staff has had their salary stopped.
334. SIR CHRISTOPHER KELLY: But the fact that there are so many contracts that have not been lodged, what does that tell you about weaknesses in the --
335. KEVIN FLACK: That there needs to be a central employment structure.
336. DAN WHITTLE: I think I might be of some help here. What it says is that there is not a proper way of facilitating the enforcement of rules at the moment in the House of Commons, and this is why we have so many problems and difficulties with the employment of staff at the moment, and that includes the House of Commons own rules and the employment rights of staff. So we have the issue of staff contracts, but also that some staff are being paid below the official pay scales, and I put in as part of the evidence a Freedom of Information request that I asked, and we did not get a proper reply to that, which was to ask how many staff are being paid below the pay scales at the moment. I feel there needs to be appropriate arrangements for investigating all alleged breaches of rules, and I hope that is helpful.
337. SIR CHRISTOPHER KELLY: Those of you who are not in favour of central employment, do you have an alternative approach that would better support the rights of staff under current managers?
338. SIAN NORRIS-COPSON: First of all, we are not in favour. Because we do not feel we know enough, we do not want to come out quite so strongly as you. As I have said at the end, we do recognise there could be improvements, certainly amongst some staff whose MPs do not treat them very well, which is reasonably common, which we also get to hear about. I think if we had more information, we would probably be more able to answer that question. I know that is a bit politically evasive obviously, but I think certainly to begin with a lot of people were of the view that they would like to just keep it as it was, whilst recognising there are faults in the system.
339. SIR CHRISTOPHER KELLY: But my question was, are there ways within the existing system of addressing those faults, without going to central employment?
340. SIAN NORRIS-COPSON: Possibly. I think the Department of Resources probably needs a much stronger HR department, which is kind of developing. It has improved over the years, but that could be a way of doing it: tightening up things like contracts, you probably could do that without going whole-hog to central employment.

341. SIR CHRISTOPHER KELLY: I have just had the advantage of reading, over the break, the consultation paper from the House of Commons Commission on the employment of staff, which gives a long list of reasons not to do it.
342. Thank you. Elizabeth?
343. DR ELIZABETH VALLANCE: Good afternoon. You may not be surprised to know that the biggest point of contention that we have had drawn to our attention is the employment of family members, a very external perception of what is going on in the House. I do not know, and therefore I am asking you, what all your views are. I do know what Mr Whittle thinks, because he has given us a submission. I suppose, to put the case that has been put to us, it would be very unusual practice in other fields, it is banned in most of the rest of the public sector, it does not really exist much in the private sector, now many legislative chambers are banning it elsewhere in the world. What is different about Parliament, I suppose is the question.
344. DAN WHITTLE: If I can make three points in addition to the evidence that I have given. The first is that I think that if you banned employment of relatives they would continue to work for MPs; that is because the job of an MP is not just a job, it is normally a lifestyle, it normally involves your relatives helping, and that particularly involves your spouse.
345. DR ELIZABETH VALLANCE: Some people might not be too worried about that. I think it is the spouse one, or the immediate family employment, that they find difficult.
346. DAN WHITTLE: The issue with that is if they continue to work and were not being paid for it that would be unfair.
347. The second issue is one that has been brought to our attention of discrimination in the Sex Discrimination Act, and the Committee might want to seek advice on discrimination on the basis of marriage, and I give an example of perhaps a researcher who has a romantic relationship with their boss and gets married, I think it would be first of all wrong to punish that person for that reason and second of all it might have legal implications.
348. Lastly, what I want to say is that I think that this could be a red herring for the Committee because transparency of employment should be for all, no matter if they are a member of staff who is a family member or otherwise, and I think that better transparency for all staff if the solution, rather than just targeting specific staff.
349. DR ELIZABETH VALLANCE: There is a staff argument that is sometimes made and that is about management of staff. It is actually quite difficult, or might be quite difficult, to manage somebody to whom you are closely related.

350. DAN WHITTLE: I think that what we would appreciate is help for MPs to be good managers. At the moment we are not hiding the fact that MPs come into that particular profession perhaps not seeking to be managers. They come from a range of disciplines, and I think that what would very much help is if we had an independent HR department, which could help them to manage, and which had external scrutiny so that what you are describing could not happen.
351. SIAN NORRIS-COPSON: I think, from out point of view, whilst we can see the disadvantages of family employment, and I appreciate what you say. If you work in some law firms you are not even allowed to go out with another member of staff; there are a lot of rules in other organisations. But I suppose because we know the people involved, we know that very often they do all work very well together.
352. DR ELIZABETH VALLANCE: But that of course could be said elsewhere, but it is just not allowed.
353. SIAN NORRIS-COPSON: It could be said elsewhere. It may be one of those things that at the end of the day we agree that, in return for better contracts, better pensions, better redundancy, that might be something that we do have to accept has to go. But that would have huge implications, I think you need to realise that.
354. SIR CHRISTOPHER KELLY: Can I just ask, are any of you employed by MPs that are members of your family, or do any of you work with family members of MPs?
355. SIAN NORRIS-COPSON: No.
356. DR ELIZABETH VALLANCE: So it is an objective response.
357. DR BRIAN WOODS-SCAWEN: Can I just add, I guess the issue here is, if we are looking to professionalise the arrangements (the support arrangements, the employment of staff) this would kind of sit oddly with a fully professional set of staff arrangements, in comparison with any other fully professional set of arrangements. How would you respond to that?
358. DAN WHITTLE: I think there is an extraordinary range of problems in the House of Commons with the employment of staff, but I would say that employment of family members is not the big one. Training, I will come to if I might, we get very little training at the start and then very little opportunity for development. I think that any modern employer should have a good training programme and opportunity for staff representatives to input into how that should happen. A variety of things, as I say, that I am sure we will have time to talk about, and I think that employment of family members is very low on the priorities.
359. DR ELIZABETH VALLANCE: Thank you. Some people have argued just on that one that the only staff member who is a family member who

should be allowed to be employed would be a spouse, which would kind of deal with your point. What do you think of that? No children, no other relatives, just spouse, on the basis that this is a very special job and that often husbands and wives work together because frankly it is about the only time they would see each other.

360. SIAN NORRIS-COPSON: Before we came over we were just sort of chatting about this. Somebody I know, for example, does work for her husband, and they use their home as their office. So things like that, how would that be arranged, is he going to be happy if somebody else is going to come into their house and work for him there? Where is she going to go and work? I mean I think you can see we all think that this is very low down the priority of issues, and I appreciate what people have been writing in to say to you, but I think frankly that is because unfortunately the public do not understand the specific problems and the nature of our job and of how being part of Westminster works. I know that is not going to make them sympathetic, but I think we would like to put across a lot of other more important issues.
361. DR ELIZABETH VALLANCE: Okay, point taken. Can I just ask about interns in this same kind of context? Would an intern system that was properly advertised increase the pool of people in politics?
362. AMY NORMAND: I think the issue of pay is the biggest barrier to getting interns from a variety of backgrounds, and I think that would be something that if your Committee could address that, that would be brilliant, because then we could attract different people to the job and different people to politics. I would be happy with that being something that was centrally controlled by the Department of Resources, allocating interns for three months is fine, I would say, to give up to a central body.
363. DR ELIZABETH VALLANCE: General agreement?
364. DAN WHITTLE: Yes. I think it is a really important issue in getting more diversity of people into the House of Commons. A lot of interns go on to be researchers, then go on to be MPs or to take part in public life in some other way, and at the moment interns are largely drawn from people who can afford it, who live in London, so I would like to see a central scheme for employing interns so that they have an equal opportunity to take part.
365. DR ELIZABETH VALLANCE: Of course this narrowing of the pool of people is also one of the arguments that people make against employing family members, in exactly the same way, but let us not go back to that.
366. Can I just put one bit of data to you? We have data from the House of Commons, which indicates that (this is 2008/09) the staff who received bonuses, the average paid was around £1,000; that is for staff overall, but for family members the figure is £1,540. There are a number of possible reasons of course why this should be so, but it is quite a noticeable discrepancy, and I wondered what you thought the explanation might be.

367. DAN WHITTLE: I think the explanation could be favouritism in some cases, which is why we want to go for a more external audit of MPs who employ family members, which is what we said.
368. AMY NORMAND: I think an external auditing body would be a great thing that could allow the continuation of family being employed as staff. I think one of our common problems is that we cannot address our grievances to a common body that represents us, and we have to go to our MPs. The Department of Resources does not accept us when we have a grievance against our employer, and I think having a central body that represents us would be a solution to that.
369. DR ELIZABETH VALLANCE: Can you deal with the specific point about the disparity in bonuses?
370. SIAN NORRIS-COPSON: My only thought is that it may be that sometimes MPs would employ a spouse or other family member perhaps as a secretary or a PA who would get paid more than a researcher. The salary scales would show you that. So it just may be that, as a percentage, because you are not allowed to give more than a certain percentage anyway of a salary as a bonus, and it just may be that they are giving the same percentage to the family member, but if they are a PA they do get paid more, so that could explain it.
371. DAN WHITTLE: Our main concern would be the 20% of staff who did not receive any pay rise last year at all, and the main reason for that I would say was that half the time MPs forget that they pay rise time has come around, and half of them have a limited budget and a huge amount of work to do. So that would be our main concern, I would say, in terms of pay and bonuses.
372. DR ELIZABETH VALLANCE: Thank you.
373. SIR CHRISTOPHER KELLY: I asked earlier if any of you worked with family members or were family members; are you all researchers or are some of you case workers?
374. SIAN NORRIS-COPSON: I am head of office/PA, I suppose.
375. AMY NORMAND: Personal assistant.
376. KEVIN FLACK: Yes, I am more of a personal assistant than researcher.
377. DAN WHITTLE: Researcher.
378. LLOYD CLARKE: I was going to develop one or two of the things that you said if I might. It has been described to us that some MPs' offices are like small businesses. I understand the issues that you have been identifying in respect of the lack of a standardised HR procedure, etc. You then said that in

actual fact the HR department is developing. Clearly, from the emphasis being on “it is developing”, can I ask what is good about it at the moment and where does it need to develop pretty quickly?

379. KEVIN FLACK: I would say there is nothing good about it at the moment.
380. DAN WHITTLE: I cannot think of one thing. I can think of something that would be a real improvement if the Committee would like to have an opinion on it, and that is that if I have a grievance against my MP for whatever reason, harassment for example, I have to have that grievance heard by them, and I could then appeal against that decision and that appeal would be heard by them.
381. LLOYD CLARKE: That is the central HR department?
382. KEVIN FLACK: No.
383. DAN WHITTLE: That is our contract, so that is heard by our MP.
384. LLOYD CLARKE: Okay, not by the central HR department; by the individual MP because they are your employer.
385. DAN WHITTLE: The pretence has always been that the MP is our employer, although we know that they do not have the training or the resources to be able to do that at the moment. It is something that the Department of Resources do not want to take responsibility for, so it leaves us in the position of having an appeal and grievance process that does not stand up to natural justice and is illegal for that reason, so if you could take a view on that as the Committee it would be really helpful.
386. LLOYD CLARKE: That is helpful. Two people there saying there is nothing good about it at all and everything needs developing, but a specific there. Anything else that people would like to add that? I mean is there anything good about it at all from your perspectives?
387. SIAN NORRIS-COPSON: I think I would be less flattering than I was earlier; they are getting better I think.
388. LLOYD CLARKE: I think that is what you said earlier on, is it not? Yes.
389. SIAN NORRIS-COPSON: Yes. But it is a very slow process. We used to be sent out contracts, which we had to fill in. I am not a trained HR person. You get involved in this huge row between the people who do the contracts and then the payroll department; it is two separate things. I was involved in a situation before Christmas where you have somebody on a temporary contract. I think possibly I am now qualified in HR because of all the hoo-ha we had to go through. That is ridiculous; we should not have to do that, I do not think.

