



House of Commons
Committee on
Standards and Privileges

Conduct of Mr Speaker

Ninth Report of Session 2007-08

Report and appendix, 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 Reports and evidence of the Committee are published by The Stationery Office by Order of the House. All publications of the Committee (including press notices) are on the Internet at: www.parliament.uk/sandp. A list of Reports of the Committee in the present Parliament is at the back of this volume.

Committee staff

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Conduct of Mr Speaker

1. The Parliamentary Commissioner for Standards has submitted a memorandum to us on his investigation of a complaint against Mr Speaker by Mr Mark Wallace, Campaign Director of the TaxPayers' Alliance, that the cost of certain taxi journeys undertaken by Mrs Mary Martin, the wife of Mr Speaker, had been improperly met, through the Speaker's Office, from public funds. A copy of the Commissioner's memorandum is appended to this Report, and in accordance with our usual practice we have shown it to Mr Speaker.

2. Following a thorough investigation, including a detailed examination of the relevant taxi accounts over the period concerned, the Commissioner found no evidence to support the complaint and therefore dismissed it.

3. This complaint raised some jurisdictional issues that had not arisen previously, and the Commissioner consulted us before deciding to proceed with an investigation. We welcome the fact that, given the exceptional circumstances, the Commissioner exercised his discretion, carried out an inquiry and enabled the issue to be resolved.

4. The Commissioner's subsequent decision to exercise his discretion to submit a formal memorandum, even though he had dismissed the complaint, enables us to put the matter to rest by publishing his report. While we would not normally report to the House on a case where the Commissioner has dismissed the complaint, in the exceptional circumstances of this matter we have decided to do so. Having considered the memorandum, and the evidence on which it is based, we have no hesitation in endorsing both the decision of the Commissioner to dismiss the complaint, and the grounds on which he did so.

5. In his memorandum, the Commissioner expressed his concern that the letter he sent to the complainant summarising the complaint and indicating the extent to which it fell within his remit had been released in full to the media, despite being clearly marked 'Personal and Confidential'¹. Mr Speaker has also expressed concern about this, justifiably in our view. As the Commissioner points out, such disclosure is unfair on the Member who is the subject of the complaint, who is precluded from responding to any subsequent publicity until the complaint has been determined, and may also prejudice the effectiveness of his inquiry.

6. We deprecate this and other cases where recipients have overlooked or ignored clear statements in communications from the Commissioner that the detailed contents are to be treated as confidential, and released them, in whole or in part, to the media. It is important that the confidentiality of such communications is respected, not least on grounds of fairness to Members and to maintain the integrity of the complaints process.

¹ Appendix, paragraph 12.

Appendix: Memorandum from the Parliamentary Commissioner for Standards

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Complaint against the Speaker of the House of Commons

Introduction

1. This memorandum reports my conclusions on a complaint I have received from Mr Mark Wallace, the campaign director of the TaxPayers' Alliance, that the use of publicly funded taxis by Mrs Michael Martin, the wife of Mr Speaker, may not have been in accordance with the Code of Conduct for Members of Parliament and its associated rules.

2. This issue first came to public prominence in an article in *The Times* newspaper on 29 December 2007.¹ The information on which this newspaper article was based had been available for some weeks. On 30 November 2007 the *Mail on Sunday* newspaper filed requests for information from the House of Commons under the Freedom of Information Act 2000 in respect of certain expenditure, including the cost of taxis, by Mr Speaker and his wife from 2004-05 to the date of the request. The newspaper was given its answer on 13 December 2007 and the information was posted on the Parliamentary website.²

3. References to the use of taxis by Mr Speaker's wife appeared in a number of newspaper reports in the early weeks of 2008. The issue regained prominence, however, when it was widely reported on 23 and 24 February 2008 that the media adviser to the House of Commons Commission had resigned his post because of what he said were errors in the briefing he had been given about the identity of the person who had accompanied the Speaker's wife on the taxi journeys. On the same day, 24 February 2008, Mr Wallace sent me his complaint.

The Complaint

4. The complaint, as set out in Mr Mark Wallace's letter to me of 24 February 2008, invited me to investigate reports that the Speaker of the House of Commons had abused allowances provided to him for household expenditure in the discharge of his official duties.³ He noted that reports that £4,000 had been spent on taxis for the Speaker's wife were "*initially dismissed*" with the explanation that the taxis had been taken to purchase food for official functions and that an administrative Commons official had accompanied Mrs Martin on the trips. He said it was of great concern that it had now emerged that these taxis were in fact to buy food for informal functions, and that no official was present.

5. Mr Wallace also invited me to investigate four other matters relating to Mr Speaker which I declined to accept. They did not come within my remit.

1 WE 1.
2 WE 2.
3 WE 3.

Relevant Provisions of the Code

6. It is by no means beyond argument that the Code of Conduct for Members of Parliament and its associated rules, against which I consider complaints against Members, applies to the office of the Speaker of the House of Commons, and thus to the holder of that office when acting in that official capacity. I gave very careful consideration to this jurisdictional point. The Code and the associated rules are not statutory or legal documents capable of being interpreted by the Courts. They are instruments of the House and are ultimately for the House to interpret. Their flexibility in this regard creates challenges for their interpretation, but is also a strength in providing flexibility to meet the public interest and the needs of the House.

7. Having considered this at some length, and having consulted the Committee on Standards and Privileges, I concluded that it was in the public interest and in the interest of the public's trust and confidence in Parliament that I should accept the first element of this complaint, the essence of which was that expenditure of public funds on taxis by the Speaker's wife may not have been in accordance with the Code of Conduct and its associated rules.

8. The scope of the Code of Conduct for Members of Parliament is set out in paragraphs 2 and 3 of the Code as follows:

"2. The Code applies to Members in all aspects of their public life. It does not seek to regulate what Members do in their purely private and personal lives."

