

# THE COMMITTEE ON STANDARDS IN PUBLIC LIFE

## REVIEW OF MPs' EXPENSES AND ALLOWANCES

**Hilton Hotel  
Lanyon Place  
Belfast  
1 July 2009  
Morning/Afternoon Session**

Members Present: Sir Christopher Kelly KCB (Chairman)  
  
Dr Brian Woods-Scawen DL CBE  
Lloyd Clarke QPM  
Sir Derek Morris MA DPhil

Secretariat: Ruth Alaile  
Peter Hawthorne

Witnesses: David Gordon, Journalist, Belfast Telegraph  
Dawn Purvis MLA, Leader Progressive Unionist Party  
Danny Kennedy MLA , Ulster Unionist Party  
Alex Maskey MLA, and Kieran Kearney, Sinn Féin  
Alban Maginness MLA, and Peter McClenaghan  
Social and Democratic and Labour Party

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## **Opening Statement by Sir Christopher Kelly, Chairman of the Committee on Standards in Public Life**

1. SIR CHRISTOPHER KELLY (Chairman): This is the fifth public hearing of the Committee and part of the Committee's ongoing inquiry into MPs' expenses, and the only one that is taking place outside London. The reason for that being that the Prime Minister specifically asked us to look at the potential impact on Northern Ireland MPs of some of the changes that might take place in relation to the treatment of accommodation expenses. We are also interested in the issue of multiple mandates which I am sure will be the subject of some exchanges during the course of today.
2. Although we will be asking questions on that, we also intend to cover a wide range of issues relating to MPs which are not unique to Northern Ireland.
3. We regard the openness of the process we are following as a crucial part of what we are doing - gone are the days in which it is possible to settle these things in closed rooms - giving everyone the chance to say what they think. To challenge the views others put forward is, in our view, a very important part of coming to the right conclusions.

### **DAVID GORDON, JOURNALIST, BELFAST TELEGRAPH**

4. That is all I want to say by way of introduction. I am very grateful to all our witnesses for giving us their time this morning. And our first witness, appropriately it seems to me, is David Gordon from the Belfast Telegraph. Mr Gordon, you are very welcome. Thank you for your evidence. You have also given us an opening statement, do you want to make it or shall we read it into the record.
5. DAVID GORDON: I am happy to take it as read. Just to stress the main point of it obviously is the no devolution get-out clauses; that is a key point of the submission as well.<sup>1</sup>
6. First up I should really welcome you to Belfast as well, it is good to see you here.
7. SIR CHRISTOPHER KELLY: It is good to be here, thank you.
8. DAVID GORDON: We have arranged traditional Belfast weather for you as well.
9. SIR CHRISTOPHER KELLY: We noticed that. Can I begin with a general question which is for some time Northern Ireland has been special for all kinds of reasons which we well understand; is now the right time for Northern Ireland political parties to stop using the legacy as a reason for special treatment?

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<sup>1</sup> The opening statement is appended to this transcript.

10. DAVID GORDON: Yes. I think the short answer to that is yes. It is not that I would downplay for a second the impact of the Troubles on politics and not just the Troubles but the sectarian divide on politics, but I think if we are to take the peace process on to the next phase there should be no more get out clauses. We need transparency, openness and proper use of public money here as everywhere else.
11. SIR CHRISTOPHER KELLY: What arguments to you do expect us to hear against that?
12. DAVID GORDON: I suspect it will be more nuanced than just saying, "With respect, leave us alone" except possibly on the issue of donations which is not in your remit at this stage, although they may still argue that one. That while Northern Ireland has been hawked around as a template for peace and reconciliation it is still too dangerous to have openness on donations to parties.
13. I think on the MPs' expenses issue it will be primarily we have learnt our lessons so it will be similar to what you get in Westminster. It is time to move on, gives us a wee bit more time on the multiple mandates. Some will say that, not all. So I do not think you are going to get the resistance you might have got two years ago, not even one year ago.
14. SIR CHRISTOPHER KELLY: Thank you. Since you mention multiple mandates, can we come on to it? Why do you think that multiple mandates are so prevalent in Northern Ireland?
15. DAVID GORDON: I think it is true to say politics here has been a minority interest for many years and dominated by a fairly small pool of individuals, some of whom have careers going back many decades. They all say, with some justification, that they have carried the burden for years, often just as councillors, and at some personal risk, to say the least. It is generally agreed as well that there is a large chunk of the middle classes here opted out of politics in the early stages of the problems.
16. I think it is fair to say that the nature of politics here, with the sectarian divide, has been a turn off for a lot of people and there is a feeling that many potential leaders in politics, and indeed business, took a plane to university at 18 and never really came back.
17. The final point that in that, I might just stress, if double jobbing continues and we still have this small pool of participants or an elite, if you want to be pejorative, it can become self-propagating, self-perpetuating. It is harder to get new forces and new individuals to break through the dominant big hitters.
18. SIR CHRISTOPHER KELLY: Would you mind bringing the microphone slightly nearer to you. Thank you very much. That argument cuts both ways. The argument is the pool of talent willing to take on political roles is too small to eliminate double jobbing straight away. Your view on that is?

19. DAVID GORDON: We are told all the time from the standing parties that they have a great pool of talent right down into their back benches and people just itching to take forward roles and committee chairs and other positions. So, take them at their word. As political committees develop here, new forces and new people are coming forward to take on the role, particularly with the reform of councils and new local government structures being developed.
20. SIR CHRISTOPHER KELLY: You have been making this case for quite some time, as I understand it, and yet it is only now that people are beginning to listen. What do you think has changed?
21. DAVID GORDON: It is funny that, is it not? I think with the general focus on expenses and the general kind of public anger about this perceived expensive remuneration of political representatives, the focus has moved here on to double jobbing, the dynasties issue which has been reiterated particularly. So I think that is part of the focus.
22. Also as a result of FOI transparency we have been able show a lot more exactly how many resources, public resources are going in to the small set of politicians that dominate politics, both at Stormont and as representatives at Westminster.
23. SIR CHRISTOPHER KELLY: Just so I can be absolutely clear about this, your objection to double jobbing is ...?
24. DAVID GORDON: There are two points. I do not particularly like to use the elite argument but it is a fact that so much resource has been concentrated in so few hands. There is also the general public concern about how people could legitimately do both jobs satisfactorily as a full time Assembly Member and, indeed, in many cases Ministers or at least committee chair posts while also being full time MPs. Again, it also does not help politics generally if it is dominated by these individuals who are, I would say, heavily subsidised by public money through their expenses for their office costs.
25. SIR CHRISTOPHER KELLY: Thank you. There is now some recognition of the need to end it and various people have made commitments about ending it to particular timetables. Do you think it will happen voluntarily or do you think it will be necessary to prohibit it?
26. DAVID GORDON: I think it is pretty unlikely to happen voluntarily in the sense that there is some nervousness among the parties. Nobody wants to be the first to jump because if they are left to bring in new candidates and develop people's profiles while other parties are still running the big names in different elections, they are going to lose out. So there is that kind of nervousness. There is a feeling that people's positions have shifted a bit in the last six months and could be shifting back. I think there is a genuine will among most of, if not all, the parties to sort this out but I think they need some help along the way and some uniformed guidelines.

27. SIR CHRISTOPHER KELLY: If it was down to you, what would those guidelines say about how quickly it should be changed?
28. DAVID GORDON: I think you should strike while the iron is hot now and move it on from there. If not the next Westminster elections, certainly the next Assembly elections which are the following year.
29. SIR CHRISTOPHER KELLY: As quickly as that?
30. DAVID GORDON: I think there is a very strong case for that at least. The experience I have of these issues is that if we have moveable deadlines all the time, we have been promised transparency on donations - to hark on that point again - for a number of years and it moved back and moved back. Also because there is a great deal of public annoyance about the double jobbing, for the integrity of politics as well, I think it is important to sort this out.
31. I should have said as well, the double jobbing thing also feeds into some of the fall out here from the Daily Telegraph revelations and the Westminster expenses. We had a large degree of anger here and that was by no means a media fabrication. There was a large degree of anger over things like the food expenses that MPs were claiming. When you have some MPs claiming £400 per month maximum while also holding ministerial or other positions at Stormont, and clearly not able to have been at Westminster all week or anything like all week, that feeds into the general disillusionment.
32. SIR CHRISTOPHER KELLY: Thank you. Derek.
33. SIR DEREK MORRIS: You will be aware that a large number of issues have been raised with this Committee and we do not have time to cover them all today. But there is one that has been a cause of concern which is to do with the employment of relatives by MPs and we thought it worth bringing that up today because it does seem as if this is particularly prevalent in Northern Ireland. If that is the case, do you have any observations on why that should be so?
34. DAVID GORDON: If you are being uncharitable you would say it is because they could but I think that would be a bit of a simplification at least. It goes back to what I was saying about politics being very much a minority pursuit. Also I think it is important to stress in the period between 1998 and 2007 we have stop-start devolution, which was more stop than start. Between 2002 and 2007 we had a Stormont that was not sitting but the MLAs were still in their posts and being paid a reduced rate. In that situation it must have been very difficult, in fairness, to attract staff. It is possible that the British Government could have closed the whole thing down and I think that was part of it as well.
35. Clearly, there is an issue of nepotism in there as well as a factor. For years now there was a joke at Stormont about the office expenses often being called the nepotism allowance. That was kind of a cynical aside. There was

no way of knowing the level of it until the Derek Conway affair broke and that created a bit of openness on the subject and fed into various issues of public concern. I mention the dynasties, that have been a very big issue, played a lot in the European election campaign here and have gone down badly with voters.

36. SIR DEREK MORRIS: So would you say that, in as far as there ever was an explanation or indeed a justification, it was at a moment in time because of specific circumstances?
37. DAVID GORDON: Yes, well I think it is a number of factors. It is a long term fact that politics was not very appealing to a lot of people. People opted out of a minority sport. People would say that their spouses, for instance, for years were unpaid office managers and assistants, and they would argue there was something not entirely unfair to now pay them for that role. There are arguments for and against that view but it is there so that is a long term thing. And then, more specifically with Stormont and the uncertainty over the future of that institution, it would have been difficult in some circumstances to get good talented people to give up their jobs and bank their mortgage on a job that could be gone in a week's time.
38. SIR DEREK MORRIS: But in your written evidence to us you do suggest that you do not think it would actually be feasible moving forward to ban this practice. Can you explain why?
39. DAVID GORDON: Let me clarify that. I do not think it is feasible to have a blanket ban immediately or very quickly. I suppose there are human rights issues, for instance, about sacking large numbers of people as well. I also think there is an argument for saying that people should not be excluded from all possibilities of jobs with political parties just because they are related to someone in a high profile role in that party.
40. It is an argument always used, I suppose it has to be listened to to some extent, for a situation where an MP employs someone and then a relationship develops and they fall in love. Should that MP be unable to marry that person, for instance, on the grounds that they would have to sack them at the altar?
41. SIR DEREK MORRIS: Assuming there were appropriate transitional arrangements, might it not be appropriate to ban it? I am just probing this line of argument. Certainly, I think in schools and with doctors and dentists, there are a number of other areas where it was not unusual maybe 10-20 years ago but now that practice has stopped. So would it not be - as I say with appropriate transitional arrangements for those who are employing members of their family - appropriate to say that it should be stopped in this area as well?
42. DAVID GORDON: There is a strong case for that. You are talking about perhaps working directly for their relatives as opposed to working in some other paid role for the political party. I think there are two different

things there. Reading Chris Mullin MP's written submission where he suggests that the ban should be on children rather than spouses - spouses should be permitted but not children - I think there is some logic behind that as well. The point is how far do you go to restore integrity? That is obviously one of the big issues the Committee has to grapple with.

43. SIR DEREK MORRIS: A good point. Perhaps my last question; a number of MPs have said to us how valuable it is to them that they could employ their spouses but others have said at the moment there is such a high priority of bringing back a degree of credibility and trust, and there is such widespread public suspicion of this activity that, at least for some years, the right answer is to ban it.
44. DAVID GORDON: Yes, that might well be the case. It is almost a sackcloth and ashes thing now as well. It links into the issue of MP pay, this argument about getting rid of the expenses and paying them more. Again, I think that is just unfeasible in the current circumstances. How do you answer public anger? Give them £20,000 and take away their expenses? You can see that one going down well.
45. SIR DEREK MORRIS: Thank you.
46. DR BRIAN WOODS-SCAWEN: I would like to turn attention to Westminster and specifically the Northern Irish MPs at Westminster who have chosen not to take up their seats, and the implications of that for expenses. Could you explain the background to the agreement whereby they get a full set of allowances but do not take up their seats?
47. DAVID GORDON: I think the man you need to speak to there would probably be Peter Hain or Paul Murphy, as previous Secretaries of State. The suspicion has been that it was part of the deal, part of the peace process and part of bringing Sinn Féin into the full political process. It happened, I think, around 2001-ish when they got access to it and they also have access to Short money, but they have got a separate scheme for Short money, separate from the rest of them. They gave them an extra £80,000 a year.
48. So the suspicion has always been that it was for a political reason that they got access to these allowances. I have seen no evidence to cast that sufficiently in any doubt, put it that way.
49. DR BRIAN WOODS-SCAWEN: Can you explain your view on it?
50. DAVID GORDON: I think there is a different level. There is one issue of whether they should get office expenses, and I think you can say that they should. All of them are double mandate holders so they have also got office expenses from their jobs in the Stormont. So there is a separate argument whether they should get double office expenses and that does not just apply to them but others as well.
51. Leaving that aside, obviously the big controversial issue is the payment

of - I will call it the second home allowance because I always forget what is it called now - for living in London. Given that you sign for your second home allowance and you say it is entirely to do with your parliamentary duties while staying overnight, it is very hard to see a case for that under any grounds in its current use.

52. One of the points in my submission was that expenses should not be used for personal gain or family gain but also not to otherwise benefit a party political organisation. If they are in London, they are not there for Parliamentary reasons; they are presumably there for party political reasons so it is a direct state-funded benefit to that party political organisation.
53. DR BRIAN WOODS-SCAWEN: But it might be argued that they also go to London on constituency matters, to lobby Ministers, to speak to officials and so on.
54. DAVID GORDON: Possibly, but given the fact a number of them are also Ministers, I assume they would do that with their Ministers' hats on more and more these days. A point I have made a few times as well is I have not had it explained to me yet what Sinn Féin do over there. There has been some talk about how they are over there as part of their ongoing campaign for Irish unity. Fair enough, but they are signed up to the consent principle. So you could say that their real work for Irish unity should be over here persuading people. I am not quite sure how giving a talk to a constituency in Islington is really going to advance the cause these days very much. I am certainly not sure why the taxpayer should be funding part of that activity.
55. DR BRIAN WOODS-SCAWEN: But you would not be against the principle of supporting Sinn Féin MPs for constituency work?
56. DAVID GORDON: No, I think all elected politicians should get support for constituency work. As I say, there is a separate issue over whether they should double up on that support when they are holding two positions.
57. DR BRIAN WOODS-SCAWEN: Just moving in relation to constituents, with devolution - and of course it applies to other devolved legislatures as well - as issues get devolved and I guess more might in the future, is there a case for saying that the role of a Westminster MP reduces because more and more issues are dealt with by the devolved legislature?
58. DAVID GORDON: I think that is undoubtedly the case. I am sure there is a lot of crossover at the minute in constituency work, even leaving aside the fact that they are largely the same people. But someone coming through the door does not necessarily say, "This is a Parliamentary concern or this is Assembly related", they just want some help. Obviously, when the policing and justice powers come in the next wave of devolution, the role of the Westminster MP will be reduced.
59. DR BRIAN WOODS-SCAWEN: So does it follow in your view that the constituency support ought therefore to be reduced proportionally?

60. DAVID GORDON: Yes, I think that strengthens the case for a major review of constituency support for Northern Ireland's elected politicians, yes.
61. LLOYD CLARKE: A general question, if I might, which is about transparency. In answer to an earlier question you talked about the important role that transparency has played in raising with the public how much people are earning, how much politics is costing the taxpayer? Is there anything, therefore, in your view in respect of MPs' expenses, which you think should be withheld from public scrutiny?
62. DAVID GORDON: Very, very little is my answer to that one. The transparency is obviously the key issue to all that and it is the key answer and the reason why we are here in a way. It is remarkable that MPs have suddenly realised that the whole second home allowance system stank and needed reform just as all this stuff was coming into the public domain and it did not seem to dawn on them for all those years before it was coming into the public domain. So I suppose - and I know in terms this is a sensitive issue - the issue of home addresses of MPs is one area. Now, quite a lot of those are already listed in the electoral return forms for elections and that. People probably know where most of them live. But I think there is an issue for security reasons, and not just for Northern Ireland MPs in today's world.
63. The redaction was a nonsensical situation in the Commons and, as far as I understood, they also redacted constituency office addresses. How that can conceivably be a secret given that they are publicly funded public facilities is just beyond me. Also, it means there is less transparency over how funds were being divided between offices.
64. LLOYD CLARKE: So the issue for you is one with regard to security and probably that is the only thing that should be --
65. DAVID GORDON: That is the only one that has occurred to me, yes. In a way I think the Scottish route has proven how well that can work as a great control, apart from anything else.
66. LLOYD CLARKE: Certainly as a journalist, have you got any idea how best that is put into the public domain? The best ways to ensure transparency for the future?
67. DAVID GORDON: I think the online route is clearly the best way and the receipt level stuff. I have not yet seen anything better than the Scottish model and it is something we have been campaigning in the Belfast Telegraph for, for the Assembly, for I think the best part of three years.
68. LLOYD CLARKE: You do not see any faults with the Scottish model in the way that things have been reported there?
69. DAVID GORDON: There is always a danger that you can get mischievous reporting on some details but my understanding is, and I am not

claiming to be an expert on the Scottish model or any sort of reform, is that the issue has been largely settled as a running sore in Scotland, unlike here, unlike London. That might be a little bit simplistic but it certainly seems to have got to grips with that as a general governance issue.