390. Now they are slightly developing in that now we just fill in a form, etc, and then they now do produce the contract; that is a very recent development, which is a bit --
391. LLOYD CLARKE: Okay, and, Amy, I think you said, and in developing that, what would be helpful to you is to have a central body that represents you; who might that body be? Is it a new body you are thinking about, or is this something that exists already that can be improved to actually provide that service?
392. AMY NORMAND: It could be the Department of Resources. I hesitate to agree to another body, I do not know enough about it, but I would say the Department of Resources.
393. LLOYD CLARKE: So it could be the Department of Resources, particularly if that sits under a new body: IPSA presumably?
394. AMY NORMAND: Yes.
395. LLOYD CLARKE: It is something that is going to provide you with that service.
396. AMY NORMAND: Yes.
397. LLOYD CLARKE: Again, the argument to us has been that often an MP's job is different and they need to handpick staff to ensure loyalty, and the loyalty of that staff to them perhaps politically as well as in terms of the service. Is there any basis for that contention?
398. DAN WHITTLE: I mean, yes, we are politically non-restricted, and employed on that basis.
399. LLOYD CLARKE: Right. So you have been employed on that basis, you have been picked by the MPs, or selected by the MPs; is that not the argument for the employer selecting you and not being selected by a central body then?
400. DAN WHITTLE: Yes. I suppose we are talking about degrees of central employment. At the moment we believe that legally we are actually centrally employed, although it is something that the Department of Resources would prefer not to have responsibility for. Obviously the House of Commons are looking at all the different options for increasing our central employment, and that is happening through the Commission's consultation that they are doing at the moment, and we have all put into that, but we know that it is pretty much open, they have given us a range of options for how central employment could progress. It could be, for example, the point that we have put forward is that we could have a separate autonomous body that employed us in the non-restricted politically way that we are at the moment, but MPs can hire and fire us as they want to, but we would also like to see increased representation

for staff and also parity of pay and conditions with the civil servants who work in the House of Commons, which we do not have at the moment.

401. LLOYD CLARKE: So is it fair of me to say then, what you are saying is that employment should be by a central body, but selection should be by the individual MP, the individual office of the MP, and therefore it flows from that, line management is also provided by the local MP or within that devolved environment that you work. Is that a fair assessment of how you see those processes and procedures?
402. KEVIN FLACK: Yes.
403. LLOYD CLARKE: That is helpful. Can I then actually talk about the issue, when you are working in your offices clearly there are some grey areas. The key grey area that we see that has been put to us is where public money is spent as opposed to party political money is being spent. I am interested how you as individuals, working in those offices, how do you actually determine and separate the two distinct functions of spending. That which is party political should not be funded by the public purse, and that which is the parliamentary duty. How easy or hard is it for you to determine and decide that?
404. DAN WHITTLE: It may be helpful if I refer to this. This is the in-tray of a caseworker who brought this to a union advice surgery a couple of weeks ago, to show us how under-resourced their office is currently at the moment. This is all housing casework, which she is working on at the moment, and it is obviously incredibly important to all those people who do not have anywhere to live at the moment, or are overcrowded in their accommodation. So from her point of view, and just giving one example, she does not do any political work, as a caseworker she concentrates on housing casework and she is very under-resourced at the moment. So if the Committee would also like to take a view on how we can get more resources into MPs' offices, or fair resources, that I think is the key problem that we have.
405. LLOYD CLARKE: That to me begs the question, why is the caseworker in the MP's office dealing with that? Why is that not put out into the local area where housing is a local issue? So why is the MP dealing with that in any event? Is that a fair question?
406. KEVIN FLACK: Yes, a very fair question, it is the people, where they have been failed locally by the council or the housing association, or whatever body, and they will then come to the MP as the next step to try and resolve their problem.
407. LLOYD CLARKE: Okay.
408. DAN WHITTLE: I think, to take a view on whether an MP should do a certain type of casework or not is difficult, because when that MP receives that piece of work, that letter, I do not think they have much option but to do something about it, because --

409. LLOYD CLARKE: Yes, at least to respond to it at the very minimum, or point them in a direction.
410. DAN WHITTLE: What this casework mainly involves is pointing people in the right direction, and that is what is taking the time.
411. SIR CHRISTOPHER KELLY: There is a fundamental point underlying this, which has come up. Lots of people draw attention to the increasing amount of casework done by individual MPs. There is a school of thought that says that in order to determine what should be done by a Member of Parliament, a local councillor, a member of a devolved legislature, what matters is the concept of the Member standing between the constituent and the body about which there is an issue. An MP for a national interest; a councillor for a local authority interest, and an Assembly Member or a Scottish Parliamentarian for devolved administration.
412. On your basis, MPs would simply deal with everything that came into the office, and the growth in casework could be enormous. I would quite like to get your view on the underlying philosophy of what a Member of Parliament should deal with in terms of constituency.
413. KEVIN FLACK: There is a danger that MPs are moving away from being legislators to being glorified social workers, and that can get out of hand, but I think there would be an outrage if a distraught constituent came to you with a problem, having not got the council to solve it, and you simply told them to go back to the council.
414. SIR CHRISTOPHER KELLY: No, go back to the councillor.
415. KEVIN FLACK: Or to go back to the councillor, either I think. You would last about a week without that being the front-page story in your local paper.
416. SIAN NORRIS-COPSON: I think that is impossible. I do not think they have a choice. Even if they are simply, as you say, passing it on, the fact that your constituents come to you, what are you supposed to do, send it back, ignore it? I do not know.
417. DR ELIZABETH VALLANCE: It is an absolutely fundamental question, is it not, that the Chairman has raised which is about what is the job of an MP?
418. SIAN NORRIS-COPSON: I thought their constituents were their priority.
419. DR ELIZABETH VALLANCE: I think that is right, but the MP cannot be expected to deal with absolutely every problem that the constituent can find, or can he or she? Is this what it is about? If he or she does do that then clearly they cannot do the job that they are supposed to be doing in Parliament, which is keeping the Executive in check.

420. SIAN NORRIS-COPSON: The expectation of the constituents is that they should help them; that is the public expectation. Now, with email and all the rest of it, that pressure becomes worse and they want an immediate result as well. I am not sure how long that has been --
421. DR ELIZABETH VALLANCE: I think what we are trying to press here is not to disagree with what is happening as the reality on the ground, but rather, should it be the reality on the ground? Is this an appropriate way for MPs to be spending their time? Are they only spending their time doing this because actually they do not have enough to do in the Chamber or in Parliament sitting on committees or whatever?
422. LLOYD CLARKE: I am still interested in just pursuing it a little bit more in terms of understanding the constituency office in particular. I think that was a very clear example; that is a caseworker; that is constituency work for that individual. Am I right in thinking, again, because of the size of the Staffing Allowance that we are probably talking about three or four people employed in a constituency office?
423. KEVIN FLACK: No. The Staffing Allowance is for 3½ staff in total.
424. LLOYD CLARKE: In total. So we are probably talking about what in a parliamentary constituency, two people at the most?
425. DAN WHITTLE: And, on average, three-quarters of an intern as well, either working in --
426. LLOYD CLARKE: Let me ask the question then, let us say we are getting near to a general election and things presumably start to become a little bit more party political at this stage then, so how then do we get the differentiation in terms of this pool of resources, however this pool is made up, how do we get this clarity about the caseworker; is the caseworker going to continue just doing casework and be funded for that? It is this separation of responsibilities and this boundary of responsibilities that there are. How tight is that drawn and how easy is it to follow in practice?
427. KEVIN FLACK: I think it is very clear that we are not allowed to undertake party political work while we are being paid out of parliamentary allowances, that is very clear and it is made very clear to us by the House Authorities. For instance, when we produce literature for the MP in their role as an MP, we now take it to part of the House Authorities that actually clear it to make sure, before you pay for it out of the allowances and publish it, that it is not party political and it is just in their role as an MP. So we are given guidance for what is written --
428. LLOYD CLARKE: So, having been given the guidance, having operated it in practice, what is the audit function, or is there an audit function to see that has been complied with? Does anybody ever check on that, or is that just all accepted as that is what is actually happening; that is what is being

done? Because we are all Honourable Members and our staff work according to that.

429. I was interested as well what you were saying about abuse a little bit earlier on, because it has been suggested to us, and you actually put it in your evidence, do you not, to say that un-contracted tasks for employees ranges over such a wide spectrum. Now, are we suggesting that is part of the abuse? I think you have cited from helping move house to babysitting. Do you see that as an abuse of the individuals and of the role and function that people are doing?

430. DAN WHITTLE: I think that it is a really good argument for a better well-structured, well-managed House of Commons than we have at the moment, because, as I say, I think it is a symptom of MPs coming in from various professions, not having managed staff before, being told to get on with it; that they are the employer, whereas in fact the reality is something very different. They do need help and advice in employment, they need to know what tasks are contracted, and are un-contracted tasks, and what responsibilities they have.

431. LLOYD CLARKE: Presumably, you have a different view of that in terms of from what you have said earlier, because that is the argument, is it not, for having this oversight, this employment body, whereas you are not in favour in that.

432. AMY NORMAND: MPs all run their offices very differently and I am wary that saying you have one caseworker and one researcher and that is it, it just does not suit an MP with the tasks they have to do. Some people have more casework. You are saying you thought three or four caseworkers in a constituency office, one of my MPs has 1½, she splits her allowance, as far as it will go anyway. It is very tricky.

433. LLOYD CLARKE: It seems one of the difficulties that we have here as well is actually sizing the job, because, okay, I know there is an argument in the papers, and I know I think you take different views on this: that some would like to see the Staffing Allowance remain as an allowance, some of you may want to see that in terms of numbers of people. So we are actually talking about sizing it and how do we size it when all the offices are so different anyway. Do you have a proposition as to how we could do that in each individual case?

434. SIAN NORRIS-COPSON: You could leave it, I think that was one of the views when we first had our meeting, that was one of the main concerns of the people there, that the flexibility should be allowed to remain, and we have talked about abuse and people saying, "Can you go and get my dry cleaning?" I suppose in some offices, again, it depends on the relationship you have (and I do not mean married) with your employer. If they say, "I am in a real hurry, do you mind?" that would be acceptable. But obviously if it was a continued thing ... There are other worse abuses and some MPs, we have all heard, do treat their staff unfortunately very badly, as do bosses in other professions.

435. LLOYD CLARKE: Many presumably would treat them very well as well, so the experience is both ways. I suspect I know the answer to the question I am just about to ask on the basis that there seems to be a lack of lots of formal processes and procedures, but are there whistle-blowing procedures?
436. DAN WHITTLE: There is not. We obviously inform people of their rights if they want to whistle-blow, but I think the most important thing, before a whistle-blowing procedure, is a proper discipline and grievance procedure. That is why things get out of hand and often end up in tribunals and so on, or researchers leak things to the press if they feel it has gone too far, which we saw in the Derek Conway issue. But there is no formal way of raising things at the moment, and that is why we think that trade union recognition is actually central to making the House of Commons more transparent, so that we know that they way that they are making decisions about things like our contracts, we know the way that they are making decisions about how the House runs, and we are able to feed into that process and tell them where things are going wrong.
437. LLOYD CLARKE: Yes, okay. I take your point, whistle-blowing should be the end of the process, there should be other procedures before that, but clearly those other procedures do not exist as at this minute, not even in some kack-handed kind of way within the office at the moment?
438. SIAN NORRIS-COPSON: You go to the Chief Whip or something; that depends on how good your relationship is with him. If your MP is a great chum of the Chief Whip you are not going to get anywhere, so they might come to us, they might come to you guys, but beyond that it is very hard to proceed.
439. LLOYD CLARKE: For someone like myself, who has worked in the public sector, and where all the process procedures are not faultless, but it seems kind of like a little bit archaic, we do seem to be painting a picture of something that belongs to a completely different century. I am trying to tease out of you something that really might be good about it, just at the minute, because what you are painting is the offices of 600-odd MPs, it is really bad news. I have to say, I have been to one MP's office, and it did not quite seem that to me. It seemed chaotic, I have to say, I suspect it was not as chaotic as it immediately appeared, but the atmosphere in the office was not doom and gloom, it was really vibrant. So there has to be some redeeming features; please tell me there are.
440. SIAN NORRIS-COPSON: I think there are many, and I think the flexibility of each MP's office, I would say, would be one of the main redeeming features: that they can employ who they like and the numbers they like and the structure they like and I think that does, in most cases, work very well.
441. KEVIN FLACK: You have to recognise that the vast majority of us are political animals, which is a very odd breed of the human race, and we

therefore find something exciting, which I am sure most people would not be as thrilled about, and that is where certainly my reward comes from.

442. LLOYD CLARKE: So you are saying, that it is not just the MP but the staff too who are political animals?

443. DAN WHITTLE: I would say that there is a difference between an employer who is very kind and as nice as they can be to their staff and a good employer, and I think we would all recognise that. A good employer allows them to have proper training, advancement in their career, a contract, a way for them to be represented through the process of deciding how they are employed, all the things that we have mentioned. The MPs are often extremely good to us, as they can be within the rules, but unfortunately they do not have the resources or the training to be good managers. They are not backed up by a proper HR department that we can represent our views to either.

444. LLOYD CLARKE: Can I ask another question, what you have actually triggered with me there now is in terms of the Winding-Up Allowance, because the Winding Up Allowance is specifically set there in terms of an MP who loses the seat, and there is an impact back on those people who are employed in the office as it stands at the minute, so I do not know if any of you have actual practical experience of being in an office that has been wound up. Is it appropriate?