"3. The obligations set out in this Code are complementary to those which apply to all Members by virtue of the procedural and other rules of the House and the rulings of the Chair, and to those which apply to Members falling within the scope of the Ministerial Code."

9. Paragraph 14 of the Code deals with Members' use of expenses, allowances, facilities and services provided from the public purse in the following terms:

"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."

10. Expenditure on taxi fares by Mr Speaker, or on his behalf, is not governed by the Green Book on Parliamentary Salaries, Allowances and Pensions which applies to Members of Parliament acting in that capacity. The provision for expenditure by the Speaker or by the Speaker's office on his behalf, was established under the authority of the then Clerk of the House, as Accounting Officer, in 2002. The relevant provision in relation to the use of taxis by the Speaker or on his behalf is as follows:

"Use available for normal official business broadly in line with Government rules. Includes airport connections and occasional private social use at weekends for Speaker and spouse (e.g. Cenotaph weekends) such use expected to be de minimis."

The cost limit established in 2002, and which has not since been revised, is £2,500 per annum.

My Inquiries

11. On receipt of Mr Wallace's complaint, I consulted the Clerk of the House on 27 February about whether payment for taxi fares by Mr Speaker's wife had been made under the provisions of the Green Book or whether there were separate approved arrangements relating to Mr Speaker's expenses.⁴ The Clerk responded on 5 March and his advice is reflected in the preceding paragraph.⁵ The Clerk informed me that claims by the Speaker's wife were authorized by the Speaker's office and paid by the Department of Resources on the basis that they were on behalf of the Speaker in connection with the normal official business of running the Speaker's residence.

12. Having considered this information, and having considered my jurisdiction on this complaint, I wrote to Mr Wallace on 31 March summarizing his complaint and making clear that my remit extended only to the first of the matters he had invited me to investigate, namely whether £4,000 on taxis by Mr Speaker's wife had been improperly claimed.⁶ My letter was clearly marked 'Personal and Confidential'. This is because premature release of information could jeopardise an effective inquiry into a complaint and reduce the chances of a fair hearing for the Member concerned. Once the Commissioner has accepted a complaint as appropriate for an inquiry, it and the information and evidence which follow that acceptance, is subject to Parliamentary privilege. I was, therefore, disturbed and concerned to see that my letter of 31 March to Mr Wallace had been released in full to the press and broadcast media. That was not done by my office. Such release is not fair on the Member who abides by the confidentiality provisions during the course of an investigation, and risks inaccurate speculation about my investigations which only hamper the work and confuse the public.

13. I wrote on the same date, 31 March, to Mr Speaker setting out the terms of the complaint and inviting his comments on it.⁷ In particular, I asked him to give me an explanation of the arrangements put in place in 2002; for information about the level of expenditure by his wife on taxi fares; for confirmation of the total expenditure on taxis by him and his office and for information about his wife's journeys.

14. The Speaker's Secretary, on the authority of the Speaker, responded on 1 April.⁸ He noted that the Speaker held an office that required him to fulfill unique duties on behalf of the House of Commons and to live on the Parliamentary estate. Expenditure in relation to the Speaker was regulated by an arrangement made in agreement with the then

4 WE 4.

5 WE 5.

6 WE 6.

7 WE 7.

8 WE 8.

Accounting Officer in 2002. This arrangement remained extant and was proper authority for the Speaker to make reasonable expenditure in order to maintain the dignity, visibility, and representative nature of the Speaker's role.

15. As I had requested, the Speaker's Secretary gave figures for the use on taxis for 2005-06 and the two subsequent years and the total expenditure of the Speaker's office on taxis in each of those years. The total expenditure did not exceed the Accounting Officer's annual limit of £2,500 per year.

16. He noted that Mr Speaker's role within Parliament called for him to remain within the House when it is sitting. This placed an onus on his wife to support him in his duties. She would shop in the company of the official housekeeper so that Mr Speaker could entertain, officially and unofficially, Members of Parliament, Parliamentary officials and official visitors. Where those meetings took place in the Speaker's private residence (which forms part of the Speaker's official accommodation in the Palace of Westminster), they were supported by refreshments or other material supplied by the Speaker's wife and brought into the Parliamentary estate by taxis. With very few exceptions, for example the visit of personal friends, all his meetings were official. Each account was sent to the Department of Resources for payment and for compilation of a full record of authorised expenditure.

17. The Speaker's Secretary attached to his letter examples of the accounts presented by the taxi operator used by the House of Commons. I have not included these in the written evidence since they give details, including Mr Speaker's movements, which are not necessary to publish in order for me to conduct this inquiry.

18. Having considered this response, I decided that it was necessary to examine in detail the taxi accounts from 2004-05 to March 2008 in order to identify those taken by Mr Speaker's wife, the purpose of those journeys and their cost. Accordingly, with the Registrar of Members' Interests, I visited the Speaker's office on 3 April and examined these accounts in the presence of the authorising officer in the Speaker's office. I am satisfied from that investigation, and from a series of subsequent inquiries which I made with Mr Speaker's office, that I have a full understanding of the taxi journeys taken by the Speaker's wife paid for from public funds. I am grateful for the co-operation of the Speaker's office in this task.

19. The examination of the accounts showed that the total cost of the journeys over the four year period, up to February 2008, was £4,139.17. Just under half of the costs over the four year period were to a large supermarket, for almost all of which journeys the taxi waited for the Speaker's wife and returned her to the House of Commons. There were between 4 and 8 such journeys in each financial year. Most of the remaining costs were for shorter shopping journeys. There were between 26 and 39 such journeys in each financial year. In addition, there were three other journeys—two in 2004 to Mr and Mrs Martin's personal residence in London and one in 2007 to prepare for the Commonwealth Speakers' Conference Wives' Programme. Almost all the journeys to the large supermarket and probably a journey to a building supplies store were on a wait and return basis. All the rest were one-way journeys, starting, with one exception, from the House of Commons.