70. DR BRIAN WOODS-SCAWEN: Could I just follow up on that? The expenses regime in the Assembly is not in our remit but there are some specific issues that we want to cover, as the Chairman indicated. But more generally you have said in your evidence that the principles of governance, transparency and so on adopted for Westminster should apply as best practice. Could you say some more about that?
71. DAVID GORDON: I will give you some examples in the Assembly of people's concerns in a second. But I just think some of us have had a feeling here that we have been in a bit of slum in accountability terms and have been left behind based on the key standards reforms over the last decade. I mention once again, we still have secrecy for our political donations. We also do not have a binding code of conduct for our local councillors. In the Assembly there have been issues, particularly over rental expenses, Westminster actually on the subject of office expenses is much better, a model of good practice on most compared to the current situation at the Stormont. Now, you will be told if it comes up that they are reforming the system or they are reviewing suggestions so it may be that they have finally come to grips with it but they should have done it years ago.
72. I will give you some examples. It is still possible here, unlike Westminster, for Members of the Assembly to rent offices at taxpayers' expense from relatives. If you are renting from a political party, which a number of them do, you do not have to prove it is a market rate. It is also not against the rules, as has been proven recently, for Members of the Assembly to claim rent that is significantly above the market rate. I know you have had some evidence from Tom Frawley, who is the interim Standards Commissioner at the Assembly, and he has one - I would call - extreme case where office expenses are being claimed well above the market rate to fund the creation of a large property asset for one party. That is basically funding and paying off of a mortgage of about £600,000 for that property. Those are issues that should have been sorted out years ago.
73. My understanding is that MPs stopped the family link rental about 2003 so there is a feeling of complacency of the Assembly here has for years sleepwalked itself into trouble. Also, partly because of the reasons you said about the troubles and the legacy, we have been left behind and, for the integrity of politics and hopefully for the new future we are going to get in politics here, I do not think those excuses can wash any more.
74. DR BRIAN WOODS-SCAWEN: Do you think there is an argument beyond probity and governance that if you want to rebuild the engagement between people and politics, which you indicated had broken down, that reforms in these areas would be part of that?

75. DAVID GORDON: Absolutely, yes, I think there is a big issue now of restoring public confidence and also, if you do open up politics more by stopping this elite situation, I think that could help as well. Okay, it is up to the public at the end of the day who they vote for but, if the current incumbents are being heavily subsidised by the public purse, they are being helped to gain their dominance. I do not think that is healthy.
76. Also, just about the no devolution get out clause, a classic example, if you do decide on a major reform such as limiting or barring employment of relatives as a major step to restore public confidence, that will undoubtedly be heavily resisted at the Assembly. If they opt out of that, what would that do for public confidence here if we were again left behind, out of step? Given that your Committee's remit does cover us as well as everywhere else that is an issue, in my view.
77. SIR CHRISTOPHER KELLY: Indeed, it is. Although the expenses regime at Stormont is beyond the remit of this inquiry, it is not beyond the remit of the Committee.
78. DAVID GORDON: I am not expecting you to come up with hard and fast, I just think a good message in there that you expect all devolved institutions to take note of the guiding principles and the key findings.
79. SIR CHRISTOPHER KELLY: You do not think that we should be recommending that someone separately should do an inquiry into the regime at Stormont in the light of our recommendations?
80. DAVID GORDON: Maybe yourselves could keep it on - not so much the back burner - but something you could look at in a year's time to see how the follow through goes. I am sure you want to get away from expenses some day, as do I.
81. SIR CHRISTOPHER KELLY: Absolutely, absolutely. I only ask that question because Wales have got their own inquiry reporting next week, I think. Scotland have already had theirs but they have appointed someone to take note of what we recommend and --
82. DAVID GORDON: You are talking to people from political parties here and they will tell you there is a review underway and it has some pretty good guiding principles established. Some of them jar pretty badly with current practice. Maybe you will see (a) whether they are willing for proper reform and (b) whether you would build a consensus. Because even more so than Westminster you need to move things forward for party consensus at the Assembly pretty much and it does drag very slow.
83. SIR CHRISTOPHER KELLY: Just one last question, if I may, going back to the issue of Sinn Féin Members of Parliament. We received some evidence from them this morning which is presumably not therefore yet up on our website, which does list what they do in relation to the question of needing to be present in London and the list is, if I can just read it out, "Advocacy of

citizenship and democratic rights; advocacy for families, including where appropriate the British Attorney General; advocacy to British Ministers; promoting the case for increased international investment; defending workers' rights; interacting with statutory agencies; campaigning for changes in policy and budget to Government priorities; facilitating interventions from statutory agencies, public bodies and civic society within the constituency; communication to the constituents; and providing constituency surgeries." Although that last one not of course in London.

84. DAVID GORDON: That is a helpful bit of clarification on what they do. An interesting question to ask is how much of that would require overnight stays? Also if you compare and contrast the flight expenses that other Northern Ireland MPs do with Sinn Féin members, you will find that they are infrequent flyers to London. So that suggests that they are not there that often and if they have a case for overnight accommodation whether that could be better facilitated through hotel accommodation. Of course, if you do manage to come up with a great solution of finding permanent accommodation for MPs, such as in the Olympic Village or whatever, then I do not think there would be any objection to space being provided there. Well, there will be objections but I cannot see them being sizeable objections, especially if it is for all MPs use when and if they are there. I suspect that would be quite a task to find suitable accommodation. You could buy County Hall.

85. SIR CHRISTOPHER KELLY: I think the Committee is looking at the issue of central provision as one of the issues and the Olympic Village is the option most favoured by members of the public. I think what they are really saying is direct provision. But there is quite a strong argument against the Olympic Village version of it, which is simply that some people would say that MPs get too institutionalised in Westminster and the notion you should then move them all from one institution to another in the evening is not a very attractive one.

86. Thank you very much. Is there anything else you want to say to us?

87. DAVID GORDON: No, that is it.

88. SIR CHRISTOPHER KELLY: Thank you very much for your time, it has been most helpful.

89. DAVID GORDON: Thank you.

#### **DAWN PURVIS MLA, LEADER PROGRESSIVE UNIONIST PARTY**

90. SIR CHRISTOPHER KELLY: Our next witness is Dawn Purvis, MLA, from the Progressive Unionist Party. You are very welcome. Thank you for coming and thank you for the evidence which you have given to us. Is there anything you wish to say by way of opening comments?

91. DAWN PURVIS: Yes, I would like to make an opening statement, if I may.

92. Chairman, Committee members, I would like to welcome the Committee on Standards in Public Life to Belfast and say how pleased I am that the Committee is looking at the issue of multiple mandates as part of its terms of reference. I think this is a critical issue which will strike at the effectiveness of the Northern Ireland Assembly so I will focus on this topic in my remarks.
93. The Committee may be aware that I have been working on a Private Members' Bill to end dual mandates in Northern Ireland for the past nine months, well before this current attention on such issues was received. In its current form the Bill would disqualify elected members of local councils from also serving as elected members of the Northern Ireland Assembly. This is an issue of great concern for me and my party, the Progressive Unionist Party.
94. As you may know the Progressive Unionist Party works in and represents the loyalist working class community in Northern Ireland. These areas carry some of the lowest levels of confidence in the Assembly. However, at the time of the signing of the Belfast Good Friday Agreement almost the reverse was true. Loyalist areas delivered some of the strongest support for the agreement and a part-sharing Assembly in all of unionism. That support has since deteriorated as loyalist communities have failed to see the real benefits delivered to their areas.
95. Loyalist areas currently experience some of the highest levels of deprivation in the United Kingdom. This was also the case before the Troubles so not much has changed. The systems for education, social services, health and housing are struggling to meet their needs and - in some cases, education in particular - are actively failing them.
96. Recent actions by loyalist paramilitaries make it clear that there is a commitment to move forward, but when loyalist communities look to the Assembly they see the same faces they saw 20 and 30 years ago and the same political dynasties with a stranglehold on power. For loyalism not enough has changed in 30 years and loyalism remains largely unrepresented and excluded from the political institutions they once strongly supported.
97. But this is clearly not just about loyalism. The need to build confidence in our political institutions is part of developing peace in Northern Ireland. Devolution here is not the same as in Scotland and Wales. In Northern Ireland devolution came about as a result of a negotiated settlement and so the need to gain public confidence in our institutions is much more urgent.
98. Ending dual mandates in Northern Ireland will bring added transparency and accountability and, I believe, healthier political parties, which will be forced to reach out and recruit new members and candidates who can fully represent the electorate. New people will bring new ideas, new energy and new perspectives, both to the work of the Assembly and local councils.
99. This should help parties move toward electoral competition based on the issues and policies rather than fear and division. Ideally, it will also

remove a layer of exclusivity and exclusion which prevents all citizens, whatever their political perspective or background, from feeling that they have a role to play in shaping the politics and policy in Northern Ireland.

100. We still have a hard row to hoe in Northern Ireland and it will take the ideas, work and support of as many people as possible to get where we need to go. Public consultation on the Bill I am introducing will take place in August and September and I hope to engage as wide and inclusive an audience as possible. Political parties could end multiple mandates on their own voluntarily. This has been the case in Wales, and largely adhered to in Scotland. However, the political parties in Northern Ireland have repeatedly paid lip service to this principle and have taken little meaningful action to make it a reality. Legislating for this change would, I believe, make the effect immediate and permanent, and therefore both more likely and more meaningful than waiting for the parties to do this on their own.
101. For these reasons, I would ask the Committee to include a legislative prohibition on multiple mandates as one of its key recommendations. My Bill would end dual mandates between local Government and the Assembly, but we cannot touch dual mandates between the Assembly and Westminster, as this is a reserved matter and it must be legislated for at Westminster.
102. There is another topic which I think is important for the Committee, and this is the issue of employment of family members. When I was first elected to the Assembly, I would drive in every morning and notice that many cars arrived into the Members' car parking area with a large number of passengers. They were almost like clown cars as the doors opened, with passenger after passenger climbing out. At first I thought this was great, people were car sharing, pooling transportation costs and minimising their impact on the environment. Then I realised that these were families arriving together. While the environmental benefits are commendable, the practice of hiring family members is a real problem.
103. The Committee may be aware that the Northern Ireland Assembly Commission is currently conducting a review of procedures for Members' expenses. As part of its submission to this review, my party is recommending the end of unregulated employment of family members which is currently practiced as nepotism without justification. The Progressive Unionist Party believes that members should be obligated to compete for positions. MLAs who hire family members should be required to make a clear declaration available to the public of why this individual is superior to other candidates for the post. This must also be the case when applying for short-term project or contract work. In some situations it may be that a family member is the most appropriately qualified person to perform a function in a Member's office, and in such cases, that should be allowed. However, the very appearance of nepotism is damaging to the institution and therefore must be openly explained and justified.
104. The same principles hold true in the case of renting office space and entering into other lucrative contracts for payment. Members should be

prohibited from renting office space from themselves or other family members. There may be exceptional circumstances where this cannot be avoided, but this should be a very rare exception and should require specific approval.

105. Maintaining the current degree of nepotism in our political practices creates another layer of exclusion, protects political dynasties and creates the appearance of politicians and their families trying to pilfer as much as they can from the public purse.
106. There are a number of related issues that I could continue to highlight, but I think the remainder of our time may be more useful if I defer to the Committee at this point for questions and discussion. Once again, can I thank you, Chairman and the Committee, for this opportunity to speak with you this morning, and the Progressive Unionist Party certainly stands ready to assist in any we can in this important review.
107. SIR CHRISTOPHER KELLY: Thank you very much. Can we go straight into multiple mandates and the purpose of your Bill and what you have said about it? I just want to be absolutely certain that I understand your objection to MLAs also being MPs; it is because of the exclusivity that creates?
108. DAWN PURVIS: It is about exclusivity, it is about the creation of political dynasties. It is also about politicians creating wealth for themselves, and in some cases their political parties, by having more than one job. There is also the issue around conflict of interest, where we have a MLA who is also an MP who is also the Minister for the Environment, who is also a local government councillor. Local Government comes in under the remit of the Department of the Environment in Northern Ireland, so there is clearly an issue there of a conflict of interest.
109. I think also what goes to the heart of the matter is the issue of effectiveness, because MPs are effectively legislators at Westminster; MLAs are effectively legislators in Northern Ireland. The legislative process, as you know, is long and drawn out. Even though the Assembly sits two days a week, the Committees sit the rest of the week; constituency day is a Friday. I am not sure how the week goes in Westminster, but I would imagine there are Committee stages for legislation as well.
110. If I could just refer to a report that was done by the Hay Group. This was actually commissioned to inform the Senior Salaries Review Body into Members' salary and expenses in 2008. The Hay Group found that 97 per cent of MPs from Northern Ireland reported to be on duty and working more than 55 hours per week when Parliament was in session, and two-thirds claimed to spend more than 67 hours per week in this way. The report went on to say, "If these figures are roughly accurate, it is difficult to see how a further job, for example, as an MLA, could be done satisfactorily in addition to that of an MP". So I think there is the issue of effectiveness and being able to carry out one job to the best of your ability.

111. SIR CHRISTOPHER KELLY: I understand very much the point about effectiveness and hours of work. Have you got any concrete evidence that those MLAs who are also MPs or those who are Ministers as well as being MPs are failing to be effective in discharging any of those responsibilities?
112. DAWN PURVIS: No, I do not have any evidence, I am afraid.
113. SIR CHRISTOPHER KELLY: So you are just proceeding on the basis that someone who works that number of hours in one place cannot possibly work that number of hours effectively in another place?
114. DAWN PURVIS: To be effective, yes.
115. SIR CHRISTOPHER KELLY: What is your response to the argument that one of the justifications for multiple mandates is that the talent pool in Northern Ireland is not wide enough?
116. DAWN PURVIS: Well, I do not think that is the case, particularly when political parties tell you that they have a pool of talent, a wealth of talent. I think it is a smokescreen. I think it is creating another layer of exclusivity. I think if you look at the community and voluntary sector, particularly in Northern Ireland, there is a wealth of talent there. I think the political parties create the exclusiveness themselves, and there is a pool of talent there willing to take up particularly local Government jobs if they became vacant.
117. SIR CHRISTOPHER KELLY: What is your prediction about what will happen if this Committee fails to make a recommendation and the process is left to voluntary action?
118. DAWN PURVIS: Well, I think we have seen the lip service paid over recent months to the notion of voluntary action. One party in particular said that they want to be decisive and that their members would have to choose by the next general election. They have already moved the goalposts again and are now saying that it is going to happen by 2015. I do not believe that they are sincere about that. I think we need legislation to make this happen in all layers of Government, local council, Assembly and Westminster. The European Parliament introduced a prohibition and it was successful, because we did have a previous MEP who was also an MP, and it has been successful.
119. I think we need the legislation in order to be decisive about this, because dual mandates are an issue that goes to the heart of public confidence in our political institutions here. People, the public, see it as creation of wealth; they see it as creation of political dynasties; they see it as nepotism, particularly when family members then get the vacant political positions. So we have a real, serious need in Northern Ireland to build public confidence in democracy, and that needs to happen urgently. Unfortunately, in the last year, I think public confidence has been haemorrhaged from our political institutions, and we need to regain that. The way we regain that is through meaningful, decisive, permanent action, and also the maximum openness, accountability and transparency.

120. SIR CHRISTOPHER KELLY: One of the several points you made there was the connection between multiple mandates and political dynasties. Can you just explain that for me a bit? I am familiar with the concept. It is the connection between multiple mandates and dynasties that I am concerned with.
121. DAWN PURVIS: Well, in some cases where political parties or a politician has vacated a seat, a family member has filled that vacancy.
122. SIR CHRISTOPHER KELLY: But why is that connected to multiple mandates?
123. DAWN PURVIS: Because the insinuation is that if you vacate a seat - in other words, if you leave - there is a layer of multiple mandate. You are filling it with a family member.
124. SIR CHRISTOPHER KELLY: I see. It works that way. Thank you very much. How quickly do you think changes could be reasonably introduced?
125. DAWN PURVIS: Well, I am hoping through my Private Members' Bill in the Assembly that would allow for this legislation to be in place by the next local government and Assembly elections in 2011. That would remove the need for costly by-elections in the meantime. In terms of MP and MLA prohibition and dual mandates, I think that has to happen at the next general election.
126. SIR CHRISTOPHER KELLY: So as early as the next year or even earlier?
127. DAWN PURVIS: Yes.
128. SIR CHRISTOPHER KELLY: Thank you.
129. LLOYD CLARKE: Thank you. Could I take you specifically to the employment of family members? I know that in your opening statement you had underlined the importance of this issue, that it was unregulated employment. I am interested in the steps along the way that have drawn you to that conclusion. Perhaps you could start off by explaining to us how we got to the situation that we have here in Northern Ireland with the employment of family members being so prevalent? If we take that as a starter and then we will work through one or two other issues connected with it.
130. DAWN PURVIS: Certainly. I think two reasons we have got there: (1) that they could - politicians are great employers of family members - and (2) security concerns. Politics in Northern Ireland was almost always an exclusive set of people and politics sometimes was a dangerous game. Politicians and political activists have been killed in Northern Ireland. So I think some politicians chose to employ people who were close to them for security

reasons. I think that argument wears a bit thin nowadays, because we are 15 years after the ceasefires and 11 years after the Good Friday Belfast Agreement.