445. KEVIN FLACK: In representing people in that position, particularly in the very sad circumstances when an MP dies, which is the worst position, we do not want to go into the minutiae of that, as we are dealing with the House Authorities with it, but obviously the biggest change is at a general election time, and you find, even without any political challenge, in terms of seats going, a lot of MPs will be retiring. So you have a vast pool of staff, many of whom will be looking for the same sort of work as each other at exactly the same time, and often some of the retiring MPs who have decided to stand down, rather than being at retirement age, are also looking at the same sort of jobs. So, yes, it is a very intense time, and one of the reasons we want to protect the Winding-Up Allowance is because it does give you a chance to actually complete the work that is still coming into the MP's office, because people will still send things in, at the same time obviously you are looking for new employment.

446. LLOYD CLARKE: I think it is fair to say, we have not had any evidence, which suggests the Winding-Up Allowance is not appropriate or that it has been abused or whatever else. If you feel, on reflection, from here today, there is anything else you want to tell us about that, I am sure we would be interested to see it, in whatever form it is in, if you want to drop us a note or whatever.

447. SIAN NORRIS-COPSON: The only thing that I have heard is that some MPs obviously pay their staff differently out of that Winding-Up Allowance, I am sure you have heard that too. Some will get a decent amount, some will

get nothing, some MPs are so upset that they have lost they disappear and that is basically it. We have heard all the stories.

448. LLOYD CLARKE: It was that, when you actually said that MPs did that, because actually we have heard that the Winding-Up Allowance has been used whereby people have received perhaps a little bit more than they might do in whatever other job they have had before.
449. DAN WHITTLE: I think the opposite is normally true. Mohammed Sarwar put down an Early Day Motion, which has over 60 signatures, asking for more redundancy pay within the contract. At the moment it is at the statutory level, which I do not know if you have worked in any capacity throughout your life where the statutory redundancy rate was applied, which is pretty pitiful, it is the sort of thing you might expect if you were working in an agency, so we would like to see that improved, just up to the rate that the civil servants get working in the House of Commons; those working in the Fees Office, for example, and I know that in the House of Commons there are about 100 people working, because of Parliamentary Questions put down recently that showed there are 100 people working in the House of Commons getting more than MPs at the moment. They are on the civil service pay rate, redundancy rate, holiday rate, whereas the people working alongside them, doing hard work for constituents, are getting a much lower rate than that.
450. DR BRIAN WOODS-SCAWEN: This really follows the whole issue of professionalising the support arrangements. One of the consequences of professionalising the support arrangements might be the argument for fair and open competition; that is what has happened everywhere else, and it is done, not just for kind of moral reasons, but also because there is a view that fair and open competition is the way in which you get the most talented, the most able, the most appropriate people, to carry out a role. How do you see fair and open competition as a principle in the environment in which you are working?
451. DAN WHITTLE: I think that every position and we come back to the internships, should be advertised, and there should be interviews at which an HR department is involved and that people and the MPs show that the member of staff is qualified for the job.
452. DR BRIAN WOODS-SCAWEN: And you would include researchers, caseworkers, PAs, in that?
453. DAN WHITTLE: Absolutely. We know that the staff working for MPs do an amazing job, but I do not think that is known outside Parliament, and it has to be shown that we are qualified for it; that it is transparent; and it comes back to the family members issue: if it is shown to be an open competition for the job, there is someone from an independent department there, verifying that the person has the qualifications for the job, I think that would be helpful.
454. DR BRIAN WOODS-SCAWEN: Would you all agree with that?

455. SIAN NORRIS-COPSON: Yes.
456. AMY NORMAND: Yes.
457. DR BRIAN WOODS-SCAWEN: One other question on transparency: as I understand it, staff who have Westminster passes have to be registered; staff in constituency offices do not. Do you think that distinction is justified, or in the interests of transparency all staff should be registered?
458. DAN WHITTLE: Yes.
459. KEVIN FLACK: Yes.
460. SIAN NORRIS-COPSON: Yes.
461. AMY NORMAND: Yes.
462. SIR CHRISTOPHER KELLY: A couple of questions. Unite, you have suggested a move to the Welsh system, under which MPs should be entitled to employ 3½ people, and then I think (if I have understood correctly what you are suggesting) the terms and conditions should presumably depend on the jobs they were doing and their seniority and amount of experience. So the implication of that is that different MPs would receive different amounts of support in terms of the cash available to them to employ staff. Is that right? Is that what you were proposing?
463. DAN WHITTLE: The MP would not receive any cash as now, it could come from a ... But, yes, I understand what you are saying, they would receive different amounts.
464. SIR CHRISTOPHER KELLY: There would be differentiation between MPs in terms of the cost of the staffing support provided for them.
465. DAN WHITTLE: That is a system that we discussed in our branch and discussed within our 400 members and decided that was the best one, but there were different views on it, and I know there are different views from this side, so there is no perfect system from what I understand.
466. AMY NORMAND: I work for two Welsh MPs and we have dealings with the Welsh Assembly in our work, and it just does seem too rigid a system to me to have 2½ employees, or 3½, simply because an MP perhaps has different needs to an AM, I do not know, but it is just too rigid, as far as I can tell.
467. SIR CHRISTOPHER KELLY: There are two elements to this: one is the rigidity of you can only have 2½ and therefore you cannot have 5 people working part time, presumably, but the other aspect is differential levels of support for different MPs. Is that something that would concern you?

468. SIAN NORRIS-COPSON: Yes. That is very important for us; that is what people are very keen to maintain, because we do not get that level of casework, but we might have other important areas that we would need support in, so it is very important to keep that flexibility of staffing arrangements; that is an absolutely key thing.
469. SIR CHRISTOPHER KELLY: Second question, you, I think, said, "We are all political animals", which of course I recognise. There have been concerns that have been expressed, I think particularly about working in constituencies, rather than working in Westminster, about leakage into party political activity. You say you understand and your members well understand the difference, but if I was looking for assurance that actually on the ground there was a rigid distinction, which prevented public funds being used to subsidise party political activity, how could you give me that assurance?
470. KEVIN FLACK: It goes back to a central employment system where staff are monitored in what they do.
471. SIAN NORRIS-COPSON: I have put that in our submission as well; that was another important thing. I think people are talking about, not work they do during the day, but if they are councillors or if they do campaigning in the evening or at weekends or whatever, they do not want to be restricted in the work that they do.
472. SIR CHRISTOPHER KELLY: I understand that, but in a sense that is the opposite to my question. My question is, bearing in mind that you are not politically restricted; that a lot of you are politically active in different ways, and that it is very difficult in an MP's office to distinguish between the party political and the ordinary work that an MP does, how can you give assurance about the proper use of public funds?
473. SIAN NORRIS-COPSON: I think it is very difficult. Short of having somebody in the office the whole time, or would we be forced to do some kind of timesheet? There must on occasion be some kind of blurring of the line, and how you guys want to deal with that, I do not know. I think we have to be honest and admit that, but I think what the people in our organisation were concerned about, if they were councillors, if they went out in the evenings and wanted to do campaigning, could they do that?
474. DR BRIAN WOODS-SCAWEN: In your experience, would members have any knowledge, or even any interest, in this distinction?
475. KEVIN FLACK: Yes, because their role is to enforce the parliamentary rules.
476. DR BRIAN WOODS-SCAWEN: That may be their role, but are they interested in doing it and are they equipped to do it?
477. KEVIN FLACK: They are certainly equipped to do it.

478. SIR CHRISTOPHER KELLY: You did not answer the interesting part of the question.
479. DAN WHITTLE: This is a new area to me, I have never come across a complaint of this happening, so it is not something that we have looked into in any great detail.
480. SIR CHRISTOPHER KELLY: Thank you. My final question is for reasons which I well understand, your evidence in particular focuses very much on improving terms and conditions of staff, and so doing in different ways. Does any of that have anything to do with improving standards in the House of Commons?
481. DAN WHITTLE: I think it goes to the heart of transparency, that you take a view on a system in which it is open how MPs decide the contracts and the pay scales that we have at the moment, particularly as they might be employing the members of family. At the moment the way our contracts and pay scales are decided are between a committee of MPs and the Department of Resources, in private, and that ended up in January with our maximum hours on the standard contract going up from 37½ to 42, without any negotiation with us. So that is something that would not happen outside at all, so we do need an open system. I think that all the things that we have raised, if they are not dealt with in this Committee, it could be seen as a halfway house, and they are things that people would come back to in the future if there was not an open system for settling our contracts and our pay and conditions, in which we can be involved as a trade union.
482. SIR CHRISTOPHER KELLY: I understand why it is important to you of course, but our inquiry is about MPs' expenses and standards of behaviour in the House and restoring public confidence that the affairs of the house are conducted with integrity and according to the other principles of public life. My question is not whether it matters in a general sense, my question is, do any of the issues you have been talking about matter in terms of the preoccupation of this Committee?
483. KEVIN FLACK: I think just two points to add on there: first of all, currently the MPs' Staffing Allowance is lumped in with all their other expenses and allowances, and so members of the public will see from the media that, "An MP receives this amount of money from you, the public, every year", and it seems to me that one thing on that, if it needs clarity, is to take the Staffing Allowance completely separate, and away from the MP's allowances, so it seems separate. So most people just think the MP gets the money in their back pocket.
484. SIR CHRISTOPHER KELLY: Of course, that is the argument that led people towards central employment.
485. KEVIN FLACK: It has indeed, and I am sure that was what was the political motivation behind the very point you made right at the very start of this

afternoon, yes, I am sure that was the political motivation behind it. As I say, I think that would be very important.

486. Also, I think it is very important I think that the public sees what we do and that we are not just there to support the individual MP, we are actually there to provide a service for the public.
487. SIR CHRISTOPHER KELLY: But you still have not given me a reason why this Committee should be concerned about trade union recognition and pension schemes and --
488. DAN WHITTLE: I do not think you can have public confidence in a system that is all done in private by a committee of MPs deciding what their staff should get. You are opening everything up, and we completely support that, we rely on good faith from politicians, and part of that is removing their pay, their conditions, how that is all set, to be done independently. I think you should do it with us, because they have control over the bonuses, who they employ, how they are paid, so the pay scales and contracts goes to the very root of what they are able to do, and I think the public would want to know and that is why it is a standards issue.
489. SIR CHRISTOPHER KELLY: Thank you.
490. SIAN NORRIS-COPSON: I just think that if the public see that employment is regulated as strictly as they probably see their own employment, then it is part and parcel of a more transparent political system, is it not?
491. AMY NORMAND: There are cases that I have come across where staff falling off the bottom of the pay scale and the public would want to know if their MPs are exploiting their staff I think.
492. SIR CHRISTOPHER KELLY: Thank you. Are there any final points that any of you want to make?
493. KEVIN FLACK: The only final point I have is, we have been talking very much about the individual employment of MPs and their staff. There are also a small number of collectively employed MP staff. The organisation we were working with particularly recently was the Parliamentary Resources Unit, which provides the parliamentary research and support to the main opposition party. I think it is very important that when a system is introduced that there is a flexibility in that system that allows for this collective employment, because it is a very good economy of scale often in terms of when we are talking about public expenditure, as well as providing a more transparent way of actually employing people.
494. SIR CHRISTOPHER KELLY: Does that not also suggest that central employment can be made to work?
495. KEVIN FLACK: Exactly, yes.

496. SIR CHRISTOPHER KELLY: Does it not also suggest that some of the stuff about loyalty to MPs and the importance of employing family members because of the particular characteristics they bring can also be overdone. There are alternative arrangements that do not require those characteristics?
497. KEVIN FLACK: It may well be the case that the unit in question employs family members, I do not know.
498. SIR CHRISTOPHER KELLY: But not on a one-to-one basis?
499. KEVIN FLACK: No.
500. DAN WHITTLE: Just a general comment, I think reform of staff will probably be one of the hard tasks for the Committee, and I do not think it is something that you will get very much press interest as compared to the second homes, or the other allowances, but I just wanted to impress that it is extremely important to the 2,000 to 3,000 people that are employed, and some of these issues that we have raised will not go away unless they are dealt with in this Committee, because it has been 25 years that our union has been raising these and there has been failure to get consensus in the House of Commons, so we do have a lot of hope for this Committee's views on them.
501. DR ELIZABETH VALLANCE: Can I just ask one very practical question in that context, the like motif running through this has been your criticism of management in the sense of the management structures, the processes and so on of the House, and a lot of the ills that you see there. Would you be in favour of a chief executive for the House? I know now the Clerk of the House is called the chief executive, but a real chief executive.
502. KEVIN FLACK: Yes, provided the structure was clear. You could quite easily appoint somebody as a chief executive and hide them within the building. It is the structure that is important.
503. DR ELIZABETH VALLANCE: But a chief executive might actually produce that structure or run it. Thank you very much.
504. SIR CHRISTOPHER KELLY: Are there any final comments?
505. SIAN NORRIS-COPSON: I would just echo what you said, we are very glad that you are looking at staff and we hope that you do look at it and you do take what we have said seriously, because you may get a different viewpoint from MPs, or from the Press, or the public, or whatever, and that we are all consulted on a fairly continuous basis, because if it is got wrong it will all have to be undone again and obviously we would like to see, if there is going to be a restructuring, that it is done well.
506. SIR CHRISTOPHER KELLY: Thank you very much, and thank you to all of you. You can be sure we will take what you have said seriously.