20. This detailed analysis followed what the Speaker's Secretary had told me in his letter of 1 April, although it differed in some details, such as the frequency of the shopping journeys, and the costing information.

21. I had a meeting with Mr Speaker on 21 April. Mr Speaker was accompanied by the Clerk and Chief Executive of the House of Commons. I was accompanied by the Registrar of Members' Interests, who took the note.⁹

22. Mr Speaker said that his wife had been offered the use of taxis by a previous Clerk of the House to help her support him in his work as Mr Speaker. Neither she nor he had asked for this facility. There were tremendous pressures on Mr Speaker's time and he could not normally leave the building. His duties demanded that he be in the House. In view of this, the then Clerk had suggested to Mrs Martin that she could ease the burden on Mr Speaker by undertaking the shopping to support him in his official duties. Mrs Martin was accompanied on these shopping journeys by the official housekeeper who held that position part-time. The provisions bought were used by the Speaker and his wife, and to provide refreshments for those who visited him in his private residence in the Palace of Westminster. Given the nature and timing of his meetings, it was not practicable to order from the Refreshment Department. An account taxi was used since the company understood their requirements and accounts enabled the cost to be subject to the approved system of authorisation. The taxis were asked to wait only for the large supermarket shops. It was not easy to hail taxis from that location and there were heavy bags to carry. The large supermarket was selected for the major shopping because it provided a wider choice and it allowed taxis to wait. As well as the major shopping expedition, which was taken broadly on a monthly basis, (while Parliament was in session) there were other shopping journeys. They would be used to buy perishables, clothes for Mr Speaker, including items necessary for his court dress, and such things as table decorations for formal dinners. Apart from the shopping journeys to the large supermarket, the Speaker's wife made her own arrangements for returning to the Speaker's residence. The Speaker and his wife paid for all the provisions bought, apart from some linens and cleaning materials. The account taxis were never used by Mrs Martin for her own use or entertainment. She did not drive. Account taxis were less expensive than the alternative of using the Government Car Service.

23. Referring to other occasions when the Speaker's wife used taxis, Mr Speaker noted that one visit to a building supplies store in 2004 had been necessary to choose materials needed for work the maintenance department planned under the official works programme for the Speaker's residence (in the Palace of Westminster). The Speaker's wife had been accompanied by an official from the maintenance department. The two visits in 2004 to the personal residence (in London) of the Speaker and his wife had been to carry official papers for storage there. Mrs Martin had been accompanied by the official housekeeper.

24. Mr Speaker expressed concerns that my letter to the TaxPayers' Alliance which had been marked 'Private and Confidential' seemed to have been released to the press, which had been to his wife's disadvantage: it had denigrated her character without her having a right of reply. Mrs Martin had chosen not to use publicly funded taxis in support of his duties during the course of this inquiry.

25. Following this meeting, I wrote to the Clerk of the House and Chief Executive on the same day, 21 April, to invite his view as Accounting Officer on whether the use of taxis by the Speaker's wife for the purposes identified in the taxi receipts met the criteria specified in the arrangements established in 2002 that such use was for normal official business; how that use was broadly in line with Government rules (as referred to in the arrangement); and whether he was satisfied that the taxi journeys undertaken by the Speaker's wife provided value for money.¹⁰

26. The Clerk of the House and Chief Executive replied on 22 April in the following terms:¹¹

- i) *"The uses of the taxis by the Speaker's wife were undertaken to support the Speaker in the running of the Speaker's official residence where he is obliged by the House to reside and perform representative functions on its behalf. These functions include private meetings with Members of the House as well as outsiders; they take place at all times of day including late evenings. Such business is normal official business so far as the Speaker's residence is concerned.*
- ii) *Government rules provide Ministers with the use of cars for official purposes at all hours with which the use of taxis by the Speaker and his wife are broadly in line. Procedures for authorisation on the basis of receipted claims follow usual public service procedure.*
- iii) *The expenditure on taxi fares by the Speaker's wife has been well below the ceiling of £2,500 per annum set in 2002. As support for running the Speaker's residence, and given the cost of taxi fares in London, I am satisfied that they provided value for money particularly when compared to the alternative which would be the provision of a chauffeur-driven car for the Speaker as has been the case in the past."*

Findings of Fact

27. Arrangements for the use of taxis by the Speaker, or by the Speaker's office on his behalf, were established by the then Clerk of the House in 2002. Taxis were available to Mr Speaker or his office for "*normal official business broadly in line with Government rules*". The annual cost limit set in 2002 and not since increased is £2,500 a year.

10 WE 10.

11 WE 11.

28. The Speaker's wife has taken taxi journeys under the terms of this arrangement. The annual expenditure for each of the years from 2004-05 to February 2008 on taxi journeys by the Speaker's wife paid for from public funds was £1,129.51 in 2004-05; £871.94 in 2005-06; £932.72 in 2006-07; and £1,205.00 in 2007-08. (These figures are based on a detailed examination of the taxi accounts up to February 2008 and, as a result of clarifying the journeys taken only by Mrs Martin, they differ from those given in response to the FOI request.) The number of journeys taken was 49 in 2004-05; 31 in 2005-06; 31 in 2006-07; and 35 in 2007-08. The annual cost of these journeys, taken with the other taxi journeys taken by the Speaker or members of the Speaker's office, in no year exceeded the annual limit of £2,500.

