



House of Commons
Committee on
Standards and Privileges

**Conduct of
Mr Martin Salter and
Mr Rob Wilson**

Eighth Report of Session 2006-07

Report and Appendices, together with formal minutes

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The Committee on Standards and Privileges

The Committee on Standards and Privileges is appointed by the House of Commons to oversee the work of the Parliamentary Commissioner for Standards; to examine the arrangements proposed by the Commissioner for the compilation, maintenance and accessibility of the Register of Members' Interests and any other registers of interest established by the House; to review from time to time the form and content of those registers; to consider any specific complaints made in relation to the registering or declaring of interests referred to it by the Commissioner; to consider any matter relating to the conduct of Members, including specific complaints in relation to alleged breaches in the Code of Conduct which have been drawn to the Committee's attention by the Commissioner; and to recommend any modifications to the Code of Conduct as may from time to time appear to be necessary.

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The current staff of the Committee are Dr Christopher Ward (Clerk), Dr Susan Griffiths (Second Clerk) and Miss Michelle Owens (Secretary).

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Conduct of Mr Martin Salter and Mr Rob Wilson

Introduction

1. We have received a memorandum from the Parliamentary Commissioner for Standards concerning a complaint against Mr Martin Salter, Member for Reading West, by Mr Rob Wilson, Member for Reading East, and a complaint against Mr Rob Wilson by Councillor David Sutton, the Leader of Reading Borough Council. In both cases, the complaints relate to the contents of reports funded out of parliamentary allowances, circulated by the respective Members to their constituents.¹ The Commissioner's memorandum is reproduced at Appendix 1.

2. In accordance with our usual practice, we have shown both Members a copy of the Commissioner's memorandum, and they have each subsequently submitted a memorandum to us. Mr Salter's observations are reproduced at Appendix 2 and Mr Wilson's at Appendix 3.

3. In the remainder of this report, we deal in turn with the specific complaints made against each Member, and then comment on some of the wider issues they raise.

The Complaint against Mr Salter

4. There are three basic elements to Mr Wilson's complaint against Mr Salter:

- the Report and accompanying material had been posted to a number of Mr Salter's constituents in pre-paid House of Commons envelopes, a breach of the Stationery and Postage Rules;
- the report's imprint did not state that it had been funded from Mr Salter's Parliamentary allowances; and
- the report arguably promoted the re-election of a councillor in the May 2007 local elections by featuring a picture of him.

5. **We agree with the Commissioner that the first element of the complaint should be upheld.**² Mr Salter accepts that he should not have used pre-paid envelopes for the relevant mailings, and has apologised to us for doing so. As the costs of the mailings remain a proper charge on parliamentary allowances, he intends to reimburse the costs of the relevant stationery from the appropriate allowance for the current financial year.³

¹ See WE 2, p. 30-33 and WE 5, p 36-39 respectively.

² Appendix 1, para. 56.

³ Appendix 2, p. 52.

Mr Salter has also raised concerns about the clarity of the rules concerned, and we return to this subject in paragraph 21.

6. We also agree with the Commissioner that the second element of the complaint should be upheld, and welcome Mr Salter's undertaking that he has taken steps to ensure that a correct imprint is used in future. We share the Commissioner's view of the technical nature of this breach of the rules.⁴

7. We agree with the Commissioner that, in all the circumstances, the inclusion in Mr Salter's report of a photograph of a councillor is unlikely in practice to have promoted in any material way their candidature when standing for re-election at the May 2007 local elections. **We therefore agree with the Commissioner that this element of the complaint should be dismissed.**

8. We accept that Mr Salter did not set out to breach the relevant rules, and has been careful in the past to seek advice on the use of pre-paid envelopes. As he has apologised for his failure to comply with the rules, and is reimbursing the cost of the stationery and pre-paid envelopes which he improperly used, we do not recommend any further action.

9. We welcome Mr Wilson's apology for his oversight in failing to notify Mr Salter of his complaint. As the *Guide to the Rules* makes clear,⁵ this is a basic courtesy which Members should always follow.

The Complaint against Mr Wilson

10. Councillor Sutton's complaint against Mr Wilson also consists of three elements:

- circulation of his Parliamentary report close to the start of an election campaign would result in its being regarded as Conservative Party election material produced at public expense;
- the inappropriate inclusion of a photograph of a Conservative candidate seeking election in May 2007 in a marginal ward; and
- inclusion within the report of a Conservative Party leaflet.

11. The Commissioner recommends⁶ that the first element of the complaint be dismissed as Mr Wilson had taken steps, for the most part successfully, to seek to avoid distribution of the report during the local election campaign and more fundamentally, there is nothing in the rules of the House restricting the timing of the distribution of such reports. **We agree with the Commissioner that this element of the complaint should be dismissed.**

4 Appendix 1, para. 57.

5 Guide to the Rules relating to the Conduct of Members (HC 351, Session 2005-06), para. 85.

6 Appendix 1, para. 63-4.

12. The Commissioner also recommends⁷ that the second element should be dismissed on the ground that on balance he doubted that any significant personal or party advantage was gained from the publication of the photograph in question.⁸ **We accept the Commissioner’s analysis and agree that this element of the complaint should also be dismissed.**

13. As to the third element, the inclusion of party material with the report when it was delivered clearly heightened the risk that the Parliamentary report would be seen in a similar light, particularly as it also carried a specific reference to the local party name—‘Reading East Conservatives’.⁹ Mr Wilson has apologised for the fact that a number of copies of the report were delivered along with copies of a Conservative Party survey with the parliamentary material not separated from the party material, as Department of Finance and Administration (DFA) guidance requires. **We agree with the Commissioner that this element of the complaint should be upheld, but do not recommend any further action.**

14. The Commissioner has also drawn attention¹⁰ to a matter not raised in the original complaint, namely the prominent reference to ‘Reading East Conservatives’ on the front page of Mr Wilson’s report. In the Commissioner’s view, this particular choice of words heightened in all the circumstances the risk of the impression being gained that the report was a party rather than a parliamentary publication. This risk will have been further enhanced in those wards where the report was physically accompanied by party material. The Commissioner considers that the inclusion of these words crossed the line between Parliamentary and party political material, and that their inclusion therefore breached the relevant guidelines.¹¹

15. Mr Wilson has raised two concerns about this conclusion¹². First, he has asked whether it is appropriate for the Commissioner to reach a conclusion on a point which was not included in the original complaint. Second, he has suggested that, in circumstances such as arose in this case, Members who had followed the correct procedures and acted in good faith on DFA advice should be able to rely absolutely on the fact that they had done so in the event of their conduct being challenged. We consider each of these points below.

16. On the question of whether it is appropriate for the Commissioner to comment on matters which emerge in the course of his investigation of a complaint, but are not raised directly in that complaint, it has been the practice of successive Commissioners to do so, and of successive Committees to reach decisions on them. We believe this to be right in principle. Public confidence in the complaints process would undoubtedly be

7 Appendix 1, para. 66.

8 Appendix 1, paras. 65-6.

9 A similar description also appears on the survey form circulated with some copies of the report.

10 Appendix 1, paras. 68-9.

11 Appendix 1, para. 69.

12 Appendix 3, p. 53.

eroded if, in the face of clear evidence of a breach of the Code, the House declined to take action on the technicality that the conduct concerned, although it emerged in the course of an inquiry into a complaint, was not the direct subject of the complaint.

17. On Mr Wilson's second point, we acknowledge that he had submitted an electronic copy of his draft report for approval by the DFA, and had acted on the suggestions it made.¹³ He submitted the final proof and received written confirmation that "the whole publication met the relevant criteria that would allow costs to be met from the IEP".¹⁴ DFA, for its part, accepts that, as a result of difficulties handling the electronic submission, it failed to notice the use of the expression 'Reading East Conservatives'.¹⁵ Had it done so, it would have asked Mr Wilson to remove the expression.

18. As Mr Wilson points out,¹⁶ the Director of Operations at DFA did not feel that Mr Wilson could be held responsible for the Department's mistake in failing to spot the inclusion of an expression that could give the impression that it was promoting the local Conservative Party, and we agree with him in that respect. Nevertheless, we agree with the Director of Operations and the Commissioner that it was wrong to include a reference to 'Reading East Conservatives' in the report, on the grounds that it could be construed as implying that the publication was promoting the local party.¹⁷ We note that there were also two display references to 'Conservatives' elsewhere in the report.¹⁸ **We do not accept that, regrettable though it was, the fact that the Directorate failed to notice all the references absolves Mr Wilson from responsibility for including them in the first place.**

19. However, we acknowledge that Mr Wilson took all reasonable steps to ensure that his publication complied with the rules. As the Director of Operations said, he "was entitled to take the Department's approval of the newsletter as a whole at face value".¹⁹ **It would therefore in our view be inequitable for him to suffer any penalty in this respect.**

20. We hope that the DFA will look carefully at the implications of this unfortunate case for its arrangements for reviewing parliamentary reports, and if necessary modify them to prevent a recurrence. While Members must retain overall responsibility for the contents of publications they submit for approval, it is vital they can have complete confidence in the advice they receive in this respect from DFA.

13 Appendix 3, p. 53 and Appendix 1, para. 38.

14 Appendix 3, p. 53.

15 Appendix 1, para. 38.

16 Appendix 3, p. 53.

17 Appendix 1, para. 39.

18 In the heading on the right-hand inside page and in the left-hand column of the back page.

19 See Appendix 1, paras 39 and 69.

General points

21. Mr Salter drew attention to what he saw as a lack of clarity in the rules and guidance relating to the use of postage-paid envelopes.²⁰ It is clear to us that the changes introduced in 2005, which re-classified newsletters and calendars as unsolicited items and hence ineligible for inclusion in pre-paid envelopes in any circumstances,²¹ was, in substance, a significant change in the rules. It would, in all the circumstances, have been helpful to Members if this guidance had been included, together with the relevant rules, in the stationery catalogue. **We recommend that, in future, all the relevant rules and guidance are included in the Members' stationery catalogue.**

22. One element of the complaint against Mr Wilson related to the non-separation of parliamentary and party material in the distribution of material to constituents. **We take this opportunity to remind all Members of the need to ensure that those responsible for distributing parliamentary material on their behalf understand that such material must always be clearly separated, by a suitable envelope or cover, from any party material they may be distributing at the same time.**

23. The Commissioner has drawn attention to two related general points raised by various aspects of these complaints. The first²² arose from the distribution of a leaflet during the local election campaign in Reading which could be seen as seeking to preempt our decision on one of the complaints. **We agree with the Commissioner that the House's apolitical standards enforcement system must not be drawn into party political controversies.**

24. The second²³ relates to the political dimension which undoubtedly underlies both complaints. As the Commissioner points out, this can lead to political parties and those associated with them seeking to use the complaints process as another institutional means of pursuing their objectives. While we would in no way wish to discourage the submission to the Commissioner of well-founded complaints, it is particularly important for those involved with the political process to exercise a proper sense of proportion. **We share the concern of the Commissioner about the scope for damage both to the credibility of the complaints process and to the standing of Members and the House in general if the complaints system is misused for pursuing what are in reality political arguments.**

25. As the Commissioner points out,²⁴ both complaints raise some general issues about the rules relating to newsletters funded out of parliamentary allowances, including the timing of their distribution in relation to local election campaigns, and the appropriate

20 See WE 10, p. 45.

21 Appendix 1, para. 25.

22 Appendix 1, para. 70.

23 Appendix 1, para 73.

24 Appendix 1, para. 71.

use in them of distinctive Party emblems such as logos and party colours. **We welcome the fact that he proposes to return to these matters in the context of a later report.**

Appendix 1: Memorandum from the Parliamentary Commissioner for Standards

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Complaints against Mr Martin Salter and Mr Rob Wilson

The Complaints

(a) Complaint against Mr Salter

1. On 28 March, Mr Rob Wilson (the Conservative Member for Reading East) wrote complaining about a Parliamentary Report or newsletter which Mr Martin Salter (the Labour Member for Reading West) had distributed in December 2006. The text of Mr Wilson's letter is appended,¹ as is a facsimile of the Parliamentary Report in question and of the letter Mr Salter sent to some of his constituents covering it.²

2. Mr Wilson alleged that, contrary to the relevant rules:

- a) The Report and accompanying material had been posted to a number of Mr Salter's constituents in a pre-paid House of Commons envelope.
- b) The Report did not carry the correct imprint saying that it had been funded from Mr Salter's Parliamentary allowances (specifically, from his Incidental Expenses Provision (IEP)).
- c) By identifying on its front page a Labour councillor who was seeking re-election the following May and the ward he represented, the Report arguably promoted the councillor's candidacy in the forthcoming local elections.

3. Mr Wilson asked me to investigate these matters and also drew my attention to remarks made by Mr Salter during the debate on the introduction of the new Communications Allowance (CA) on 28 March 2007, when Mr Salter said in the Chamber, in relation to the rules then in force on sending circular communications to constituents:

*"We have all been breaking the rules. Let us be honest—we have all been at it, and I more than most, probably, because it is common sense to do so."*³

(b) Complaint against Mr Wilson

4. On 3 April, Councillor David Sutton (the Labour Leader of Reading Borough Council) e-mailed me that he wished to forward to me "*the complaints of a number of my constituents*" about a Parliamentary Report circulated recently in Reading by Mr

1 WE 1.

2 The Report and covering letter are at WE 2 and 3 respectively.

3 Official Report, Vol ?, col 1532-33.

Wilson. Councillor Sutton followed up his e-mail with a letter of complaint on 11 April, the text of which is appended.⁴

5. Councillor Sutton alleged that Mr Wilson had breached the relevant rules of the House in three respects:

a) By releasing the Report “*hard up against the start of the local election campaign*”. Councillor Sutton continued:

“Inevitably this has meant that the Parliamentary Report has been regarded as Conservative Party election material produced at the public expense, and this view has been reinforced by the late delivery of some of the leaflets—actually within the election period, I am told”.

b) By including on the front page of the Report a photograph including a Conservative candidate seeking election to the local council in May in a marginal ward.

c) By including within the Report as it was delivered a Conservative Party leaflet.