507. SIAN NORRIS-COPSON: And it will not be announced on YouTube.

508. SIR CHRISTOPHER KELLY: We will not be using YouTube. Thank you very much.

**HEATHER BROOKE, FREEDOM FOR INFORMATION CAMPAIGNER, TOM STEINBERG, DIRECTOR OF MYSOCIETY**

509. Our next witnesses are Heather Brooke, a Freedom for Information campaigner, and Tom Steinberg from MySociety and Theyworkforyou.com. You are both very welcome. Last time we met, you were interviewing me; now it is the other way around.

510. You have just given us an opening statement, which unfortunately we have not had time to read.<sup>2</sup> Bearing that in mind, are there points you particularly want to draw to our attention at the beginning?

511. HEATHER BROOKE: Yes. I was not sure how it was meant to go today, because I wrote it more for myself as to kind of talk about it, but if you want to just read it, or I can just talk you through the main --

512. SIR CHRISTOPHER KELLY: Well, there are a lot of questions we would like to ask you and we can go straight into that, but if there are points you want to highlight for us before start.

513. HEATHER BROOKE: Maybe I will just highlight this, because I have talked to you here about my sort of philosophy about why I do what I do and my experience with trying to get hold of MPs' expenses, which was not the easiest task, but I guess would it be interesting if I talked about my comparison, having done a similar sort of thing in America? I do not know if that is of interest.

514. SIR CHRISTOPHER KELLY: Maybe it is better if we go straight into questions, unless, Mr Steinberg, there is anything you want to say at the beginning?

515. TOM STEINBERG: Right at the beginning, a very short statement: I would simply say it is a great privilege to be here with Heather, given her incredibly important role, and we all know we would not be here today doing exactly this without her. I hope that once the political establishment has got over the rage and the pain that they see fit to reward Heather for the important task that she has done.

516. SIR CHRISTOPHER KELLY: Thank you very much. Maybe if we start with the questions then. If there are things that we have not covered when we come to the end, you will have an opportunity then.

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<sup>2</sup> The statement is appended to this transcript.

517. Can I just begin by asking you whether you had any idea what you had started?
518. HEATHER BROOKE: I did not, no. You will see in my statement and also the Guardian article I wrote - which I do not know if you can get a copy of that, it is on the website - but basically when I started this, it was only as a kind of supplementary exercise to go along with my book, Your Right to Know, which was telling people how they could use the Freedom of Information Act to get information. I thought if I was telling people what to do, I ought to sort of practice what I preach and do some actual requests myself. So I started the MPs' expenses request as a copy of one I had done in America, which was asking for my local politician's expense receipts, and there it took me about two days to get those receipts. I was not expecting it to be that efficient, but I did not expect it to be four years and going to the High Court and all that nonsense. As the establishment sort of stuck in and fought and put more and more public money into the fight against exposing this, I mean, it was kind of a logical conclusion to draw, that there must be something to hide, otherwise why would they go to such efforts? So I did not go for it initially because I thought, "Oh, this is a huge scandal I am going to crack open; British Government".
519. SIR CHRISTOPHER KELLY: Your explanation of the resistance is that they knew they had as much to hide as they did, rather than telling you something about the underlying culture.
520. HEATHER BROOKE: I have mentioned this in my document I have just given you, that I think it was kind of a combination of two things, really, just an overall sort of incompetence about dealing with Freedom of Information requests and data generally - which Tom, I am sure, will speak a lot about - just the way of accessing data electronically, the format it is in, which would not in itself be a problem, except for the way that parliamentary officials hoard it in this very miser-like way, that they will not accept any outside offers of help or assistance or advice - or anything, really - about how to make it easier for themselves and also the public. So there is that sort of incompetence problem, but then also there is very much a culture of us and them.
521. I know I was listening to the first day of testimony and I heard Harriet Harman deny that there was such a culture existing. I would definitely, definitely disagree with her on that. There is, and my sort of conclusion here that I say is that it is very much a culture of, "We know best" and it is a culture that I find particularly disrespectful of the public, because basically, throughout this whole thing, and even now with the solutions they propose, it is a distrust of the public generally; they just cannot be trusted to access information directly. Whether the officials think they are just stupid or too mean, I do not know. But I just find that whole attitude very insulting and I do not see that that has changed at all.
522. What I have said in my notes here about the Parliamentary Standards Authority, I find that again exactly the example of this culture again in action. It is not trusting the public with the details directly, but it is creating this whole

new bureaucracy - of which I know you made a good attempt at trying to find out some actual detail about how it was going to be comprised, but we do not really know any detail - and again, it is, "Trust us" so we are meant to again trust these politicians, who in return do not trust the public at all.

523. SIR CHRISTOPHER KELLY: Thank you. We will come back to the Independent Parliamentary Standards Authority in a minute, I suspect. Just sticking with transparency for the moment, do you think that battle has now been won?
524. HEATHER BROOKE: I do not. I think the rhetorical battle has been won, so politicians use all the right rhetoric now, which is a victory in one way. Certainly before, they were not even using it, were not even using, I would say, the correct rhetoric. You know, they really did not believe that transparency was good for democracy or that people had a right to know. So at least that has all come into the political vocabulary, which I think is good. So I think, yes, that battle has been won, but the actual tangible result has definitely not been won. So politicians will come forward with all these grand phrases about people's right to know and transparency, but then when you actually put them on the mark and say, "Okay. Well, I would like to have this information, please" or, "Let us hold this inquiry in public" then suddenly it is all different. You know, they somehow sort of manage to coalesce the rhetoric and the action, so I think when the action actually follows the rhetoric that will be the total victory.
525. SIR CHRISTOPHER KELLY: All right, but that is the general situation, a lot wider than just the issue of receipts and effects of publication of them on behaviour?
526. HEATHER BROOKE: Yes.
527. SIR CHRISTOPHER KELLY: When you saw the receipts and the amount that had been redacted when they were officially published - that is, rather than through the Telegraph - what was your reaction to that?
528. HEATHER BROOKE: Well, again, I think this shows that in the reality of actual, tangible result, the culture has not changed and I do not think the lessons have been learned, because it was such an obvious own goal, the way they published those expenses. I have addressed a couple of the things in particular: the redaction of the addresses, which that was part of the battle that I already fought in the High Court, and the fact that we went to such lengths. We did persuade three High Court judges as to why addresses should be published, and although they were private information, they were not sort of State secrets, it was possible to find them out, and that there was a legitimate enough public interest reason that they should be in the public domain. Then the fact that they passed a statutory regulation to supersede that court ruling, and then when the expenses all came out, we saw all those addresses blacked out, I just felt like they had not really taken any of those lessons on board at all.

529. The other big thing I noticed about the redactions was the travel receipts, so here you would find that that was the sort of very humorous ones, where you just had a sea of black, with £30.90 for a train ticket. You do not know where it was to, where it was from, what date it was, any of that. Again, that I found problematic from any accountability standpoint, because what happened up in Scotland was that a couple of MSPs ended up having to resign over misuse of travel expenses. The point was that they were claiming for travel either to go to their regular day job, which was not allowed or they were claiming when they were not doing parliamentary work. So when MSPs were coming back from a big night in Edinburgh and got taxis regularly, they had to pay that back. Well, the way the receipts are published - the official version - all the information necessary to check that is blacked out. So those are my two main issues about the official version.
530. SIR CHRISTOPHER KELLY: So going forward, what you would like this Committee to recommend about the publication of receipts is that the actual receipts should be published, and they should be published without the addresses and the destinations being blacked out?
531. HEATHER BROOKE: I guess there is two ways to do it. There is a kind of practical but sort of more casual way of doing it, which is just to have all the raw receipts and just allow people to go and inspect them, or if they are going to be published for everyone to see, then at least the redactions should be in line with the High Court ruling. There was a ruling where they had seven categories of acceptable redactions. Well, initially the House of Commons said they would stick to those and only redact that information, but then they have gone beyond it, without telling anybody, I might add. These things always happen in this air of rumour and innuendo; nothing is ever written down and you never know who has made the decision. It just comes out of nowhere.
532. So, yes, suddenly I found out that they were going to redact - not just redact, but delete - from the public record all the communications between the MP and the Fees Office. There had never been any discussion about this. It was never publicised in any way. There is no scope in the High Court ruling to allow for that, so I would say, yes, either/or: make them all available in their raw form for people to inspect; and/or if they are going to be published online, then at least they should meet the standards of the High Court ruling.
533. SIR CHRISTOPHER KELLY: Mr Steinberg, your expertise is in making complex and not so complex information available. What would your recommendations be about how in future information about receipts and expenses should be published?
534. TOM STEINBERG: Sir, I am here specifically as a sort of subject expert on the technical side of this, and I am very grateful that you have gone straight to the question that I have researched the most thoroughly. The top line clearly is that expenses need to be published online as quickly as is feasible, and that I have seen in many of the evidence documents that other people have submitted to you. However, I think we should step back for a

minute and think that form of recommendation, worded in a way like that, is going to be a very similar recommendation to the one that was passed on to some officials within the House of Parliament that said, "These documents should be redacted". Essentially, if you hand on a recommendation like that, and it is not very precise, and the task is quite technical and quite precise, then what we can be absolutely certain of is that it will be done in the way least compatible with public access to information, least high-tech, least compatible with the internet generally, and most problematic to everybody concerned. So it becomes very important that your recommendations, if they choose to endorse publication at all, that they are relatively precise. The written recommendations that I am going to provide you are going to be a bit different from others. We are actually going to be almost quite technical here and say, "You should have this and that".

535. SIR CHRISTOPHER KELLY: So you are going to give us some?

536. TOM STEINBERG: Yes, I am. I am sorry I did not get it to you beforehand. There was a little mix-up with the dates. The short line though is that the redactions and all the other information needs to be stored in a database form. Now, if you will forgive me for going technical for a second, what this means is that unlike when the information was put out last week, which was essentially the electronic version of a lot of photocopies, a database is a thing with what is called structured information, information where under one heading there is a certain category like, "This is an expense" or, "This is a date" or, "This is the name of MP" or, "This is the name of a company" and so on. When you have structured information, you could do lots of things that you cannot do at the moment, you can do them quickly.

537. So at the very simplest level, it would have been impossible to take all those documents put out and say, "How much were all the expenses put together?" That is not a very hard question, but you would literally, if you were to start from those documents, have to count through and write down thousands and thousands of numbers. That is clearly a waste of time and money for everyone. The receipts for expenses - and in fact, everything to do with MPs' finance, essentially - ought to be stored, in the first place, in a database that is used by whichever authority it is that is responsible for administering the handing out of funds. Then that database ought to directly both be used for the administration day-to-day, "Your receipt is approved; it is not approved; here is payment; here is non-payment". But the same system ought to be responsible for actually just then putting that information on the internet.

538. There should be a dissonance; there should not be a phase, as happened here, which some big internal process in an invisible black box finishes and they kick out a load of documents that have no connection to the original at all.

539. So without again going into much more detail - I can give you more examples of why this is worth doing, but I will just skip those for the minute - the total example, the inability to find a total, is an incredibly simple example of

what you cannot do currently. It is to say that you should recommend that whichever authority it is that you recommend administers expenses and allowances develops its own piece of software for this purpose and it develops that piece of software in a form that is known as open source. That means that the source code that makes the software work is reusable elsewhere, examinable by the public. So once it is finished and in place and it is being used day-to-day, you will be able to pass it on to councils, to other assemblies here or in other countries and they will be able to use it.

540. That would be a way of leading and showing this is a good way of managing expenses; this is a trustworthy, technical system that gives the users as much as possible, as quickly as is feasible and does it all and matches the needs and the expectations of essentially a modern public, and at the same time, passes the message on and says - and we are really hoping this will happen elsewhere in the public sector - by the way, here is a lot of very good quality software. I would not recommend that you suggest Parliament delivers that software.

541. SIR CHRISTOPHER KELLY: Just a couple of questions on that. Am I right in thinking that systems of that kind, without necessarily the open source, are already in existence in a number of large private sector companies?

542. TOM STEINBERG: There are expenses systems out there. I am myself not a subject expert. What needs to be a bit different about this one though is it needs to be excellent at the maintenance and the vetting and the awarding of funding, but it also needs to have a set of features that essentially allow someone to press a button and say, "This is now public". That almost certainly does not exist in the private sector world, and that would be the bit that you would have to essentially make as an addition, but it is not rocket science.