131. LLOYD CLARKE: Well, it is interesting to draw a parallel. If you take the Westminster Parliament, for example, there are about 250 MPs who employ family members. That means there are 400 who do not, but in the same way, the security is not quite the same issue there, and one of the arguments would be that it is an unusual role, being an MP and being in politics. The notion of having someone who is close, a close family member who understands your thinking etc - and who may even actually be able to represent you in whatever, your constituencies, when you are not there - that is a good reason for employing family members. Could it not be said that continues here in Northern Ireland as well for those reasons, that rationale?
132. DAWN PURVIS: I do not accept that rationale, because I have a very good team of people around me who are not family members, who are able to work out my thinking, who are able to do research, write speaking notes for me, be able to represent me at constituency meetings and do the job very, very well. So I do not accept that argument at all.
133. LLOYD CLARKE: Well, seeing as you have used yourself as the exemplar, how did you recruit your staff in terms of process?
134. DAWN PURVIS: I inherited my staff from my predecessor, who died, but any future employees will go into open recruitment, will be advertised.
135. LLOYD CLARKE: Well, that was the next question. How would you like to see politicians recruiting people across the board then?
136. DAWN PURVIS: The same as any other person for a job, that it is advertised, that they apply, that they go through an application process, a short-listing process and an interview process, and that the job is awarded on merit.
137. LLOYD CLARKE: It was interesting, because yesterday - albeit in the London - we were hearing from staff associations and those kind of bodies. Who would be the employer?
138. DAWN PURVIS: Well, in my opinion, it would be the MLA. Certainly in my job, it is the MLA that is the employer, so therefore it should be the MP that is the employer.
139. LLOYD CLARKE: What about the protection that those individuals might have in terms of staff employment?
140. DAWN PURVIS: Well, I can only tell you from my own experience. As an MLA, I have a set allowance from which I can employ staff, and their salary, their protection and everything comes from the Assembly, from the Finance Department. Their salary is paid directly. If anything happens, then it

is all worked out through the Assembly. So effectively, I am the employer, but the Assembly actually administers the payroll and the terms and conditions, but I provide the Assembly with a job description for every member of staff and a contract of employment for every member of staff.

141. LLOYD CLARKE: You provide that back to the Assembly?
142. DAWN PURVIS: To the Assembly.
143. LLOYD CLARKE: Presumably from something which is probably a contract similar for everybody.
144. DAWN PURVIS: Yes.
145. LLOYD CLARKE: Any opportunity for you to make changes to that?
146. DAWN PURVIS: Oh, yes. Yes, I can vary the terms and conditions.
147. LLOYD CLARKE: Connected with it - and I only raise it because you also raised it - is about renting office space and the working environment that you would then work in. How do you think that should be achieved?
148. DAWN PURVIS: I think renting office space has become a real issue, particularly in Northern Ireland, when revelations came to light that MPs and MLAs were renting from family members, that other MPs and MLAs were claiming a large amount of rent that was creating a wealth or a property for a political party. So the whole issue of renting office space has become a hot potato, if you like, in Northern Ireland. So I think there needs to be more transparency and accountability around what office space MLAs need to do the job. I think that has become muddled with MP expenses as well, because you have MLAs who are able to claim their full office costs here, and if they are MPs, are also able to claim their full expenses from Westminster. So there is a crossover of expenses there, and I do not think that anyone can see clearly how those expenses are being spent and delivered in terms of constituency work.
149. LLOYD CLARKE: Finally, one last question, if I might: what about the transitional arrangements, because people are being employed - whether it is right or wrong or whatever your view is about family members - what about the transitional process and length of time? What should that be? How might that work?
150. DAWN PURVIS: Well, I would not be in favour of sacking someone if they are doing a good job, but what I do think is that there needs to be open competition for new employees.
151. LLOYD CLARKE: So transition may very well be quite a lengthy process for people who are employed now, by people retaining seats and the like?

152. DAWN PURVIS: Yes.
153. LLOYD CLARKE: All right. Thank you very much.
154. DR BRIAN WOODS-SCAWEN: You have argued that it is time for normal politics in Northern Ireland. Does that mean that in your view the principles of openness and accountability in relation to expenses should apply fully to Northern Ireland and that the historical legacy is no longer a reason for arguing for departures?
155. DAWN PURVIS: There should be no reason for arguing for departures. Our political institutions suffer a credibility problem with the public here, and in order to build that confidence, we need maximum openness, accountability and transparency in all our dealings. So I think that goes without saying.
156. DR BRIAN WOODS-SCAWEN: If I could turn specifically to one set of arrangements which are special in Northern Ireland and that is the position of Westminster MPs who do not take up their seats and receive a full set of allowances. Could you explain something around how that has come about and your view on the current arrangements?
157. DAWN PURVIS: Well, I think it was negotiated by Sinn Féin and other political parties - well, probably not other political parties - with the previous Secretaries of the State as one thing on their shopping list, because Sinn Féin will bring a shopping list to every negotiating table. I would say that it was another item on the shopping list that they ticked off. I do not think it is a good idea. I do not think that they should be entitled to claim full allowances when they do not attend Westminster. As I said previously, Westminster is our mother Parliament. It makes legislation. If they are not fulfilling their roles as MPs and making that legislation and taking up the role within Parliament and Committees etc, then their allowances should be abated.
158. DR BRIAN WOODS-SCAWEN: There is an argument that even if an MP does not operate within Westminster, they still have constituents, they still have constituents who work, and therefore there are some expenses and allowances which relate to constituency work which should follow in any event.
159. DAWN PURVIS: Sure. Well, I think claims for constituency work should be receipted and documented so that the public in Northern Ireland can see clearly what MP's constituency work consists of and what an Assembly Member's constituency work is. I think it is possible to reach a compromise around expenses for constituency work, but they should not be receiving their full allowance for non-attendance.
160. DR BRIAN WOODS-SCAWEN: Would most MPs who are both in Westminster and in the Assembly have a single constituency office, or would they have separate offices and separate staff for their two roles?
161. DAWN PURVIS: I am not aware of any having separate Westminster offices and Assembly offices. I am aware of some having two offices, but they

are not separate in terms of Westminster or Assembly.

162. DR BRIAN WOODS-SCAWEN: Why would they have two offices?
163. DAWN PURVIS: Some constituencies are quite large.
164. DR BRIAN WOODS-SCAWEN: Oh, reason of geography?
165. DAWN PURVIS: Yes.
166. DR BRIAN WOODS-SCAWEN: Yes. So your view is that there is something around allowances for constituency work which ought to be worked in some manner?
167. DAWN PURVIS: Yes, that it is properly receipted and documented.
168. DR BRIAN WOODS-SCAWEN: So long as double jobbing exists, as items are devolved to the Assembly, and arguably, more policy areas may be devolved in the future, does that mean that in your view the responsibilities to constituents for reserved matters reduces, and therefore the amount of resource needed to support constituents in relation to reserved matters reduces?
169. DAWN PURVIS: I suppose you could make that argument, but looking at the history of MPs' activity or inactivity in terms of constituency work here in Northern Ireland, I would not think that that would be the case.
170. SIR CHRISTOPHER KELLY: Thank you very much. Derek, have you got any other questions?
171. SIR DEREK MORRIS: The Northern Ireland Assembly is not part of our remit, but I think you may possibly have heard earlier David Gordon talking about the possibility of a read across from what we end up reporting in relation to Westminster. Do you have any views on that point?
172. DAWN PURVIS: Well, I think certainly when the Senior Salaries Review Body was here last year talking to MLAs about salary and expenses, some of the discussion that I had with them centred on practices and processes at Westminster, and certainly I did listen to David's evidence particularly around renting of office space and the Westminster Green Book, as it is called. There are practices at Westminster that are better than practices at the Assembly; for example, the Assembly allows Members to rent office space from their family members, which I believe is wrong, and it is not allowed to happen at Westminster. So I think there should be some read across.
173. The Speaker of the Assembly and the Northern Ireland Assembly Commission are at the minute doing a review of Members' expenses and allowances, on the handbook in relation to expenses. Given what you are doing, what the Assembly is doing, what the Scottish Parliament has just

done, I think there are lessons there certainly for the Northern Ireland Assembly to inform the Speaker in his review. I would hope that what you produce in your review would certainly be read across into the Northern Ireland Assembly Commission, because there are lessons for all of us out of this.

174. SIR CHRISTOPHER KELLY: Thank you very much. Is there anything else you wanted to say to us?

175. DAWN PURVIS: No, I do not think so.

176. SIR CHRISTOPHER KELLY: Thank you very much indeed for your evidence, most helpful.

177. DAWN PURVIS: Thank you.

178. SIR CHRISTOPHER KELLY: There will now be a short break before our next witness, starting at 11.15am.

(Break)

#### **DANNY KENNEDY MLA, ULSTER UNIONIST PARTY**

179. SIR CHRISTOPHER KELLY: Let us start again. Our next witness is Danny Kennedy, MLA, speaking on behalf of the Ulster Unionist Party. Mr Kennedy, you are very welcome.

180. DANNY KENNEDY: Thank you very much indeed.

181. SIR CHRISTOPHER KELLY: On the whole, I discourage people from making long opening statements, because that then takes up the time for questions, but if there are things you would like to say by way of introduction, please feel free to do so.

182. DANNY KENNEDY: Thank you very much indeed. Thank you for the opportunity for the Ulster Unionist Party to make a presentation on this important subject and to this important Committee. Could I also indicate an apology on behalf of the party leader, Sir Reg Empey. Today in Northern Ireland is an important anniversary in terms of the Battle of the Somme, and there are various ceremonies taking place in which the party leader is involved. I understand that my party colleague, Lady Sylvia Hermon, has or will be making a presentation to your Committee in London, again as part of the Ulster Unionist representations.

183. Obviously we have tabled in advance our submission, and I would propose that I would briefly touch on a couple of aspects of it. We believe as a party that the revelations surrounding MPs' allowances and expenses have severely damaged the reputation of both individual MPs and Parliament itself. The taxpaying public has been outraged by the revelations, which have shown that MPs, regardless of whether they acted within the rules of the system or

not, have acted dishonourably. This is a problem that all MPs and politicians must seek to address, and it is obviously in all our interests to have it reformed.

184. The fundamental principle, we believe, that must underpin reform is that MPs should not continue to determine their own pay and allowances, and we would also say that in respect of MLAs as well. Pay and allowances should be examined and ultimately determined by a dedicated external body which can command public respect, and taxpayers have the right to seeing what their money is being spent on. We believe that MPs' expenses should be available online.

185. SIR CHRISTOPHER KELLY: Mr Kennedy, I am sorry to interrupt you. You were kind enough to give us what you are reading out and we have got it, it will go on our website, so it will be in the public realm. I would suspect that our time would be better spent asking you questions than listening to you reading it out, unless there are particular issues you wanted to outline.

186. DANNY KENNEDY: I think one particular aspect, and it is not exclusively peculiar to Northern Ireland, is the issue of double jobbing or dual mandates. We believe that being an MP is not a part-time job. We have a situation in Northern Ireland where there are MPs who double and sometimes triple job as MLAs and Ministers in our devolved institutions, and we believe that Northern Ireland deserves the same representation in Westminster and at a devolved level as the public. We think that there should be explicit rules that prohibit the holding of joint mandates by MPs. We also believe strongly that any MP who refuses to sit in Westminster, and therefore take the Oath of Allegiance, should not be allowed to claim expenses for the Westminster Parliament. I am happy to press those two particular points.

187. SIR CHRISTOPHER KELLY: Thank you very much, and I am sorry to have cut you short. Can we start with multiple mandates? If it is so obvious that multiple mandates are a bad idea, why is it that the practice has not come to an end already in Northern Ireland, as it has in Wales and will very shortly in Scotland?

188. DANNY KENNEDY: Well, I suppose realistically there are a number of reasons for that. The political institutions in Northern Ireland have been somewhat shaky in the ten years that they have been in place, and I suppose politicians were reticent in placing all their eggs in one basket, so I suppose that there was that aspect to it. Now that it is clear that the institutions are more securely and permanently based, I think the arguments can be made less to retain dual membership, particularly MPs, MLAs and Ministers.

189. SIR CHRISTOPHER KELLY: Is that a general point? Are you now confident that things have moved on sufficiently that special treatment in general for Northern Ireland is no longer justified by the legacy of the Troubles?

190. DANNY KENNEDY: I think, yes, our view is that the institutions at

Stormont appear to have weathered the various political storms and, whilst there are ongoing difficulties and perhaps skirmishes of a political nature, generally speaking the institutions are now relatively secure.

191. SIR CHRISTOPHER KELLY: It is good to have that confidence. We have been told that one of the reasons, apart from those you have given, for the widespread use of multiple mandates, is that the pool of political talent in Northern Ireland is still under-developed and not wide enough. Would you like to comment on that?

192. DANNY KENNEDY: I suppose, historically, activity in politics was almost exclusively left to local government, and quite a number of people entered local government and have continued to serve in local government. But there were attendant risks and dangers and that meant that less people than perhaps we would have liked or desired saw politics as an opportunity.

193. But I think we have now moved on substantially. All of the political parties are actively encouraging particularly young people and women to involve themselves to a greater degree in politics. We are already seeing that at local council level. I think the pool that we are now able to use is substantially greater than it had been in the past and with the reform of local Government under RPA that will give opportunities to new people, younger people and women to come forward and look at politics as a potential career. The fact that you have almost a male-dominated political system, with politicians who somehow believe that they are the only people who can carry out these jobs and these tasks, be they in Stormont or London, or indeed other places, I think that is a mistaken logic.

194. SIR CHRISTOPHER KELLY: Some of that is about looking forward. You would be able to identify a talent pool sufficient to fill in any spaces that would become vacant as a result of the end of double jobbing?

195. DANNY KENNEDY: I think so. The marketing powers of the respective political parties are considerable and I think they can promote, and will seek to promote, particularly young people and women in their advancement to political careers.

196. SIR CHRISTOPHER KELLY: Do you think the political parties in Northern Ireland are ready to accept a ban on multiple mandates? The reason I ask that question is it has been put to us that people recognise the need for double jobbing to be ended, but are reluctant to take the first step.

197. DANNY KENNEDY: I noted some speculation that there are some political parties who would prefer a date in the future to be given for these changes to be made, 2015. That represents almost 17-18 years after the significant political changes in Northern Ireland, and I think the younger breed of aspiring politicians would be keener to see earlier progress than that. The political parties or senior politicians may be slower to respond to the challenge of change than many of the younger breed of potential politicians that are undoubtedly out there.

198. SIR CHRISTOPHER KELLY: The reason I ask that question is because in Scotland and Wales it either has happened or is happening voluntarily, and in Northern Ireland it always seems to be a bit different.
199. DANNY KENNEDY: We are sometimes slow to accept change. There have been reasons in the past why the political pool from which we fish was of a smaller and more limited basis, but that has changed.
200. SIR CHRISTOPHER KELLY: How quickly would you move if it was left to you?
201. DANNY KENNEDY: I think we should seek to legislate as quickly as possible. It may not be possible to include it for the next Westminster election, which is due within a year now; it seems unlikely that we can achieve that. But certainly we should put in place a clear signal given by the Government to legislate as necessary, and that if political parties are not prepared to accept change willingly then we should concentrate their minds.
202. SIR CHRISTOPHER KELLY: If there was legislation, which way would you expect politicians to jump, to Westminster or to Stormont?
203. DANNY KENNEDY: I think it is an interesting question. Politicians of my generation have always regarded Westminster as the mother of Parliaments, as the place to be, the national scene, and for representatives from Northern Ireland to play a full and active part, particularly those of us who are pro-Union. With the advent of a locally devolved institution now at Stormont, obviously much of the responsibility for the day to day running of Northern Ireland is now the responsibility of our local politicians. So the challenge then is for politicians: do they want to play a role on the national stage, there are important considerations there, or would they prefer to legislate locally? But I think that is a healthy challenge and a good challenge and it should spread to the entire pool of politicians.
204. SIR CHRISTOPHER KELLY: It has been put to me privately (possibly it was one of those things that people do not say publicly) that one of the arguments for double jobbing is that there is a strand in Unionism that needs to be reminded that it is in favour of Unionism and that dual mandates makes it easier to remind them of that. Do you recognise that sentiment?
205. DANNY KENNEDY: I do not, but I certainly recognise the desire on behalf of Unionists particularly to continue to play a role on the national stage, and I think that is a good thing and also a good thing for national politics. I look forward to the day when a member of the Ulster Unionist Party will play a role in Government.
206. SIR CHRISTOPHER KELLY: Thank you very much. Brian?
207. DR BRIAN WOODS-SCAWEN: Just to develop the discussion we have just had, because of the historical legacy in Northern Ireland there have

been a lot of arguments about why there is a need for special cases to be made around governance, accountability and transparency. Do you think the time has come for normal politics to apply and therefore the same principles of transparency, governance and accountability that apply elsewhere in the United Kingdom should apply to Northern Ireland?