Councillor Sutton concluded:

“I hope that as a result of this complaint you will be able to bring these errors of judgement to Mr Wilson’s attention, and ensure that they do not recur in future years.”

A facsimile of Mr Wilson’s Parliamentary Report is appended.⁵

Relevant Provisions of the Code of Conduct and Rules of the House

6. Paragraph 14 of the Code of Conduct approved by the House on 13 July 2005⁶ provides that:

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

7. The Parliamentary Reports produced by both Mr Salter and Mr Wilson were funded from the Incidental Expenses Provision (IEP), which prior to 1 April 2007 included a provision Members could use to help meet the cost of preparing, printing and distributing publications to their constituents, including newsletters.⁷ Like other

4 WE 4.

5 WE 5.

6 HC 351, Session 2005-06.

7 From 1 April 2007, similar provision was made for Members through the Communications Allowance (CA).

Parliamentary allowances, the IEP is provided to meet costs “*wholly, exclusively and necessarily*” incurred by a Member on their Parliamentary duties.⁸

8. Guidelines on funding publications from the Parliamentary allowances last issued by the House’s Department of Finance and Administration (DFA) in April 2006 were in force at the time Mr Salter and Mr Wilson published their reports. They included the following relevant provisions:⁹

- a) “*No party political or campaigning material is allowable in any part of a publication funded, in whole or in part, from the allowances*” (paragraph 5).
- b) “*Parliamentary newsletters and other publications may be included in the same mail drop as any political material but it must be placed in a separate envelope or cover*” (paragraph 8).
- c) “*You **must not** use prepaid envelopes or other House stationery for these publications. The cost of envelopes and postage can be met from your Incidental Expenses Provision*” (paragraph 9).
- d) “*You must not use IEP funded publications:*
 - *to promote, criticise or campaign for or against anyone seeking election ...*” (paragraph 11).
- e) “*Your publication must include a short notice explaining that costs are to be met from the allowances ...*” (paragraph 12).

9. Prior to April 2007, as now, Members could submit the text of their Parliamentary reports to the DFA in advance for advice if they so wished, although responsibility for ensuring compliance with the rules continues to rest with the Member concerned.

10. Since the complaint against Mr Salter included his alleged distribution of his Parliamentary Report to a number of his constituents using pre-paid envelopes, the Rules on the use of House of Commons stationery and post-paid envelopes which were in force in December 2006 are also relevant. The text of the Rules is appended.¹⁰ These provided that original House stationery should not be used for circulars of any description (paragraph 4), unless it had been purchased by a Member or reproduced at his or her own expense (paragraph 5). Pre-paid envelopes should not be used for circulars of any description (paragraph 8). Circulars were defined as including unsolicited letters sent in identical or near identical form to a number of addresses (paragraph 7(a)) and similar letters acknowledging replies to any letter, questionnaire or survey that was itself unsolicited (paragraph 7(b)). Guidance issued by the Department of

8 See the “Green Book” on Members’ Allowances, section 5.1.1.

9 These guidelines are appended at WE 6. With some amendment, they have been incorporated subsequently into more extensive guidance issued to Members about the new CA.

10 WE 7.

the Serjeant at Arms on stationery and post-paid envelopes has since 2005 included a provision that:

“Unsolicited items such as newsletters, cards and calendars must not be included with solicited mailings.”

This guidance – originally issued to all Members – was included in the 2006 stationery catalogue but not in the 2007 catalogue,¹¹ although it continued to be available to Members by other means.

My Inquiries

11. Following receipt of each of these complaints, I contacted the relevant Member to ascertain the facts and to obtain their response, and have also sought the advice of the DFA (in relation to both complaints) and of the Serjeant at Arms (in relation to the complaint against Mr Salter). In the following paragraphs, I set out the response of each Member and the comments of the relevant Department(s) of the House.

(a) Response by Mr Salter

12. I wrote to Mr Salter on 10 April drawing his attention to Mr Wilson’s complaint and seeking information on the circumstances, including:

- Whether he had sought advice from the DFA or anyone else on the text of, and distribution arrangements for, his newsletter.
- To how many people his newsletter had been distributed, by pre-paid envelope and by other means respectively.
- How those people had been selected.

The text of my letter is appended.¹²

13. It transpired that Mr Salter had already learned of Mr Wilson’s complaint through a press release issued by Mr Wilson and had written to me on 3 April giving a preliminary response.¹³ The key points of this response were:

- a) He had been the subject of 3 similar complaints to the Serjeant at Arms over the previous 9 years, all of which had been rejected.
- b) The content of his report was factual and did not include party political material.
- c) In every year since his election to the House in 1997, he had sent a copy of his annual report and a calendar giving the dates of his advice surgeries to constituents who had

¹¹ For an explanation as to why this was so, see paragraph 42 below.

¹² WE 8.

¹³ The text of this letter is at WE 9.

contacted him. *“This”, Mr Salter said, “has been approved by the Serjeant at Arms as within the rules governing MP’s postage.”*

- d) Whilst he conceded that the imprint on his Parliamentary Report was not in the currently approved form, this was due to an oversight by his printer for which he accepted responsibility. His surgery calendar had included the correct imprint.

14. Mr Salter complained that Mr Wilson had not informed him directly of his complaint, which he described as *“clearly politically motivated”*. He suggested that the complaint was *“a crude attempt to divert attention away from the embarrassment Mr Wilson caused his own front bench in the debate on the CA on 28 March”*, embarrassment Mr Salter alleged had been caused by Mr Wilson’s *“use of Conservative Party logos on Mr Wilson’s own Parliamentary Report which is currently being distributed”*. Mr Salter continued:

“This was something I cited that needs to be clarified along with restrictions on blatantly promoting council candidates in a supposedly non-partisan MP’s report just a few weeks before the local elections.”

Mr Salter drew my attention in this latter context to the photograph including a Conservative council candidate on the front page of Mr Wilson’s recent newsletter. He had raised these matters in the House *“not with the intention of pursuing any formal complaint about Mr Wilson’s conduct, though others may choose to do so”*, but to highlight the need to clarify the rules and ensure they were adhered to.

15. Mr Salter contended that Mr Wilson’s complaint must be seen as having been manufactured for party political advantage, in response to Mr Salter’s contribution during the 28 March debate. Why else, he asked, would Mr Wilson have waited until the end of March to complain about a report distributed the previous December, and have announced his complaint against Mr Salter in a press release issued only hours after their exchange in the Commons debate?

16. Given that my letter of 10 April to Mr Salter had crossed in the post with his to me of 3 April, I invited Mr Salter to add any other points he wished to make once he had had proper opportunity to consider Mr Wilson’s complaint. Mr Salter was subsequently in touch with the Department of the Serjeant at Arms to confirm the advice he had earlier been given by the Department about the distribution using pre-paid envelopes of his Parliamentary Report to those of his constituents who had previously been in touch with him or his office.

17. Mr Salter wrote again on 15 June to give his substantive response to the complaint.¹⁴ Mr Salter began by repeating his assertion that Mr Wilson’s complaint was *“politically motivated”*, and that the first he, Mr Salter, had heard of the complaint was when Mr Wilson had issued a press release about it. Much of the letter repeated other points he

14 The text of Mr Salter’s letter is at WE 10.

had made previously (which I have already summarised) but it included a number of new points as follows:

- a) Mr Salter had had extensive previous contact with the Department of the Serjeant at Arms about the arrangements for distribution of his report, not least in the context of a number of earlier complaints about Mr Salter's practice of sending copies to constituents with whom he had previously corresponded, complaints which had been rejected by the Serjeant. Specifically a complaint by an officer of the Reading West Conservative Association in 2003 had been rejected on the basis that since Mr Salter had sent his newsletter in pre-paid envelopes only to constituents who had corresponded with him previously, the mailing had not been unsolicited.
- b) Mr Salter had continued to follow the advice he had been given on these earlier occasions by the Serjeant. However, he was not aware that in 2005 the guidance issued by the Department of the Serjeant at Arms had been amended (following discussion in the Administration Committee) to rule out the inclusion of unsolicited items such as newsletters, cards and calendars with solicited mailings.
- c) He noted that the rules on the use of House stationery and pre-paid envelopes approved in March 2006 (reproduced in the 2007 stationery catalogue issued by the Serjeant's Department) had reverted to the earlier wording and made no mention of the exclusion of such material.¹⁵
- d) Nor was he aware of the DFA guidelines about publications funded from the Parliamentary allowances which, as I have earlier described, said that pre-paid envelopes must not be used for distributing such material.

18. Mr Salter noted that in a previous report,¹⁶ both the Committee on Standards and Privileges and I had criticised the unclear nature of the then Stationery and Postage rules. He commented:

"I would go further and suggest that they are downright confusing and contradictory."

Mr Salter said that he believed he had complied with the relevant rules in 2003 and 2004 but not in 2005. In 2006 he *"may have been in compliance depending on which set of rules one was attempting to follow"*. He continued:

"Obviously I am prepared to follow the necessary rectification procedure if it is deemed that in November 2006 I was acting outside of the rules. However, I strongly contend that I was only doing what I had been authorised to do previously by the relevant House authority, namely the Serjeant at Arms. I further contend that there is no evidence to suggest that I had any intention whatsoever to deliberately flout the rules."

19. As regards Mr Wilson's complaint about the imprint on his Annual Report, Mr Salter said that although he was aware of the guidance issued in April 2006 requiring a

¹⁵ For further exploration of this point, see paragraphs 41-42 below.

¹⁶ Report on the Conduct of Mr Michael Foster, (Tenth Report of Session 2005-06, HC 1223)

specific reference to the IEP, due to an oversight by his printers, for which he accepted responsibility and apologised, the old imprint had appeared on the final version. The correct imprint had appeared on his surgery calendar, so he rejected any accusation that he had knowingly tried to disguise the source of funding of the Report. He had made arrangements to ensure the correct imprint was used in future.

20. Regarding the third limb of Mr Wilson’s complaint—the appearance on the front page of the Report of a photo including a local councillor who was subsequently seeking re-election—Mr Salter said that the reference to the councillor “*was purely factual and in the context of a joint cross-party campaign we had both been involved in for many years in his ward*”. Mr Salter rejected any notion that he was seeking to promote the councillor:

“Since my annual reports never mention political parties and sometimes include pictures of Conservative and Lib Dem councillors with whom I’ve worked I completely reject Mr Wilson’s third allegation that I was seeking to promote a Labour candidacy.”

21. As to the comment he had made in the House during the debate on the new Communications Allowance (CA), Mr Salter said that it had to be seen in context:

“As the Hansard text ... shows, this is only a reference to the lack of clarity in the postage rules regarding the definition of a circular letter and how all MPs reply to postcard campaigns on a single issue with a standardised response rather than an individual letter. It was made in response to a similar point made earlier in the debate by Theresa May:

‘The right hon. Member for Maidenhead conceded that the definition of a circular communication was nonsense, and that individual letters to 50 people on the same issue will clearly not happen. We have all been breaking the rules. Let us be honest—we have all been at it, and I more than most, probably, because it is common sense to do so. It cannot be right that as Members of Parliament we have less ability to engage with our constituents than councillors.’¹⁷

22. In response to the specific questions I had put to him, Mr Salter estimated that under 3,000 copies of his Report had been mailed out, most of them in second class pre-paid envelopes. Pro-active communication with constituents was now permitted under the rules attaching to the new CA. Even prior to 1 April 2007 he would have been permitted to cover the cost of mailing out his Report from his IEP. Mr Salter concluded:

“I do not accept that I was in breach of the March 2006 rules as set out in my enclosure. I certainly contend that it would be palpably false to claim that I have deliberately set out to flout the rules of the House governing postage, given the record of my extensive contact with the Serjeant at Arms. At most I may have inadvertently

17 Official Report, col. 1532–33.

transgressed a particular interpretation of one set of rules at a particular moment in time.

“If this is the case I apologise.”

(b) Comments by the Department of the Serjeant at Arms and the Department of Finance and Administration

23. In the normal manner, I sought advice from the Department of the Serjeant at Arms (SAA) and from the House’s Department of Finance and Administration (DFA) both on Mr Wilson’s complaint and on Mr Salter’s response. The SAA’s primary interest is in the distribution of Mr Salter’s Report using pre-paid envelopes; the DFA’s is in the other aspects of the complaint.

24. On 22 June, the Assistant Serjeant at Arms told me that she had discussed with Mr Salter guidance he had previously been given by the Department. At the time of the earlier complaints about Mr Salter, very few Members had been sending out newsletters, and the rules regarding stationery and postage were being interpreted quite generously. Mr Salter had been able to show that he was sending his newsletter as a response to correspondence from constituents (about whose contact with him he kept detailed records), and so the mailing had been regarded as solicited and therefore within the rules.

25. The Administration Committee had reviewed the rules early in 2005. They had decided not to change them but had asked that they be enforced more stringently in the light of an increase in the number of communications being sent out by Members. It was at this point that newsletters and calendars had been deemed to be unsolicited items, which should not be included in pre-paid envelopes even when in combination with solicited material. Amended guidance to this effect had been published prior to the 2005 summer recess and circulated to all Members. It had also been available to Members in leaflets obtainable across the House and through the Parliamentary intranet. Although the guidance had been included in the stationery catalogue available to Members in 2006, it had been substituted by the Stationery and Postage rules themselves in the 2007 catalogue. Nonetheless the guidance had continued to be available to Members in leaflet form and on the intranet up to April 2007.