29. The purpose of the taxi journeys was as follows:

- a) First, there was a number of journeys taken from the House to a large supermarket where the taxi waited and returned the Speaker's wife and the official housekeeper to the House with their purchases. There were between 4 and 8 such journeys in each of the years in question. They were for the purpose of buying provisions for use by Mr Speaker in his private residential accommodation in the Speaker's House, both for his own use and to provide hospitality to people visiting him there. Such visitors were individual Members of Parliament, House of Commons officials and outside visitors. The events ranged from meetings to private conversations. All these occasions on which hospitality was provided by Mr Speaker were conducted in the course of his official duties.
- b) The journeys to the large supermarket were supplemented by more regular shorter visits to a range of shops. There were between 26 and 39 such visits in each year of the 4 year period. The taxi took Mrs Martin and her official housekeeper to the destination. It did not wait for them. Mrs Martin paid for her return journey from her own resources. She bought further provisions and perishables. She bought clothes which Mr Speaker needed in his capacity as the Speaker of the House. She bought some table decorations for official functions. None of the journeys was for her own use or entertainment.
- c) The cost of all the provisions, with the exception of some linens and cleaning materials, were met from Mrs Martin's own resources. There was no call on public funds.
- d) There was a very small number of other taxi journeys taken over this period. Two were to Mr and Mrs Martin's personal residence in London, to store official documents. One was to a building supplies store with an official from the maintenance department to choose materials needed for work for the Speaker's residence in the Palace of Westminster under the official works programme. One was to prepare for the Commonwealth Speakers' Conference Wives' Programme.

30. Mrs Martin has chosen not to use publicly-funded taxis in support of Mr Speaker's duties during the course of this inquiry.

Conclusions

31. The office of Speaker of the House of Commons is pivotal to the effective functioning of the democratic processes of the United Kingdom. It is a role which places heavy demands on the holder of the office. Each Speaker brings their own personality and style to the task. It involves much more than controlling the debates in the Chamber of the House, central though that function is. The Speaker needs considerable support in carrying out his or her functions; and needs to have that support tailored to their own perceptions of how best to fulfill their duties.

32. The current Speaker receives considerable support from his wife in preparing and enabling him to carry out his official duties in the way and to the standard which he requires of himself and his office. The question which this complaint raises is whether the use of taxis by the Speaker's wife has exceeded what is reasonable in these circumstances.

33. There are three aspects to this question which I summarise as follows:

- i) was the Speaker's wife permitted to use taxis for official business?
- ii) was the nature of Mrs Martin's taxi use consistent with the permitted use of taxis as set out in the 2002 arrangement?
- iii) were the particular journeys she took a reasonable use of public funds?

Was the Speaker's wife permitted to use taxis for official business?

34. The arrangement established by the then Clerk in 2002 clearly provide for the use of taxis on the Speaker's behalf for normal official business. The normal official business of the Speaker involves, while the House is in session, living in the Palace of Westminster for much of the week and offering hospitality to a range of visitors who come to see him for discussions and meetings in his private residence during the day and often late into the evening. Mrs Martin used taxis on the Speaker's behalf to support him in the conduct of his official business. My finding, therefore, is that Mrs Martin was permitted under the rules established in 2002 to use taxis on the Speaker's behalf in support of his normal official business.

Was the nature of Mrs Martin's taxi use consistent with the permitted use of taxis as set out in the 2002 arrangement?

35. Mrs Martin's use of taxis was, with very few exceptions, to take her to do the shopping necessary to support Mr Speaker in the carrying out of his official duties, including enabling him to provide official hospitality in the Speaker's private residence in the Palace of Westminster and to take his meals in Speaker's House. It was reasonable, within the terms of the 2002 arrangement, that the Speaker's wife should be able to buy necessary clothing and items for his court dress to enable him to carry out his official duties. The few remaining journeys—to Mr and Mrs Martin's personal residence in London, to a building supplies store to select material for official works in the Speaker's residence in the House of Commons and to prepare for the Commonwealth Speakers' Conference Wives'

Programme—were also taken on behalf of the Speaker in support of his official business. My finding, therefore, is that the nature of Mrs Martin’s use of taxis was consistent with the 2002 arrangement.

Were the particular journeys she took a reasonable use of public funds?

36. The use of taxis to enable his wife to buy provisions and other requirements which were related to the Speaker’s official duties was offered to Mr Speaker by the House authorities. I think it is reasonable that any Speaker of the House of Commons should have reasonable latitude in deciding how he or she wishes to carry out their functions and how they want their support to be managed. The journeys taken met the necessary requirements of Mr Speaker to assist him in carrying out his official duties. Taking account of the requirements and of the cost of alternative provision, the costs were not excessive. I conclude, therefore, that the particular journeys taken by Mrs Martin were reasonable in all the circumstances.

37. In coming to this conclusion, I note the views of the current Clerk of the House and Chief Executive that Government rules provide Ministers with the use of cars for official purposes at all hours; that the procedures for authorisation on the basis of receipted claims followed usual public service procedure; and that, as support for running the Speaker’s residence, the taxi fares provided value for money, taking account of the cost of taxi fares in London and particularly when compared to the alternative, which would be the provision of a chauffeur-driven car for the Speaker.¹²

38. I conclude that the use by the Speaker’s wife to take taxi journeys funded from public funds in support of the normal official duties of Mr Speaker was reasonable in all the circumstances and was within the arrangements for Mr Speaker’s expenditure established in 2002.

39. I therefore dismiss the complaint.

9 May 2008

John Lyon CB

¹² See paragraph 26 above.

Written evidence received by the Parliamentary Commissioner for Standards

1. Article in The Times, published 29 December 2007

* MPs to ask questions about expenses claims.

* Cabs needed to 'get food for formal dinners'.

Michael Martin, the Commons Speaker, will be asked by MPs from all sides to explain why his wife has claimed about Pounds 1,000 a year in taxi expenses even though she is not employed by Parliament.