208. DANNY KENNEDY: Yes, I do. I do not think we can accept part of the menu or opt out of part. This is not an a la carte menu. If we (as we wish to) continue to elect Members to Westminster, then we are part of that Westminster scene and we accept the responsibilities and the rights that are afforded with it. But I think in terms of that the public would find it very curious indeed that we as Unionists would say, "Well, that is okay for the rest of the Kingdom, but it does not apply to us".
209. DR BRIAN WOODS-SCAWEN: Turning to the position of Westminster Members who do not take up their seats, your party's and your statement is clearly opposed to Westminster allowances being given to Members who do not take up their seats. Do you understand the pragmatic reasons why that settlement was reached?
210. DANNY KENNEDY: Yes, I do, but I think it was a mistake to allow parties to opt out on that basis. Again, it is bound to public representation. I think the public have a right to expect that, when a Member of Parliament is elected to any constituency, they have to work and do their best to represent the interests of all of the constituents in that particular constituency, regardless of their background or political colour. And I think that is a mistake made by those who refrain from attending at Westminster; it is really an unsatisfactory thing that, having been elected, some people refuse to take their seats, and they thereby deny full representation to all of the electors that they serve.
211. DR BRIAN WOODS-SCAWEN: But, moving on from that to the issue of what is the appropriate expenses regime for Members who make that decision, do you accept the argument that they continue to work on behalf of their constituents as Westminster MPs and that, as a minimum, there is some element of the allowance regime, which represents their work for constituents outside the House?
212. DANNY KENNEDY: I think that it is almost to say that a person is in some way half pregnant. You are either pregnant or you are not pregnant. Members of the House of Commons, I believe, is a full-time job, and the attendant duties that go with it include representation in the Chamber itself, and representing fully the interests of all of your constituents.
213. DR BRIAN WOODS-SCAWEN: Let me just press you though. Given that decision has been made, do you accept the position that there continues to be work done by Members on behalf of constituents that should be appropriately covered by the allowances regime, because otherwise those constituents are being prejudiced in relation to the resources that Members have to act for them in other ways?

214. DANNY KENNEDY: I think the balance that you have to find is that there are a significant number of constituents who are deeply unhappy at the fact that they are only in part being represented at Westminster. I think it might help concentrate minds for certain political parties that, if they were not to be in receipt of substantial office funds.
215. DR BRIAN WOODS-SCAWEN: Forgive me, you keep pushing me off my question, can I come back to it? What I am asking is this: whatever the wider debate, what is your view on the proposition that constituents still need support and receive support outside the House by Westminster MPs and that therefore some, at least, element of the allowance regime should be directed to supporting Members in carrying out that work on behalf of constituents?
216. DANNY KENNEDY: We are not convinced that the two issues can be separated on that basis.
217. DR BRIAN WOODS-SCAWEN: Okay. Can I turn to the wider issue of dual mandates? Dual mandates (Westminster and The Assembly) involve two sets of allowances for constituency work. Is that right?
218. DANNY KENNEDY: There is a sliding scale for those who are in that position and obviously they are not able to maximise the amounts available to them, so to that extent I am reasonably satisfied that there has been a prudent approach in the spending of public money.
219. SIR DEREK MORRIS: Could I ask you about the employment of family members, which we understand is particularly prevalent in Northern Ireland? We have had, as a Committee, many submissions from the public, which express concern about this activity, and indeed your own party's submission to us recognises that concern. The answer to which your party's submission refers is not to ban the employment of family members, but to ensure that the terms of their employment are open and transparent and a proper reflection of the work that they do. Can I ask, is that your personal view?
220. DANNY KENNEDY: Yes, it is. I think there are a number of things that can be said about the reasons why, in Northern Ireland, that seems to be a peculiar issue, if you like, to Northern Ireland. It is not exclusively to Northern Ireland, but certainly the nature of political work over the years in Northern Ireland, particularly during the conflict and the Troubles, was particularly difficult and involvement in politics was quite a dangerous career for many of us, and particularly for those who were full-time politicians, principally Westminster Members at that point.
221. Obviously, the employment of relatives was used principally because they were very trustworthy, they would work closely with the Member of Parliament and there were no security issues. It also is fair to say that potentially more is expected of family members working with their relatives than a 9.00am-5.00pm job for outside employees. That indeed has been the experience, in fairness to those who have employed family members: that it is not simply 9.00am-5.00pm; it is extended hours and increased responsibility.

222. I think what we need to do is, rather than simply prohibit and ban family members from taking employment opportunities, we need to be more open and transparent in terms of how they are funded and the levels of their wages and salaries, so that there are clear job descriptions given and clear indications as to how much someone could be expected to earn for the work that they are carrying out, and that is openly and transparently available to the general public to enable them to determine whether or not this is simply an opportunity to pay the wife a few pounds for extra shopping or something like that without due responsibilities being taken.

223. SIR DEREK MORRIS: I would like just to probe that a bit further, in ways that would relate to anywhere in Britain. But could I first check, would you accept, in line with comments you were making earlier, that, moving forward, there is no particular reason now to see Northern Ireland as being a special case, whereas, in the way you very clearly explained, in the past, arising from the Troubles, it clearly was a special case?

224. DANNY KENNEDY: No, I think the special case argument is now less convincing and I do not really see any special case that can be framed in Northern Ireland, which would be different to that in other parts of the Kingdom.

225. SIR DEREK MORRIS: Some of the concerns (I will not go through them all) that have been put to us more generally throughout Britain are, for example, an MP employs his or her spouse and if the performance of an employee starts to be a problem in any organisation it is difficult, but there are ways to manage that. It is a bit difficult if it is your husband or wife and people might rightly have concerns that there would not be the same demands and expectations in relation to a spouse. Some others have said it can, in their view, be quite difficult for other non-family members. I mean, you have a disagreement with a co-employee; it is a bit difficult if the co-employee is actually your boss' wife or husband. So these sorts of worries about whether it really can be the case that a spouse is treated on a par, which is obviously what you are trying to achieve; it causes some suspicion. Would you think that is reasonable?

226. DANNY KENNEDY: Yes, I think it is reasonable. I think one way of trying to deal with that clearly would be clearly set out contracts of work and employment conditions, so that they are available, not only to those are employed with their colleagues, who happen to be the spouse or the sibling or child of the elected Member, but also available to the wider public, because the wider public will then have the opportunity to measure and judge the performance. If the person involved is more often on shopping expeditions and not engaged in Parliamentary work or constituency work then that will clearly be established within the public mind and will lead to dealing with the situation almost naturally.

227. SIR DEREK MORRIS: Just one more question, if I may? It has been suggested to us, or pointed out to us, that there are over 400 MPs in

Westminster who manage perfectly well without employing a spouse, and that in many other occupations where employment of spouses was quite frequent it has now, one way or another, been eliminated. That is, for example, in schools and doctors and dentists and so on. So that, provided there were fair and reasonable transition arrangements for those who currently are employing spouses, it has been suggested it would not really be any great problem to ban this activity, but it might go quite a long way to help restore credibility in MPs generally.

228. DANNY KENNEDY: I think that has to be balanced with the fact that it may well be not just a convenience for someone to employ their spouse, but that the individual concerned may be genuinely interested and have a considerable talent to bring to the assistance of the Member of Parliament in terms of office administration or constituency work or dealing with the public. So I think to ban them and to exclude them from that opportunity I am not sure is entirely fair or helpful, but I think it does have to be balanced with the degree of transparency that people are clear in the knowledge of the roles of that individual and they can then measure how they meet those requirements.

229. LLOYD CLARKE: Two questions, if I might please? Just for absolute clarity, we have no specific remit for the Assembly, but am I right in thinking that what you are saying is that for standards issues and the principles and rules which underpin those standards, they should be exactly the same: there is no reason why anything should be any different specifically for MPs in Northern Ireland or indeed the Assembly?

230. DANNY KENNEDY: We would seek the maximum amount of consistency between the two, from the sovereign Parliament to the devolved institutions, be they those devolved institutions in Wales, Scotland or Northern Ireland.

231. LLOYD CLARKE: Thank you for that. Then the second one; specifically in respect of transparency, are there any reasons or is there anything again specific, or any reason why something should not be put into the public domain again specifically for MPs or Members of the Assembly here in Northern Ireland?

232. DANNY KENNEDY: Aside from particular security considerations, we have made considerable progress, as I outlined earlier, in Northern Ireland, but there are still elements who are seeking to undermine the political institutions by unlawful nefarious acts. Obviously a degree of sensitivity would have to be ensured for certain expenses, or certain measures that may well have to be supported.

233. LLOYD CLARKE: So you are saying that there may be specific security reasons in Northern Ireland, presumably on a case-by-case basis?

234. DANNY KENNEDY: Probably on a case-by-case basis.

235. SIR CHRISTOPHER KELLY: It has been suggested to us that,

because of the lack of transparency initially in Westminster and still in the Assembly over expenses, it is easy for double jobbing MPs, in particular, to use their allowances to cross-subsidise their political parties. Would you subscribe to that view?

236. DANNY KENNEDY: I think there is a risk. I think that could evolve. There is also a risk to the democratic process because, if you have a political party where certain key individuals, or leading individuals, are MPs, MLAs, and even local councillors and able to avail themselves of significant amounts for their constituency operation, that is bound to give them a political advantage. Now, obviously the other side of that is that they have to work hard to promote themselves, to carry out constituency work, and be assiduous in all of that. But I think the more money that is available, and the more money that can be spent, even to promote a political party, then that is bound to give advantage and probably in an unfair way.

237. SIR CHRISTOPHER KELLY: Thank you very much. Is there anything else you wanted to say to us?

238. DANNY KENNEDY: Not a lot. I think we have explored many of the issues. We do believe that double jobbing should end as quickly as possible. We think that legislation will probably be required to concentrate the minds of political parties here to do that. We also are clear that those who are unwilling to participate fully in Westminster should not be rewarded for that. Thank you very much indeed.

239. SIR CHRISTOPHER KELLY: Thank you very much. We are due to hear evidence from Alex Maskey MLA at 12.00pm, so we will take a short break until then.

(Break)

#### **ALEX MASKEY MLA AND KIERAN KEARNEY, SINN FÉIN**

240. SIR CHRISTOPHER KELLY: Our next witness is Alex Maskey MLA, on behalf of Sinn Féin. Welcome. Would you like to introduce your colleague?

241. ALEX MASKEY, MLA: Kieran Kearney, one of our party officials.

242. SIR CHRISTOPHER KELLY: Thank you very much for coming. We are not encouraging people to read out long opening statements, we can use our time more effectively in questions and answers, but if there are things you want to say by way of introduction that would be very helpful.

243. ALEX MASKEY: First of all, thank you. I would want to make some initial remarks because, whilst we have already provided you with a short summation, I do want to focus on a number of key elements of that, given what we would describe as a very unique set of circumstances which we experience here and makes this place fundamentally different from elsewhere

that you may well be holding your hearings in, or certainly considering as part of your remit.

244. I would thank you for the opportunity of my party being represented here this morning. We have already discussed and cleared with yourselves the fact that our MPs will not be here this morning, and I think we have reached a mutual satisfaction on that matter. We are very happy to be here this morning to contribute to the work of the Committee and, as I say, I would like to deal with a number of issues.
245. Obviously, you want us to focus, and we will end up focused, on the issue of dual mandates; our own abstention policy and the background to that; the relevant MP's constituency and other work, and the issue of expenses which would be required for MPs to provide what we could call effective representation.
246. I do think it is important to make a number of points, if you would indulge me. Obviously, we are an Irish Republican party and we stand for the reunification of this island and we would point to the fact that the last time there was a nationwide vote in this country the vote was overwhelmingly for the Sinn Féin party, and more importantly for Irish independence, and there was not one vote at that time cast for the British-imposed partition of our island. So with that initial fundamental characteristic, which would set ourselves apart from other parties, we are very much committed to achieving that Irish independence and we are determined to do that, so we are for Irish self-determination and the free exercise of that right.
247. We do hold that Britain has no right to interfere in our affairs, but some of that has already been submitted in our submission to you previously. Our manifesto position is very clear, and that is that Sinn Féin members who are elected to the British Parliament will not take their seats in Westminster, and that has been over 100 years in standing as a policy. This is kind of, if you like, the political context within which we all currently find ourselves
248. One thing I would say; that famously a former British Prime Minister, Margaret Thatcher, did once say, rather disingenuously I might add, that Belfast or the north of Ireland was as British as Finchley. Clearly not, and I think that the clearest evidence of that would even be contained in the likes of the Good Friday Agreement, the St Andrew's Agreement, which were endorsed in referendum in the north and south of this island, which provided for a whole range of institutions and other measures, including the section 75 equality provisions.
249. That, I submit, gives a flavour of how fundamentally different we are here in the north of Ireland and, again, that is part of the backdrop against which we find ourselves. So our objectives are to pursue our primary political objective, which is Irish independence. We want to maintain and sustain and develop the peace process that we are involved in, while clearly to advance the political process in terms of the Good Friday Agreement and St Andrew's agreement, and we obviously seek to maintain and develop our own political

capacity and organisational capacity to defend and advance these crucial matters, and of course for us the stability of the political institutions is absolutely crucial to this, and I will come back to this in a few moments

250. I would point out that I have heard a lot of comment over the years around this whole issue of abstentionism and Sinn Féin's policy in that regard, and I would have to say that I have heard a lot of ill-informed commentary insofar as most people seem to limit the issue to the oath of allegiance to the British Queen. And of course for us that is obviously very important, but it is not the only reason why we do not take our seats in Westminster. We are obviously Irish democrats and Republicans and, of course, from our point of view taking an oath to the British Queen would be anathema to ourselves, but we do believe absolutely in the equality of all of the citizens before the law.

251. But, as I say, the oath alone is not the only reason for our current and longstanding policy. We would argue that we have an honourable and longstanding history of abstentionism in regard to this matter and, in fact, we would point out that, even in Westminster, there probably was a 100-year-old policy, and certainly tradition, of that as well, which was only overturned in 1997, as I understand, by the then speaker, Betty Boothroyd, who succumbed to some political pressure to overturn the fact that even abstentionist MPs, including ourselves, were entitled to the same rights and entitlements as other MPs were entitled to.

252. Our key argument would be that the fact that we are abstentionist, we fully advertise that, we are elected on the basis that we are abstentionist MPs, the vast majority of nationalists in the north of Ireland, and indeed those within those five constituencies where we are elected, the majority of people in those constituencies support the Sinn Féin argument for abstentionism. It is a clearly stated public pillar of our policy and our position, so the people who elect Sinn Féin MPs elect Sinn Féin MPs in the knowledge that we will not be taking our seats and that we will be active abstentionists. In other words, it is not a negative for us, we are still a very positive party in that, whilst we do not take our seats in Westminster, we avail ourselves of the various facilities that we have access to, and that were again partially at least reinstated in the year 2002.

253. So we are active insofar as we represent our constituents on a day to day basis on a vast array of matters. I think it is fair to say that, if you look at most of the public comment over the last several years, even our political opponents would often argue that Sinn Féin has an outstanding constituency service on behalf of those that we represent, and that is something we are very committed to continuing to deliver and proud to be able to have that record. So our abstentionism is very much one of being very active and we represent our constituents both here at home and indeed in London on a routine basis.

254. Our MPs would be in London, or their party colleagues would be there, regularly. I was there the other week, speaking to Parliamentarians about policies and in regard to policing for example, so we are very active in this

work, despite not taking our seats in the actual Parliament. So, for us, the contract that we have with the electorate is on the basis that, if you elect us, we will not be taking our seats, but we will be very proactive in our representation of your interests on a very wide range of matters, some of which I will not go into.

255. As I say, for us that is a very important contract, and more important than that is the express democratic rights of the electorate. Having elected an MP, people have to have their rights and entitlements respected as well, so their democratic right to elect an abstentionist MP has to be sacrosanct and respected by all others, if they themselves are democrats. Because, at the end of the day, this is about the people having their say. The people who elect you are all taxpayers themselves, they pay everything on the same basis as does everyone else and therefore they are entitled to have the MPs they elect to have the same resources and facilities to enable them to do their job, and we would argue that we do that, even though we are currently still refused our MPs' salaries.

256. We are also denied by the British Government, the Parliamentary system, what are called policy grants, and for our party that would amount to £100,000 per annum. Now, that £100,000 per annum, alongside the MPs' salaries which are also denied to us, is then redistributed to the other parties; in this case the SDLP and DUP, so both those parties benefit from the money that has been denied us. And I would argue that this money, from our ideology and our sense, is not being simply denied to us, it is being denied to the people that we actually represent. Other parties, at least two other parties here, benefit from that to the tune of £100,000 per year between them.

257. As I said earlier on, we would argue we deliver a very widely recognised, high standard of service on behalf of those that we represent. None of our MPs, or indeed any of our elected representatives, have personal or self-gain in any of the expenses or monies that are allocated to the party on their behalf. And, in fact, I would make the point again that all of our party employees, including the MPs, get paid the same average wage; so whether they are an MP or an MLA or a party official who is on a salary, they all get exactly the same money, and that applies equally to Ministers as well. We have said that publicly, I think it worth again putting on the record, so there is no question of our MPs benefiting from any of these monies on a personal basis, and I think that leads on to again the whole question of expenses and other matters.

258. We would make again the point that we have been denied our salaries and we have been denied the policy development grant to the tune of £100,000 per year. We say clearly that our MPs, who are also Executive Ministers, currently none of those MPs who are in that position claim for any constituency travel costs, and neither have any of our MPs claimed for any of the overnight allowances, which are payable, nor the Communication Allowance, which amounts to £10,000 per year per MP. So for our party, that would amount to about £50,000 per year, yet none of our MPs claim for any of those expenses nor do they claim any of the food expenses, some of which

we heard quite a lot about in recent times. We do of course claim our staff costs and the accommodation allowances.