543. SIR CHRISTOPHER KELLY: But the point about the parallel with the private sector is that when you have computerised systems of that kind, some of the policing becomes automatic, because it can highlight exceptions and unusual patterns and so on.

544. TOM STEINBERG: I would, for example, like to be able to set up a very simple email alert. These are incredibly popular, and they work for you, and many thousands of people get sent mail, for example, when their MP speaks in Parliament; it just says, "Yesterday, your MP said these words". I would just like to be able to get an email written by a computer, not by a person - because I do not want to pay anyone to do this - that just tells me when my MP claims anything over £1,000. That would be an entirely reasonable thing to expect. It would be not difficult; in fact, incredibly cheap to do once one had built the correct underlying system and it would be the sort of thing that I think people are going to want in this post-scandal era.

545. SIR CHRISTOPHER KELLY: Do you have any handle at the moment on the cost of providing such a system?

546. TOM STEINBERG: I think that a pretty good system like that would probably be deliverable between about £70,000 and £150,000.
547. SIR CHRISTOPHER KELLY: So a lot less than is claimed for the exercise of putting four years' receipts on to disk is alleged to have cost?
548. TOM STEINBERG: Yes, and it is a slightly different task than that, because it would be going forward, rather than reaching into the past, but yes, you can see why it would clearly cost less if when one filed an expense, if you were scanning it and putting in the database yourself, then it goes without saying that someone does not have to be paid to do that at some point in the future.
549. SIR CHRISTOPHER KELLY: Thank you.
550. DR BRIAN WOODS-SCAWEN: There is a common belief that openness, transparency builds confidence. What we have here is a case study of how transparency destroys confidence. Is it possible for Parliament to restore its reputation?
551. HEATHER BROOKE: Oh, can I answer that? I would say what this is an example of is why secrecy destroys confidence. It was not the openness that destroyed it, it was the way that Parliament reacted to sustained attempts to get openness, and if they had actually just been open right from the very beginning, then I do not think this story would have had nearly as much traction or explosive result as it has had as an end result not of really what I have done. I mean, I do not really feel like I have done that much. Really, it was the Speaker and officials in the House of Commons that did the most to make this story to have such sort of catastrophic results. So I would not say it is in any way endemic of why freedom of information is bad for democracy. I mean, this is actually what a democracy is. It is where people are informed and they get very agitated and they start lobbying for change. It is not where Parliament, where a politician or anybody in power just decides on something and everybody obediently does what that person says, which I kind of feel is how that was the mentality in the past, but that is not a democratic philosophy in any way.
552. DR BRIAN WOODS-SCAWEN: But the second half of my question is it possible to restore confidence?
553. HEATHER BROOKE: It is only possible if there is a real commitment, and I do not mean just in the right words, but also in action, to trusting the public and being more open.
554. DR BRIAN WOODS-SCAWEN: Have you seen evidence of that yet?
555. HEATHER BROOKE: I see some evidence, but when I heard Harriet Harman talking about the Parliamentary Standards Authority, I was like, "Oh gosh, here it is again, 'Trust us, but we are not going to give you any information'" and that is exactly the wrong attitude. I mean, that is not a

rationalistic approach, "You should only trust people when you have seen their evidence and you have decided on a balance of benefits and disadvantages that that was the right thing to do, not just blindly put your faith in somebody and trust them to do the right thing".

556. DR BRIAN WOODS-SCAWEN: Is this restoration a task of years?
557. HEATHER BROOKE: I do not think so. I remember a number of police departments in America had huge public relations problems, New York City police and New Orleans police, I mean, really just terrible, a similar catastrophic destruction of their reputation because of things they had done. Generally when these things happen, there is two ways from a public relations standpoint to deal with them. One is that you pretend there is no problem and you just carry on brushing the problems under the carpet in the hope that you can bamboozle the public to believe your propaganda and not the actual facts in front of their eyes, or it is to just be completely open about what went wrong and show, I guess, a sort of humble willingness to be open to change and to be transparent.
558. DR BRIAN WOODS-SCAWEN: Well, let me just press on that. How much humility are you seeing?
559. HEATHER BROOKE: Oh, I guess from certain people, there has been a lot.
560. DR BRIAN WOODS-SCAWEN: I mean, we are seeing lots of people who are saying, "The rules are wrong" and lots of people saying, "I wish it had not happened to me". Neither of those arguably are humility.
561. HEATHER BROOKE: I think there have been some of the right moves, but I was talking to some lobby journalists, and they all say that if you actually talk to individual MPs, they still do not feel like they have done anything wrong. They will see the other MPs have done something wrong, but when you actually ask them about themselves, then they still think that what they have done is perfectly fine.
562. DR BRIAN WOODS-SCAWEN: We will speak in a moment about some of the specific proposals, but more generally, do you think there is a risk that things are put right too quickly and that therefore the remedies do not actually do the job?
563. HEATHER BROOKE: Well, I guess there is a danger. The problem your Committee faces is there is a danger that you do not want to wait too long, because there is a history in politics that if you do not want to deal with a problem, you just put it off indefinitely, either in a Committee or through some kind of public consultation or inquiry, which I think the public is concerned about. When they have a Committee and it is not going to report until the fall, they think, "Oh, this is just being punted off, so waiting until the public forgets". But then equally, I think there is a real problem with this Government in particular about just reactionary ways of adapting to crises, and it just seems it

is like a rolling, going from crisis to crisis with nobody sitting back in a thoughtful way and thinking, "What actually will solve the problem?" So I do hope that you are not overly influenced by all the reactionary proposals that are being put forward, and do just sort of sit back and think, "What actually will solve the problem?" because I do not think that is happening in Government.

564. DR BRIAN WOODS-SCAWEN: Implicit in what you have been saying, and let me test this with you is that there has been a systemic failure of commitment to leadership and to accountability and to openness to the principles of public life. Is that a fair summary of your position?

565. HEATHER BROOKE: Yes.

566. DR BRIAN WOODS-SCAWEN: Thank you.

567. DR ELIZABETH VALLANCE: We will come to the Parliamentary Standards Authority now, which I have rather gathered you are not a great fan of. Can you say a little more than you do in your statement to us, perhaps if you could expand on that a bit? Is it that you think again that it is a rather secretive kind of body that is being thrust on us, that we do not know what it is about, that it is trying to do much or too little or what?

568. HEATHER BROOKE: The real problem with it must be that there is really no information about what it is, how it is comprised, the people on it, how were they appointed?

569. DR ELIZABETH VALLANCE: The Bill has been published now though, of course.

570. HEATHER BROOKE: Has it? Okay.

571. DR ELIZABETH VALLANCE: Yes, so there is a bit more information.

572. HEATHER BROOKE: Again, though, as we were just saying, it does seem to me remarkably reactionary. I mean, seeing how long it takes Parliament to pass most Bills very clearly in the public interest, the fact that they can turn this around so fast is a bit worrying, because it is a lot of expenditure to create any new Government body. It is not just the cost of finding the place, the people in it, but you are creating a whole new layer of paperwork and systems and forms et cetera, so something like that should not be gone into lightly, and I just feel that it has been done without very much thought about the long-term consequences.

573. DR ELIZABETH VALLANCE: Is it your view that because this is an issue of individual MPs taking a moral stance, an issue of culture, as you have said, that in fact producing a body and a set of rules is actually not going to deal with the problem?

574. HEATHER BROOKE: I do not think it will, because for my Dispatches programme, I actually had to read the rule book very closely. I took it to a

lawyer and he read it as well, and we actually found the rules were not so bad. I know everyone keeps saying, "It is within the rules" and so people now think the rules are terrible, but when you actually read the rules - at least the old version of the rules - they are not so egregious.

575. DR ELIZABETH VALLANCE: This is the Green Book?

576. HEATHER BROOKE: Yes, the Green Book. The rules state clearly that it always comes down to the individual MP being individually responsible for any claims they put forward, and when you read all the receipts online, they have to sign a statement saying, "I am only claiming these costs wholly, solely and necessarily to perform my parliamentary duties". So it strikes me that it is not the Fees Office or even really the rules that are at fault, it is the lack of accountability of knowing who is in charge of the whole system of expenses, or even knowing how that system works, and the lack of transparency and for the public directly to see what is being claimed. So I do not see that creating another bureaucracy is going to solve that problem.

577. DR ELIZABETH VALLANCE: But do you think that outsourcing, if you like, or making the Fees Office or the Fees Office function independent might be helpful? I mean, we have heard from a lot of people the suggestion that the problem was to some extent with the Fees Office, in the sense that, again, the culture was a culture of serving MPs, and that therefore when MPs came with a claim, the Fees Office would bend over backwards and try and deal with that in a favourable way. So if you take it out of the context of the general culture of the House in that sense, and give it to an outside and independent body, might that not be a step in the right direction?

578. HEATHER BROOKE: It could do, but what I see is generally a problem of regulatory capture. I mean, it happens with all regulators, that their main relationship becomes the people they regulate, and it becomes very close. Just because it is a new one, okay, initially they will not have that relationship, but it will not be long before everybody in that new office knows all the MPs, because they will be talking all the time, and they will get to know each other. Again, it will, I feel, become captured by the interest it is meant to regulate. There is only really one regulator who can never be captured, and that is the general public, because there are too many of them. You just cannot capture the interests of every single member of the public. There is always going to be some renegade person out there who you just cannot persuade to your line of thinking, which is why I think that these expenses should be directly available to the public, and they do not need to be filtered through another bureaucratic institution.

579. TOM STEINBERG: Sorry, do you mind, because I wanted to make a handful of suggestions in relation to this independent authority, assuming it exists, and the first - and really the most important - is that it is going to be covered by the Freedom of Information Act, and that should be considered nothing like good enough when it comes to transparency for this organisation. We have the Act, I am glad we have it, we would have a worse country without it. It is not a particularly strong Act, and in this particular situation and the

history we have seen over the last few years in this particular area, its weaknesses are really substantially exposed.

580. I would like you to recommend certain things that are beyond the Freedom of Information Act obligations to this new entity, for example, to echo the Information Commissioner, as he was just giving speeches in leaving his job last week, the pre-emptive automatic publication of documents which are not specifically marked as private, so in other words, instead of waiting until people make requests, simply putting out all your documentation that goes on internally, unless it is marked private for some reason. There are reasons it would be private. If someone makes an accusation and says, "This person has done something and it is clearly vexatious" or even if it is a real accusation, but it still would be criminal, for example, then that sort of thing this body should be allowed to kind of exempt. But generally, everything it does should be public. There is one really specific reason for this, which is that one of the great problems with the Information Commissioner's Office over the last few years is its relationship with its funders, the rest of the Government, and clearly there have essentially been memos and meetings where it has been acknowledged, "We are being a pain to the Government, and therefore it is not surprising we are not getting very much funding this year". I am particularly concerned about what appears from the Bill, to my reading, to be the yearly funding model of this organisation, which appears to be absolutely ripe for abuse, essentially, for example, "We did not like what they did in the last six months, so next year their salary is going to be halved".

581. DR ELIZABETH VALLANCE: The yearly funding through the House, through the Speaker's Committee?

582. TOM STEINBERG: Yes. I mean, in an ideal world, it would be a totally separate bit of Government, and actually, even better than that, probably an entirely independent source of funding, like a trust or something set up especially so that funding could not become an issue for this. That is secondary, I think, to placing certain demands on it in line with what the Information Commissioner said, for it to be transparent above the level of the requirements of the Freedom of Information Act. I have suggested just one here, which is the pre-emptive publication of anything that is not explicitly secret. I would encourage you to think about this entity from the perspective of what do FOI laws in other countries have more generally that we could cherry-pick to mean that this organisation, which is so important, is much more transparent than other public bodies, and therefore, to be honest, more trusted and therefore help to restore wider trust, because it does not itself seem to be quite as capturable.

583. I would like, for example, letters from the Prime Minister or the Leader of the Opposition that go to this in response to be public, and the reason to do that is not to cause a scandal or a fuss or newspaper headlines, it is explicitly to make this more trusted, so this can drive trust, which as you suggest, is in a very valid way.

584. DR ELIZABETH VALLANCE: I suppose the devil's advocate response to that - although I hear what you say and would endorse it, if it did in fact make the organisation or the new body more robust - is that if you insist on these kind of standards, first of all you might well have an awful lot of things suddenly becoming private, so you redefine private, or you have real decisions taken in a way that you make sure are not in documentary form, because then you do not have to publish them. So it is the argument about if you make everything explicit on a board or whatever, then the decisions move out into the corridor. That is clearly a problem, is it not?