Mary Martin claimed Pounds 4,280.20 for taxis since May 2004, which were "entirely in connection with household expenditure that supports the Speaker's duties".

According to the Speaker's spokesman, she needs to take taxis to shop for food for official functions.

Some MPs are surprised and irritated that such a high amount of public money has been spent to support what is an unofficial role, especially as their own expenses on taxis are restricted.

Under the rules MPs can claim 40p a mile, rather than the full amount. Their spouses can claim for 15 return journeys a year by public transport but partners are barred from claiming for taxis. Special arrangements are made for ministers' spouses.

Mrs Martin claimed Pounds 1,317.93 in May 2004-April 2005, Pounds 1,057.29 in 2005-2006, Pounds 972.79 from 2006-April and Pounds 932.16 between April and December. The House authorities said: "She is always accompanied by an official from the Speaker's office in this task. The average cost is less than Pounds 40 per week over the weeks that comprise the parliamentary year."

One source familiar with the arrangement said that the Speaker should be seen as in the same bracket as ministers. The source explained that when Mrs Martin, who essentially lives in Glasgow, appeared in Westminster she was often required to act as a hostess at dinners in honour of foreign speakers. She had, the source said, extensive duties over the course of the year, and as such, Pounds 40 a week was not substantial, but the arrangement could be reviewed if there was anger about it.

Mrs Martin's claims are in addition to her husband's, which average about Pounds 400 a year since May 2004. He also has a chauffeur-driven car, which has cost the taxpayer just under Pounds 20,000 a year over the same period.

Mike Grannatt, a spokesman for Mr Martin, justified Mrs Martin's claim. "She goes shopping for food and so on for entertaining official visitors. The Speaker entertains periodically. There is a budget that is held for the Speaker's office and the money comes from that," he said. He confirmed that Mrs Martin was not employed by her husband in any capacity.

According to a freedom of information request made by The Times in June, the Speaker hosted six dinners in the state rooms last year at the cost of Pounds 10,869.33 and spent a further Pounds 44,216 on entertainment. "This includes the cost of receptions for external visitors and delegations, and the cost of annual receptions within Parliament," the FOI request said.

The Martin household's expenses as Speaker are very low.

Mr Martin submitted Pounds 745.37 in expenses in his role as Speaker in 2006 07 and Pounds 324.11 since the beginning of this financial year. His wife is entitled to claim "minor expenses incurred in connection with the maintenance of the Speaker's official household" but has not claimed anything in 2 years, according to a FOI request released on December 13.

A large Sainsbury's is close to Parliament Square and the Oxford Street branch of Marks & Spencer will deliver food to the front door.

Norman Baker, of the Liberal Democrats, said: "All of us in the House of Commons have a duty to use public money carefully...If any public money is to be used by spouses or partners of MPs there has to be a particularly good reason and it has to be tightly controlled."

Another MP said: "It was the Speaker's office that insisted every minor bit of travel that MPs undertake should be published in full. Maybe he would care to reflect on the wisdom of that." A Tory MP said: "I think it's a most bizarre arrangement. I can't think of any previous Speaker's consort and we need an explanation for why this is allowed within the rules."

29 December 2007

2. Freedom of Information Response, 13 December 2007

Q5. *What was the cost of hiring taxis for Mrs Mary Martin, wife of Speaker Martin, in financial years 04/05, 05/06, 06/07 to date?*

A5. Mrs Martin's official travel in taxis is entirely in connection with household expenditure that supports The Speaker's duties. She is always accompanied by an official from the Speaker's office in this task. The average cost is less than £40 per week over the weeks that comprise the Parliamentary year. The totals—which are part of the total figures given in Answer 3 above—are:

04/05 £1317.93

05/06 £1057.29

06/07 £972.79

07/08 to date £932.16

13 December 2007

3. Letter to the Commissioner from Mr Mark Wallace, 24 February 2008

I write to request that you investigate reports that the Speaker of the House of Commons, Michael Martin MP, has abused allowances provided to him for household expenditure in the discharge of his official duties.

Taxpayers are extremely concerned that the money provided to Members of Parliament to enable the democratic process to run smoothly and to assist with good representation has in some cases been taken advantage of either for personal or familial gain.

Reports that £4,000 of taxpayers' money had been spent on taxis for the Speaker's wife, Mrs Mary Martin, were initially dismissed with the explanation that the taxi trips had been taken in order to purchase food for official functions, and that an administrative Commons official had accompanied Mrs Martin on the trips. It is of great concern to the taxpaying public that it has now emerged that these taxi trips were in fact to buy food for informal functions, and that no official was in fact present.

In the interests of the taxpayers whose money has been used to pay for these taxi journeys and in order to discover the truth of the matter which has already been subject to misleading information from official spokesmen, I ask you to investigate (i) whether the £4,000 was claimed improperly for these unofficial shopping trips, (ii) whether the money should be paid back by the Speaker, (iii) who decided and agreed to mislead the public in the original explanation of these trips, (iv) at what point the Speaker became aware the public had been misled, and (v) whether the Speaker is therefore an appropriate figure to oversee the House of Commons Commission and the associated inquiry on MPs' expenses and allowances.

I would of course be more than happy to meet with you to discuss my concerns regarding this issue, which I trust you will approach with the utmost seriousness.

24 February 2008

4. Letter to the Clerk of the House from the Commissioner, 27 February 2008

I would be grateful to know whether there are any rules, arrangements, criteria or limits in relation to the use of taxis by Mr Speaker's wife paid for out of public funds.

The issue has arisen, as you know, in the context of recent reports about payments by the House for taxi journeys by Mrs Martin. I have received a formal complaint about this matter.