259. I will not go into the range, you will appreciate me saying, of the constituency services provided by our MPs, but they do include advocacy of citizens' rights, whether that is issues around obligations, things like including the return of deceased from abroad (a number of cases we have dealt with on that basis), access to partnerships, a whole range of democratic rights, right through to dealing with the Electoral Office and the Electoral Commission, defending the integrity of the electoral process, and that is something that has been very proactively dealt with in recent months, probably more so.
260. We would deal on a routine basis in terms of families, a number of cases with the British Attorney General, the British Government. We do a lot of work with all of the various statutory agencies; we work with communities; we would be involved in a lot of research and analysis of the social and economic demographic profile of the constituencies; also do comparative analysis with other areas, to see if we can make sure that the people that we represent are getting all of their rights and legal entitlements; and we of course provide just the routine high-quality constituency services for individual complaints as well as wider community matters.
261. On the issue of dual mandates, for us the process of ending dual mandates is one that we support entirely and this has been dealt with, for example, in respect of the European Parliament. Over the course of recent years we have been taking measures to see us out of dual mandates between Assembly Members and local councillors. New legislation, which we are supporting, is due shortly to come into effect that will eliminate the dual mandate between councillors and the Assembly Members and we would expect that legislation to be tabled within the next few months.
262. There are many anomalies for the MPs and the MLAs, and for us this is a very important issue, and that is why I want to maybe spend a few minutes on this issue. Obviously, this is a matter that has to be dealt with, but the address of this has to be in the context of our particular and specific political realities here in the north. Of principal concern to us here, as I mentioned earlier, is the stability of the institutions, which were spawned by the Good Friday Agreement and, despite the overwhelming result of the referenda, both north and south of this island, on these issues, there has been ongoing Unionist resistance to the institutions themselves, and the indispensable principles which govern their function. These affect fundamental rights and entitlements and there can be no resiling from these principles.
263. For us, one of the principal political institutions, that is the Assembly, has itself been suspended on at least four occasions by the British Government in recent years. As the politics and the political institutions become stable, it is our expectation and our intention that the situation relating to dual mandates will change and evolve and this is work in progress. I do want to make the point that the rights and entitlements secured in the Good Friday Agreement are yet again, in our view, under some considerable attack

from some elements within Unionism; this does include Jim Allister's TUV, which wants to turn the clock back to a Protestant Parliament for Protestant people, and this obviously cannot happen.

264. We would also argue, unfortunately, that there are many, equally within the mainstream Unionist parties, who have yet not committed themselves to participating in Government fully on the basis of equality and partnership and this has the potential to impact negatively on the functioning, the effectiveness and indeed the very stability of the political institutions. This is an impediment to dealing with the dual mandate issue at this point in time and that is why I want to stress that is of importance.

265. So, against that backdrop we do want to see the end of the dual mandate; we are working towards doing that. We believe the politics are bedding down; when they are stabilised and secure, then this can be fully and finally resolved, but I am pointing out to the Committee that there is a real political negative backdrop to some of the resolution of this matter.

266. We do believe in ending any sense of corruption in public life and we support that entirely. We do accept it entirely and we would share in a lot of this; that there is a deep and a very justifiable anger at the systematic abuse of taxpayers' money by many who are elected to high office and annoyance by people at the lack of transparency and accountability.

267. In the course of recent correspondence with Jack Straw, the British Secretary of State (because obviously you are aware there is another process underway) we had brought forward a number of initial views on attacking these issues. And of course we do share entirely that these need to be based on the principles of integrity, transparency, accountability, openness and honesty. As far as we are concerned, we want to see those principles given expression to in other measures, which will include a clear public statement in respect of the nature and the limit on allowances for publicly elected officials in the pursuit of their constituency and other responsibilities. We want to see, in fact, accountability as a mandatory mechanism, which ensures the validity of any claim in line with the above. An independent body should have responsibility, we believe, and that body should set out the limits, the validity of the claims, investigations, audits and monitoring. All publicly elected officials in receipt of taxpayers' money should be required to publicly account for such monies on an annual basis.

268. Also an investigatory facility to pursue complaints in respect of any claim perceived to be invalid, including a facility for referral to the police should a suspicion or allegation of fraud arise. The imposition of sanctions, including, where appropriate, criminal proceedings in the event of wrongdoing, must also be brought under that. We believe that expenses incurred by publicly elected officials should be based on the recovery of actual expenditure, supported by appropriate documentation, and any expenditure should be on the basis of best value for the taxpayers and their money.

269. An independent body should have responsibility for setting salaries,

pensions and allowances for publicly elected officials. We believe that a limit should be set on the space requirements and the rental costs for constituency offices for publicly elected officials, in line with the prevailing market costs. Publicly elected officials, in our view, or family members, should not be allowed to profit from the purchase or rental of accommodation used in the conduct of their duties, and we deal with that in the responses to some of your actual questions.

270. We believe also that the employment of family members by publicly elected officials should be notified to the independent body and must be subject to employment law, best value for taxpayer money and other criteria and regulations.
271. I am going to leave it at that at the moment. I wanted to ensure that the backdrop, both political and practical circumstances, within which we live and exist as Members of Parliament here in the north are very relevant and pertinent to the way in which we address these matters, which we do entirely accept are matters of serious public concern and we are more than happy to answer any questions we can. You have already given us a number of questions that I will seek to address to yourselves and elaborate on any comment that you may wish to ask me. Thank you.
272. SIR CHRISTOPHER KELLY: Can I begin with representation at Westminster? Your party's abstentionist position is of course not an issue for this Committee, but the implications of that for the expenses regime are, not least because we have been explicitly asked to consider that by the Prime Minister.
273. Just so that this Committee does not fall into the category of those you described as ill-informed commentators on your position, I understand what you said, and what you said in your evidence, which we received this morning, for which we thank you, is that the issue of the oath is not the only issue, and I also understand there is a long history to this. But I would find it helpful to understand a bit more what the other reasons are for the abstentionist position.
274. ALEX MASKEY: Obviously, people have argued there are matters of practicality. I mean, we are democrats and we are Irish Republicans, so therefore we would not want to be taking part in the affairs of British Parliament legislating on behalf of people in Britain. I mean, we argue that people in Britain have no right to legislate over us, so why should we want to go and legislate over people in Britain.
275. SIR CHRISTOPHER KELLY: Just for absolute clarity, the implication is there are no circumstances in which Sinn Féin MPs would take up their seats in Westminster?
276. ALEX MASKEY: I do not foresee that.
277. SIR CHRISTOPHER KELLY: You have also given in your evidence

and referred to it in your opening remarks, a long list of the services that Sinn Féin MPs perform for their constituents. What I am not clear about is which of those are performed in London as opposed to here?

278. ALEX MASKEY: Obviously, we would meet regularly with Ministers or other officials in other parties as part of our ongoing representational work. We represent our Ministers here. Yesterday, interestingly enough, although in a different capacity, Martin McGuinness was in Downing Street. He would be as a Member of Parliament, as a representative of our party, engaging with (as have all of the others on a very wide range of matters as representatives of our constituents) officials of the British Government and Ministers at the highest level, including other parties and bilateral, and lobbying and information exchange and so on and so forth. We have hosted meetings in Westminster itself, whether they are on matters of political importance of the day, and so on. So there is just a wide range of matters that we would have engaged in London itself.
279. SIR CHRISTOPHER KELLY: Some of those things you just mentioned sound as if they are there because Martin McGuinness holds a position in the Assembly, not because he is representing his constituents.
280. ALEX MASKEY: That is why I made the point that obviously the specific meeting yesterday would have been in the context of the Assembly Minister role, but that is just one example. Martin McGuinness would be with people like Gordon Brown and his predecessor, Tony Blair, on a regular basis as an MP, as a party representative, not acting in the capacity as an Assembly Minister.
281. SIR CHRISTOPHER KELLY: Can you help us with information about how often Sinn Féin MPs are in London on constituency business?
282. ALEX MASKEY: I cannot give you a travel log of all the MPs being there. I can seek to provide that to the Committee after today's hearing, I have no difficulty trying to do that, but I could not give you that information today.
283. SIR CHRISTOPHER KELLY: It would be helpful to have that information, but can you give me a rough idea?
284. ALEX MASKEY: I think they are in Westminster today actually.
285. SIR CHRISTOPHER KELLY: On average, would they be there one day a week, two days a week?
286. ALEX MASKEY: I just do not want to speak in terms of how many times they are in London, but I know that they are there regularly, as are other party colleagues acting for them and with them and on their behalf, myself included.
287. SIR CHRISTOPHER KELLY: I do not think the system of MPs'

expenses is there to support other party colleagues, I think it is there to support Members of Parliament in the performance of their duties.

288. ALEX MASKEY: I was not dealing with expenses, because I would not claim expenses if I went to London. I would not claim expenses from that system; it would be paid for by us.

289. SIR CHRISTOPHER KELLY: I was just trying to understand the relevance of the point you were making that you needed to go to London too.

290. ALEX MASKEY: I am simply saying that the party, the MPs, people working for them, because we have staff members working for the MPs obviously, and those staff members have to travel, we have other colleagues. I am just making the general point that the party is proactively involved in meetings in London on a wide range of issues, most of those centre around the MPs.

291. SIR CHRISTOPHER KELLY: The issue of expenses comes up most often in the area of accommodation. A number of options have been suggested to us. The option Sinn Féin favours appears to be a reform of the present system, but basically the same system.

292. ALEX MASKEY: There would be two points I would make in regard to that. Clearly, the system has been either far too lax, and I am not entirely sure whether it is fundamentally flawed, or the system would appear to be far too lax and people have been able to make the type of claims and have been reimbursed for some of the types of claims that have appeared in the recent media, which I think no member of the public would actually believe would be reasonably claimed to do your job. So I think there are obviously faults perhaps in the system, certainly maybe not as rigid and robust as it should have been. Which is why we are saying an independent body should do that and it should be completely on the basis of any expenditure seeking to be reimbursed then would have to be on the basis of an audit trail and receipts and so on, value for money, etc.

293. But I would also make the point that I do not think that any system would have actually prevented some of the attempts at gross excess that we have seen demonstrated in the media in recent times. And I have heard many MPs, from all the other parties, saying the system is wrong. Nobody forced any of those MPs to make false claims. Nobody forced any of those MPs to maximise their claims. No one forced any of those people to claim for things, which any member of the public would find it impossible to accept as justifiable. I know we hear some of the more ridiculous examples of claiming gardening and so on and so forth; there were a whole raft of claims, which were put in the public domain which I do not believe anybody in the public would accept as fair and appropriate to be claimed for.

294. So I would simply say that, while we have put a proposal that the entire system of salaries, pensions, allowances, should be looked at by an independent body and run by an independent body, monitored and held to

account by that body and based on receipted expenditure, that still does not deal with the people who will abuse any system that they can and try to milk the system or fleece the system. And therefore what we are advocating in our new regulatory proposal would be that there also needs to be the facility to refer what would be abuse or fraud, including to the police for criminal prosecution.

295. SIR CHRISTOPHER KELLY: As far as members of the public who have submitted evidence to this inquiry are concerned, the favoured option for dealing with accommodation is direct provision, whether through the Olympic Village or through some arrangement under which an agency takes responsibility for providing rented accommodation. The advantage of that is that the Member of Parliament is not involved, no money passes hands between the Member of Parliament and the Fees Office, the issue is dealt with entirely through the agency and through the House of Commons itself. Do you have a view on that proposition?

296. ALEX MASKEY: I have heard that argued in public and certainly on behalf of our party we have not gone into that as a specific option. What we are advocating is that the whole question of payments or mortgage interest for example should cease. In other words, for MPs who require that accommodation, it should be rental accommodation, it should be capped on the amount payable, and that should be adjudicated by this independent body that we are advocating. So therefore there should be a cap on the expenditure, it should be rental only, and that would be to ensure that no MP can benefit from the purchase and resale of property. In other words, they should not be able to, and neither should their family members, because some have actually done this, buy property at the public expense and then profit on that. So we believe there should be a cap on rental allowance and we have not gone into the specific option of the type of accommodation that you have mentioned earlier on. I would not rule that out, but obviously money needs to be paid from the taxpayer, we are advocating that at a minimum rental accommodation only to ensure that nobody benefits from that financially at the end of their term.

297. SIR CHRISTOPHER KELLY: But you would accept that it is not a very large step from saying, "Only support for rent", to, "The rental properties should be provided in some way by the House of Commons through an agency"?

298. ALEX MASKEY: I do not rule that out, I am just simply saying we have not actually looked at it as a formal option.

299. DR BRIAN WOODS-SCAWEN: I would like to move on to dual mandates. You clearly set out your party's position with regard to dual mandates between local authorities and the Assembly, which, as I understand it, is that you agree that it should cease, and it should cease pretty immediately.

300. You then say that in principle you agree that the dual mandate between

Westminster and the Assembly should end, but you say that has to be done in the context of the particular and specific political realities in the north of Ireland. Could you unpack as to what is the context that we have to understand here?

301. ALEX MASKEY: I do not want to labour the point too much, but I tried to set out as benignly as possible that there is a particular and specific political backdrop against which we operate here. We have MLAs that are MPs and we want to end that practice, and we are working to secure that. I pointed out that the Assembly itself was suspended on four occasions. I would argue that there are members of the mainstream Unionist parties who are not fully committed to operating in the spirit of partnership as enshrined in the Good Friday and St Andrew's agreements. We hear people regularly saying they do not want to be part of a power sharing arrangement; they certainly do not want to be part of what they call a mandatory coalition.

302. What they term as a mandatory coalition runs to the heart of partnership, which was endorsed by people in referenda right across this island in 1998, so what we have here is people are coming in and saying, "Actually, we are not part of this coalition, we do not really want to be here". They do not even want to shake hands with other Parliamentarians. That is rather ridiculous in this day and age. Whenever we have a polarised society, then we have the type of volatile circumstance that we have in many of our constituencies, that public leaders are seen to be behaving in such a disingenuous way in the public domain.

303. Now, this means that there is still instability within our institutions. People here know, we are all honest with each other, the institutions have not fully bedded down yet. This current administration system, we are very pleased with the progress made so far. Many people argued that, for example, if our party and the DUP became the two leading parties in our respective communities that there could not be a political resolution. We believe that what is happening at the moment confounds that argument and the fact that we would say that we have demonstrated the reverse; that the parties are working together.

304. Are we working together as well as we should be? No. I am saying to you that there is a political backdrop that raises concerns for all of us and the people, not only that we represent, but every person in the north of Ireland, certainly every constituent, knows that we are still not yet out of the wood, so there is that political context that impinges on our ability to finally resolve the issue of dual mandates.

305. DR BRIAN WOODS-SCAWEN: We have heard quite a lot of evidence this morning, from a number of people, that (if I can put this simply) it is time to move forward with a sense of a new normality in Northern Ireland. Do you think that is a fair summary of where we are?

306. ALEX MASKEY: It has been long past time to move on and for people to make the situation a far better situation, and "normal" is a subjective word

our society, I would say to you. But certainly in the context in which you mean that, yes, it is time for people to move on. And we are arguing that the example that we do have on our side, which is currently functioning, albeit not as well as it should be, the fact that it is in place, as I have said, confirmed by all of the other political opponents and many political observers, many who all argued that, "If you elect these two parties then there is no chance of getting a political resolution".

307. We believe that there have been many major obstacles overcome, even in the last two years. We need to overcome more, but what we need to focus on, and what we are determined to do - this is in part relating to the whole question of expense - but we, as MPs, our party MPs, need the resources that every other MP is entitled to, to carry out their functions as fully and as efficiently as everybody else, because if our party does not have the capacity on the same basis that every other party has the ability to have that capacity, then our community is disadvantaged and you are going to really badly skew the political dispensation that we have been working very hard to nurture.

308. So I would argue a lot of people have moved on, are moving on, and a lot of others need to move on yet further. But that is work in progress and I am simply saying that is the backdrop against which we have to say, "Can we end the dual mandate for MPs and MLAs tomorrow?" The answer for us would be no.

309. DR BRIAN WOODS-SCAWEN: Do you have a view as to what the possible timescale might be?

310. ALEX MASKEY: I do not know, we have just come through an election, which has thrown up quite a number of interesting outcomes. I would suggest that there are parties who are still trying to work out what the implications and ramifications of the recent election results actually are for them. I hope that they look at the ramifications for all of us rather than simply one party's narrower interests; accept that every party has to look after their interests and we argue that we want to do that for ourselves.

311. But I do believe that we have come through an election. For some people that has thrown up some very negative outcomes. It has certainly further shaken some of the parties and I think - and I would argue on a spirit of generosity but this is political generosity which is not infinite - we want to be assured that the parties, when they are deliberating on their election results, move on with a positive embrace. We would actually say that the history of the last ten years would tell us that parties who resile from embracing the institutions and try to pander to a more negative element actually lost out. You could be in danger of the same thing happening again. I hope not.

312. DR BRIAN WOODS-SCAWEN: One of the other arguments put to us for ending as soon as possible dual mandates is that in Northern Ireland there is a more limited pool of people engaged with and active in politics and, therefore, that pool needs to be spread over different activities and that if it

were ended it would encourage more and more diverse people to engage with the political process.