26. The Assistant Serjeant concluded:

“It therefore appears to me that Mr Salter’s office had regularly taken advice from this office prior to 2005 and been told that responses to correspondence in any form could go in pre-paid envelopes, as long as the original correspondence had not been solicited by him (Rules 7a and 7c). Mr Salter’s office continued to work to that advice even when the guidance had been issued. I think that Mr Salter can be seen to have been working outside of the 2005 guidance, and if asked about the correspondence from which the complaint arises I would have advised Mr Salter to send this out using the IEP. However, Mr Salter relied on the earlier advice that he had been given”

27. The Director of Operations in the DFA wrote commenting on the case on 12 July. Briefly his advice was:

- a) As regards the distribution of the report using pre-paid envelopes, the DFA had made clear in guidance it had issued in October 2004 and again in February 2006 that pre-paid envelopes should not be used for this purpose. It was clear therefore at the time of issue of Mr Salter's December 2006 Report that their use was inappropriate. The cost of delivering the Report in another way would, however, have been a proper charge against the IEP.
- b) The DFA had not been asked to review the content of Mr Salter's annual report prior to its publication. Apart, however, from the lack of a suitable imprint (which was a specific requirement of the Department's guidance), it found nothing wrong with the content. The absence of the required imprint, whilst a breach of the rules, would not normally be considered sufficient on its own to warrant a refusal to pay for the Report.
- c) On the specific question of the photograph on page 1 of the Report, the Director commented:

"... in his letter of 15 June Mr Salter seeks to clarify the situation by arguing that this item refers to a lengthy on-going campaign. With this in mind, we are content that on balance the photograph and the caption do not seek to promote Councillor ... or his political interests."

28. Finally the Director noted:

"... there is the matter of Mr Salter's contribution during the debate on the Communications Allowance on 28 March. The most I would wish to say is that I consider some of his comments about his approach to the House rules regrettable. It is possible to draw the inference that Mr Salter has on occasions knowingly broken the rules for which this Department and others have a responsibility. It may be for you to judge whether this is the case on this occasion."

(c) Response by Mr Wilson

29. Following receipt of Councillor Sutton's letter of 11 April,¹⁸ I wrote to Mr Wilson on 16 April asking for his response to the complaint.¹⁹ In addition to the points made by Councillor Sutton (summarised at paragraph 5 above), I pointed out that the header on page 1 of Mr Wilson's newsletter had included not only the Conservative Party logo (which had also been reproduced on pages 3 and 4) but also the attribution "*Reading East Conservatives*". I asked for Mr Wilson's comments on this and for information about:

¹⁸ WE 4.

¹⁹ The text of my letter is at WE 11.

- a) The number of copies of Mr Wilson’s “Parliamentary Report” which had been distributed, to whom and how.
- b) Whether the Conservative Party survey of which Councillor Sutton had sent me a sample had been distributed with every copy of the Report.
- c) Whether Mr Wilson had sought advice on his Report from the DFA.

30. I also invited Mr Wilson’s comment on Mr Salter’s complaint that Mr Wilson had not informed him directly of the complaint Mr Wilson had made about Mr Salter, contrary to paragraph 85 of the “Guide to the Rules relating to the Conduct of Members”²⁰ which says:

“It is a basic courtesy that a Member making a complaint to the Commissioner should at the same time send a copy of the letter of complaint to the Member concerned.”

31. Mr Wilson replied on 25 April and subsequently came to see me about the matter.²¹ He explained that:

- a) 43,000 copies of his Report had been supplied to his constituency office in February 2007. He had instructed that they should be delivered as soon as possible but prior to the start of the election expense period for declared candidates on 27 March. A very small number of Reports had been delivered after that date due to reliance on volunteer deliverers.
- b) Mr Wilson was not aware of any restriction in DFA guidance on the distribution of newsletters around the time of local elections. He believed he had broken no rules, and indeed had tried to avoid his Report going out during the local election period.
- c) The DFA had cleared the content of the Report.
- d) The candidate for election as a local councillor included in the photograph on page 1 of the Report was also the chairman of Reading East Conservative Association, in which capacity he occasionally accompanied Mr Wilson on constituency visits. Although he was named in the Report, he was not identified as a candidate nor associated with the ward in which he was standing.
- e) A survey of residents’ opinions had been delivered in one ward (Katesgrove) at the same time as Mr Wilson’s report, but was not intended to be “within” that Report. Mr Wilson continued:

“My local Conservative Association arranged for this to be done as part of the same delivery, as the rules allow. Both items were loose and were not in any “cover” of any description. In other wards very few surveys were delivered at the same time as my Report; only in Katesgrove ward was the entire ward surveyed at the same time as my Report was delivered.”

20 HC 351, Session 2005-06.

21 The text of Mr Wilson’s letter is at WE 12.

32. On the subject of the Conservative Party logo and the attribution which had accompanied it, Mr Wilson said that his staff had made enquiries of the DFA specifically on this point. They had been advised that the discreet use of a party logo was acceptable. It was also acceptable to use the word “*Conservative*”, as in “*the Conservative MP for ...*”. The DFA had also approved a copy of the final proof of the Report.

33. Mr Wilson apologised that he had not sent a copy of his letter of complaint to Mr Salter. It was an oversight, which he would ensure was not repeated. Mr Salter, he alleged, did not usually extend the courtesy of advance notification to him, e.g. when visiting his constituency.

34. Mr Wilson concluded:

“I have throughout sought advice from the relevant House authorities and made every effort to avoid using Parliamentary resources for campaigning purposes. I will happily take any advice you may have for future Reports and accept any ruling that clarifies the position with regards to when a Report may and may not be delivered.”

35. On 1 May, Mr Wilson wrote complaining about a Labour Party leaflet circulating in Church ward during the then imminent local election campaign. The leaflet included an item headed: “*Tories misuse taxpayers’ money in Church Ward*”. The paragraph underneath said:

“The Parliamentary Commissioner for Standards is currently investigating charges of mis-using taxpayer’s money by Reading East Conservatives. The Tories recent Parliamentary Report shamelessly promoted their candidate in Church Ward in contravention of the House of Commons rules. Labour’s Parliamentary Spokesperson Anneliese Dodds says: “The taxpayer should not be asked to pay for Tory party political propaganda—these are serious allegations which could result in a legal challenge over their conduct.”

Mr Wilson objected that this item amounted to a pre-judgement of my investigation, in breach of the confidentiality which should surround it, and asked me to take the leaflet into consideration in my inquiry.

36. I subsequently invited the comments of Mr Salter and Councillor Sutton on the points raised by Mr Wilson in relation to this leaflet. Mr Salter declined to comment, except to suggest that Mr Wilson’s objection to the leaflet appeared to be at odds with Mr Wilson’s own decision to issue a press release about his complaint against Mr Salter.²² Councillor Sutton said that he had had no input into the production of the leaflet. He noted that neither he nor Mr Salter were quoted in it.

22 For Mr Wilson’s response to this, see paragraph 40 below.

(d) Comment by the Department of Finance and Administration

37. As all the issues raised by Councillor Sutton's complaint related to the guidance issued by the DFA about publications funded from the IEP, I sought the views of the DFA on the complaint. The Director of Operations confirmed that following earlier contact between Mr Wilson's office and the Department, Mr Wilson had submitted an electronic version of his newsletter for review by the Department on 22 February. It had been approved the same day. As regards the three elements of Councillor Sutton's complaint, the Director said that:

- a) There were and are no restrictions on the timing of distribution of such publications (other than during the dissolution of Parliament). Judging from his response to the complaint, Mr Wilson had been aware of the possible sensitivity of the election period and had made reasonable efforts to ensure delivery prior to this.
- b) The local councillor referred to on page 1 of the Report had not been identified as such or as a party worker. In general terms, it was not for DFA staff to investigate the bona fides of people who appeared in photographs in newsletters. With hindsight, it was probably a little curious that the councillor concerned had been named in the photograph caption as no reference had been made to him in the accompanying article. He continued:

“On balance, I think that Mr Wilson was perhaps unwise to include Mr ...knowing that he was going to be a candidate in the local elections. Having said that, my staff did not raise this matter with Mr Wilson and we approved the inclusion of the photograph. I find it very unlikely that any party advantage was gained.”

- c) Regarding the simultaneous delivery of a party leaflet (without a separate cover) with the newsletter in the Katesgrove ward, the Director noted that this contravened the letter of the Department's guidance in force at the time. However, given that volunteers had delivered both documents, that the cost of distribution had not fallen on the IEP and that the mistake had occurred in a small area of the constituency, the Director did not feel that this breach of the rules warranted refusing to meet the cost of the newsletter from public funds.

38. Regarding the use of the Conservative Party logo, the Director said that he believed that, although reproduced on three occasions in the newsletter, it was sufficiently discreet to be acceptable. However, he was more concerned about the attribution “Reading East Conservatives” on page 1 of the Report. Unfortunately, because the Department had had some difficulty printing off the electronic version of the Report it had received from Mr Wilson's office, this had not been spotted by the staff who had reviewed the Report. Had it been noticed, Mr Wilson would have been asked to remove it “so that the newsletter avoided giving the impression that it was promoting the local Conservative Party”. However, the Director did not feel that Mr Wilson could be held responsible for the Department's mistake or that blame could be attached to him in this respect.

39. Summarising his view, the Director said:

“I consider that Mr Wilson’s only action of concern to me is the delivery of the party survey with his Parliamentary newsletter in a very limited part of his constituency. The delivery itself did not attract a cost and hence there was no loss to the public purse or hidden subsidy to a political party. The Conservative Party heading (but not logo) was a mistake by him, but as explained above, Mr Wilson was entitled to take the Department’s approval of the newsletter as a whole at face value.”

Further Comments by Mr Salter and Mr Wilson

40. Having decided that the equitable way forward would be to report formally to the Committee on Standards and Privileges on the respective complaints against Mr Salter and Mr Wilson, I wrote to them on 16 July inviting their comments on the draft of the factual sections of this report.

41. **Mr Salter** replied on 19 July.²³ First, he was anxious that his remarks in the House on 28 March 2007²⁴ should be read in context. Secondly, Mr Salter insisted that in March 2006 the relevant guidance promulgated by the Department of the Serjeant at Arms had reverted back to earlier wording and made no mention of newsletters and calendars being prohibited from solicited mailings. Mr Salter asserted that this meant that Members had been issued with contrary guidance by the DFA on the one hand and the Department of the Serjeant at Arms on the other. He continued:

“Perhaps it would be helpful if one department of the House alone retained responsibility for MP’s postage? It would also be helpful if they communicated with each other before issuing contrary guidance to Members.”

42. I put this point to the Assistant Serjeant at Arms. She explained that the Stationery and Postage Rules as approved by Mr Speaker on the advice of the Administration Committee had been substituted in the back of the 2007 stationery catalogue for the text of the guidance note issued by the Department. However, the guidance had not been withdrawn, and had continued to be available to Members both in leaflet form and on the Parliamentary intranet.

43. **Mr Wilson** also replied on 19 July.²⁵ He was concerned to point out that while he had issued a press release about his complaint to me concerning Mr Salter, he had:

“... make a conscious effort not to pre-judge the outcome of your deliberations, merely pointing out that as the complaint had been made to me, I had referred it to you for an impartial judgement.”

Mr Wilson contrasted his approach with that in the Labour Party leaflet about which he had separately complained to me.²⁶

23 The text of Mr Salter’s letter is at WE13.

24 See paragraphs 3 and 21 above.

25 The text of Mr Wilson’s letter is at WE 14.

Findings of Fact

(a) Complaint against Mr Salter

44. Mr Salter distributed a Parliamentary Report or newsletter to his constituents in December 2006. Some 3,000 copies of the Report were sent to constituents who had previously been in touch with Mr Salter using pre-paid envelopes, along with a calendar showing the dates of Mr Salter's 'surgeries' and a covering letter. Mr Salter's use of pre-paid envelopes was contrary to the guidance in force at the time but when his practice in this respect had been challenged on earlier occasions, Mr Salter had been advised by the Department of the Serjeant at Arms that it was acceptable. Mr Salter says that he was not aware that the relevant guidance had been amended in 2005, following a change of view as to what was acceptable, nor was he aware that DFA guidance prohibits the practice. He points out that the amended guidance was not included in the 2006 stationery catalogue (though it was available to Members by other means).

45. Mr Salter did not clear the content of his Report with the DFA. The Report did not carry an imprint saying that it had been produced with the help of Mr Salter's Parliamentary allowances, as required by DFA guidance. Mr Salter has accepted responsibility for this oversight, apologised and made arrangements to ensure it does not occur again. Other than the imprint point, DFA, having subsequently seen the report, had no concerns about its content.

46. The front page of the Report carried a photograph and caption naming a local councillor who subsequently sought re-election in the 2007 local elections. Mr Salter says that the item was purely factual and rejects any notion that he was trying to promote the candidacy of the councillor.

(b) Complaint against Mr Wilson

47. Mr Wilson distributed a Parliamentary Report to his constituents in February–March 2007 using volunteer helpers. Although he gave instructions that the Report was to be delivered prior to the start of the local election period, some copies were delivered after that date. However, there was no restriction in the relevant guidance as to the timing of distribution of such a Report.

48. Mr Wilson cleared the content of his Report with the DFA. It included on page 1 a photograph and caption referring to a person who was a candidate at the local elections in May 2007. Mr Wilson points out, however, that although the caption named the person concerned, it did not identify him as a candidate or identify the ward in which he was to stand. Nor was he mentioned in the text of the article which accompanied the photograph.

49. In one ward (and, in a few instances, in others), a Conservative Party survey was delivered at the same time as the newsletter. The survey was not in a separate envelope or cover, as required by paragraph 8 of the then current DFA guidance.

50. The Report reproduced the Conservative logo in 3 instances. On page 1, this was accompanied by the heading “*Reading East Conservatives*”. No objection was made by the DFA to this heading when Mr Wilson asked the Department to approve the final text of his Report prior to its publication.

Conclusion

51. In the following paragraphs, I examine in turn the complaints against Mr Salter and Mr Wilson, before concluding with some points of application to both.