Before considering whether there is sufficient evidence to merit a preliminary inquiry that the Code of Conduct for Members and the rules of the House may have been breached, I need to establish with you whether the payment for these taxi fares have been made under the provisions in the Green Book or whether there are separate approved arrangements relating to this aspect of Mr Speaker's expenses. If so, it would be helpful to know what they are, whether they impose any limits on the use of such expenditure and the basis on which any claims for taxi fares for Mrs Martin are considered and approved.

I would much appreciate your help with this.

27 February 2008

5. Letter to the Commissioner from the Clerk of the House, 5 March 2008

Thank you for your letter of 27 February.

Expenditure on taxi fares by the Speaker, or on his behalf is not regulated by the Green Book.

It arises from arrangements put in place during the time of my predecessor but one in 2002.

Expenditure on taxis under that arrangement for use by the Speaker, or his office on his behalf, is limited to £2,500 pa.

Claims by Mrs Martin are authorised by the Speaker's Office and paid by the Department of Resources on the basis that they are on behalf of the Speaker in connection with the normal official business of running the Speaker's residence.

You will appreciate that arrangements for the Speaker are, by their nature, *sui generis* and they reflect the importance, visibility and representative nature of the Speaker's role.

5 March 2008

6. Letter to Mr Mark Wallace from the Commissioner, 31 March 2008

Thank you for your letter of 24 February with your complaint against the Speaker of the House of Commons, the Rt Hon Michael Martin MP about the expenditure by his wife on taxi fares. I wrote to you on 10 March to let you know I was carefully considering your letter.

You asked me to investigate five specific matters, namely:

- i) whether £4000 spent on taxis for shopping trips by the Speaker's wife had been improperly claimed;
- ii) whether the money should be paid back by the Speaker;

- iii) who decided and who agreed the original explanation of these trips;
- iv) at what point the Speaker became aware that the original explanation was inaccurate; and
- v) whether the Speaker is an appropriate figure to oversee the House of Commons Commission and the associated inquiry on MP's expenses and allowances.

Of these points, only the first falls within my remit. I have not therefore accepted points (ii) to (v) of your complaint for further inquiry by me.

In essence, the part of your complaint I have accepted is that Mrs Martin's expenditure on taxis may not have been in accordance with the Code of Conduct for Members of Parliament and its associated rules. In considering this matter I will apply the relevant provisions of the Code to the particular circumstances of the Speaker's office.

I enclose a leaflet setting out the procedures which I follow in considering complaints. Accordingly I am inviting Mr Speaker to let me have his comments on your complaint. Once I receive his response, I shall consider how to proceed.

31 March 2008

7. Letter to Mr Speaker from the Commissioner, 31 March 2008

I would be grateful for your comments on a complaint I have received from Mr Mark Wallace about expenditure by Mrs Martin on taxi fares.

I attach a copy of Mr Wallace's letter of 24 February and my reply of 31 March indicating the extent to which I have accepted the complaint for inquiry. In essence, the part of the complaint I have accepted is Mr Wallace's complaint that Mrs Martin's expenditure on taxis may not have been in accordance with the Code of Conduct for Members of Parliament and its associated rules.

As you know, paragraph 14 of the Code of Conduct provides as follows:

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

I appreciate that the office of the Speaker is *sui generis*, and not, therefore, likely to be governed only by the rules and provisions in relation to other Members of Parliament. I therefore sought the advice of the Clerk of the House on the rules and arrangements which apply in relation to the use of taxis by the Speaker's wife. I enclose a copy of my letter of 27 February, and of the Clerk's response of 5 March. As you will see – and as you know – the expenditure arises from arrangements put in place in 2002. I understand that claims are paid on the basis that the journeys were made on behalf of the Speaker in connection with the normal official business of running the Speaker's residence.

Having carefully considered the scope of the obligations on Members arising from the Code of Conduct, and having consulted the Committee on Standards and Privileges, I have concluded that it would be in the public interest and in the interest of the public's trust and confidence in Parliament, that I should accept the first element of Mr Wallace's complaint. I will apply the relevant provisions of the Code to the particular circumstances of your office.

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

- a) whether you have or your office has a record of the arrangements put in place in 2002, or can give me an explanation of what those arrangements are;
- b) confirmation of the level of expenditure by your wife on taxi fares in each of the last three years;

- c) confirmation of the total expenditure on taxis used by you or your office on your behalf over each of the last three years;
- d) information about your wife's journeys demonstrating how they meet the requirement of being made in connection with the normal official business of running your residence. It would be helpful if you could give me as much information as possible under this heading, including the number and frequency of the journeys, their costs, where they were made to, and, if possible, evidence, such as receipts, of their purpose.

I would welcome any other comments or information you think would help me in undertaking this initial inquiry.

I attach a note setting out the procedures which I follow. If you would like a word about any of this at any time, please contact me at the above address or by telephone.

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

31 March 2008

8. Letter to the Commissioner from the Speaker's Secretary, 1 April 2008

Mr Speaker has asked me to reply to your letter of 31 March and to thank you for explaining the nature of Mr Wallace's complaint.

Mr Speaker notes that you have related the matter to the Members' Code of Conduct but asks that you accept this reply as from the Speaker who holds an office that requires him to fulfil unique duties on behalf of the House of Commons and to live on the parliamentary estate. To that end, expenditure in relation to the Speaker is regulated by an arrangement made in agreement with the Accounting Officer in 2002. This arrangement remains extant and is proper authority for the Speaker to make reasonable expenditure in order to maintain the dignity, visibility and representative nature of the Speaker's role.

In answer to your specific questions:

- a. The Speaker's Office holds a record of the Accounting Officer's agreement (2002).
- b. Expenditure on taxi fares is FY 2005/06 - £888, FY 2006/07 - £945 and FY 2007/08 - £831.
- c. Total Speaker's Office Expenditure on taxis including the figures in b. above F/Y 2005/06 -£1639, F/Y 2006/07 -£1201, F/Y 2007/08 -£1554.