313. ALEX MASKEY: We are sure of the need to bring more people in to participate in the wider democratic citizenship process and, in fact, we were even ourselves committed to the formation of the civic forum. I am not sure the Members of the Committee are aware of the civic forum. The civic forum was another institution promised as part of the Good Friday Agreement and we had a short period of that in operation during the previous Assembly. We have not got to the point where we are reforming the new civic. The civic forum is a means by which we bring in people from a wide range of other sectors because we want to instil and develop and nurture the whole participatory democracy here which we have not had. We have had far too many people excluded from public life so we do want to continue to give more opportunities.

314. As I said earlier on, the anomaly this time around in your mandate relates to MPs so it is a relatively small number of people, albeit they are very important roles. If you resolve the issue of local government and you resolve the issue of the European elections there is a smaller number of MPs at issue here. We want to resolve that as soon as possible.

315. But I would share the broad point you make and that is that we want to make sure we bring more people into a democratic process, whether that is in terms of elections or institutions like the civic forum. We have a range of partnerships. Some people say we are "partnershiped out" here but I am aware of having partnerships in everything that we do. We had that in terms of how we disbursed European peace monies so the whole idea was to bring people who are locally elected representatives; people from a wider boundary; community sector, people from trade unions, business sectors and so on with people from various Government departments. So, we are very committed to developing partnership, developing participation and opening up the process which is why we want also to ensure that more and more people have equal opportunity to partake in all aspects of civic life.

316. DR BRIAN WOODS-SCAWEN: One final question: do you think it is practical fully to discharge the responsibilities of being an MP at Westminster, a Member of the Assembly and a Minister?

317. ALEX MASKEY: There is always a stretch; certainly there is no question about that. What we do in terms of our MPs and MLAs - those who have the dual mandate - they have separate and distinct functions. They will employ different staff for different elements of work. So, in other words the MP with designated work would have staff and dedicated officers for that as they would for their MLA status as well. So, we separate out the role. We have said we are committed to ending it. We want to see it ended because it is not the best situation to be in. But as far as we can mitigate against any difficulty there, we employ MPs and MLAs with separate staff and office accommodation to service those separate roles.

318. DR BRIAN WOODS-SCAWEN: Do you think this is fair: we have heard everybody wants to end dual mandates. There is a sense that everyone is standing around saying that they agree but nobody wants to move first.
319. ALEX MASKEY: For us it is not a matter of who moves first as I said earlier on. For us it is a question of we need to see the political institution stabilised. We need to see them secure and on that basis then the whole process of ending dual mandates is much easier to resolve. I would suspect all the parties have different reasons for having dual mandates. Some refer to, "We need to work in our constituency" and some tell you that it is a doddle to be a councillor, an MLA, an MP and a Minister. I would argue that is just ridiculous but, at the same token, although people have proffered other arguments as to why they want to maintain a dual mandate we are very simple because we want to end the dual mandate. What we need to see are the institutions better established and secured and they are not.
320. SIR CHRISTOPHER KELLY: I am afraid I am still having difficulty following that argument. The argument against dual mandates is that being a Member of Parliament in Westminster is a full-time job and on average people work 70 hours a week doing that job. It is difficult to conceive how you can do a full-time job there and a full-time job in the Assembly as well, particularly when people are Ministers. That is the argument against. I do not quite understand your argument that until you have confidence in the stability and institutions here you cannot address that issue.
321. ALEX MASKEY: Say, for example, we have an MP who is an MLA and we decide that that MP will give up their prior MP mandate and remain within the Assembly, and in nine months' time the Assembly is no longer functioning, then we would have lost a very important and valuable elected representative position with that individual who we believe, for us and the people that he or she currently represents --
322. SIR CHRISTOPHER KELLY: So, it is an issue of employment of members of the party?
323. ALEX MASKEY: No, it is nothing to do with employment. This is about the status of being a representative. It is nothing whatsoever to do with employment. I would actually argue that, not that long ago, most of our members who were working full-time for the party were working full-time on a voluntary basis without a salary, so for us it is not the question of the salary. I am simply saying we will have people who are currently MPs and MLAs if we take them away from the MP-ship and the Assembly collapses, to put it bluntly, then that person is left with no mandate. For us it is important to try to secure the stability of the institution and that is what we are working flat-out to do. Many would argue that we are maybe doing too much but we believe the institutions are a key element of the whole peace process that we are involved in.
324. I would also go further in terms of the dual mandate because there is also a question of double jobbing which is slightly different and I do think that

there are people out there who are holding down other jobs - certainly other interests - outside of being an MP and I think it is important that the constituents are fully aware of that. We are not simply saying that no one should be able to have an outside interest although in your own words you could argue perhaps that an MP's job is a full-time job and can you have external interests? It may well be that a person has an interest in a business and devolves the day to day work of that to a manager or someone else; I do not know. That is their business but the public and the people who elect them are entitled to know what those outside interests actually are.

325. We have MPs who are GPs, who are property developers, who have other businesses which obviously take up some of their time so we believe in the spirit of total transparency and accountability. The public should at least be aware of any other interest whether it is a dual mandate or a double job.

326. SIR CHRISTOPHER KELLY: That is an interesting notion which, if we had more time, it would be good to explore further. I am still trying to understand the particular point you raised about the stability in institutions. Am I wrong in thinking that when the Assembly was suspended that nevertheless MLAs remained MLAs and, therefore, still have the status of MLAs?

327. ALEX MASKEY: That was then, and certainly at one point their salaries and so on were cut, but notwithstanding any of the financial aspects of it, who is to say that if the institutions were to be suspended they would not be abolished as has happened previously? So, we are simply saying that we are working very hard with all the partners in Government - and there are four parties in the coalition - so we are working very hard with all the other parties and we are determined to make these institutions work. But there are people, including those in mainstream parties, who are not on the same basis that we are to a partnership Government.

328. SIR CHRISTOPHER KELLY: But if the Assembly did collapse you would still have Sinn Féin Members of Parliament in Westminster.

329. ALEX MASKEY: That is true.

330. SIR CHRISTOPHER KELLY: They would be different people but you would still have exactly the same number of elected representatives as you have now.

331. ALEX MASKEY: That remains to be seen, with respect, because I could not presume that if you had an election tomorrow for Westminster who may or may not be elected. We believe the MPs that we currently have and would be intending to run in the next election are the best people best placed for us to retain those seats so we are not contemplating deselecting any of those MPs as MPs, for example. That is not something that we have considered and do not intend to at this point. To say that we can just take someone out and automatically assume that we would have someone else elected a month later --

332. SIR CHRISTOPHER KELLY: But that argument also applies to other parties and is one of the reasons why some other parties are reluctant to end this.
333. ALEX MASKEY: That is why I argued earlier on that other parties have preferred other reasons why they want to maintain the dual mandate. We do not want to maintain a dual mandate so we can have an MP having some type of profile in the Assembly. We are only interested in retaining this for hopefully the short term because we are not satisfied that the institutions are secure. We cannot presume to say that if we take a particular MP out and leave him or her in the Assembly that we could then just automatically assume that we would win that seat.
334. SIR CHRISTOPHER KELLY: No, I understand that argument. What I am saying is that, that is the same argument that applies to other Members but I do not think we are going to agree about that.
335. ALEX MASKEY: Well, sorry, if you do not mind me saying, the starting point is different because other parties are saying, "Oh, we believe that works best and we want to have a good profile in the Assembly". That is not an argument whatsoever.
336. SIR CHRISTOPHER KELLY: If you had to make a prediction about when you thought that the stability of the institutions here would be sufficient to allow you to end double jobbing, what would that prediction be?
337. ALEX MASKEY: It is very difficult to say in truth. We are currently still trying to ensure that we have other parts devolved through the Assembly. Those issues are fundamental to the success of the Assembly. They are part of the wider political dispensation. They are part of the wider tensions that are in there. I believe that we can resolve some of the key issues that at the moment are not yet fully resolved and I think that will speed us well on the way.
338. SIR CHRISTOPHER KELLY: You are talking about justice and --
339. ALEX MASKEY: That is one issue. There are other matters.
340. SIR CHRISTOPHER KELLY: Okay, thank you. Lloyd.
341. LLOYD CLARKE: Could I move us to a couple of questions in respect of employment of family members? And I know you touched upon it when you made your opening remarks. I was unsure whether you were saying that ideally you would stop it and in the interim there would be a register. Perhaps we can come to that point by asking other questions. Certainly, there have been criticisms in Northern Ireland that parties here are employing family members. Similar criticisms have been made, can I say, about Westminster as well, and just to say in Westminster there are about 250 MPs who employ family members and 400 who successfully do not employ them and yet still

run their offices. Does your party have a view on the employment of not only spouses but wider family members?

342. ALEX MASKEY: None of our MPs employ family members in the first instance. We are not saying that there should be a ban on MPs employing family members because family members, like other members of the public under legislation for employment and so on, are entitled under legislation to apply for jobs. All these jobs need to be appointed on the basis of merit and absolute transparency. We would argue that if there is any family member employed by a Member of Parliament then that should be registered with this independent body that we have earlier advocated.

343. I think this has reached the public domain in such a high way in recent months. We have had a range of examples and I do not want to cast aspersions on an MP or indeed a family member because that would be totally wrong. But clearly, there seems to have been a practice where people just seem to automatically employ the person nearest to them and I think a lot of people are saying, "Well, actually that person is several hundred miles away from the constituency and how can they be performing that role?" We are simply saying that we do not think there should be a ban on family members. What we are saying is that if there is to be any family member employed, they need to be employed on the basis that others had equal opportunity to seek that post as well. The family member's name should be registered with the independent body and all salaries and payments and allowances are all within the remit that we mentioned earlier on.

344. LLOYD CLARKE: That is helpful, so I had got it wrong. You are not against it and, therefore, you are not in favour of banning family membership. If family members are employed, they should be employed through an open and transparent process, equal to other people to apply, and if they are family members, they then should be registered?

345. ALEX MASKEY: Yes, because it is a matter of public concern. There is no question about that.

346. LLOYD CLARKE: And it is about the use of public funds, is it not?

347. ALEX MASKEY: Absolutely.

348. LLOYD CLARKE: What you are saying is that there are no MPs at the moment who employ family members?

349. ALEX MASKEY: Yes.

350. LLOYD CLARKE: I know we do not have a remit specifically for the Assembly. Is that the same for the Assembly because it is about drawing parallels and looking at best practice from one to another?

351. ALEX MASKEY: I could not give you the specific rules about applying family members in the Assembly but obviously the same principles as far as

we are concerned very much applies. Where a family member is being employed, they obviously have to be fully registered and held publicly to account.

352. LLOYD CLARKE: Okay, thank you. If family members were to be excluded from being employed, would it be appropriate for there to be a transitional period for it? And what might that transitional period be?
353. ALEX MASKEY: I do not think in principle it would be appropriate to say automatically there should be some type of a blanket ban on family members. It does not apply to our party at all but nevertheless the idea that you could say that just because you happen to be somebody's family you are not entitled to some employment, I do not think that would stand legal scrutiny.
354. LLOYD CLARKE: All right, thank you very much.
355. SIR DEREK MORRIS: Our remit does not extend to the Northern Ireland Assembly but as you were just discussing clearly one can see potential parallels and one might argue that there is advantage in having some consistency between Westminster and devolved administrations. Would you welcome our report when it does report on Westminster suggesting that similar principles, and indeed similar processes on expenses, be recommended that they be applied to the Northern Ireland Assembly?
356. ALEX MASKEY: I would think in the first instance the business of the Assembly here would be the business of the Government's arrangements here. I would imagine that your own remit would be restricted to, as you said earlier on, the affairs of Westminster MPs and how that is regulated in the future and I presume that is where you would --
357. SIR DEREK MORRIS: But the Northern Ireland Assembly is a devolved administration of the United Kingdom discussing with people from Wales and Scotland parallels between what goes on at Westminster and in those devolved administrations.
358. ALEX MASKEY: It is devolved; that is the first point I would make. We have a wider interest because we also look at this on an Irish national basis because, as I said earlier, we have quite a fundamentally different interpretation of some of these matters. So, the practices that we would try to imbue here with either our MLAs or Westminster MPs, we want to do that with our Members of Dáil Éireann in Dublin.
359. SIR DEREK MORRIS: It has been suggested to us that in respect of some aspects of the expenses regime, Westminster is in a rather better position than a Northern Ireland Assembly. Is that your view or would you disagree with that?
360. ALEX MASKEY: I would have to then start going through issue by issue and I know that the Speaker, Willie Hay MLA, has already made an announcement. There are already changes under way within the Assembly;

some at least have been agreed with all the parties. Whether they go far enough to address your point I am not entirely sure but obviously we are very keen to ensure again that the principles which we predicate all of our arguments on - around integrity and accountability and honesty, public service and so on - they all have to be the same, whether it is the Assembly, whether it is in respect of Westminster MPs or indeed even our local councillors.

361. SIR DEREK MORRIS: One of the expenditures we have been looking at is the Communications Allowance and I notice that no member of your party claims under that allowance. Could you give us the background as to why you have taken that view?

362. ALEX MASKEY: We took the view obviously because there are allowances available and we thought it appropriate not to take all those allowances. There are other allowances which we have not taken; food allowances. I know for some people that amounted to £400 a month routinely for couples as well as individuals. That is just one overnight allowance and we did not take that money either. So, we felt that because the money is available - and this is a point I made early on - you may have a system and I heard MPs and was actually cringing for a number of them who were saying routinely on the TV night after night that, "I was keeping within the rules". Everybody knew that the claims they were making were just absolutely outlandish and ridiculous but they were able to say, "I kept within the rules". So we felt that whereas MPs we believe are entitled to a Communications Allowance, we felt at that time not to claim for it. There was no question of any allegation that the party was taking every single penny available to it.

363. SIR DEREK MORRIS: Did you feel, as a party, that you were at any significant disadvantage in terms of your communications with constituents as a result of that decision?

364. ALEX MASKEY: Quite clearly we are. Not only that we are at a disadvantage financially because our MPs get no salary from Westminster, for example. We are also denied the party development grant which for us amounts to £100,000, with the double-whammy that that is being allocated to our political opponents.

365. SIR DEREK MORRIS: I was thinking more in terms of communication because a number of MPs in Britain have said, "The allowance should be abolished because we do not think that we need it in order to be able to communicate effectively with our constituents". I wonder being a party that has not been taking it whether you felt there was a significant disadvantage in actually communicating with your constituents?

366. ALEX MASKEY: I would argue that we are disadvantaged because we do not take that but that has been our choice. We believe that we are entitled to it. We have a systematic approach to communication with our constituents. We routinely organise public meetings, we do our news sheets and broadsheets and our advertisements and a range of other means of communications with our constituents because for us it is a very important

element of our work is that the constituents are entitled to know what you are doing and want to hear what you are doing.

367. SIR DEREK MORRIS: Thank you.

368. SIR CHRISTOPHER KELLY: Thank you very much. Is there anything else you want to say to us?

369. ALEX MASKEY: No. Again I want to thank the Committee for giving us the opportunity to present our case. As I said earlier on we have really given you a brief summation. I want to give you the more expanded version. I will also give you this document that relates to the questions that you asked of us. I hope that we have addressed the issues that you have asked us to address. I just simply wanted to re-emphasise that we do have particular and specific political circumstances here in the north of Ireland which are historical but they are still with us contemporaneously. We want obviously to move that forward and we would argue that we are doing that as we speak, at least to move faster in terms of just bedding down the political process.

370. Just in terms of the issue of the expenses in general we do share entirely the anger and annoyance of people out there, who we, and others, represent right across these islands, who have been scandalised by what they have read and heard in terms of the abuse of the system. What we are arguing and advocating is an independent system which will not only adjudicate on these matters but which will set caps on relevant and appropriate allowances. That then has to be monitored and held to account in a way which gives the confidence that people they elect to higher office to represent their interests are in fact representing their interests rather than their own.

371. SIR CHRISTOPHER KELLY: Thank you very much. That is very helpful. I look forward to seeing the further material you have there and it would also be helpful to have in due course information you are able to give us about the number of times Sinn Féin MPs have come to London over the last few years on constituency as opposed to ministerial business. And if there were any further thoughts you wanted to give us on the particular points - the relationship between lack of complete confidence in the stability of the institutions here, and the timing of the ending of dual mandates, it would be very interesting to have that too. Thank you very much.

372. ALEX MASKEY: Thank you.

373. SIR CHRISTOPHER KELLY: The hearing is resuming at 2.15pm when we are taking evidence from Alban Maginness, MLA, and Alex Atwood, MLA, representing the Social Democratic and Labour Party.