(a) *Complaint against Mr Salter*

52. Mr Wilson’s principal ground of complaint against Mr Salter concerns the fact that Mr Salter distributed some 3,000 copies of his Parliamentary Report and a calendar to constituents using pre-paid House of Commons envelopes. Mr Salter, it is clear, had good reason, following the dismissal by the Serjeant at Arms Department of a similar complaint against him in 2003, to believe that what he was doing was allowed by the rules of the House. However, in 2005 the approach taken by the Department had been tightened, following discussion in the Administration Committee, so as to prohibit the inclusion of newsletters and calendars in pre-paid envelopes sent to constituents. Mr Salter says that he was unaware of this, although revised guidance embodying the change was made available to all Members at the time.²⁷

53. Mr Salter points out that this revised guidance was not reproduced in the 2007 stationery catalogue. However the fact that this happened did not mean that the guidance had been withdrawn. According to the Assistant Serjeant, it continued to be available to Members both in leaflet and in electronic form (on the Parliamentary intranet). The text of the Stationery and Postage Rules (which was reproduced in the 2007 catalogue) did not reverse the guidance; it simply was unspecific on this particular point. And the point was covered explicitly in DFA guidance about publications funded by the IEP, as well as in the leaflet of guidance issued by the Serjeant.

54. While it is understandable, therefore, that Mr Salter thought that what he was doing was acceptable, this does not provide grounds for absolving him from the complaint. The responsibility for keeping abreast of changes in the House’s rules, as for ensuring the proper expenditure of public money, rests with each Member. Ignorance of the relevant rules is no excuse.

²⁷ The guidance was included in a leaflet circulated by the Department of the Serjeant at Arms to all Members. The leaflet was also available across the House and on the Parliamentary intranet.

55. Whilst it would have been possible for Mr Salter to have met the postage bill from his IEP, the sum involved was not minor. Even if all 3,000 envelopes had been posted out second class (and some were not) the total bill would have been around £700.

56. **Accordingly I recommend that this first limb of Mr Wilson's complaint be upheld.** Whilst I have some sympathy with Mr Salter's point that, taken as a whole, the guidance available to him and to other Members was not as clear-cut as it should have been, it was in my opinion clear enough to remove any excuse by Mr Salter for failing to observe it.

57. The second ground of Mr Wilson's complaint concerned the absence from Mr Salter's report of the correct imprint saying that it had been funded from the IEP. Mr Salter says that this was the result of an oversight by his printer, but he accepts responsibility and has apologised for it. **On this ground too, I recommend that Mr Wilson's complaint should be upheld.** However it is fair to add that the calendar which accompanied the report did carry the correct imprint and the DFA has said that it would not normally consider this breach of the rules sufficient on its own to warrant a refusal to pay for the report. So this limb of the complaint, while in my view justified, is technical rather than substantive in nature.

58. As to the third ground of his complaint, Mr Wilson argues that the inclusion on page 1 of Mr Salter's report of a photograph of a Labour councillor promoted his candidacy at the next local election. Mr Salter says that the photograph simply referred to a long-running cross-party campaign in one part of his constituency.

59. I am not myself persuaded by Mr Wilson's argument on this point. Mr Salter's Parliamentary report was distributed some five months prior to the 2007 local elections. I do not believe on the evidence that the publication of the photograph would in practice have had the effect of promoting the councillor's re-election. **I therefore recommend that this third limb of the complaint be dismissed.**

60. Mr Wilson drew my attention to Mr Salter's remarks in the debate on the Communications Allowance (CA) last March. I take Mr Salter's point that these need to be seen in context. My own view of them is that while their tone was unfortunate (appearing to imply, as they did, a readiness to ignore the rules of the House), they had the merit of being honest in respect of the widely-accepted practical difficulties of interpretation that have arisen in relation to the Stationery and Postage rules. The guidance about the new CA issued by the Members Estimate Committee in the wake of the March debate should at least give all Members a clearer basis on which to operate than the unsatisfactory jumble of provisions (to which both the Committee on Standards and Privileges and I had earlier drawn attention²⁸) which went before.

61. Also related to the complaint against Mr Salter is Mr Salter's criticism of Mr Wilson for failing to inform him of the complaint. Mr Wilson has apologised for the oversight.

(b) Complaint against Mr Wilson

62. As with the complaint against Mr Salter, so Councillor Sutton's complaint against Mr Wilson had three aspects.

63. First, Councillor Sutton complained about the fact that Mr Wilson had distributed his Parliamentary report "*hard up against the start of the local election campaign*".²⁹ Mr Wilson says that he gave instructions that the report was to be delivered prior to the start of the campaign. However his decision again to produce a newsletter at this time of year and to distribute it using volunteers meant that there was little room for slippage and laid him open to the charge which followed of seeking to influence the campaign.

64. That said, the rules of the House do not prohibit the distribution of newsletters during a local election period.³⁰ Mr Wilson was not therefore in breach of any rule of the House in respect of the timing of release of his newsletter. **I therefore recommend that the first limb of Councillor Sutton's complaint be dismissed.**

65. Secondly, Councillor Sutton complained about the inclusion on page 1 of Mr Wilson's Parliamentary report of a photograph of Mr Wilson's Constituency Association chairman, who was a candidate for election to the local council in May. Mr Wilson points out that, while the caption names the chairman, it does not identify the fact that he was a candidate or associate him with the ward in which he stood for election.

66. The photograph to which Councillor Sutton objects is primarily a potential problem because of the proximity of distribution of the newsletter to the election. It does not help explain the inclusion of the photograph that there is no mention in the accompanying article of the person who appeared with Mr Wilson in the photograph. On balance, however, I doubt that any significant personal or party advantage was gained by its publication. **I therefore recommend that this second limb of the complaint be also dismissed.**

67. I take a different view of the third limb of Councillor Sutton's complaint. This concerned the fact that in the whole of one ward and in a few parts of others, a Party survey was delivered at the same time as Mr Wilson's Parliamentary report. Mr Wilson says of this that both items were loose and not in any 'cover' of any description, and that the rules allow for such material to be delivered at the same time. However, as I read paragraph 8 of the DFA's guidance, it is quite clear that while Parliamentary and party political material may be included in the same mail drop, where this is done, the

29 WE 4.

30 Whether they should do so is a matter I propose to consider in a later report.

Parliamentary material “*must be placed in a separate envelope or cover*”. This did not happen. The failure to provide for it heightened the risk that Mr Wilson’s Parliamentary report would be seen as a party political publication. **I therefore recommend that the third limb of Councillor Sutton’s complaint be upheld.**

68. I have one other concern about Mr Wilson’s newsletter, which relates to the wording accompanying the Party logo on its front page. While the use of Party logos in Parliamentary publications is not prohibited, the recently issued guidance on the new CA requires their use to be “*discreet and proportionate*”. I share the concern expressed by the DFA’s Director of Operations about the fact that on page 1 of Mr Wilson’s newsletter, the Conservative Party logo was accompanied by the words “*Reading East Conservatives*”. In my view the effect of this particular choice of words, when coupled with the use of the logo and the printing of the report in party colours, was to heighten any impression that the report was a party political rather than a Parliamentary publication.

69. As the Director has recognized, it is unfortunate that, for the reason given in paragraph 38 above, this point was not picked up by the DFA when Mr Wilson sent the text of his planned report to the Department. The Director has suggested that, given that the Department did not object to this wording, Mr Wilson was entitled to assume that his proposed Parliamentary report complied with all the relevant requirements. While I entirely accept that Mr Wilson followed best practice in seeking DFA advice (and the Committee will want to give due weight to the fact that he did so) I do not believe, as a matter of general principle, that seeking and acting on DFA advice can of itself absolve a Member from their own over-riding responsibility to comply with the relevant rules of the House. In my view, the inclusion of these words crossed the line between Parliamentary and party political material, contrary to paragraph 5 of the DFA guidelines. **I therefore find that Mr Wilson’s report breached the rules of the House in this second respect.**

70. Finally in this section, I should mention Mr Wilson’s complaint about the Labour Party leaflet which circulated in one ward in Reading during the local election campaign (see paragraphs 35-36 above). While those concerned do not fall within my jurisdiction, I regret the way in which the authors of the leaflet expressed a view, on a matter still under consideration by myself and the Committee, which might well be seen as pre-empting the decision that might be reached on Councillor Sutton’s complaint. As a matter of general principle, I do not believe that the House’s apolitical standards enforcement system should be drawn into party political controversies. I return to this point below.

Points of Application to both Complaints

71. Both the complaints concern newsletters funded out of Parliamentary allowances and their distribution. Like other complaints I have received in recent months, they raise some general issues about the rules relating to such publications, including the timing of their distribution in relation to a local election campaign and the appropriate

use in them of distinctive Party emblems such as logos and party colours. These are matters to which I propose to return in the context of a later report.

72. In recommending that both complaints be upheld in part only, I draw the Committee's attention to the fact that both Members had at various points been in touch with, respectively, the Department of the Serjeant at Arms (Mr Salter) and the Department of Finance and Administration (Mr Wilson), and believed themselves to be acting consistently with advice they had been given. Both Members have said that if, nonetheless, they are found to have erred in any respect, they will readily accept the guidance of the Committee.

73. I conclude by referring to a more general aspect of these complaints. It will be clear to any careful reader of the Written Evidence attached to this memorandum that the backdrop to both complaints is the keenly fought party political contest in Reading. There is always a temptation in such circumstances for political parties and those associated with them to use the complaints process as another institutional means of pursuing their objectives, without first exhausting other means of resolving minor difficulties. This is not a new phenomenon, in Reading or elsewhere, but it is deleterious both to the credibility of the complaints process and to the standing of politicians in general. I hope that a proper sense of proportion will prevail in how these matters are approached in Reading, and elsewhere, in future.

10 October 2007

Sir Philip Mawer

Written evidence received by the Parliamentary Commissioner for Standards

1. Letter to the Commissioner from Mr Rob Wilson, 28 March 2007

I have received the attached copy of a Parliamentary Report, calendar card and covering letter, together with the envelope in which it was received, from a constituent of the Reading West MP.

It is my belief that this communication breaches Parliamentary rules in the following respects:

1. It has been posted in a pre-paid House of Commons envelope rather than being stamped and paid for from the MP's IEP.
2. The Parliamentary Report does not have the correct imprint stating that the Report was funded from Parliamentary Allowances (IEP).
3. By identifying Cllr ... on the front page and the ward he represents, when he is up for election this May, it is arguable that he is promoting his candidacy, again in breach of the rules.

I was surprised to listen to the Reading West MP state in the House yesterday that he regularly breaks the rules on communication with constituents. I have attached a copy of the Hansard extract from yesterday's debate for your reference.

I would be grateful if you could investigate these points and inform me as to your conclusions.

28 March 2007

2. Facsimile of Mr Martin Salter's Parliamentary Report



Reading West Constituency – which includes: Pangbourne, Purley, Tilehurst, Theale, Calcot, Coley, Norcot, Southcote, Whitley and the Oxford Road

Justice for Jane

Since he was first elected as Member of Parliament in 1997 Martin Salter has established a reputation as a hard-working constituency MP who gets results for local people. Martin believes in keeping in touch with his constituents, which is why he produces an Annual Report setting out what he has been doing on your behalf during the last year.

In August Martin helped achieve a significant change in the law at the end of a two and a half year campaign with Reading mum Liz Longhurst when the Home Office announced proposals to create a new criminal offence for the possession of violent and extreme pornographic material featuring rape, torture and necrophilia. This followed the death of Liz's daughter Jane at the hands of a man who was a self-confessed addict of extreme internet sites.

Martin Salter says: "This campaign has taken a huge amount of time and effort but it has struck a chord right across the country as our 50,000 signature petition demonstrates. These proposals will change the law to treat violent internet pornography in the same way as child pornography. It is great news that the government responded to calls to outlaw these sickening internet images which can so easily send vulnerable people over the edge."



CHANGING THE LAW – Martin and Liz Longhurst celebrate the announcement by the government that violent internet pornography is to be outlawed. This followed a two and a half year campaign in Parliament and across the country.



PROTECTING THE FLOODPLAIN – Martin joins Southcote councillor Pete Ruhemann and local campaigners in opposing attempts to build on the functional floodplain between the Kennet and the M4.

Making a Difference

Martin has been busy in the constituency on a whole range of campaigns and issues including:

- ✓ **Successfully fighting off** plans by Prudential to build 7,500 homes on the floodplain of the River Kennet
- ✓ **Resisting** attempts by Wokingham Council to close Ryeish Green School
- ✓ **Taking forward plans** to establish a Summer Camp at affordable prices for local school children
- ✓ **Lobbying** for money for transport improvements including the M4 Junction 11 and Reading Station upgrades
- ✓ **Pressing** for work to begin on the new medical centres for the Oxford Road and Tilehurst

Martin has also been busy supporting the work of many charities, residents' associations and community groups.

SEE INSIDE FOR INFO ON – Local Action in your area, constituency visits, charity fundraising and Westminster Report

Martin Salter – getting results for Reading West

Local action all year round



SAVE RYEISH GREEN SCHOOL – Local parents and school governors in South Reading enlisted Martin's support in their fight to stop Wokingham Council closing their school.

Over the last year Martin Salter has been busy in:

January – Campaigning for tough action against travellers after an encampment at Rivermead Leisure Centre resulted in passers-by being bitten by dogs and an NHS eye clinic on the site had to be cancelled.

February – Speaking at the West Berkshire Youth Parliament Election to encourage young people to get involved in politics and democracy.

March – Writing to Home Secretary, Charles Clarke to press for an inquiry into the conduct of the Probation Service following the Mary-Ann Leneghan murder – 4 out of 6 men found guilty of the murder were under the supervision of the Probation Service.

April – Securing, after 5 years of lobbying, the support of the Department of Transport to fund the M4 Junction 11 upgrade.

Hitting out at the failure of First Great Western to amend their draft timetable and instead go ahead with cuts to fast train services to London.

Surveying residents' views in Tilehurst on NHS services they would like to see in the new Medical Centre.

May – Visiting Hawthorns Primary School to give an assembly on his visit to Sri Lanka.

Celebrating the 10th Birthday of Reading International Solidarity Centre and helped unveil the William Penn plaque.

June – Leading a delegation from local Advice Agencies to Work and Pensions Minister, Jim Murphy MP, to protest at the chaos around benefit processing which had blighted the Reading area for months.