These figures c. do not exceed the Accounting Officer's annual limit of £2500 per annum.

In answering your paragraph d) I make comment that Mr Speaker's role within Parliament calls for him to remain within the House when it is sitting. This places an onus on Mrs Martin to support him in his duties. Almost weekly she will shop in the company of the official housekeeper so that Mr Speaker can entertain, officially and unofficially: Members of Parliament, Parliamentary Officials and official visitors. Of these meetings, those that take place in the Speaker's private residence are supported by refreshments or other material supplied by Mrs Martin and brought into the parliamentary estate by taxi.

These journeys are within the inner London area. I enclose two, random, examples from 2005 and 2008; the same taxi operator is used but the account's format has changed. These should give you an indication as to cost, frequency and destination. For reasons of personal security I would wish to take advice before supplying you with more information of this kind.

I am sure that you will appreciate that Mr Speaker meets with people confidentially. The subject of their meeting is conducted with discretion so as to protect Mr Speaker's impartiality. Consequently and with very few exceptions—for example, the visit of personal friends—all his meetings are official.

Finally, I should explain that each account is sent to the Department of Resources for payment and for compilation of a full record of authorised expenditure.

I hope that you find this information useful in undertaking your initial enquiry.

1 April 2008

9. Note of Meeting with Mr Speaker, 21 April 2008

Present: Rt Hon Mr Michael J Martin (Mr Speaker); Mr John Lyon (JL), Parliamentary Commissioner for Standards, Dr Malcolm Jack (MJ), Clerk and Chief Executive of the House of Commons, Miss Alda Barry (AB), Registrar of Members' Interests.

Mr Speaker said that he was grateful for the note of the areas JL would like to discuss.

JL said that the purpose of the meeting was to ensure that he had a full understanding of the arrangement whereby taxi fares for journeys made by Mrs Martin in support of Mr Speaker's normal official business were met from public funds. He would follow the usual procedures set out for his inquiries, while recognising Mr Speaker's unique and special position. A note would be taken by AB, and this would be sent to Mr Speaker to confirm its accuracy. This note might be included in a Memorandum from the Commissioner to the Committee, and published.

JL showed Mr Speaker a copy of the 2002 arrangement covering the use of taxis, in which he had highlighted the words 'normal official business broadly in line with Government rules'. He asked how Mrs Martin's journeys supported Mr Speaker's conduct of official business.

Mr Speaker said that the facility had been offered to Mrs Martin by a previous Clerk of the House and Mrs Martin had been told that she might use taxis for shopping in support of himself. Neither she nor he had asked for the facility.

JL asked how Mrs Martin's shopping supported Mr Speaker.

Mr Speaker responded that there were tremendous pressures on his time from early morning which meant that he could not normally leave the building. He had to prepare for his occupancy of the Chair and to preside over the business of the House. There were further demands on his time, for example, from the Chief Whips, from the Inter-Parliamentary Union, from the Commonwealth Parliamentary Association, the British-American Parliamentary Group, the Foreign Office and the Overseas Office.

Mr Speaker's duty demanded that he be in the House. He made a point of being in the House for the last business of the House unless he had a major delegation to see.

In view of these commitments, the then Clerk had suggested to Mrs Martin that she could ease the burden on Mr Speaker by doing the shopping to support him in his official duties. Mr Speaker said that he held many meetings in his private residence in the House. At these meetings, often with Members of Parliament, it was necessary to provide refreshments. The food was not purely for Mrs Martin and himself.

Overall, the Speaker had made significant reductions in the costs of sustaining his office.

Mrs Martin was accompanied on these shopping journeys by the official housekeeper (a part-time position).

JL asked what was the advantage of having an account taxi rather than having one summoned to the House from the street. Mr Speaker said that an account meant that neither he nor his wife had to handle money, that the company understood their requirements and that an account would be subject to the approved system of authorisation.

The visits to a large supermarket were the only times Mrs Martin had asked the taxis to wait. The taxi was retained because it was not easy to hail taxis from that destination. The shopping on these occasions would involve carrying heavy bags. The food was not paid for by the public purse but by the Martin household. The

alternative to using taxis would have been to use the government car service for journeys, but that would have been more expensive.

JL asked why the large supermarket had been selected instead of a more local one. Mr Speaker said that it provided a wider choice. JL noted people might say that the cost of a taxi was high compared to the cost of buying provisions. Mr Speaker said that it was a journey taken on a broadly monthly basis, the purchases were bulky, the location allowed taxis waiting access and it provided the necessary range of choice. Mrs Martin did not drive.

JL asked why Mr Speaker did not get help from the Refreshment Department for providing food for visitors. Mr Speaker responded that generally this was not practical given the nature and timing of his meetings which often occurred with little notice.

MJ confirmed that the residence was an official place where meetings took place day and night, as at an embassy.

JL asked about the other shopping journeys.

Mr Speaker said that while Mrs Martin made one major shopping expedition a month the others would be for other purposes. For example, because he was held in the Palace of Westminster, Mrs Martin sometimes went to buy clothes for him. There were also requirements in relation to his representative duties including court dress.

Mrs Martin would also assist with the preparation of formal dinners held in the official part of the residence, concerning herself with table decorations and such matters. Further, Mr Speaker worked long hours and meals had to be prepared, and on the shorter shopping journeys she would buy perishables.

Mr Speaker told JL that Mrs Martin never used the taxis for her own use or entertainment.

Mr Speaker said that Mrs Martin felt that if the House had given her transport to the shops she would not ask for a return taxi but would hail one herself. As a result, apart from the major 'shops', she would make her own return arrangements.