(Break)

**ALBAN MAGINNESS MLA AND PETER MCCLENAGHAN, SDLP**

374. SIR CHRISTOPHER KELLY: Our last witnesses today are representatives of the SDLP. Mr Maginness, you are very welcome. We were expecting one of your other colleagues; perhaps you could introduce yourself?
375. PETER MCCLENAGHAN: I am Peter McClenaghan, a senior policy officer with the SDLP.
376. SIR CHRISTOPHER KELLY: Thank you very much. And you have let us have evidence. Do you have an opening statement that you wish to make?
377. ALBAN MAGINNESS: Perhaps if I make the opening statement and then we can start from there?
378. The SDLP welcomes the opportunity afforded by the Committee to give evidence on this particular issue; one which we believe is of the utmost importance.
379. Firstly, I would like to record the apologies of the three SDLP MPs who are unable to attend today's session due to prior business in Westminster. The SDLP Leader, Mark Durkan, would like to make himself available for future hearings should the need arise.
380. The SDLP believes that there should be total transparency, parity and accountability surrounding MP's expenses. This is public money for public roles and therefore must be entirely justifiable. In our submission to your inquiry, which can be viewed publicly on your website, the SDLP set out our position in relation to standards we expect in public life. Since that document was submitted and indeed, since your inquiry began, many changes have already been implemented.
381. Party leaders, including my own, have reached agreement on emergency measures in relation to MP's expenses. The House of Commons has also published the past four years' claims and payments of Members online and will publish 2008/2009 soon. Furthermore, in the Northern Ireland Assembly, discussions have taken place to publish Members' expenses, which will be available online by the end of November 2009, going back to 2003.
382. At this very moment, the House of Commons is debating stages of the Parliamentary Standards Bill. As this Bill is debated, the SDLP believes that areas of agreement such as the principle of an independent Parliamentary Standards Authority and independent oversight, administration and management of payment and allowances, should be put into place now. In other areas, it is clear we must await the outcome of this Committee's findings and ensure that legislation is compatible.
383. However, the SDLP believe that necessary steps must be taken to restore public confidence in politicians and in Parliament, and to reinforce the worth of politicians and Parliament. The issue of MPs' expenses and salaries

should not be placed in the hands of Members and should be presided over by an independent regulatory authority. The controversy surrounding the corporate handling of the expenses issue should not be permitted to distract from the responsibility that all MPs, individually and collectively, have for their own expenses and claims. It is essential that all concerned learn lessons from recent events and those necessary appropriate changes are made to the political system in order to rebuild public trust.

384. We believe that the present situation arose because a flexible and potentially abusable expenses system was allowed to evolve as an alternative to a robust and equitable salary arrangement. It is necessary to ensure simplification to the current expenses process.

385. However, it is vitally important that politics does not become the preserve of a wealthy ruling class, political dynasties or well-funded interest groups and that the whole population are entitled to participate in the political process, either through exercising their right to vote or by standing for election. In this regard, it is important that pay levels for MPs are set at a level that is sufficient to both make representing a constituency affordable to those who do not have independent wealth and to attract skilled individuals to the job. An MP's basic salary level should be in keeping with comparable levels in the senior civil service or in the private sector. This should be determined by independent review and the proposed independent regulatory authority. Similarly, any MP's additional personal expenses should be reformed to align with the expenses allowable to civil servants on a similar salary scale.

386. MPs can only successfully carry out their duties when they command public trust. It is absolutely necessary, in order to restore this trust, that the system of remuneration for MPs is overhauled to ensure total transparency, clarity and accountability. Full disclosure of MPs' expenses is the key element in this process. To ensure the public trust in their politicians is restored, any new system must provide significantly stronger guidance for MPs on employment of staff and determination, in its current application, of the second homes allowance in order to remove any ability to exploit the expenses system. Additionally, and crucially in the context of politics in Northern Ireland, an agreed solution must be put in place to provide a timely solution to the issue of dual and multiple mandates.

387. The SDLP looks forward to the outcome of your inquiry, Mr Chairman.

388. SIR CHRISTOPHER KELLY: Thank you very much. Can I begin with where you ended - multiple mandates? Your party has come out against multiple mandates and you draw attention in your written evidence to the fact that you have made proposals to this effect in the Northern Ireland Assembly which were voted down. Why were they voted down?

389. ALBAN MAGINNESS: I do not think that it is appropriate for me to define what other political parties thought. But certainly, we put forward proposals that we thought were reasonable in terms of highlighting the issue and trying to bring it to an agreed conclusion. And they were voted down.

390. I think things have moved on since then. The whole issue of expenses has also thrown up the issue of multiple mandates and I think that parties have re-thought their positions quite radically and most, if not all, are now committed to ending multiple mandates.
391. SIR CHRISTOPHER KELLY: Your proposals in the Assembly were about dual mandates between local authorities and the Assembly, rather than the Assembly and Westminster?
392. ALBAN MAGINNESS: They also included Westminster and we thought, as a start, that MPs should not be Ministers in the local devolved assembly. We also feel, in relation to council positions that those should be phased out as well, over a period of time.
393. SIR CHRISTOPHER KELLY: If you feel so strongly on this issue, why have you not acted unilaterally?
394. ALBAN MAGINNESS: We want to see agreement right across the board and, of course, if you act unilaterally it could well be, in electoral terms, disadvantageous. What we want to see is an agreed position by all the parties moving forward to eliminate dual mandate between Westminster and the Assembly at Stormont. That, I think, is a very reasonable position to adopt. It would be difficult in circumstances to act unilaterally.
395. SIR CHRISTOPHER KELLY: I believe I know the answer but I will ask nonetheless. If something is wrong it is wrong, the fact that it is electorally disadvantageous is neither here nor there.
396. ALBAN MAGINNESS: Let us put it this way; political circumstances have produced multiple mandates and dual mandates in particular. From at least 2002 to 2007, we had a period of great instability and great uncertainty politically here in Northern Ireland. You have to take that into consideration in terms of how the dual mandates and multiple mandates developed over that period of time and, indeed, preceding that. And there are historic reasons why, in fact, dual mandates did develop in the past.
397. But now that we have reached a period of certainty, then it is appropriate at this point in time for all of us to go forward together in order to end dual mandates between Westminster and Stormont.
398. SIR CHRISTOPHER KELLY: And why is it electorally disadvantageous to act unilaterally on something which appears to be unpopular?
399. ALBAN MAGINNESS: Let me put it this way. If, for example, one of our MPs was to vacate a seat, it would, naturally, give rise to a by-election in circumstances that mean that seat could well be vulnerable. Now, that is a difficulty. You are not going to effectively cut off your nose to spite your face. In those circumstances you have to look reasonably and logically at the situation.

400. But we are committed. And our party does not - willy nilly - allow people to stand for a dual mandate situation. You have to have express permission from the party centrally to do that.
401. SIR CHRISTOPHER KELLY: You could say, though, that from the next election - whether for the Assembly or for Westminster - you would be ending dual mandate and therefore there would be no by-elections created.
402. ALBAN MAGINNESS: Yes. You mean the next Westminster election?
403. SIR CHRISTOPHER KELLY: In order to give people a choice as to which they would prefer, by the later of the two.
404. ALBAN MAGINNESS: I think it would certainly be desirable if agreement was reached in relation to dual mandate by the next Assembly election.
405. SIR CHRISTOPHER KELLY: My question is about whether you could not do it unilaterally, but I will let that pass. Do you think it would be reasonable to attempt to end it as quickly as the next Westminster election?
406. ALBAN MAGINNESS: I think the next Westminster election.
407. SIR CHRISTOPHER KELLY: I do not have this quite clear in my mind but I assume you would have to do it from whichever is the later of the Assembly or the Westminster elections.
408. ALBAN MAGINNESS: One presumes that the Westminster election will precede the Assembly election, which is scheduled for 2011. And certainly, it would be very desirable by 2011 for dual mandates to end. But I do stress that we need to see agreement across the board amongst the political parties in order to achieve that.
409. SIR CHRISTOPHER KELLY: Do you think that that agreement is likely to be forthcoming?
410. ALBAN MAGINNESS: I think that there is a mood, certainly a public mood, and I think that the parties are responding to that public mood.
411. SIR CHRISTOPHER KELLY: So your forecast would be that it would happen, whether it was made compulsory or not?
412. ALBAN MAGINNESS: I would not make a forecast. What I would say is this; that the circumstances, certainly at this moment in time, are such that parties are looking more favourably on that.
413. SIR CHRISTOPHER KELLY: One of the arguments in favour of multiple mandates - at least originally, apart from the instability argument - was that the talent pool in Northern Ireland immediately after the agreement

was not wide enough to make it possible to have complete separation. Are you confident that the talent pool is now wide enough for you to cope with the consequences of stopping multiple mandates?

414. ALBAN MAGINNESS: I refer again to my previous remarks that you had a period of instability following the agreement, particularly from 2002 - 2007. Now we have a period of relative stability and more certainty politically, here in Northern Ireland. There do not seem to be the same threats to the Assembly or, indeed, to the Executive and therefore it is a much less difficult situation for political parties to operate within.

415. SIR CHRISTOPHER KELLY: To be specific, though, your party has a significant number of MLAs who are also local councillors.

416. ALBAN MAGINNESS: Yes.

417. SIR CHRISTOPHER KELLY: You also have two who are Members of Parliament and Members of the Assembly.

418. ALBAN MAGINNESS: That is right.

419. SIR CHRISTOPHER KELLY: If you were to ban multiple mandates, you are confident that your party could produce sufficient, talented people to fill the additional slots that would then become available - assuming that you win the seats?

420. ALBAN MAGINNESS: I think that is a given.

421. SIR CHRISTOPHER KELLY: It is a given because your party is so full of talented people?

422. ALBAN MAGINNESS: I think that the answer to that is certainly we are confident that we can fill our positions; there is no doubt about the fact that we do have a talented base and that we can put credible people forward to replace others.

423. SIR CHRISTOPHER KELLY: Thank you. Multiple mandates, of course, are only one aspect of the phenomenon of Members of the Westminster Parliament having additional jobs. You make clear that, in your view, Members of Parliament should not, in principle, have a second job. Is that right?

424. ALBAN MAGINNESS: Yes, indeed.

425. SIR CHRISTOPHER KELLY: And that where they do have a second job there should be some form of abatement of their income. Would you like to explain that a bit more?

426. ALBAN MAGINNESS: What we have said is that it is more appropriate that Members should not have second jobs. There may be circumstances

where, in fact, it is necessary for somebody to maintain at least some sort of vestigial connection with a profession; for example, perhaps a journalist or somebody in the medical profession - that type of thing - to maintain some foothold. We do not object to that.

427. But it is desirable in circumstances that an MP should be an MP and there should not be a second job. And certainly where there are excessive earnings, that those should be subject to some sort of abatement.

428. SIR CHRISTOPHER KELLY: What are excessive earnings? Just give me an example.

429. ALBAN MAGINNESS: It would be difficult to give a figure but what we have said is that there is a case for a fiscal super tax rate for non-Parliamentary income or, alternatively, means testing in relation to the PAEE and that in fact would be probably meet circumstances for people who are principally doing one job and being an MP on the side.

430. SIR CHRISTOPHER KELLY: I understand that. I was just hoping you would be able to give an order of magnitude as to when they should ...

431. ALBAN MAGINNESS: It is very difficult to do that. It depends on circumstance. I am sorry I cannot give you a precise figure in relation to that.

432. SIR CHRISTOPHER KELLY: Thank you very much. Brian?

433. DR BRIAN WOODS-SCAWEN: I would like to talk about representation at Westminster but, before that, a more general question. We have had a lot of evidence today from various parties around a desire to move forward to more normal space in terms of governance, accountability and allowances. Do you think that, whatever the historic legacy and the reasons for special issues in Northern Ireland, it is now time to say that we put those behind us and we simply do what is right?

434. ALBAN MAGINNESS: In effect, we are saying that; that the circumstances are much better than they were five years ago and certainly there is much more stability now. There does not seem to be any imminent threat to the Assembly.

435. I was selected to the Assembly in 1998 so I have come through all the various phases of the Assembly. And remember, from 2003 - 2007, the second Assembly did not meet and you were always wondering whether, in fact, the Assembly would continue at all even in that vestigial form. So, we have moved a large distance from where we were before.

436. DR BRIAN WOODS-SCAWEN: So does it follow, in your view, that except for transition measures, the expenses and allowances regime in Northern Ireland should, as it were, move into the mainstream of principles that would apply anywhere in the UK?

437. ALBAN MAGINNESS: Oh, yes, absolutely.
438. DR BRIAN WOODS-SCAWEN: Turning then to the specific issue of Westminster representation; a number of Northern Ireland MPs, as you know, have said as a matter of principle they will not take their seats in Westminster.
439. ALBAN MAGINNESS: That is right.
440. DR BRIAN WOODS-SCAWEN: And yet they are able to claim for the full range of allowances and expenses. Could you give me your view on that?
441. ALBAN MAGINNESS: Yes, I can give you a view on that of course. If I say, first of all, I think that one has to respect the rights of constituents to elect people who have publicly said prior to an election that they will not take their seats at Westminster. I think it is right and proper to respect those views.
442. At the moment, Sinn Féin to whom you are referring to in particular, receives a wide range of Parliamentary allowances. If I could say that our view is that there seems to be a basic unfairness in relation to the money that Sinn Féin receives in relation to what is termed "representational activities". Now, that, in fact, emerged in 2006; a motion was agreed by the House of Commons that created a scheme similar to Short money, specifically for Sinn Féin. The motion provided for "... expenses fully, exclusively and necessarily incurred for the employment of staff and related support to Members designated as that party's spokesman in relation to the party's representative business".
443. Now, of course, you would understand that no other party receives such special treatment. So they are receiving preferential treatment. We do not receive that treatment. The Short money that we receive is for our Parliamentary activities. So, a real distinction is being made between representational activities and Parliamentary activities. No other party enjoys such a right. We think that that is basically unfair and should not be permitted.
444. Members of Sinn Féin also purport at least not to go to the House of Commons or to take their seats there. And yet, they are also entitled to the accommodation expenditure. We do not believe that is appropriate in the circumstances where they purport not to be taking their seats. Therefore we do not believe they should receive that expenditure.
445. And indeed, communications expenditure as well - they should not receive that either. Communications expenditure is for an MP to relate to his or her constituents to say what they are doing in terms of their Parliamentary activities. It is not a party political thing; it is something which is designed for the MP to relate to his or her constituents. If that person is not carrying out Parliamentary activities then it would seem to be inappropriate that they would receive that particular expenditure on communications.
446. We do not object to Sinn Féin receiving administrative and office expenditure as that is designed for the purpose of trying to service the

constituency in terms of representing constituents. So, they should be entitled to that. And they should also be entitled to staffing expenditure as well, which again is servicing the constituents and therefore that would be deemed appropriate.

447. And we do not object to their receiving salaries. The people have elected them on the basis that they are not carrying out certain duties and so forth. But, at the same time, they have been elected by the people and therefore, in those circumstances, we believe it is appropriate they should receive salary.
448. DR BRIAN WOODS-SCAWEN: Leaving aside the specifics, which we will come back to, it has been put to us that this issue is one of pragmatism and is interwoven with the whole settlement, and that therefore it cannot be dealt with on the basis of analysis of the appropriateness or otherwise of individual allowances; it simply has to be recognised that there is a pragmatic package here which has to be accepted if the Northern Ireland institutions are to move forward. How would you respond to that?
449. ALBAN MAGINNESS: In relation to what I have said is akin to Short money, there is a basic unfairness there. Why should one party benefit over another party or parties? Surely it is inappropriate?
450. And the whole approach to the issue of expenditure in Parliament should be based on a principled and ethical basis. It is not right to say, "Well, there are certain parts of all this that are over and beyond principle and over and beyond any sort of ethical basis". It is just wrong. I do not think that is the right approach.
451. It may well be that the Government's reached agreement with abstentionist MPs in the past but it does not mean to say that has to prevail.
452. DR BRIAN WOODS-SCAWEN: Just to push that a bit further; the argument might run that unpicking this agreement creates the risk of destabilisation of Northern Ireland politics and that would not be in the interests of the Northern Ireland institutions or indeed, ultimately, the citizens of the Northern Ireland.
453. ALBAN MAGINNESS: I do not think it is such a fundamental aspect of whatever agreement has been reached between Sinn Féin and the British Government. I would have thought it is therefore only a marginal, minor aspect of the overall situation. It is for Sinn Féin to decide whether or not it is appropriate for them to accept payments from the British Parliament. They have chosen on a pragmatic basis to do that.
454. That does not seem to me to be particularly principled from the standpoint of an Irish Republican. Nonetheless, they have chosen to do that, but that is their choice.
455. DR BRIAN WOODS-SCAWEN: And then specifically in relation to

accommodation, your view, as I understand it, is that in the event of any Member not taking up a seat that accommodation is not appropriate. The counter might be that serving constituents still requires regular attendance in London, communicating with Ministers, with officials, dealing with policy issues or specific issues on behalf of constituents and that therefore the same support in terms of having to have somewhere to live in two places applies.

456. ALBAN MAGINNESS: The focus, as I understand it, of Sinn Féin is on representation rather than the administration that you have. In those circumstances, if it is on representation, then that is the basis on which they are doing things. So be it. But you cannot argue on the one hand that you are simply carrying out representational duties and that therefore, in those circumstances, that you are entitled to accommodation which is necessary for Parliamentary duties. It seems to me to be a contradictory situation that they are putting forward. Sinn Féin has had access to Government ministers etc for a long period of time, with or without representation at Westminster and with or without allowances.

457. DR BRIAN WOODS-SCAWEN: Turning to constituency support; you have indicated that you agree that it is appropriate for Members who do not take up their seats to have support in constituencies to deal with their constituents.

458. This is a wider point covering all MPs with dual mandates. As issues become devolved, and arguably more policy matters might be devolved in the future, it could be argued that the amount of constituency work that a Westminster MP needs to deal with in any devolved administration lessens, because those responsibilities passed to members of the devolved legislature. And therefore the support needed to do a lesser job arguably could be reduced.

459. ALBAN MAGINNESS: I think that would require a good deal of analysis and I think that you would have to really sift through what an MP representing a Northern Ireland constituency actually does. I take it that it's specific to Northern Ireland rather than to any other area?