Attending the launch of the Dee Park exhibition about the regeneration to hear the views of local residents.

July – Launching Active Learning Week for pupils at Little Heath School and talked to students about his career development from bin man to politician.

August – Wading into the fight to save Ryeish Green school which Wokingham Council want to close and which serves many children in the South Reading area.

September – Supporting residents in Tilehurst and pressing WBDC Eastern Area Planning Committee to reject proposals to build on a play area for local children near Linnet Close and Bitterne Avenue.



RAISING A STINK – Purley-on-Thames residents campaigned with Martin to stop the building of a sewage pump out station at the beautiful Mapledurham Lock.



SUPPORTING PUBLIC TRANSPORT – Martin helped win the new 28 bus service linking Tilehurst with Asda and the Royal Berkshire Hospital.



SUPPORTING THE TRADERS – Martin has been working with Kentwood councillors and local traders in Tilehurst in opposing any further extension of parking restrictions which could damage businesses.

October – Working to help find a new festival for Reading as WOMAD leaves for a bigger site.

Arranging for Transport Secretary Douglas Alexander MP to hear for himself the case for the Reading Station upgrade to improve platform capacity, to provide better facilities for commuters and increase the number of services.

November – Leading delegation from Reading University to meet with Higher Education Minister in bid to prevent the closure of the Physics Department.

December – Attending Christmas events at local charities such as Arthritis Matters and Berkshire MS Therapy Centre.

Martin Salter MP – working hard for you in Reading West

A helping hand

Martin is a strong supporter of the work of local charities and hardly a week goes by without him being asked to help promote or raise funds for a good cause at home or abroad. He is patron of the Berkshire MS Therapy Centre, ABC To Read, Reading Cygnets, Southcote Toy Library and Thames Valley Positive Support.



VISIT TO SRI LANKA WITH MAYOR BET TICKNER – Martin saw for himself the effects of the devastating Tsunami and the work that is being funded by RITA (Reading Initiative for Tsunami Action) to help rebuild homes and schools.

Over the past year Martin has:

- **Donated prizes** such as dinner in the House of Commons or bottles of House of Commons Whisky signed by the Prime Minister to a number of good causes including the St John's Ambulance Theale HQ Appeal, Children with Leukaemia and the MS Therapy Centre.
- **Supported Reading's Campaign** to Make Poverty History and launched the local Jubilee Debt Campaign event at WOMAD.
- **Organised a fishing trip** for disabled children from the PALS play scheme along with local anglers at Tappersn Lake, Theale and secured funding for the Reading Angling Action Project which helps keep youngsters out of trouble.

- **Set up the Reading Initiative for Pakistan Earthquake Relief (RIPER)** to raise funds to help with the reconstruction of communities devastated by the South Asia Earthquake in October 2005.



GOOD SAMARITANS – Martin helps out at the Reading Samaritans' Stall in Broad Street.

Meeting the people – staying in touch

Martin Salter lives in his constituency and travels up to Westminster every day when Parliament is sitting. He runs a full time constituency office at 413 Oxford Road and holds regular advice surgeries. On Fridays and during many weekends Martin gets out and about meeting local people, visiting schools, businesses, community projects, resident groups, churches and playgroups. He also has regular meetings with the Chief Executives of Reading Borough and West Berkshire Councils as well as the heads of the other major public services.

Over the last 12 months Martin has:

- Become a governor at the new Madejski Academy and launched the Active Learning Week at Little Heath School as well as regularly visiting other local schools including:- Pangbourne Primary School, Brookfields, Geoffrey Field Juniors, Hugh Faringdon, Ryeish Green, Saint Mary and All Saints, Upcroft Primary, Tilehurst Play Group, Reading Girls, The Avenue, Whitley After School Club and Norcot Early Years Centre.
- Supported many local churches and voluntary organisations including:- South Reading Churches, St Mark's Church, Reading Interfaith Group, Resource, Southcote SITE, Dee Park Residents, YMCA, Reading Association for the Blind, Age Concern, Reading Scouts, RISC, Whitley Arts Festival, Thames Valley Positive

Support, Elizabeth Fry Hostel, the Royal Berkshire Cancer Centre and the new Hydrotherapy Pool.

- Martin is also a keen supporter of Reading FC where he is a season ticket holder in the East Stand. He is a vice president of the supporters club STAR.

If you would like Martin to visit your group or organisation just drop a line to his constituency office.



CELEBRATING DIVERSITY – Radio Berkshire's Maggie Philbin joins Martin to launch a project telling the stories of people who came to Reading in search of a better life.

Martin Salter MP – out and about in Reading West

Westminster report 2006

Martin Salter has been described by commentators as a "sharp, clever, backbencher...loyal but no robot". He has earned respect for not being afraid to speak his mind and for being an effective campaigner. He is a member of the Home Affairs Select Committee and is the government's spokesman for Angling. Martin has no outside business interests, believing that representing 70,000 constituents is a full time job. He claims considerably less in allowances than most MPs as he does not have a taxpayer funded flat in London. Listed below are a few highlights from his work in Westminster in the last year:



MARTIN SALTER joined forces with the Breast Cancer Campaign for their 'wear it pink' day as part of breast cancer awareness month.

January

- Helped to win a Parliamentary free vote for a ban on smoking in public places.
- Supported the campaign against the withdrawal of Alzheimer's drugs.

February

- Called for tougher action against travellers "in defence of the law-abiding community".
- Led a delegation to Kashmir and Sri Lanka following the South Asian Tsunami and Earthquake.

March

- Won significant improvements to the Education Bill following the publication of the widely acclaimed "Alternative Education White Paper".
- Tabled a Commons' motion acknowledging Reading Football Club's historic achievement in securing promotion to the Premiership.

April

- Supported Yell's case against the Competition Commission in order to protect jobs in Reading.
- Backed the campaign to 'Save our Sundays' and a Parliamentary motion to prevent shops opening for longer.

May

- Elected Chair of the new All-Party Parliamentary Group on Angling.
- Criticised Wokingham councillors for trying to exclude Reading children from Wokingham schools.

June

- Called for an end to human rights abuses and military occupation in Kashmir.
- Joined a campaign calling for a change in the law on convicted criminals serving in the House of Lords.

July

- Called for an immediate ceasefire in the Lebanon.
- Presented Reading's Crossrail case to the special Select Committee.
- Raised the issue of Reading Station upgrade at Transport Questions.

August

- Invited Barry Gardiner, Rural Affairs Minister, to Beale Park to support National Fishing Week to get more people fishing.
- Welcomed announcement to outlaw violent internet pornography.

September

- Spoke in favour of the National Grid Young Offenders programme that began life at Reading Prison and has seen a dramatic fall in re-offending rates.

October

- Welcomed the Bill to create a new law of Corporate Manslaughter.
- Condemned the decision by Royal Mail to close its mail centre in Caversham Road, and transfer operations to Swindon.

November

- Sponsored the launch of the national "Blueprint for Water" to protect and improve our water resources.
- Lobbied for new Marine and Fisheries Bills.

December

- Took a delegation to the Schools Minister to try and stop the closure of Ryeish Green School.
- Pressed Transport Ministers for more investment in the Thames Valley infrastructure, in partnership with major employers in the area.



COME ON URZI! - Martin is a season ticket holder at the Mad Stad and is supporting plans to increase the stadium capacity.



CARING FOR THE ENVIRONMENT - Martin helps launch an Environment Agency strategy to help protect Britain's rivers.



KASHMIR CRISIS - thousands of people made homeless by the South Asian earthquake face another winter under canvas.

7 ways to contact Martin Salter

- Book in for one of his advice surgeries on the 2nd and 4th Saturday each month. Telephone **954 6782** for an appointment.
- Call in at one of his Friday evening drop-in surgeries in Whitley or Calcot. Telephone **954 6782** for details.
- Write to Martin at his constituency office at **413 Oxford Road, Reading RG30 1HA.**
- Write to Martin at the **House of Commons, London SW1A 0AA.**
- Drop him a note in the **MP mailbox** in the **Civic Offices, Reading** and save yourself the price of a stamp.
- Send him an email message to **salterm@parliament.uk**
- Go to his website at **www.martinsalter.com**

3. Covering letter to constituents from Mr Martin Salter, December 2006

I am writing to all my constituents who have made contact with me since I was first elected as your Member of Parliament enclosing details of my M.P. Advice Surgeries for next year and a copy of my ninth Annual Report. Many of you have either been to see me, written to me on matters of local or national concern, signed petitions or returned tear-off slips in support of various campaigns. My constituency office has been as busy as ever and we have now dealt with nearly 18,000 individual cases since 1997.

I am always striving to provide the best possible service for my constituents and I would be grateful for any views or comments you may have on my work in Parliament and Reading West or on this year's Annual Report.

As you can see there has been a lot happening over the last 12 months. There have been significant debates over striking the right balance between protecting our civil liberties and giving the police and security services the tools they need to counter the ever present terrorist threat. At long last people seem to be waking up to the consequences of climate change although some of the tough measures necessary to reduce carbon emissions won't be popular with everyone. In Parliament I have taken on a number of new roles since my resignation as Parliamentary Private Secretary to the Schools Minister over the Education White Paper. I am now a member of the Home Affairs Select Committee which has a heavy but interesting workload. Last month I was proud to see in the Queen's Speech that the Government will be introducing legislation to outlaw the possession of violent and extreme pornographic images after my two and a half year campaign alongside Reading Mum, Ms

Finally as a mad keen Royals fan and Vice-President of the Supporters' Trust at Reading I have to say what a pleasure the last year has been. Long may we remain in the Premiership.

It has been my privilege to represent you in Parliament and to be able to speak up for local people here in Reading West. I would like to take this opportunity to wish you and your family a very happy Christmas and a peaceful and prosperous New Year.

December 2006

4. Letter to the Commissioner from Councillor David Sutton, 11 April 2007

I regret that I have to forward to you the complaints of a number of my constituents about the Parliamentary Report circulated recently in Reading by Robert Wilson MP.

I recognise that this is a comparatively small matter in respect of your very busy schedules, but the matter is in the public domain here in Reading, and I do have to represent my constituents' views.


As you are already familiar with most of the detail of the case, I will summarise the complaints in three brief bullet-points:

- The first issue is the timing of the release of the Parliamentary Report, hard up against the start of the local election campaign. Inevitably this has meant that the Parliamentary Report has been regarded as Conservative Party election material produced at the public expense, and this view has been reinforced by the late delivery of some of the leaflets—actually within the election period, I am told.
- The second issue is the ill-advised promotion of a Conservative Party candidate in the Parliamentary Report. Given the timing, this again looks like the use of public money for local electioneering.
- The third issue is the inclusion within the Parliamentary Report of a Conservative Party leaflet as it was delivered. Again this makes a parliamentary publication appear to be used for party political purposes.


I hope that as a result of this complaint you will be able to bring these errors of judgement to Mr Wilson's attention, and ensure that they do not recur in future years.

11 April 2007


5. Facsimile of Mr Rob Wilson's Parliamentary Report

 Reading East Conservatives

Parliamentary Report Rob Wilson MP



Working for Reading East...Working for Reading East...Working for Reading East...Working for



Bringing the Olympic Flame to Reading

Rob has led a campaign to bring the route of the Olympic Torch Relay to Reading and Woodley. He wrote to Lord Sebastian Coe to record his desire to see the route of the Olympic torch pass through the area and then followed up by writing to local groups and societies to invite them to support the initiative. Rob has been overwhelmed with the enthusiastic response to his campaign with literally hundreds of letters and emails from local people expressing their delight at the chance of being able to feel part of the Games.



Visit to Sure Start Centre



Rob and Mike Townend meet local children

Over 3.4 million children are living in poverty in the UK, that's more than one in four - a shocking statistic in a country as wealthy as ours. It is vital that the Government addresses the needs of children living in poverty and their families if they are to meet the 2010 & 2020 child poverty targets.

Keen to explore ways to tackle the problem, Rob visited the Blagdon Children's Centre in Northumberland Avenue (who work in partnership with the Whitley Sure Start programme) to see some of the work carried out by the centre to alleviate the impact of child poverty. The visit provided an opportunity to meet with parents participating in the 'parenting support programme' and hear about their experiences.



Rob Wilson MP

News in Brief

Rob has been undergoing a series of "work experience" placements with a variety of public and private sector employers in the Reading area.



Rob working on a till at Tesco in Napier Road



Rob as a postman



Rob working as a binman in Woodley

Rob meets a great variety of people from all walks of life in Reading and it is his wish to remain in touch with the lives of his constituents. By experiencing a range of different jobs Rob can better understand the issues that face people that he meets and who come into his surgery.

Rail Boss Taken to Task



Rob met with First Great Western MD Alison Forster to press her for improvements to the services from Reading into Paddington. In recent months the company has axed several trains and commuters have been packed into over-crowded trains with no chance of a seat.

Fighting for Royal Mail Jobs



Following news that the Royal Mail is to relocate its Reading sorting office to Swindon, Rob recently arranged a meeting with Postal Service Minister Jim Fitzpatrick to press the case for keeping the maximum number of Royal Mail jobs at their Caversham Road site. Rob also invited the MPs for Reading West, Gloucester and Stroud to attend the meeting to ensure a cross-party approach.

Ryeish Green School

Rob has spent considerable time working with staff and governors of Ryeish Green School to try to find a solution that keeps the school open. Due to the sensitive nature of some of the discussions much of this has been done without publicity. Sadly it now looks as though the Council are pressing ahead with the closure of the school but Rob is still working with local people to keep the school open as an independent trust school.

Working for You...

Reports Back



Community Education Trust Visit



Rob commended the work being undertaken by the Community Education Trust to improve the educational attainment of children within the Pakistani community, when he visited the group.

The project is run by members of the community and staffed by parent volunteers who feel passionate about education. Since its establishment, CET has been working towards helping pupils as well as their parents, to help themselves to raise the education standard and achievement of their children. In addition, the Trust provides a platform where parents can meet together to share their experiences in a relaxed environment and if necessary, be helped and guided to create a learning environment for their children at home.