585. TOM STEINBERG: It is a problem, but I would like the rules for this organisation to suggest that conversations are expected to be had not in those corridors. I would like essentially the intention of the organisation to be manifest in its own transparency. There is actually one other specific transparency recommendation I would like, which is that I would like it to be able to handle appeals for redactions to be unredacted, essentially; specific ones. So one of the problems in the last few weeks was single pieces of information, where people felt that they should not have been redacted, it was either a mistake or something worse than a mistake. This entity, I think, ought to, as part of its remit, have some channel, which people - not just members - can say, "I would like to lodge a request for this to be examined internally by you in case they made a mistake or in case there is something worse" and either kept or modified. Again, if you have a good piece of software, that will become extremely easy to file, extremely easy to manage, extremely easy to redact or unredact.

586. DR ELIZABETH VALLANCE: Presumably your point would be that that would actually feed into a culture of openness, that there is not actually a split between a culture and the rules, but that what we ought to have rules backing up a certain culture of openness, which would then, in a virtuous circle, develop into a certain way of thinking?

587. TOM STEINBERG: I am afraid I think you are only going to get a culture change with a relatively big stick. To my mind, the test that the culture has changed, not the rules, is when any one piece of information is ever released by Parliament that they did not have to. That will be the sign that there has been a shift, because at the moment, we are talking all about their compliance with what the judges said and their success or failure. What I am looking for is signs where they go, "You know what? The Freedom of Information Act does not make this obligatory, the High Court does not make this obligatory, but you know what, it is in the public interest". That will be one of the litmus tests to know whether the rules - and I think there need to be a lot of strong new rules - have succeeded in rewarding MPs enough for transparency that they start to do so proactively.

588. DR ELIZABETH VALLANCE: You give us a note of some of this?

589. TOM STEINBERG: Yes.

590. DR ELIZABETH VALLANCE: Thank you.
591. DR BRIAN WOODS-SCAWEN: Can I ask about outside interests, because we are shortly going to be moving into much greater disclosure of outside interests. What impact do you think that is going to have?
592. HEATHER BROOKE: I do not think there is anything per se wrong with MPs having outside interests. The problem again is about transparency of how many hours they work, how much they are getting paid, how much does that take away from their job as an MP? So as long as all that was fully documented, whether or not it is right or wrong for MPs to have outside interests, I think that is a different argument that needs to happen in public, and the public will decide what they want out of their MP. But at the moment, the public cannot have that debate, because they do not know the extent to which MPs are working outside of their parliamentary role. So my point would be, as a campaigner, that they need to have all that information before they can really have an informed debate about whether it is right or wrong for MPs to have second jobs.
593. DR BRIAN WOODS-SCAWEN: There are those who say that being an MP either is or ought to be a full-time job, and that therefore, substantial outside interests distract from your ability to discharge the role. Do you have any view on that?
594. HEATHER BROOKE: Well, again, it is as I said. I do not particularly have a fundamental objection to MPs having second jobs, as long as everybody in their constituency knows about it and knows the extent to which that job is influencing their work as an MP. If the public think that is fine and they still think they are getting value for money and enough time from their MP, then that would be all right.
595. TOM STEINBERG: I would go a little bit further than that, which is that if it is adjudged the right thing that MPs continue with having outside employment - and I do not have any very strong views on that - what I would say is that they should be expected to disclose about that work actually somewhat more than normal people are expected to disclose. I am expecting in the very near future to see a slew of very vague job titles and very vague salaries and that is a bit better than nothing, but it would be nice to know more. I think it would be reasonable to expect, for example, companies to provide templated descriptions of what MPs are doing, so as in Parliament could provide four or five headings under which the job would be described. It does not have to be what they do every day, it does not have to kind of give away corporate secrets, but I think for constituents it would be a very powerful piece of information to have an understanding about what sort of work these people are doing, and almost more important than just knowing how much cash they got.
596. HEATHER BROOKE: I would also say the register of interest is great, except for what Tom was saying, that the limits are way too broad. For example, you will find an MP like Boris Johnson - who is way more of a

successful journalist than I will ever be - with his gigantic income, but you do not quite know what it is because the ranges are so huge. It will just say, "Up to £2,500" and that could be anything sort of around in there, so I would say they need to just actually be, if not the exact amount that was given, a much more restricted range.

597. DR BRIAN WOODS-SCAWEN: You mentioned registers. There is a view that registers are not always the solution to transparency because they can be difficult to access, they do not give all the information that is required. Do you subscribe to the view that registers, of themselves, are not enough?
598. HEATHER BROOKE: I think they are certainly a very good step, and my solution to not having enough information is not to shut down that source of information, but it is just to add to it, so I think the registers are good. Certainly they could be improved upon. For example, the limits of outside income could be more exact. The biggest problem with the registers is there is no enforcement of them, really. There is pretty much nothing, so we often see scandals where somebody has been caught out, like George Osborne, when he did not register that he was entertained on the Russian mogul's yacht. There is nothing to sort of really police or enforce that people actually register all their interests, and there does not seem to be any sanction when they do not. I think there should be sanctions if they do not.
599. DR BRIAN WOODS-SCAWEN: You are both suggesting that disclosure, not just in this area, but elsewhere, should be broader and deeper. To what extent is there a risk that you get precision for its own sake that is disproportionate to the benefit by specifying the amount of detail that should be disclosed?
600. TOM STEINBERG: I think that there is very little risk of that. This is one of those problems that I think perhaps was more difficult essentially in a paper and pen era, where more detail literally meant more clerks and more typewriters and more paper and more filing cabinets and more time. It is, as far as I am concerned, incredibly easy to cut and paste a job description into an official register, and that is not a specific problem. The reason for there being boundaries of income declared, for example, that just strikes me as curious. It probably actually takes more time to work out which of things it will be than just to type the number in.
601. DR BRIAN WOODS-SCAWEN: If I were a member of Parliament and I disclosed, because I was required to, that I had spoken for half an hour and got £150, which I had given to charity, what does that do to the sum total of human happiness?
602. TOM STEINBERG: Well, some might say the fact that somebody had claimed a bathplug was of no interest, and yet it turned out that a large number of people disagreed quite profoundly, so I think that is probably your answer.

603. DR BRIAN WOODS-SCAWEN: Can I ask you finally a question about former ministers' employment? A number of former ministers - and I guess this will become clearer with the current round of disclosures - have one, two, several outside roles, some of which are pretty well-paid. There are those who argue that they get these jobs not because they have some unique set of talents, but because they have contacts and relationships which are perceived to be valuable. Do you think that this is an area that needs closer attention, and if so, how?
604. HEATHER BROOKE: I definitely think it needs more attention, because what that minister is basically selling is not so much their expertise, but their contact book and their access to other people in power who make law. Again, this is in my notes there, I have said there is a kind of class divide in access to information: there are people in power that have access to it, and there are people that do not.
605. I think a good example is just this issue of not knowing who is responsible for what. The general public has no clue about who is responsible for what in government, central government, and local government. Any type of public service generally, there was anonymity around who does what, who is responsible for these policies or these decisions, for example, the Guardian fought quite a lengthy battle to get the Ministry of Defence staff book which lists all the people that work in that government department.
606. Well, this is a book that is given out, free, to most arms traders, and yet the public who paid for this book, and in whose name these people are all working, the Ministry of Defence would not give it out.
607. That is what a company is paying for when they get a minister on their board is basically they have that staff book with all those contacts, which the general public just do not have access to, and I would say that is wrong.
608. So either you make all that information available to the public, or you put much stricter limits on how politicians can move into sectors of which they used to regulate.
609. DR BRIAN WOODS-SCAWEN: What kind of additional restrictions would you look to impose?
610. HEATHER BROOKE: Well, just whole way the appointments committee works. Again, this is a very opaque, secretive body. I made some freedom of information requests (as I do), trying to find out how they work, and how effective they are - the ones that approve ministers' outside employment.
611. But they do not seem to meet very often in public. It is mostly done through letters; none of these letters are public. You do not know, the public has no idea who and what jobs have been rejected.
612. You only generally know the ones that were approved. So that would need to be much more transparent how that system of appointments approval

works. Then we could have a public debate about what is the time limit between being a minister, and then going to work at a board of a company of which you used to pass legislation.

613. DR BRIAN WOODS-SCAWEN: Okay, thank you very much.

614. SIR CHRISTOPHER KELLY: I think it is even worse than you describe actually. I think the way the business appointment rules work is they are binding on civil servants, but are not binding, only advisory, for ministers. Am I right?

615. LLOYD CLARKE: A couple of questions if I may, but firstly just to test something that has been said. It seems to me there has been quite an emphasis on what you have both to say in respect of rules, and the need for rules, and rules to be complied with et cetera, et cetera.

616. Does that mean in reality that a principles based system is so discredited now, and I suspect, Mr Steinberg, that the litmus test is the only way of coming back to a principles based system, but that is some way in the distance? Is that a fair summary and a fair comment?

617. TOM STEINBERG: Morals exist in societies and they come from all different places. Sometimes they come from nature, sometimes they come from celebrities, sometimes they come from religion.

618. In the case of Parliament, there are just so many strong incentives to behave what can just be roughly termed as amorally, and the rewards are sufficiently substantial that I think it is one of those parts of society where the rules need to be relatively strong. Other feel less so, it is just a side effect of the amount of power and money available there.

619. I do not think they are actually bad people. I just think they are humans, and I do not know if I would behave a great deal better offered such a substantial amount of money to patch up my crumbling house.

620. As a consequence, I have actually quite resisted being adverse to the views about a need for a new moral generation. I mean, what behavioural economics and modern psychology seems to suggest is people respond to all sorts of incentives and pressures.

621. These people have masses of incentives and pressures. I think we should structure those so that they have reason to behave better and fewer reasons to behave worse.

622. Looking for angels, relying on them being angels? Why would we do that when there is a perfectly decent ability to constrain them with rules and with transparency?

623. LLOYD CLARKE: Okay, thanks for that. One of the things that has perhaps become apparent to us as well since we started this inquiry is that

there seems to be a lack of understanding about the work and the role of an MP by the wider public.

624. Now bearing in mind that you are both advocates for transparency and campaigners for greater public knowledge, then there is a Communications Allowance so therefore is that a good or a bad thing, and has it been used for good or ill. Then the second proposition that goes with that is that maybe there should be a requirement on MPs to actually put into the public domain, for example, an annual report giving factual information.

625. Do you have views on that, and particularly yourself, Mr Steinberg, how that might be achieved at the least cost?

626. TOM STEINBERG: In order to keep within my domain of expertise and not do what I just did before and just wander off into personal views, I would simply say there clearly is room for more resources to be allocated to systems that mean a modern British public that gets its information in new ways can be served better. So just to give an example, we have been pushing for a couple of years for Parliament to revise the way it publishes Bills.

627. Bills are important. They are put online in a terrible way. Most people cannot find them. You may have found this trying to find a Bill we are talking about today, and that could be improved. That is worth resources.

628. The specific Communications Allowance, I think is problematic but I am going to simply not really say more.

629. LLOYD CLARKE: Okay, anything that you would wish to add?

630. HEATHER BROOKE: Also the Communications Allowance, again in itself may not be problematic but it is the lack of transparency around it that is problematic.

631. So the fact that it can be used for party political material and that it gives an incumbent an advantage in an election.

632. LLOYD CLARKE: Sure.

633. HEATHER BROOKE: And the only way to know whether that is not happening is, for example, I know I have covered some governments in America where anything that is sent out in bulk mail to the citizenry has to be published. So you can check it and anybody could check it.

634. That would be a really simple way to keep that allowance, and the public would be able to police the fact that it was not being used in a party political way because all the documentation would be up there for people to inspect.

635. LLOYD CLARKE: Okay. On a completely different subject, it is also interesting that you mention the Scottish MPs and the systems there.
636. Interestingly enough, Scottish MPs are required to put all details of their mileage claims down. Not so here at the moment, so should MPs do the same? Should there be a total transparency by virtue of record keeping in terms of, for example, mileage allowance which they do not have to report separately at the minute, just a total mileage allowance over a monthly period?
637. HEATHER BROOKE: I would think so. I mean, that is how most expense regimes work in the private sector. If you are claiming for car travel, you have to state the mileage that you have claimed for, as it is a certain amount of pence per mile. You have to know how many miles you have done.
638. LLOYD CLARKE: Sure. Okay. Final question, knowing what we know now, was there anything that was missed out in the tribunal judgment that now you would have liked to have seen added in there to make things even more transparent?
639. There were lots in there. There was lots of guidance given but it was not necessarily followed but from your perspective, could that even have been better?
640. HEATHER BROOKE: My main issue with the tribunal ruling was some of the allowed reductions I thought were too broad. So for example, I thought they needed to be even more narrowly drawn because I thought if you gave full discretion to the people who have the most to lose to be self-regulating.
641. LLOYD CLARKE: Can you give us an example of an allowance where that might have applied to?
642. HEATHER BROOKE: The two main exceptions were privacy and security, and this security one in particular, I mean that is how Julian Lewis MP got the second homes allowance law changed because he came up with this scenario about enraged constituents finding out where their MPs lived, and doing a bulk mail of anthrax to every MP, which if you want to make policy based on the imagination, that is one thing.
643. LLOYD CLARKE: Although interestingly enough, there was no evidence given to the tribunal at all in respect of security issues, even though it was almost asked for, but none was forthcoming.
644. HEATHER BROOKE: No. That is a theme, I find, dealing with the comments is that they always over-inflate the costs of secrecy by creating imaginary problems, and devaluing the advantages of openness by ignoring the benefits of it.
645. LLOYD CLARKE: Thank you very much.