460. DR BRIAN WOODS-SCAWEN: I think the same principles would apply to others.

461. ALBAN MAGINNESS: Yes. At this moment in time, I would have thought that the work of a Northern Ireland MP is still at a very, very high level, particularly when there are areas such as Justice and Policing within the functions of the Westminster Government and the Westminster Parliament. It is very difficult, in any event, say, "You have a lesser workload" unless you actually go in there and quantify the type of work that an MP is doing. Work shifts in terms of qualities and I think it is very hard to make that essential judgment.

462. I understand the principle that you are talking about but it is very difficult to come to a definitive conclusion in relation to that.

463. DR BRIAN WOODS-SCAWEN: Thank you very much.
464. SIR DEREK MORRIS: Could I ask you about the employment of family members, which we understand is particularly prevalent in Northern Ireland? Some of the historical reasons for that have been put to us earlier today which I do not want to rehearse. But could I ask you or check with you that this is another area such as you were referring to before where we should approach Northern Ireland on exactly the same basis as Britain, moving forward?
465. ALBAN MAGINNESS: There could well be circumstances in which Members employ family members and we do not put a ban on that. What we have said is that that employment should be clearly and specifically declared and it should not extend to more than one relative. We think if there is openness then I do not believe it should give rise to any complaint.
466. Also, there must be safeguards insofar as a person should not simply be appointed to a position, draw a salary - perhaps an excessive salary - and do nothing for that. That must be properly monitored and assessed so that there is no misuse of public funds.
467. But clearly, in the past, it was difficult in circumstances to get staff or for people to stay with you. People were, if not under threat, certainly under stress and strain which would not normally arise in other parts of the UK. That, I believe, is the circumstance that has to be taken into consideration to explain, historically, how this came to exist.
468. But certainly we as a party would encourage our people to employ people from outside family, to have open competition for staff members, and we are very keen that anybody who is appointed, that their terms and conditions be properly monitored by Parliament.
469. SIR DEREK MORRIS: Could I just probe a little how practical that is? I can see that, at the point of appointment, one could have some independent check of qualities and experience and certainly monitor that the remuneration, for example, is equivalent to other employees. But then, moving forward from that, is it really practical to expect anyone else - that is other than the MP - to monitor and manage the performance of his or her employees? That might be quite difficult in the case of an employee who is a spouse or other family.
470. ALBAN MAGINNESS: I can see the difficulties, of course, but I do not think it is impossible to do that and, with proper auditing, I think it can be done. I think that there can be checks done to see that work is being performed and I am sure there are circumstances, even previous to this, where MPs have come under suspicion of employing people simply because they are family members and that they were not carrying out work properly. It may well be possible to identify that the person who is employed perhaps is employed elsewhere; has another job or is doing other work for example. So there are possible checks that could be put on that.

471. But, at the end of the day, of course, there is a certain amount of goodwill and reliance on that, but I do not think it is impossible to devise a system whereby there is a robust monitoring of what goes on.
472. SIR DEREK MORRIS: It has been suggested to us on several occasions that, as part of the process of recreating trust and credibility after what has gone on recently, it might be necessary to take, perhaps, a stronger line on this and indeed other issues than might, in other circumstances, have been the case. Added to that it has been said that there are a number of other areas where it used to be not infrequent that a spouse might be employed - schools, doctors' receptionists, dentists and so on - but that has now phased out. And manifestly, of course, the majority of MPs at Westminster do get on perfectly well - about 400 of them - without employing spouses.
473. So, could I ask if, in the light of all that, if we were to recommend that this process cease, with adequate transition arrangements, you think MPs would be seriously disadvantaged by that?
474. ALBAN MAGINNESS: I do not think they would be seriously disadvantaged. Obviously, for an individual MP who has had a permanent member of staff for a long period of time, for that to come to an end would be difficult. But if you are saying to me that, if you start afresh and say, "No spouses, no immediate family members for any fresh mandate" I think, in those circumstances, MPs would just simply have to accept that and we, as a party, would have to accept that. I do not think we are going to die in the ditch over this.
475. But could I just say that any transitional arrangements would obviously have to take into account the fact that somebody has worked for a long period of time for this individual MP and there should be necessary recompense for that.
476. SIR DEREK MORRIS: I think that point is well taken.
477. LLOYD CLARKE: Two questions if may, just for clarity? The first is in respect of the Communications Allowance. I think I heard you say that you felt that it was inappropriate, for example, for Sinn Féin to take the Communications Allowance if they were not taking up the seats. We heard from Sinn Féin this morning and they clearly told us that, even though they are entitled to it, they do not take the communications money. Were you aware of that?
478. ALBAN MAGINNESS: We were talking about entitlements rather than the actuality of it. And saying that, in the circumstances, it would not be appropriate for them to be entitled to that money.
479. LLOYD CLARKE: That is helpful, thank you. The second thing that you have said and is in your submission to us is the need for transparency. I think you said in opening that the Assembly will be publishing all your expenses by November of this year. Is there anything from that that the

Westminster Parliament could learn from the Assembly, particularly in process terms? Is there anything that you would like to tell us about that process that will lead to a better public understanding and a better esteem of politicians by the public through what you are going to do?

480. ALBAN MAGINNESS: The Assembly Commissioners have agreed to publish expenses and that would be done no later than November of this year. That goes back right to 2003. I think it is a logical and reasonable step forward by the Assembly in the light of public concern arising from the situation at Westminster and obviously similar concerns would arise here. They do not arise to the same extent insofar as I think that the accommodation allowance allowed for a lot of misuse and abuse of expenses and that led to various problem of credibility in Westminster. I think that our processes in terms of expenses here are pretty good. Everyone has to either produce an invoice or receipt for payment. Invoice obviously for a direct payment; receipts for reimbursements. Those are tightly controlled and as far as we are concerned, staff would really cover the vast bulk of our office cost allowance which is the principal area of expenditure. What we would intend to do is to make sure that all of these elements are quite clearly and properly illustrated to the public so that they can understand what in fact is being used by the individual Member.

481. LLOYD CLARKE: Is there any element of expenses which for any reason will be withheld or will it be everything put into the public domain?

482. ALBAN MAGINNESS: No, I think all expenses will be published. I was - or was up until Monday - a member of the Commission so I have some knowledge of this. All expenses will be published. The identities of individual staff members will not be revealed. That is right and proper but obviously the payments that are received will be published. There is nothing going to be held back.

483. LLOYD CLARKE: Thank you very much.

484. SIR CHRISTOPHER KELLY: Is there anything else, Mr Maginness, you wanted to say to us?

485. ALBAN MAGINNESS: No, Sir Christopher, I think it has been a great and sometimes challenging discourse. Thank you very much indeed.

486. SIR CHRISTOPHER KELLY: Thank you for coming to see us. Thank you. That concludes the session for today.

## Wednesday 1 July 2009 Public Hearing

### Opening Statements

#### **Opening Statement by David Gordon**

I want to start my statement by declaring an interest.

I have spent a significant proportion of my career writing about politicians' expenses. There were times when the subject seemed to be occupying my every waking hour.

So if this Committee finally sorts out the issue, I will have to find something new to focus on.

From a selfish point of view, I could be tempted to wish you bad luck in your endeavours.

But I also sit here as a citizen and a taxpayer.

And while my submission is made in a personal capacity, it does reflect the spirit of the campaigns my newspaper, the Belfast Telegraph, has been running for a number of years.

We have championed the Freedom of Information Act, and received some abuse from the local wing of the political class for doing so.

We have pressed our politicians to follow the transparency route blazed by the Scottish Parliament.

It would have been easier to just sit back and pick off stories one by one about individual cases and questionable expenses claims.

Instead, we ran a high profile campaign for openness, involving what we believed were some relatively straightforward reform proposals.

I have to say we were often met with what felt like spontaneous indifference.

You will see from my submission that I have stressed that there should be no devolution get-out clauses in this inquiry.

I fully understood that your remit begins and ends with MP expenses.

But I hope you will make it clear that you expect devolved institutions to learn the key lessons and abide by your guiding principles.

Northern Ireland has been left behind too many times when it comes to the development of a standards framework for public life. We still have total secrecy over donations to our political parties – parties that are now in charge of our Assembly with regulatory and funding powers that could make people millionaires.

The Northern Ireland Assembly must at least get a signal from this Committee that it cannot be left behind on expenses reform. I should really say further behind because we are already lagging behind Westminster in some respects.

As I state in my submission, I have covered a lot of audit and Public Accounts Committee investigations in my career. I have watched MPs lambast public officials over inadequate controls on spending and poor governance – and quite rightly so in many cases.

It is now abundantly clear that MPs have failed to live up to the standards they set for others.

This for me is the crux of the whole affair.

Unlike some other journalists, I don't believe it is primarily about "snouts in the trough".

For me, it's about leadership, judgement, moral authority. MPs appear to have lost sight of the fact that they should be setting an example to society.

The jury is also still out on whether the political class has truly learned this lesson.

The doubts stem from the years of resistance in the Commons to transparency, the attempts to pre-empt this inquiry and the debacle over the large scale redaction of expenses claims.

Reforming the rules is important. But it will not really work if the political class mindset that produced the past abuses is not changed.

That is the challenge facing this inquiry.

### **Opening Statement by Dawn Purvis MLA**

Sir Christopher Kelly, Mr. Lloyd Clarke, Sir Derek James Morris, and Dr Brian Woods-Scawen, I would like to welcome the Committee on Standards in Public Life to Belfast and say how pleased I am that the Committee is looking at multiple mandates as part of its terms of reference. I think this is a critical issue which restricts the effectiveness of the Northern Ireland Assembly, so I will focus on this topic in my remarks.

The Committee may be aware that I have been working on a Private Member's Bill to end dual mandates in Northern Ireland for the past nine months, well before the current attention that such issues have received. In its current form, the bill would disqualify elected members of local councils from also serving as elected members of the Northern Ireland Assembly.

This is an issue of great concern for me and for my party, the Progressive Unionist Party. As you may know, the PUP works in and represents the loyalist community in

Northern Ireland. These areas carry some of the lowest levels of confidence in the Assembly and the peace agreements that delivered it.

However, at the time of the signing of the Belfast Agreement, almost the reverse was true. Loyalist areas delivered some of the strongest support for the agreement and a power-sharing Assembly in all of unionism. That support has since deteriorated as loyalist communities have failed to see real benefits delivered to their areas.

Loyalist areas currently experience some of the highest levels of deprivation in the United Kingdom. This was also the case before the Troubles. Not much has changed there. The systems – education, social services, health, housing – are struggling to meet their needs and in some cases, education in particular, are actively failing them.

Recent actions by loyalist paramilitaries make it clear that there is a commitment to move forward, but when loyalist communities look to the Assembly, they see the same faces they saw twenty and thirty years ago and the same political dynasties with a strangle hold on power. For loyalism, not enough has changed in thirty years and loyalism remains largely unrepresented and excluded from the political institutions they once strongly supported.

But this is clearly not just about loyalism. The need to build confidence in our political institutions is paramount to building peace. Devolution here is not the same as in Scotland and Wales. In Northern Ireland, devolution came about as the result of a negotiated settlement and so the need to gain public confidence in our institutions is much more urgent.

Ending dual mandates in Northern Ireland will bring added transparency and accountability and healthier political parties, which will be forced to reach out and recruit new members and candidates who can fully represent and appeal to the electorate. New people will bring new ideas, new energy and new perspectives into the work of both the Assembly and local councils (assuming the parties don't continue to nominate only their family members as candidates).

This should help parties move towards electoral competition based on issues and policies, rather than fear and division.

Ideally, it will also remove a layer of exclusivity and exclusion, which prevents all citizens – whatever their political perspective or background – from feeling they have a role to play in shaping politics and policy in Northern Ireland. We still have a hard row to hoe in Northern Ireland and it will take the ideas, work and support of as many people as possible to get where we need to go. Public consultation on the bill I am introducing will take place in August and September and I hope to engage as wide and inclusive an audience as possible.

Political parties could end multiple mandates on their own, voluntarily. This has been the case in Wales and largely adhered to in Scotland. However, the political parties in Northern Ireland have repeatedly given lip service to this principle but have taken little meaningful action to make it a reality.

Legislating for this change would make the effect immediate and permanent, and therefore both more likely and more meaningful than waiting for the parties to do this on their own.

For these reasons, I would ask that the Committee include a legislated prohibition on multiple mandates as one of its key recommendations. My bill would end dual mandates between local government and the Assembly, but we cannot touch dual mandates between the Assembly and Westminster; this must be legislated for at Westminster.

There is another topic which I think is important for the Committee to consider, and this is family members. When I first was elected to the Assembly, I would drive in every morning and notice that many cars arrived into the Members' parking area with a large number of passengers. They were almost like clown cars, as the doors opened and passenger after passenger climbed out.

At first, I thought this was great. People were ride-sharing, pooling transportation costs and minimizing their impact on the environment. Then I realised that these were families arriving together.

While the environmental benefits are commendable, the practice of hiring family members is a real problem. The Committee may be aware that the Northern Ireland Assembly Commission is currently conducting a review of procedures for Members' expenses. As part of its submission to this review, the PUP is recommending the end of unregulated hiring of family members, which is currently practiced as nepotism without justification.

The PUP believes that Members should be obligated to compete positions on their staff. MLAs who hire family members should be required to make a clear declaration, available to the public, of why this individual is superior to other candidates for the post. This must also be the case when hiring for short-term, project or contract work.

In some situations, it may be that a family member is the most appropriately qualified person to perform a function in a Members' office and, in such a case, it should be allowed. However, the very appearance of nepotism is damaging to the institution and therefore must be openly explained and justified.

The same principles hold true in the case of renting office space and entering in to other lucrative contracts for payment. Members should be prohibited from renting office space from themselves and other family members. There may be cases of exceptional circumstances where this cannot be avoided, but this should be the very rare exception and should require specific approval.

Maintaining the current degree of nepotism in our political practices creates another layer of exclusion, protects political dynasties, and creates the appearance of politicians and their families trying to pilfer as much as they can.

There are a number of related issues that I could continue to highlight, but the remainder of our time may be more useful if I were to defer to the Committee at this

point for questions and discussion.

Once again, I thank the Committee for this opportunity to speak with them this morning and the Progressive Unionist Party stands ready to assist in any way we can with this important review.

Thank you.

### **Opening Statement by Alban Maginness MLA**

The SDLP welcomes the opportunity afforded by the committee to give evidence on this particular issue, one which we believe is of the utmost importance.

Firstly I would like to record the apologies of the three SDLP MPs who are unable to attend today's session due to prior business in Westminster. The SDLP leader Mark Durkan would like to make himself available for future hearings should the need arise.

The SDLP believes there should be total transparency, clarity and accountability surrounding MPs' expenses. This is public money for public roles and therefore must be entirely justifiable.

In our submission to your inquiry which can be viewed publicly on your website the SDLP set out our position in relation to standards we expect in public life.

Since that document was submitted and indeed since your inquiry began, many changes have already been implemented.

Party leaders including my own have reached agreement on emergency measures in relation to MPs expenses. The House of Commons has also published the past four years' claims and payments of Members online and will publish 08/09 soon. Furthermore, in the Northern Ireland Assembly discussions have taken place to publish members' expenses which will be available online by the end of November.

And at this very moment the House of Commons is debating stages of the Parliamentary Standards Bill.

As this bill is debated the SDLP believes that on areas of agreement such as the principle of an independent parliamentary standards authority and an independent oversight, administration and management of payments and allowances then they should be put in place now.

In other areas, it is clear we must await the outcome of this committee's findings and ensure that legislation is compatible.

However, the SDLP believe that necessary steps must be taken to restore public confidence in politicians and parliament and to reinforce the worth of politicians and parliament.

The issue of MPs' expenses and salaries should not be placed in the hand of

members and should be presided over by an independent regulatory authority.

The controversy surrounding the corporate handling of the expenses issue should not be permitted to distract from the responsibility all MPs individually and collectively have for their own expenses claims.

It is essential that all concerned learn lessons from recent events and those necessary, appropriate changes are made to the political system in order to rebuild public trust.

We believe that the present situation arose because a flexible and potentially abusable expenses system was allowed to evolve as an alternative to a robust and equitable salary arrangement. It is necessary to ensure simplification to the current expenses process.

However, It is vitally important that politics does not become the preserve of a wealthy ruling class, political dynasties or well-funded interest groups and that the whole population are enabled to participate in the political process, either through exercising their right to vote or by standing for election.

In this regard it is important that pay levels for MPs are set at a level that is sufficient to both make representing a constituency affordable to those who do not have independent wealth and to attract skilled individuals to the job.

An MP's basic salary level should be in keeping with comparable levels in the senior civil service or in the private sector. This should be determined by independent review and the proposed independent regulatory authority.

Similarly any MP's additional personal expenses should be reformed to align with the expenses allowable to civil servants on a similar salary scale.

MPs can only successfully carry out their duties when they command public trust. It is absolutely necessary, in order to restore this trust that the system of remuneration for MPs is overhauled to ensure total transparency, clarity and accountability. Full disclosure of MPs' expenses is the key element in this process.

To ensure that public trust in their politicians is restored, any new system must provide significantly stronger guidance for MPs on employment of staff and the termination in its current application of the second homes allowance in order to remove any ability to exploit the expenses system.

Additionally and crucially in the context of politics in Northern Ireland an agreed solution must be put in place to provide a timely solution to the issue of dual or multiple mandates.

The SDLP looks forward to the outcome of the inquiry.