Physics Dept Closure

Rob secured a debate entitled "Science Funding in Higher Education" in the Commons, following news that the Physics Department at Reading University was to close.



In his speech Rob noted that "closing specialist Departments of Physics is not just bad for the reputation of an important University such as Reading, it's bad for the national economy. With the continuing rise of India, China and other new economies we must compete by investing in our skills base. I am very sad that the Government has let down the administration, the students and staff at Reading University."

Knives Cost Lives

Following a useful meeting with the Lord Chancellor last summer Rob arranged an additional meeting with the Attorney General and a Home Office minister to allow families who are the victims of crime to present their case for tougher sentencing of offenders.



The campaign, which has the support of the Reading Post, has grown to a nationwide campaign on behalf of families from across the country.

Rob Made Lung Cancer Champion

Rob has joined a small group of MPs after being appointed a Parliamentary champion for the UK Lung Cancer Coalition. In the course of his duties, Rob recently visited the Berkshire Cancer Centre and inspected its facilities.



Waterways Campaign



Rob joined protesters to call for cuts in the DEFRA budget for the canal system to be reversed. He also pressed the Leader of the House, Jack Straw to make time for a debate on the cuts.

...All Year Round

What people are saying about Rob...

"Thank you so much for always replying to people's queries whether by email, phone, etc. Your reputation goes before you - I just thought you might like to know. We could do with a few more people like you"
Ms. Goodings Caversham

"Thank you thank you thank you. I've been really impressed with your efforts. You're the bees knees mate."
Mr. Jones Reading

"First of all, thank you for helping me get my winter fuel payment. In addition I can see you have been working very hard representing Berkshire, in so many areas!"
Mr. Bragg Woodley

"Thank you is not enough to express my feelings towards what you have done to sort out my problem. You made my Christmas wish come true. God bless you, many thanks!"
Youssef Family Woodley

"My problems have now been resolved and it is solely down to your kind assistance. Again, many thank from both myself and my children"
Ms. Waters Caversham

Extracts from real letters

In the last year Rob has:

Conservative

- Given 34 speeches in Parliament - above average for MPs
- Received answers to 122 Parliamentary Questions to Ministers - above average for MPs
- Is a member of 2 Select Committees
- Has attended 75% of votes
- Rob also answers, on average, 250 items of correspondence per week

A full list of statistics can be found at www.theyworkforyou.com

Local man



Rob and Jane would like to thank the staff at the Royal Berkshire Hospital for their professionalism and support in delivering Megan Anne and to the many well wishers who have contacted them.

Rob has lived in Reading for over 20 years since his student days at Reading University. He now lives in Caversham with his wife Jane and four children, following a new arrival in January 2007. He commutes daily from Reading Station into Westminster.

Surgeries



If you would like to make an appointment with Rob for one of his regular surgeries, please contact Rob's constituency office on
01 18 375 9785



Six Ways to Contact Your MP

Telephone Rob's Reading Office on:
01 18 375 9785

Or Westminster on:
020 7219 2498

Fax:
01 18 375 9786

Email:
Robwilsonmp@parliament.uk

Write to Rob at:
Rob Wilson MP, House of Commons,
Westminster, London SW1A 0AA

Visit Rob's website at:
www.robwilsonmp.com



Houses of Parliament Tours



If you would like to tour the Houses of Parliament, call **020 7219 2498**
And Rob will be pleased to arrange your visit

Promoted by David Ashman on behalf of Rob Wilson MP, both of 12a South View Park, Caversham, Reading RG4 5AF and printed by TB Marketing, Unit C, Rayner Close, Swindon SN3 4YA. This publication is financed using money provided from the MP's Incidental Expenses Provision.

6. Department of Finance and Administration guidelines, April 2006

Funding publications from the Parliamentary Allowances

1. This factsheet sets out the rules that apply if you use the Incidental Expenses Provision (IEP) to meet some or all of the costs of preparing, printing and distributing publications to your constituents. Distribution costs may also be met from your Staffing Allowance. *Please note that separate rules apply during any Dissolution period.*

Scope of permitted publications

2. Subject to the rules which follow, you may use your allowances to fund newsletters, circulars or annual reports, small calendars or business cards.
3. The following are not permitted: questionnaires and surveys relating to national issues (see paragraph 10 below), 18th birthday cards, Christmas cards and merchandising.

Principles

4. The sole purpose of the editorial elements of the publication must be to inform constituents about your work as a Member and/or to provide information about how to contact you.
5. No party political or campaigning material is allowable in any part of a publication funded, in whole or in part, from the allowances. Members wishing to produce a joint publication with their local party, an MSP, MEP or AM must ensure the entire content is free of such material. **If you wish to include material not allowed under these rules, you must fund the whole cost of your publication from another source.**
6. You alone are responsible for ensuring that these rules are fully observed. If they have not been, you will be asked to repay any costs involved, and you may also expose yourself to allegations of misuse of the allowances. The Department of Finance and Administration (DFA) can provide advice on the rules and review any publication on your behalf.

Distribution

7. Parliamentary newsletters and other publications must be sent or made available (e.g. in libraries or community centres) to all constituents or all constituents within a locality. Publications should not be targeted at constituents based on age, race or social background.
8. Parliamentary newsletters and other publications may be included in the same mail drop as any political material but it must be placed in a separate envelope or cover. The IEP should not be used to meet the cost of distributing the non-parliamentary material.
9. You **must not** use prepaid envelopes or other House stationery for these publications. The cost of envelopes and postage can be met from your Incidental Expenses Provision (IEP).

Content

10. The following material is likely to be allowable, subject to paragraph 11 below:

- information about you
- factual information about Parliament, debates etc
- details of surgeries and how to get in touch
- factual material about your work as a Member
- factual information about local public services, e.g. the local authority

- surveys/questionnaires relating to specific local matters or for use by the Member locally
- paid advertising by locally based businesses, if the receipts are set against the cost of the publication or reimbursed to the Incidental Expenses Allowance.

11. You must not use IEP funded publications:

- to promote, criticise or campaign for or against anyone seeking election
- for the purpose of advancing perspectives or arguments with the intention of promoting the interests of any political party or organisation you support, or damaging the interests of any other such party or organisation
- for fund raising
- for general surveys based upon social background or demographics
- to conduct business activities, or to obtain inappropriate private benefit.

Payment arrangements

12. Your publication must include a short notice explaining that costs are to be met from the allowance, and giving the source of any other funding.

13. It is your responsibility to keep records or any receipts e.g. from advertising, to make any necessary entry in the Register of Members' Interests, and to notify the HM Revenue & Customs if appropriate.

Procedures

14. The Department of Finance and Administration is responsible for interpreting and enforcing rules relating to Parliamentary allowances, as set out in the Green Book. If you are satisfied that your publication conforms to the above rules, you may meet the costs from your allowances in the normal way. Members are not required to submit publications to the DFA prior to printing. You may also use the House emblem (the crowned portcullis).

15. If you want advice on the proposed content of any publication, you may approach the DFA whose experienced staff will undertake a review on your behalf. The Department will aim to complete this within 3 working days. Members are advised to make allowance for this process before going to print. While the Department will always offer advice in good faith, responsibility for ensuring compliance with the rules remains unchanged. However, in the event of a complaint the Parliamentary Commissioner for Standards will wish to know whether advice was sought.

Tax liability

16. HM Revenue & Customs reserve the right to assess as income payments made from public funds in respect of Members' publications. However, DFA is advised that in general they are unlikely to levy a tax charge if your publication meets the above rules.

April 2006

7. Rules on the use of House of Commons stationery and post-paid envelopes, March 2006

The current rules on use of the House emblem, House of Commons stationery and pre-paid envelopes (March 2006)

NOTE BY THE CLERK OF THE ADMINISTRATION COMMITTEE: The rules set out below originate from decisions by the Select Committee on House of Commons Services in March

1984. Minor amendments have been made since this date, but the general principles established by the 1984 Services Committee have been retained.

Use of the House Emblem

1. The principal emblem of the House is the Crowned Portcullis. It is a royal badge and its use by the House has been formally authorised by licence granted by Her Majesty the Queen. The designs and symbols of the House should not be used for purposes to which such authentication is inappropriate, or where there is a risk that their use might wrongly be regarded, or represented, as having the authority of the House.

Use of the House of Commons Stationery and pre-paid envelopes

Introduction

2. House of Commons stationery provided at public expense must not be used for purposes which are not properly a charge on public funds, and the designs and symbols which authenticate communications from Members should not be used for purposes to which authentication is inappropriate. The following rules have been approved by the Speaker on the recommendation of the Select Committee on Administration. *Their application and interpretation must initially, however, rest on the good sense of the individual Members.* In normal circumstances supervision and enforcement of the regulations are a matter for the Serjeant at Arms.

Original House Stationery

3. Original House stationery which is provided at public expense should not be used for the following purposes:-

- a) communications of a business or commercial nature;
 - b) personal correspondence, other than in modest quantities;
 - c) correspondence of Associate Parliamentary Groups which include persons other than Members of Parliament;
 - d) in connection with fund raising for the benefit of a political party, advocating membership of a political party, or supporting the return of any person to public office.
4. Original House stationery should not be used for circulars of any description.

Circulars (see also 4 above)

5. Members who wish to send out circulars may purchase the original House stationery, or, at their own expense, may photocopy or by other means reproduce such stationery which may include the Crowned Portcullis or the Royal Arms, whether or not associated with the words 'House of Commons'.

6. Such circulars must not be used:-

- a) for correspondence of a business, commercial or personal nature; or
- b) in connection with fund raising for the benefit of a political party, advocating the membership of a political party, or supporting the return of any person to public office.
- c) An Associate Parliamentary Group which includes persons other than Members of Parliament may make use of House emblems on stationery other than original House stationery, subject to this and rule 5 above.

7. For the purposes of these regulations the following are considered to be circulars:

- a) a letter sent in identical or near identical form to a number of addressees (whether or not it is individually signed and addressed) if it is unsolicited, i.e. if it is not sent in reply to queries or correspondence from the addressees;

- b) common-form coming-of-age greetings cards or letters, or equivalent communications sent to the constituents;
- c) a letter sent in identical or near identical form to a number of addresses acknowledging replies to any letter, questionnaire or survey that itself was unsolicited.

Pre-paid Envelopes

8. The pre-paid envelopes supplied for Members' use should **not** be used:
- a) for correspondence of a business or commercial or personal nature;
 - b) for the correspondence of a parliamentary groups which include persons other than Members of Parliament;
 - c) in connection with fund-raising for the benefit of a political party, or supporting the return of any person to public office;
 - d) for circulars of any description (including those referred to in paragraphs 2,3,4 above);
 - e) for internal mail;
 - f) for overseas mail, other than to BFPO numbered addresses, see paragraph 10 below.
9. Members are asked to note that pre-paid envelopes, postcards and plastic mailers are charged for as soon as they have been supplied. They should be safeguarded in order to prevent misuse and may not be overprinted in any way.

European Destinations

10. A post-paid envelope valid for European destinations is available.

Dissolution

11. House stationery, House emblems and pre-paid envelopes should not be used during the period of dissolution. In correspondence ex-Members should not use the title MP or the address of the House of Commons until the day after Polling Day.

March 2006

8. Letter to Mr Martin Salter from the Commissioner, 10 April 2007

I enclose a copy of a letter (and enclosures) I have received from Mr Wilson, dated 28 March, in which he complains about a letter, copy of your "Parliamentary News" and 2007 calendar which you distributed to constituents in December 2006. You will see that Mr Wilson complains that this material breached the rules of the House in that:

- i. it was distributed in pre-paid, House of Commons, first class envelopes rather than the postage being funded from your Incidental Expenses Provision (IEP).
- ii. the newsletter did not carry the required imprint saying that it had been funded by your IEP.
- iii. by identifying on its front page a Labour councillor who is seeking re-election this May, (and naming the ward he represents), it promoted the councillor's candidacy in the forthcoming local elections.

In connection with this complaint, Mr Wilson also draws my attention to your statement during the debate on the new Communications Allowance on 28 March:

"We have all been breaking the rules. Let us be honest—we have all been at it, and I more than most, probably because it is common sense to do so." (Official Report, 28 March 2007, cols. 1532-33.)

As you will know, paragraph 14 of the Code of Conduct approved by the House provides:

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

I enclose a copy of the Rules on the use of House of Commons stationery and post-paid envelopes which were in force in December 2006. These provided that original House stationery should not be used for circulars of any description (paragraph 4), unless it had been purchased by a Member or reproduced at his or her own expense (paragraph 5). Pre-paid envelopes should not be used for circulars of any description (paragraph 8).

I also enclose a copy of the guidelines relating to publications funded from the Parliamentary allowances, promulgated by the Department of Finance and Administration (DFA), which were in force in December 2006. You will see that paragraph 9 of this guidance says that pre-paid envelopes must not be used for distributing Parliamentary newsletters or other publications. Paragraph 7 says that such newsletters or publications must be sent or made available to all constituents or to all constituents within a locality. Paragraph 12 refers to the form of notice to be included in a publication giving the source(s) of its funding.

Against this background—and in accordance with the procedures for considering complaints set out in the enclosed note [PN3]—I should be grateful if you will let me have your response to Mr Wilson’s complaint. It would be helpful if this could include information on:

- i. whether you sought any advice from the DFA or anyone else on the text of, and distribution arrangements for, your December newsletter.
- ii. to how many people your newsletter was distributed, by pre-paid envelope and by other means respectively.
- iii. how these people were selected

as well as any other comments you wish to make.

I am copying this letter and enclosures to the Serjeant at Arms and the Director of Operations in the DFA, whose advice I will be seeking in the light of your reply.

If you want a word about this matter, please do not hesitate to get in touch.

10 April 2007

9. Letter to the Commissioner from Mr Martin Salter, 3 April 2007

It is with considerable regret that I find myself writing to you again following the complaint made against me by Rob Wilson in 2004 which you rejected. Mr Wilson is now the Member of Parliament for Reading East.