646. TOM STEINBERG: Can I answer the same question, if you do not mind?
647. SIR CHRISTOPHER KELLY: Yes please.
648. TOM STEINBERG: I am of the view that every job comes with risks. One of the jobs that comes with being an MP is that you might be blown up by a new Guy Fawkes, or you might be, as has happened tragically, attacked in your own constituency surgery, and I think that we have now seen that there is such fraud possible through the concealment of home addresses, fraud that I do not think people have even really thought possible before, and the public now think it should be just part of what is expected of an MP that their home location is public.
649. Ironically, of course, to stand for election you already have to do that, so it is already the law in part. I would like to see a really firm line that just says, "We do not buy the security argument. You have risks already. You are at risk all the time, particularly in surgeries, and this is deeply inconsistent with the fact that you have surgeries at which you allow yourself to meet the public."
650. I would just like you to come down very firmly and say, "All locations on all receipts should be published in the future." Most people thinking of standing for election to be MPs in the future should just see this as one of the things that comes with the job.
651. SIR CHRISTOPHER KELLY: Okay. With no exceptions? Not even when there is an acknowledged security threat because of a stalker or whatever?
652. TOM STEINBERG: I suppose, you could potentially put an exception in for cases where police were willing to endorse a specific threat, and also this is a thing that happens sometimes with us in relation to our freedom of information website, where the person who is making the complaint can show that they themselves have taken any measures whatsoever to mitigate this.
653. So what I would not like to see is somebody having their published address put out as part of them standing for election, knowing they are at risk because they have some problem stalker essentially, and then not moving or putting up any security or doing nothing that appeared to suggest that they took it seriously.
654. We have put an analogous excuse which is sometimes offered by local councils into unacceptable reasons for us to remove things from our freedom of information site. If you say, for example, "I am a member of a council, and my name is on your freedom of information site because I respond to requests, please take it down. It is a risk." We now require that you show evidence that your council has tried to remove every reference to your name and that your line manager says that this is a real risk, not an imaginary one,

and I would expect an analogy just with the police, rather than management.

655. SIR CHRISTOPHER KELLY: Thank you. Before we finish, can I clarify one point from an earlier exchange, when you were talking about moving forward on receipts, you talked about an open source database which can be interrogated easily in the ways that you have suggested, is that instead of publishing the receipts themselves, or as well as making them available.

656. TOM STEINBERG: No, the receipts sit inside the database. So you have, for example, the name of the MP and the amount of money but there is also a copy of the image of the receipt with preferable as little reduction as possible.

657. SIR CHRISTOPHER KELLY: Would still be there, okay, that is fine.

658. TOM STEINBERG: One of the very specific problems you have solved recently with this is at the moment, we do not know exactly why a reduction happened, as in we do not know who did it. If the actual receipt is in the right box in the database, you can say literally, "Who did this? Which member of staff? What were you thinking? Were you right or wrong?" and you can tell people how to do better next time.

659. SIR CHRISTOPHER KELLY: Thank you. And a final question is either of you worried about the effect of greater transparency upon the quality and experience and background of people prepared to come forward to stand as members of Parliament? I know the answer, but I am obliged to ask the question.

660. HEATHER BROOKE: I am not at all because just from having worked covering a lot of public services in America, I generally found that the record keeping was full and forthright there to a level which I do not see in Britain. You would imagine it would be the opposite that there where they have got strong FOI laws, and they know if it is going to be in the public, they would have all these conversations in the hall or whatever. But in fact, there is more of an emphasis about wanting to be able to show to the public a documented, audit trail, if you will, of decision-making and that is considered a good thing that all politicians want to be able to show.

661. You know, "Here is why we came to this decision. Here are all our thoughts. Here is all the evidence we took. Here are the meetings we had."

662. As far as people coming forward, I think what has stopped good people coming forward in the current crop of politicians is the fact that there was this system which generally rewarded people for working in their own self interest.

663. I would never run for Parliament, and I am quite a political person, and the reason I do not is because (a) I feel like I would never have as much power to effect change as I do as a journalist. This might sound very odd but I do not think I could have had as much impact changing Parliament from the inside as I did from the outside, because an individual MP actually does not

have that much power because of the way the party politics works.

664. Also, why be a good MP because the whole system of secrecy does reward the self-serving politician. A transparent system shows the public which MPs are good and very clearly highlights which ones are on the take.

665. SIR CHRISTOPHER KELLY: I guess the argument would be if you want a Parliament that is not composed solely of professional politicians but you actually want people who have had some other life before they come to Parliament, you are probably asking them to take a cut in salary. You are asking them to work long hours and you are asking them to subject themselves to a greater degree of transparency than if they stayed with what they were doing.

666. HEATHER BROOKE: There are so many people, I feel, who genuinely would like to get into politics, but because of the way the system is structured and because of what they see happening, they feel totally disempowered and as if they could not make a difference.

667. I think if those obstacles were removed that they would be more inclined to get into politics, and they would be the people that would be more reflective of society than the current group, I would say.

668. TOM STEINBERG: I have two answers to this, or two ways of answering this. The first is that I expect it to become a considerably less attractive place to people who know in their own heart that they can only succeed under the shroud of secrecy, and that which it allows them that I consider to be excellent.

669. The second answer is actually to ask you to look more broadly at what is going on in the social change in relation to transparency which is that the facebook generation has just totally different expectations about how much of their life can be seen, and the record they leave behind them.

670. Some of them may come to regret the fact that there are all those photos left of them doing embarrassing things, and yet without any doubt in 15 to 20 years time, the average amount of transparency about people's lives is going to have gone up. The amount of forgiveness that there is going to have to be attached is going to go up, or employers and voters will not have anyone to pick because everyone will have a list of sins left highly visible.

671. I just think the overall expectations that what we do in life is just more monitored by our peers, although the Government necessarily, is just going up. Therefore, I think that by the time someone steps in who is truly a part of facebook generation, has never known a world without that sort of social networking, and they are old enough to become a politician and step inside, they will probably be amazed by the small amount that is revealed, and the difficulty of getting information, and the amount of privacy that they have, even after these reforms.

672. So it is going the way of the modern world and it is making it more attractive for people who do not need secrecy and shade to do their dirty business, and those two things are good.
673. SIR CHRISTOPHER KELLY: Thank you very much. Is there anything else you wanted to say to us?
674. HEATHER BROOKE: No.
675. SIR CHRISTOPHER KELLY: Did you have the opportunity to make all the points you wanted?
676. HEATHER BROOKE: I think so, yes.
677. SIR CHRISTOPHER KELLY: Thank you very much. It has been extremely enlightening.
678. TOM STEINBERG: Thank you.
679. SIR CHRISTOPHER KELLY: That finishes the evidence session for today.

**Tuesday 30 June 2009 Public Hearing**

**Opening Statements**

**Opening Statement by Dan Whittle**

1. First may I start by saying that we are grateful to the Committee for undertaking this inquiry, and I speak on behalf of the some 400 members of the staff union, Unite.

2. This month Unite celebrates 25 years of representing staff of MPs, and of making the case for reform of the system of MPs pay and allowances. We want to see an end to the abuses of the past because we rely on faith in, and respect for, politics and politicians, to be able to do our jobs.

3. More than two thousand staff are employed in MPs offices on a remunerated basis. In addition hundreds of volunteers and interns also work in these offices. The recommendations you make will have a significant impact on the working lives and employment opportunities of these individuals. Whether employees or volunteers we are the first point of contact for constituents in desperate need of help. We actively manage the caseload of MPs and provide that help whatever the problem. Were it not for the goodwill these individuals have built up over the years, the standing of MPs would have fallen further during the expenses row. It follows that supporting and properly resourcing MPs offices so they can continue to provide that service is integral to rebuilding trust in MPs. As such I would urge you to consider the affects of your proposed reforms on those employed in MPs offices at all stages.

4. I note from your opening statement on the 16<sup>th</sup> June that the areas for reform include: *Arrangements for recruiting and employing staff which command public confidence*. It is our belief that the current system lacks transparency and falls short of commanding public confidence.

5. We note the importance of the seven principles of public life and invite the committee to treat the following additional three principles as fundamental to any new system.

(1). MPs offices should be resourced sufficiently to ensure the volume of queries from constituents is able to be addressed.

(2). The House of Commons should be a model employer, and assist MPs in the management of their offices, including proper management of employees.

(3). Staff should have formal representation on each and every committee and body that makes decisions regarding their employment terms and conditions. We believe that this should begin with the recognition of Unite for the purposes of collective bargaining.

6. I now turn to some areas in which we believe the current system falls short, in terms of the three principles above, and with reference to the seven principles of public life.

7. First I want to talk about the workload of staff employed in MPs“ offices. This

workload has grown in recent years and exceeds the resources available to meet it. The SSRB concluded in 2007 that “the volume of casework appears to be growing inexorably”. A better system for deciding how MPs offices can be fairly resourced is required as a matter of urgency.

8. Second I would invite you to consider the effect of under resourcing on the way in which MPs’ offices are staffed. To meet demands a large number of MPs are employing interns to work for free on an ad hoc basis. We estimate there to be approximately 450 interns. This undermines public confidence on a number of levels. A well structured and transparently advertised internship programme for the House of Commons is needed.

9. Thirdly, the current system impedes rather than facilitates the enforcement of staff employment rights. The same is true of the House of Commons’ own rules. For example many MPs have failed to lodge the contracts of their staff with the Fees Office and some MPs are paying staff below paycales. There needs to be appropriate arrangements for investigating all alleged breaches of the rules, and appropriate sanctions for those found to have done so.

10. Forthly staff standard contracts and paycales are currently set in private between a committee of MPs and the Fees Office (Department of Resources), this is neither open nor accountable<sup>3</sup>. These should be decided independently of MPs in negotiation with staff.

11. Fifth, family members who work in the offices of MPs. I can tell the committee that most of them do an exceptional job, there are very few instances of favouritism. The employment of family members should not be banned. The priority should be to make the employment of staff more transparent and accountable, including a toughening of the external audit of MPs who employ family members.

12. I have always considered staff of MPs to be employed by the House of Commons. The pretence of labelling MPs “the employer” has led to many of the present difficulties. MPs have neither the time nor the expertise to discharge the full duties of an employer. They do not have the resources or support they need to be good managers.

13. Unite believes that unless the House of Commons is recognised as the employer, staff employment rights will remain unprotected. The recognition of the Unite union now, would enable collective bargaining rights in respect of redundancy pay, salary scales, pensions and other benefits. These are the basic employment rights which have been denied to us. As trade unionists we consider this deeply relevant to the issue of transparency and accountability. The inability of Parliament to find consensus on these issues has prevented their resolution for 25 years.

14. Parliament should be a leading example to employers. This committee has the opportunity to give us fair and accountable employment.

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<sup>3</sup> When the maximum hours on the standard contract increased from 37.5 to 42 in January, Bill Etherington MP wrote an article in the House Magazine in which he said “It’s the sort of thing I would expect from an old cotton mill or coalmine-owner”.

## Opening Statement by Sian Norris-Copson

Thank you for giving us the opportunity to put forward the views of MPs' staff.

MAPSA (formerly the Secretaries and Assistants Council) is the only official all-party body representing staff of all MPs and Peers; Mr Speaker is our Patron.

We held an initial, fairly stormy meeting, immediately following the Prime Ministers You Tube appearance which was how we were all notified of a possible change of employer.

The meeting decided that whilst we are not opposed to "change" per se, we are overwhelmingly opposed to this proposal as it stands. People are extremely angry that *someone other than their direct employer (ie the Prime Minister) can change the terms and conditions of their employment in such an arbitrary, and public, manner.*

*We hope that by giving evidence here you will take on board the concerns of all staff, who are still in the dark about the actual details of this proposal – although it would seem that after several meetings with the then Minister (Chris Bryant), the Government aren't much clearer themselves.*

*We have many concerns including the following:*

### Management Responsibility and Accountability

- Who would actually be the employer; the MP or a new layer of Fees Office management?

If staff are employed by the House of Commons, to whom would they be accountable; to the House of Commons or their MP? If the former, this raises serious issues about constituent confidentiality and trust, and the authority of MPs.