JL confirmed that he understood that Mrs Martin or Mr Speaker paid for the provisions themselves, apart from some linens and cleaning materials, that the provisions were consumed by the Martins themselves but that they were also used for hospitality, and that the return journeys, other than those from the large supermarket, were paid for by the Martins. Mr Speaker confirmed this understanding.

JL asked about the visit to a building supplies store in 2004. Mr Speaker said that that too had been within the terms of the memorandum and had been made with the appropriate official from the maintenance department to choose materials for work planned for the Speaker's residence under the official works programme.

JL asked about the journeys to and from the Speaker's private residence outside the Palace of Westminster which Mrs Martin had made. Mr Speaker said that there had been 2 occasions in 2004 when he asked Mrs Martin to take official papers to their residence for storage.

JL asked if Mrs Martin was accompanied on her visits to the private residence; the answer was that she was accompanied by the official housekeeper.

JL asked if there were any other points that Mr Speaker wished to make. Mr Speaker replied that he was concerned that the letter from JL to the Tax Payers' Alliance which had been marked 'Private and Confidential' seemed to have been released to the press, much to Mrs Martin's disadvantage, denigration of character and without right of reply. Mrs Martin had chosen not to use publicly funded taxis in support of his duties during the course of this inquiry. He asked why Mrs Martin herself had not been approached. JL replied that the complaint was against the Speaker.

JL said that he would be preparing a memorandum for the Committee on Standards and Privileges. He would show Mr Speaker the factual sections in draft.

21 April 2008

10. Letter to the Clerk of the House from the Commissioner, 21 April 2008

I would be grateful for your help on the application of the arrangements put in place in 2002 to provide for expenditure by Mr Speaker.

As you know, I am currently considering a complaint against Mr Speaker in respect of his wife's use of taxis. The Speaker's Secretary has sent me a copy of the arrangements as agreed by the then Accounting Officer. The relevant part of the section relating to taxis reads as follows: "*Use [of taxis] available for normal official business broadly in line with Government rules. Includes airport connections and occasional private social use at weekends for Speaker and spouse (e.g. Cenotaph weekends) such use expected to be de minimis*". The cost limit is set at £2500pa.

I would be very grateful for your help on the following points:

- i) how, in your view as accounting officer, the use of taxis by the Speaker's wife for the purposes identified in the taxi receipts meets the criteria specified in the arrangements established in 2002 that such use was for normal official business;
- ii) how that use was broadly in line with Government rules;
- iii) whether taking account of Government rules and the particular requirements of the Speaker's office and of Mr Speaker, you are satisfied that those taxi journeys undertaken by the Speaker's wife whose cost was met from public funds provided value for money.

I would be very grateful for your help on these matters.

21 April 2008

11. Letter to the Commissioner from the Clerk of the House, 22 April 2008

I am answering your letter about the application of the arrangements put in place in 2002 to provide for expenditure by Mr Speaker.

In the order you set out the three questions, here are my answers.

- i) The uses of the taxis by the Speaker's wife were undertaken to support the Speaker in the running of the Speaker's official residence where he is obliged by the House to reside and perform representative functions on its behalf. These functions include private meetings with Members of the House as well as outsiders; they take place at all times of day including late evenings. Such business is normal official business so far as the Speaker's residence is concerned.
- ii) Government rules provide Ministers with the use of cars for official purposes at all hours with which the use of taxis by the Speaker and his wife are broadly in line. Procedures for authorisation on the basis of receipted claims follow usual public service procedure.
- iii) The expenditure on taxi fares by the Speaker's wife has been well below the ceiling of £2,500 per annum set in 2002. As support for running the Speaker's residence, and given the cost of taxi fares in London, I am satisfied that they provided value for money particularly when compared to the alternative which would be the provision of a chauffeur-driven car for the Speaker as has been the case in the past.

22 April 2008

Formal minutes

Tuesday 13 May 2008

Members present:

Sir George Young, in the Chair

Mr David Curry
Mr Andrew Dismore
Nick Harvey
Mr Elfyn Llwyd

Mr Chris Mullin
Mr Paddy Tipping
The Hon Nicholas Soames
Dr Alan Whitehead

Draft Report [Conduct of Mr Speaker], 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 6 read and agreed to.

A Paper was ordered to be appended to the Report.

Resolved, That the Report and Appendix be the Ninth Report of the Committee to the House.

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

[Adjourned till Tuesday 3 June at 9.30 am

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

Session 2007-08

First Report	Conduct of Mr Elfyn Llwyd, Mr Adam Price and Mr Hywel Williams	HC 94
Second Report	Conduct of Mr Norman Baker, Mr Malcolm Bruce and Mr Sadiq Khan	HC 182
Third Report	Publications funded from the Communications Allowance	HC 232
Fourth Report	Conduct of Mr Derek Conway	HC 280
Fifth Report	Conduct of Mr Peter Hain	HC 324
Sixth Report	Employment of family members through the Staffing Allowance: Proposals for consultation	HC 383
Seventh Report	Employment of family members through the Staffing Allowance	HC 436
Eighth Report	The Complaints System and the Criminal Law	HC 523
Ninth Report	Conduct of Mr Speaker	HC 559

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 Report	Conduct of Mr Michael Foster (Worcester)	HC 1223
Eleventh Report	Conduct of Ms Emily Thornberry	HC 1367
Twelfth Report	Conduct of Nadine Dorries	HC 1368
Thirteenth Report	Conduct of Mr John Prescott	HC 1553
Fourteenth Report	Conduct of Dr Desmond Turner	HC 1578
Fifteenth Report	Conduct of Mr Eric Illsley	HC 1579
Sixteenth Report	Review of the Guide to the Rules Relating to the Conduct of Members: Consultation Document	HC 1580