I understand via the enclosed press release—Mr Wilson did not have the courtesy of contacting me directly—that you are to receive a complaint regarding my 2006 Annual Report to constituents. I have been the subject of three similar complaints to the Serjeant-at-Arms by political opponents over the last 9 years all of which have been rejected. I have correspondence from the Serjeant-at-Arms which confirms that I have adhered to the rules governing the pre-paid postage as I do not attempt to correspond with constituents who have not first contacted me.

At the end of each year since I was elected in 1997 I produce an annual report to constituents on my activities in both Parliament and in my constituency. This is a factual report with no party logos or party political context and is in accordance with the rules governing MPs allowances. I also produce a calendar setting out the dates of my advice surgeries for the forthcoming year. Again it contains no party logos or attributes. At the end of the year I write to those constituents who have contacted me by letter, email, petition or in person and send them my advice surgery calendar. Within this mailing I include a copy of my annual report. This has been approved by the Serjeant at Arms as within the rules governing MP’s postage.

Mr Wilson's complaint is clearly politically motivated and a crude attempt to divert attention away from the embarrassment he has caused his own front bench in the debate on MPs Communication Allowance on Wednesday 28th March. As can be seen from the enclosed exchanges the Conservative Shadow Leader of the House, Theresa May MP was in some difficulty over the use of Conservative Party logos on Mr Wilson's own Parliamentary Report which is currently being distributed. This was something I cited that needs to be clarified along with restrictions on blatantly promoting council candidates on a supposedly non-partisan MPs report just a few weeks before the local elections.

I have been careful to ensure that my reports are distributed well away from the election period to avoid any suggestion of using taxpayers' money to promote a political party or council candidates of that political party. Clearly Mr Wilson does not have the same concerns as the lead picture on his enclosed report demonstrates. (Mr ... is the Conservative party candidate in a highly marginal council ward in Reading and is featured on the front of Mr Wilson's report).*

I raised this matter in the Commons not with the intention of pursuing any formal complaint about Mr Wilson's conduct, although others may choose to do so, but to highlight to the House and its committees the need to clarify the rules and to ensure they are adhered to in the correct manner. Indeed, I had no plans to name Mr Wilson in the debate until he entered the Chamber at the end of my speech as Hansard illustrates.

It beggars belief that this is anything other than a manufactured complaint lodged for party political advantages. Why on earth would someone wait until the end of March to complain about a report distributed in the previous December? As I recall the code of conduct specifically rules against the use of 'tit for tat' complaints. Mr Wilson issued a press release announcing his complaint against me only hours after our exchange in the Commons debate.

In addition to the postage complaint I understand that Mr Wilson intends to complain about the imprint on my Annual Report. I have used the same imprint for the last 9 years and I have to confess that although I was aware of the current guidance issued in April 2006 requiring a specific reference to the I.E.P due to an oversight by my printers for which I accept responsibility the old imprint appeared on the final version. For this I can only apologise but I would point out that my surgery calendar, distributed in the same mailing, does include the appropriate IEP imprint. Therefore I reject any accusation that I have knowingly attempted to disguise the source of funding for this mailing. I have contacted my printers to ensure that the appropriate imprints appear on any future publications.

I have enclosed for your information a copy of my letter to constituents, my 2006 Annual Report and surgery calendar, relevant extracts from the Hansard debate on Communications Allowances and for completeness, Mr Wilson's own Parliamentary report to which I referred and his press release.

I am obviously happy to meet with you should you wish to discuss this further but I very much hope this explanation will be the end of the matter.

* Also featured in Conservative Party literature delivered at the same time.

3 April 2007

10. Letter to the Commissioner from Mr Martin Salter, 15 June 2007

I am writing further to my letters of 3 April, 30 April, and 24 May to provide you as promised with a substantive response to the complaint made against me by Rob Wilson MP. You will be aware that Mr Wilson has form when it comes to making spurious and vexatious complaints against me for party political advantage and you will recall that you rejected his complaint when he was a Parliamentary Candidate in 2004, as "wholly without foundation". You warned him in respect of his future conduct by drawing his attention to the provisions of the Code of Conduct regarding vexatious complaints. Subsequently Mr Wilson and two other prominent Conservatives appeared at the Royal Courts of Justice to apologise unreservedly for libelling me in the press release that accompanied their complaint to your office. I accepted their offer of damages and the matter was closed. It is, however, fair to say that Mr Wilson and I do not enjoy a particularly good working relationship following his failed complaint and my successful libel action.

Background.

As in 2004 the first I heard of this complaint was via a Conservative press release as Mr Wilson did not have the courtesy to contact me directly.

Mr Wilson's complaint is clearly politically motivated and is in response to the debate on MPs' Communications Allowance on Wednesday 28th March where the Conservative Shadow Leader of the House, Theresa May MP was in some difficulty over the use of Conservative Party logos on Mr Wilson's own Parliamentary Report. This was something I cited that needs to be clarified along with restrictions on blatantly promoting council candidates on a supposedly non-partisan MPs report just a few weeks before the local elections.

I have been careful to ensure that my own reports are distributed well away from the election period to avoid any suggestion of using taxpayers' money to promote a political party or council candidates of that political party.

I raised this matter in the Commons not with the intention of pursuing any formal complaint about Mr Wilson's conduct, although others have chosen to do so, but to highlight to the House and its committees the need to clarify the rules and to ensure they are adhered to in the correct manner.

It beggars belief that this is anything other than a manufactured complaint lodged for party political advantages. Why on earth would someone wait until the end of March to complain about a report distributed in the previous December? As I recall the code of conduct specifically rules against the use of 'tit for tat' complaints. Mr Wilson issued a press release announcing his complaint against me only hours after our exchange in the Commons debate.

I understand the complaint is regarding my 2006 annual report to constituents. I have been the subject of three similar complaints to the Serjeant-at-Arms by political opponents over the last 9 years all of which have been rejected. I have correspondence from the Serjeant-at-Arms which confirms that I have adhered to the rules governing the pre-paid postage as I do not attempt to correspond with constituents who have not first contacted me.

At the end of each year since I was elected in 1997 I have produced an annual report to constituents on my activities in both Parliament and in my constituency. This is a factual report with no party logos or party political context and is in accordance with the rules governing MPs' allowances. I also produce a calendar setting out the dates of my advice surgeries for the forthcoming year. Again it contains no party logos or attributes. At the end of the year I write to those constituents on my database who have recently contacted me by letter, email, petition or in person and send them my advice surgery calendar. Within this mailing I include a copy of my annual report. This has been approved by the Serjeant-at-Arms as within the rules governing MPs' postage. A significant number of my annual reports and surgery calendars are distributed by volunteers and not posted, particularly in those parts of my constituency where I have a good delivery network. They are also available at a number of public locations.

The complaints

In your letter of 10th April you ask me whether I sought any advice on these matters. I have had extensive contact with the Serjeant-at-Arms office and have been careful to follow their advice I enclose just one of several letters that the Serjeant-at-Arms has written to Conservative Party members and supporters rejecting their complaints about the production and distribution of my annual report. This clearly demonstrates that I have tried to ensure that my actions conform with the advice given by the Serjeant-at-Arms, at least up until the rules changed in 2005, something of which I was completely unaware. I have never seen the DFA guidelines referred to as I was under the impression that it was the Serjeant-at-Arms not the DFA that has responsibility for MPs' postage.

The enclosed letter (A) from the Serjeant-at-Arms (1 May 2003) relates to a complaint from Sir Anthony Durant, the former member for Reading West, who is now President of the Reading West Conservative Association. It makes perfectly clear that the production and distribution of my annual report is "within House regulations" as the contact was not unsolicited. I enclose the 2001 rules (B) which make no reference to excluding parliamentary newsletters and surgery cards from distribution via the MPs' postage to constituents

who have been in contact with their MP As I have said I was unaware of the change in the guidelines in Summer 2005 (C) where these items were specifically excluded. This is hardly surprising since the rules issued in March 2006 (D) which are reproduced in the back of the Banner catalogue from which Members order their stationery, revert back to the pre-2005 wording and make no reference to the exclusion of parliamentary reports and calendars.

As has been recognised by yourself and the Standards and Privileges Committee in the report into the complaint against Michael Foster MP the rules governing the use of the MPs' postage have "significant shortcomings" and are fragmented and lack "clarity". I would go further and suggest that they are downright confusing and contradictory.

Quite clearly I was in compliance in 2003 according to the Serjeant-at-Arms and in 2004 but not in 2005. From March 2006 I may have been in compliance depending on which set of rules one was attempting to follow.

Obviously I am prepared to follow the necessary rectification procedure if it is deemed that in November 2006 I was acting outside of the rules. However, I strongly contend that I was only doing what I had been authorised to do previously by the relevant House authority, namely the Serjeant-at-Arms. I further contend that there is no evidence to suggest that I had any intention whatsoever to deliberately flout the rules.

In addition to the postage complaint I understand that Mr Wilson has complained about the imprint on my Annual Report. I have used the same imprint for the last 9 years and I have to confess that although I was aware of the current guidance issued in April 2006 requiring a specific reference to the I.E.P due to an oversight by my printers, for which I accept responsibility, the old imprint appeared on the final version. For this I can only apologise but I would point out that my surgery calendar, distributed in the same mailing, does include the appropriate IEP imprint. Therefore I reject any accusation that I have knowingly attempted to disguise the source of funding for this mailing. I have contacted my printers to ensure that the appropriate imprints appear on any future publications.

The reference to Cllr ... was purely factual and in the context of a joint cross-party campaign we had both been involved in for many years in his ward. His party affiliation was not mentioned and I'm not even sure he had decided to stand for re-election when the report was published. Since my annual reports never mention political parties and sometimes include pictures of Conservative and Lib Dem councillors with whom I've worked I completely reject Mr Wilson's third allegation that I was seeking to promote a Labour candidacy. I can provide copies of these reports should you wish.

Finally reference is made to a comment in my speech in the Communications Allowance debate on March 28th about breaking the rules. As the Hansard text below shows, this is only a reference to the lack of clarity in the postage rules regarding the definition of a circular letter and how all MPs reply to postcard campaigns on a single issue with a standardised response rather than an individual letter. It was made in response to a similar point made earlier in the debate by Theresa May.

"The right hon. Member for Maidenhead conceded that the definition of a circular communication was nonsense, and that individual letters to 50 people on the same issue will clearly not happen. We have all been breaking the rules. Let us be honest—we have all been at it, and I more than most, probably, because it is common sense to do so. It cannot be right that as Members of Parliament we have less ability to engage with our constituents than councillors."

This is a completely spurious complaint which has taken my comments out of context and does not relate in any way to my annual report.

Summary

My office estimates that less than 3,000 annual reports were mailed, primarily in the second class envelopes, although some went first class. This is on the basis of 2,000 new contacts a year and around 1,000 constituents with whom the issue remains 'live'. The records show that I'm not a particularly high spender on pre-paid envelopes and in 2005/06 I claimed £3,404 in postage costs.

Since the publication of my 2006 report the House has introduced a Communication Allowance and a completely new set of rules in recognition of the need to clear up the “evident complexity” of the use of pre-paid postage and to allow pro-active communications with constituents.

Even under the rules in force in November/December 2006 my annual report and calendar could have been mailed using stamps purchased from my I.E.P. I do not accept that I was in breach of the March 2006 rules as set out in my enclosure. I certainly contend that it would be palpably false to claim that I have deliberately set out to flout the rules of the House governing postage, given the record of my extensive contact with the Serjeant-at-Arms. At most I may have inadvertently transgressed a particular interpretation of one set of rules at a particular moment of time.

If this is the case I apologise.

15 June 2007

11. Letter to Mr Rob Wilson from the Commissioner, 16 April 2007

I have received a complaint from Councillor Sutton about your “Parliamentary Report” recently circulated to your constituents. I enclose a copy of Councillor Sutton’s letter of 11 April setting out his complaint and of the enclosures to which it refers.

You will see that the complaint concerns three things:

1. the timing of the Report’s release, said to be hard up against the start of the local election campaign. It is alleged that some of the leaflets were actually delivered during the election period;
2. the promotion of Mr ..., who I understand is the Conservative candidate in a highly marginal ward in the local election, through his appearance alongside you in a photograph on page 1 of the Report.
3. the inclusion within the Report of a separate Conservative Party survey of Katesgrove Ward when the Report was delivered in that ward.

As you know, paragraph 14 of the Code of Conduct for Members approved by the House says:

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

The imprint at the foot of the back page of your Parliamentary Report indicates that it was financed using money provided from your Incidental Expenses Provision (IEP). The guidelines on publications funded from the Parliamentary Allowances published by the House’s Department of Finance and Administration which were in force prior to this month—a copy of which I enclose—contain the following provisions which appear relevant to Councillor Sutton’s complaint:

a) Paragraph 5 provides that:

“No party political or campaigning material is allowable in any part of a publication funded, in whole or in part, from the allowances.”

b) Paragraph 8 says that:

“Parliamentary newsletters and other publications may be included in the same mail drop as any political material but it must be placed in a separate envelope or cover. The IEP should not be used to meet the cost of distributing the non parliamentary material.”

c) Paragraph 11 says that you must not use IEP funded publications:

- “to promote, criticise or campaign for or against anyone seeking election

- for the purpose of advancing perspectives or arguments with the intention of promoting the interests of any political party or organisation you support, or damaging the interests of any other such party or organisation.”

In addition to the three matters identified in Councillor Sutton’s complaint, I note that the header on page 1 of your newsletter includes not only the Conservative Party logo but the attribution “Reading East Conservatives”. The logo is also reproduced on pages 3 and 4 of the “Parliamentary Report”.

I should be grateful for your comments on each of the three points identified by Councillor Sutton and on the matters mentioned in the previous paragraph. In giving your response to the complaint, it would be helpful if you could also tell me:

- i. How many copies of your “Parliamentary Report” were distributed, to whom and how.
- ii. Whether surveys like the Katesgrove Ward example enclosed were distributed with every copy or only with certain copies of the Report.
- iii. Whether you sought advice from the House’s Department of Finance and Administration (DFA) before publishing your Report.