### Job Security

- If staff are employed by the House and their MP loses their seat, would they still have a job and, if so, would they be re-allocated to a new member regardless of political affiliation?
- Some older staff are very concerned about possible ageism, and therefore forcible retirement.
- Under existing arrangements MPs staff are entitled to Statutory Redundancy. As members of the House of Commons Staff Pension Scheme, which is exempt from the Statutory scheme, in the event of redundancy they would be compensated under the Civil Service Compensation Scheme. As this scheme is limited to members of specific pension schemes, unless MPs' staff are transferred into the House of Commons Pension Scheme, as employees of the House MPs staff would not qualify for Statutory Redundancy.

## **Flexibility of working arrangements**

- All MPs work differently and arrange their offices accordingly in terms of hours, numbers of staff, constituency arrangements, and recess working. Given the unique nature of the House of Commons, the “one size fits all approach” cannot work.
- MPs should be able to employ the staff they want and need and we would not support a system such as that operated by the Welsh Assembly system, which allows each Assembly Member only 2.5 staff on different designated pay scales. There should be enough flexibility to employ up to a certain number of staff but working part time or full time, or on higher pay scales than others.
- Some staff work for more than one member so how would that be managed? Would the House stipulate the hours worked for each member?
- Who would supervise staff in the constituency, and would MPs still be allowed to employ interns?

## **Terms and conditions**

- We would obviously seek parity with other employees of the House for all MP’s staff, whether Parliament or Constituency-based, in the following areas:
  - o Pensions
  - o Redundancy arrangements
  - o Holidays
  - o Maternity and Paternity leave
  - o Any other benefits and privileges

## **Political role**

- Many staff undertake political work for their bosses, and are involved politically in their own right. If they become staff of the House would they become civil servants and therefore precluded from any political work?
- We would welcome assurances that staff will not be governed by the Civil Service Code of Conduct.

## **Positive aspects**

We also recognise that there *could* be improvements in our working conditions arising from central employment including:

- Standardisation of contractual arrangements
- Access to Human Resource Department information, especially to help with problems between members and their staff.

- Better terms and conditions including:
- - o redundancy and pension arrangements
  - o season ticket loans
  - o access to occupational therapy

### Summary

There must be an ongoing, and serious consultation with all staff organisations and that Chris Bryant's assurance (given to several staff meetings), that our terms and conditions will "not" be worse, will be upheld if this proposal receives the go-ahead.

**Opening Statement by Heather Brooke**

**Opening Statement by Heather Brooke**

**Writer, journalist and campaigner for freedom of information  
www.yrtek.org**

What keeps people out of power and out of politics is the lack of access to meaningful and useful information. My experience since 2004 has been that Parliament greedily hoards information as a miser does gold. And just as a miser's hoarding means his gold does not benefit the wider economy so parliament's insistence on hoarding information does not benefit civic society. Instead citizens remain ignorant about the very institution that is meant to epitomise democracy in this country. If this is happening in Parliament then how much worse is it lower down the scale?

Parliament sets an example to public servants and public bodies throughout the nation, which is why it is so appalling to see the way MPs and officials in parliament behaved when faced with a robust freedom of information challenge. They did not rise to the challenge but actively fought to obstruct it and to suppress information clearly in the public interest. They fought for four years and at great public expense. In the process they demeaned terms such as national security and privacy. Parliament is not, in my view, a system open to full participatory democracy. At least officials are now adopting the right rhetoric about democracy and transparency – which is a victory in itself – but the real victory comes when the practice changes. And that has not happened yet. I hope this committee's recommendations will go some way to ensuring that real, tangible change takes place so that we have a parliament suited to 21st century democracy.

I would like to talk specifically about my experience trying to access information from Parliament, in particular trying to get details of MPs' expense claims. You may have read about my story in the Guardian which I've included with this statement, so I'll be brief.

My battle began in 2004. I was working on a book called 'Your Right to Know', a guide for citizens on how to use the new Freedom of Information Act. It might be worth giving a bit of background on why I decided to write such a book.

I'd trained and worked as a journalist in America. First as a political reporter and then covering crime. The American style of journalism relies heavily on official public records. It may be why some British journalists describe US papers as boring and academic. In the US all states have laws on public records, open meetings and freedom of information. The default position is generally that any organisation receiving the bulk of its funding from the taxpayer must be directly accountable to the public. Of course there are instances where this ideal is not adhered to but for the most part I found that locally, information was widely and easily available. For example, doing the crime beat consisted not just of talking to various police officers but also looking through all the criminal incident reports, going to the jail to look through the booking sheets, scouring court documents, looking at fire inspection reports, etc.

These records are not available in the UK. In fact until October 2007 it was actually illegal for a fireman to let the public see the results of a fire safety inspection: done at public cost and in the public's name. This is one of the 300+ prohibitions on

disclosure that exist in the UK. The type of reporting I am used to doing is just not possible in Britain. Here a reporter has to rely almost entirely on people. Information is not available to all, no strings attached as a statutory right, but comes at the discretion of an individual. There is a kind of quid pro quo to accessing information in the UK that I find uncomfortable and I don't believe it benefits society. I always find it odd how so many British politicians complain about the sensationalist British press and then refuse to provide any of the official data needed for a more serious, academic journalistic inquiry.

I'd heard rumours back then about MPs' expenses. The problem was they were rumours. Lobby journalists heard rumours, sometimes they wrote about them, other times they didn't, either for political reasons or simply to keep a source friendly. I'm no good at this sort of journalism. Maybe I lack the people skills. When I go for information I don't want it to come with any strings attached. I don't want to have to make deals or promise favours. I just want the facts. I found when it came to parliamentary expenses these were pretty slim on the ground. It's worth pointing out that not one of the misuses of MPs' expenses has been exposed through access to official information. It has always been via the press through leaks or whistleblowers. That is how the former MP Michael Trend was exposed which led to the requirement in 2003 that receipts were needed for claims above £250. It was an insider who led to the exposure of Derek Conway. This is, of course, how the Daily Telegraph got its information.

This may be how it is done in the UK and you may think 'so what'. But I think this system is wrong. It is effectively a class system of access to information. The privileged and powerful get access, the common citizenry does not. Information comes into the public domain with unseen strings attached. We do not know the full motivation of the person who exposed Derek Conway. And really why should his constituents have to wait for this whistleblower to learn the facts? Why should the British people have to wait to read the Daily Telegraph to find out information which I fought for since 2004 and which the public paid for? The current system is unfair and undemocratic.

My battle for parliamentary information was not confined to MPs' second homes allowances. I have sought a detailed breakdown of travel claims, the names and salaries of MPs' staff (which was blocked personally by the Speaker), how expenses were scanned in, how parliamentary groups were set up, canteen subsidies, incidents within parliament, etc. Even trying to find out the date of the most recent publication on June 18th was mired in rumour and secrecy. No one took individual responsibility for the publication nor was there an official statement about the date and logistics of disclosure until the night before.

My FOI requests are answered on the last possible day or overdue. I believe I am treated as good as, if not better, than most requesters. I find the service overly formal though not impolite. Where a telephone call could sort out many problems, the Commons will always opt for a formal letter that often requires more time and effort from both parties. When I asked for the breakdown on MPs' Additional Costs Allowances it was refused on the grounds it would cost too much to disclose the information for all MPs. At no point did the FOI officer provide the advice and assistance under section 16 of the FOIA so I could narrow down my request. Instead

the first response to a complex request is refusal. Only after I appeal, do the Commons reluctantly enter into negotiation.

I don't know whether this is due to outright obstruction. I get the sense there is also a huge amount of incompetence particularly in the area of technology. This might not be such a problem if the parliamentary officials were open and willing to accept offers of outside help. But they are not. As I said, they greedily sit on their information piles like a golum. Tom Steinberg I'm sure will speak more on this matter of technical problems in accessing parliamentary data.

#### Recommendations for change

It is one thing for a politician to say he or she is committed to transparency and direct accountability it is another entirely to act on those commitments. I hope the committee will be rightly sceptical of political promises made here and elsewhere by those in power.

#### Redaction of travel information

One of the more egregious areas of censorship in the official publication of MPs' expenses has been on addresses and travel information. Keith Vaz, for example, put forward tube tickets with everything blacked out except the price. Is there some state secret in knowing if he's on a single or return ticket to zone one or two? Ann Widdecombe's train ticket for £30.90 is void of destination. This is silly in the extreme. We are here dealing with disaster-movie scenarios not privacy or security concerns based on reality. Some travel expenses cannot be claimed for travel between MPs' homes and their normal places of work. Yet lacking the dates of travel and destination there is no way to police this. It was precisely the time and destination of travel that led to the resignation of two MSPs. Former Tory MSP leader David McLetchie was forced to resign when it became clear that his £11,500 taxi bill involved not just travelling to his constituency for parliamentary work but going to his own legal offices. Brian Montieth was forced to pay back £250 after admitting false claims for taxis not for any parliamentary work but returning home after nights out on the town in Edinburgh. Any similar abuses would remain hidden in the current blackout.

#### Publish addresses

We have only to see how the Commons authorities have handled the official publication to see the culture of secrecy remains relatively intact. Removing the addresses makes it impossible to uncover the larger scandal of house flipping for the avoidance of capital gains tax. Any publication devoid of main and second home addresses will keep the public transfixed by trivia: Keith Vaz charging the taxpayer for his wheelie bin collections, MPs' ordering videos of themselves speaking on the floor, Gordon Brown's blocked toilet, etc. The High Court judges ruled that publication of addresses was necessary to ensure the system was not abused and that 'there was a legitimate public interest well capable of providing such justification'. The Committee needs to deal with MPs' successful attempt to circumvent this High Court ruling. If full addresses are not published then at least the first section of a postcode could be disclosed for accountability purposes.

### Expectation of privacy

Wherever a public official claims public money in the course of their public duties there should be no expectation of privacy but rather an expectation to account for that spending directly to the public.

### Parliamentary Standards Authority

I have grave concerns about the Government's proposed Parliamentary Standards Authority. This government has a habit of proposing more bureaucracy and legislation as the solution to any and all problems. Often it only creates more. Just because Harriet Harman says the Parliamentary Standards Authority will be independent is no reason to assume that will be the case. No new laws or bureaucracies should be created without all the details being known, published and debated. Listening to her testimony at the committee I found these details to be in short supply. It is not right that those with power are continually given the benefit of all doubt while those without power are increasingly not trusted to do anything without supervision by the state. More information must be published before any substantial expenditure of funds is made to create a new bureaucracy.

It is disingenuous for MPs' to place the blame for the scandal solely on the Fees Office. The Green Book made clear that the final decision on expense claims rested entirely with individual MPs and all MPs had to sign their claim forms: "I confirm that I incurred these costs wholly, exclusively and necessarily to enable me to stay overnight away from my only or main home for the purpose of performing my duties as a Member of parliament."

The problem wasn't so much the Fees Office but the total lack of transparency and direct accountability. That is not going to change with the creation of a new bureaucracy. Isn't it odd that it was only in the Information Tribunal hearing February 2008 that I finally discovered how the expense system worked and that the man in charge was Andrew Walker? For some reason this basic information was kept under wraps. Why are people's names and responsibilities a state secret? This is perhaps the single biggest problem affecting efficiency and civic engagement in the UK. Citizens have no clue as to who is responsible for what. I believe this wall of faceless bureaucratic anonymity is there on purpose to keep the people ignorant and unable to meaningfully challenge those in power.

### Conclusion

Any new system must have clear lines of authority. We must know by name who is responsible for what. And by this I don't mean which minister but the name of the actual person doing the job. We don't need more layers of bureaucracy. The most efficient way to keep politicians' claims within acceptable limits is for the receipts to be directly available to constituents. This is how it was done in Washington state back in 1992. There, the receipts were a public record and anyone could go and have a look. It was this knowledge that I believe made politicians think very carefully about what they claimed on expenses. They very much understood it was not their money and because of transparency and direct accountability their claims were all above board. The public should be able to see expense data for themselves.

This brings me to the core problem of the culture in parliament. It is a culture that shows deep disrespect and distrust for the common person, the general public, the

masses. We can't pretend to be a democracy when we have this elitist mindset that the public can't be trusted. When I heard Harriet Harman say 'trust me' about the creation of the Parliamentary Standards Authority what I thought was that she wants us to trust her even while she doesn't trust us, the constituents, to view these receipts.

I understand this fear. It's not irrational to fear the unthinking mob. But the best way to counter this danger is to ensure the electorate are educated and informed. That is why it is so ironic that such efforts have been made by politicians to keep the people uninformed and ignorant.

What must be kept in mind is that it is the people who gave MPs their power and so it must be to the people to whom they are accountable: directly and forthrightly – with no middlemen in between.