I should add that the Member for Reading West, Mr Martin Salter, has made similar criticisms of your Parliamentary Report in responding to the complaint you made against him recently, although he has said that he does not wish to pursue a formal complaint. He has also said that you did not inform him of your complaint about him, but that he only became aware of it following a press release you issued on 28 March, the same day on which you wrote to me about it.

Paragraph 85 of the “Guide to the Rules relating to the Conduct of Members (HC 351, Session 2005-06) says:

“It is a basic courtesy that a Member making a complaint to the Commissioner should at the same time send a copy of the letter of complaint to the Member concerned.”

The Committee on Standards and Privileges has emphasised the importance it attaches to the observance of this courtesy in a recent report (Third Report of Session 2006-07, HC 431, paragraph 15).

I should be grateful if you will let me have your comments on this point also when replying to this letter.

I am enclosing with this letter a copy of a note, which I send to all Members who are the subject of a complaint, setting out the procedures I follow when handling a complaint. I am also copying this letter and enclosures to Mr ..., the Director of Operations in the DFA, whose advice I shall seek following your response to the complaint.

If, at anytime, you want a word about this matter, please do not hesitate to get in touch.

16 April 2007

12. Letter to the Commissioner from Mr Rob Wilson, 25 April 2007

Thank you for your letter dated 16th April regarding the complaint against me by Cllr David Sutton. I am not clear from his letter whether he is writing to you in his capacity as Leader of the Council or a local Katesgrove ward Councillor? He suggests there have been complaints from his ‘constituents’ about my Parliamentary Report, I would welcome the opportunity to see these complaints.

I am grateful for your comments and for specifically identifying the relevant sections of the guidance published by the Department of Finance and Administration. I will respond to each of the points in your letter in the order you list them:

1. 43,000 copies of my Report were produced and delivered to my constituency office in February, with the instruction from me that they were to be delivered as soon as possible but prior to the start of the election expense period for declared candidates (i.e.27th March) in order to ensure that there could be no

appearance of impropriety. I am aware that a very small number of reports were delivered after that date due to reliance on volunteer deliverers, some of whom are elderly. However I know that in the vast majority of the constituency (including Church ward) my instruction was met. This deadline ensured that not only was it delivered prior to the start of the election expense period but prior to the nomination of candidates for the local elections.

I am not aware of any guidance from the Department of Finance & Administration that suggests when Parliamentary Reports can or cannot be delivered. I believe I have broken no rules and indeed have tried to avoid my report going out during the local election period.

For your information, the DFA cleared the report on 22 February, it went to press shortly afterwards and first reports were delivered to constituents towards the end of February. Deliveries continued through March as described above.

2. Mr ... is a constituent and Chairman of Reading East Conservative Association. In the latter role he accompanies me from time to time on constituency visits and other more political occasions. He is named in my Report but he is not identified as a candidate nor is he in any way associated with the ward in which he is standing. Indeed, my complaint about the Reading West MP's most recent report is that it identifies sitting Councillors who are up for election with their ward name. I was careful to avoid any form of promotion. I believe that DFA would not have cleared the copy had it felt the literature was 'promoting' a candidate.
3. A survey of residents' opinions was delivered in Katesgrove ward at the same time as my Parliamentary Report but was not intended to be "within" the Report. My local Conservative Association arranged for this to be done as part of the same delivery as the rules allow. Both items were loose and were not in any "cover" of any description. In other wards very few surveys were delivered at the same time as my Report, only in Katesgrove ward was the entire ward surveyed at the same time as my report was delivered.

With regards to the complaint about the use of the term "Reading East Conservatives" and of the party logo, my staff made enquiries of the Dept of Finance and Administration (DFA) in January specifically with regards to this point (copies of the enquiry and response are attached). In addition a copy of the final proof was passed to the DFA for comment and approval prior to printing and as a result some minor amendments were made. Printing was only undertaken once I had a written statement of approval from the DFA that the Report met all the "relevant criteria".

On the final point I apologise that I did not send a copy of my letter to you, to the Member for Reading West. However, I took advice on how complaints of this nature should be handled from the Clerk of the House and this was not suggested. It was an oversight on the part of my office and I will ensure that in any future similar event a suitable notification is issued.

I would like to point out though that advance notification is not a courtesy the Reading West Member usually extends to me. He raised the substance of this complaint about my Report on the floor of the House without prior notification to me and is also a frequent visitor to my constituency for photo opportunities and other public events, also without extending to me the usual courtesies, a matter I have raised with the Speaker. I would welcome you contacting the Speaker's Secretary, Mr ..., with regard to some useful background.

I have throughout sought advice from the relevant House authorities and made every effort to avoid using Parliamentary resources for campaigning purposes. I will happily take any advice you may have for future Reports and accept any ruling that clarifies the position with regards to when a Report may and may not be delivered.

25 April 2007

13. Letter to the Commissioner from Mr Martin Salter, 19 July 2007

Thank you for sharing with me your draft memorandum to the Standards and Privileges committee.

I think this represents a pretty good summary of the situation and I have only the following additional comments to make.

1. I am not entirely sure that it is for the Director of Finance and Administration to pass judgement on what Members of Parliament say in the House of Commons and I am not happy with the report repeating my comments out of context yet again. I would therefore be grateful if you would consider inserting the full Hansard text in paragraph 19. I believe this is only fair.
2. It is a matter of fact that in March 2006 the rules of the House from the Serjeant-at-Arms office reverted back to the previous wording which excluded the review by the Administration Committee and made no mention of the prohibition of newsletters and calendars in solicited mailings. I would like this point confirmed as a matter of fact in the section of 'Relevant provisions of the Code of Conduct and Rules of the House'. It is clearly highly relevant as I fail to see how a Member can be taken to task for breaking the rules of one department but not another on the same subject. Perhaps it would be helpful if one department of the House alone retained responsibility for MPs' postage? It would also be helpful if they communicated with each other before issuing contrary guidance to Members.
3. If I am required to follow any rectification procedures I would like to discuss this with you in advance of any ruling you might make if this is acceptable to you.

Thank you for the time and trouble you have taken on this matter and I would like to wish you well in your new career.

19 July 2007

14. Letter to the Commissioner from Mr Rob Wilson, 19 July 2007

Thank you for your letter dated 16th July, which was first seen by me this morning.

I am replying promptly as you request but I have naturally therefore only had a very short time to read and consider the points you have made.

I would like to make two observations on the information you have sent:

1. Page 2 of your document section 2 b) refers to "a Conservative Councillor seeking re-election in May in a marginal ward"—I would be grateful if you could note that Mr ... was not at that time a Councillor and was therefore not seeking re-election. He was a candidate and also my Association Chairman.
2. Page 7 of your report refers to Martin Salter's comments that I had press released my complaint about his Parliamentary report. This is true but I made a conscious effort not to pre-judge the outcome of your deliberations, merely pointing out that as the complaint had been made to me, I had referred it to you for an impartial judgement. This is in marked contrast to the comments made in the Labour Party leaflet I sent to you. I have attached a copy of my press release for your information.

I am grateful for the acknowledgement of the DFA that I sought and followed their guidance and I look forward to reading your full report with interest.

19 July 2007

Appendix 2: Letter to the Clerk of the Committee from Mr Martin Salter, 11 October 2007

Thank you for sending me the final copy of the Commissioner's Report on the complaint made against me by Rob Wilson MP. As I stated in my letter of 10 April and 15 June, this is not the first time that my political opponents have sought to use complaints to the Commissioner for Standards and Privileges or the Serjeant-at-Arms together with accompanying press releases to try and damage me politically. The fact that all previous complaints have been rejected certainly led me to assume that I had a full working knowledge of the rules governing the use of the parliamentary postage paid envelopes when in fact I had obviously missed the revision of the rules by the DFA in 2005.

As the Commissioner states I had good reason to assume that I was operating within the rules of the House. I'm aware that the lack of clarity regarding rules issued separately by the Serjeant-at-Arms and the DFA has caused problems for the other Members in the past who have found themselves to be the subject of similar complaints. However, I accept that I have a responsibility to keep up to date with changes to the rules and have already indicated a willingness to repay the postage and envelope costs. Since these postage costs are eligible for funding via the IEP and now the new Communications Allowance I would propose that I make the necessary payment out of my allowances for the current financial year.

I have no further comment to make on the technical issue of the imprint other than to state that my staff and printers have been instructed to ensure that this doesn't happen again.

Finally, I am delighted that the Commissioner has confirmed that my Parliamentary Report could not be seen in a party political context. I am always careful to distribute these reports well away from local or national elections and I ensure that they do not contain party logos or party political content.

I apologise to the Committee for inadvertently breaching the postage rules. Please note that I will be abroad next week on Home Affairs Select Committee Business should you have any further questions for me.

11 October 2007

Appendix 3: Letter to the Clerk of the Committee from Mr Rob Wilson, 12 October 2007

Thank you for your letter of 11th October enclosing a copy of the Parliamentary Commissioner's report to the Committee regarding the complaint against me by Cllr David Sutton of Reading Borough Council.

I am pleased to note that on the substantive points that my Parliamentary Report 1. was delivered too close to the local election campaign and 2. that it "promoted" a local election candidate, the Commissioner recommends that the complaints be dismissed. On the third complaint that my Parliamentary Report was delivered without a separate cover to a small area of my constituency, I have apologised for the error and would like to assure the Committee that this will not happen again. My most recent Parliamentary Report has been produced in an envelope in order to ensure full compliance with this rule.

However, I am concerned to note that the Commissioner has himself added a new observation which was not part of the original complaint against me. In para 68 of his report the Commissioner expresses his concern about the use of the term "Reading East Conservatives" on the front page of my Parliamentary Report alongside the Conservative Party tree logo. As explained previously to the Commissioner, the use of the logo was checked with the DFA in advance of the production of this edition of my Report. Indeed a copy of the proof of my report was sent to the DFA for approval and as a result of the suggestions received from DFA a number of minor amendments were then made. The final proof was sent to the DFA and was cleared by them in writing including the statement that "*the whole publication meets the relevant criteria that would allow costs to be met from the IEP*".

I note that in para 38 of the Commissioner's report the Director of Operations at the DFA is reported as saying that his staff approved the report but had not noticed the use of the words "Reading East Conservatives" and that therefore he did not feel that I "*could be held responsible for the Department's mistake or that blame could be attached to [me] in this respect*".

Further to this, it is also worth noting that whilst "Reading East Conservatives" is deemed unacceptable wording, para 32 of the Commissioner's report states that it is acceptable to use the word 'Conservative', as in '*the Conservative MP for...*'. So the inclusion of the words "Conservative MP for Reading East" would have been deemed acceptable but "Reading East Conservatives" is not.

I would be grateful if the Committee would consider whether it is appropriate for something that was not part of the original complaint against me to be added to the findings of an investigation into that complaint. I believe that at all stages I have sought best advice and have followed it to the letter and would respectfully suggest that in cases where the guidance is less than clear a Member should be able to seek and follow guidance from the appropriate House authorities without laying himself open to subsequent

criticism. I would therefore request that the Committee gives consideration to withdrawing this finding against me in its final published report.

I look forward to hearing the results of the Committee's deliberations.

12 October 2007

Formal minutes

Tuesday 16 October 2007

Members present:

Sir George Young, in the Chair

Mr David Curry

Mr Andrew Dismore

Mr Elfyn Llwyd

Mr Chris Mullin

Dr Alan Whitehead

The Committee deliberated.

Draft Report [Conduct of Mr Martin Salter and Mr Rob Wilson], proposed by the Chairman, brought up and read.

Ordered, That the Chairman's draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 25 read and agreed to.

Resolved, That the Report be the Eighth Report of the Committee to the House.

Ordered, That the Chairman do make the Report to the House.

Several Papers were ordered to be appended to the Report.

Ordered, That the Appendices to the Report be reported to the House.—(*The Chairman.*)

* * *

[Adjourned till Tuesday 30 October at 10.30 am

Reports from the Committee on Standards and Privileges in the current Parliament

Session 2006–07

First Report	Evidence to the SSRB Review of Parliamentary pay, pensions and allowances	HC 330
Second Report	Conduct of Mr David Cameron	HC 429
Third Report	Complaints about alleged misuse of Parliamentary dining facilities	HC 431
Fourth Report	Conduct of Mr Julian Brazier	HC 682
Fifth Report	Handling of future complaints on misuse of the private dining facilities	HC 683
Sixth Report	Conduct of Mr George Galloway	HC 909
Seventh Report	Conduct of Mr Gregory Campbell	HC 992
Eighth Report	Conduct of Mr Martin Salter and Mr Rob Wilson	HC 1071

Session 2005–06

First Report	Conduct of Mr Jonathan Sayeed	HC 419
Second Report	Conduct of Mr John Horam	HC 420
Third Report	Conduct of Mr Tony Baldry	HC 421
Fourth Report	Pay for Standing Committee Chairmen	HC 568
Fifth Report	Electoral Administration Bill: Simplification of Reporting Requirements	HC 807
Sixth Report	Mr Stephen Byers (Matter referred on 19 October 2005)	HC 854
Seventh Report	Conduct of Mr George Galloway	HC 1067
Eighth Report	Conduct of Mr Mark Lancaster	HC 1144
Ninth Report	Lobbying and All Party Groups	HC 1145
Tenth	Conduct of Mr Michael Foster (Worcester)	HC 1223
Eleventh	Conduct of Ms Emily Thornberry	HC 1367
Twelfth	Conduct of Nadine Dorries	HC 1368
Thirteenth	Conduct of Mr John Prescott	HC 1553
Fourteenth	Conduct of Dr Desmond Turner	HC 1578
Fifteenth	Conduct of Mr Eric Illsley	HC 1579
Sixteenth	Review of the Guide to the Rules Relating to the Conduct of Members: Consultation Document	HC 1580