

# Committee on Standards

## Oral evidence: Sanctions, HC 2179

Tuesday 9 July 2019

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Members present: Kate Green (Chair); Mrs Tammy Banks (Lay Member); Mrs Jane Burgess (Lay Member); Sir Christopher Chope; Miss Charmaine Burton (Lay Member); Mrs Rita Dexter (Lay Member); Dr Arun Midha (Lay Member); Sir Peter Rubin (Lay Member); John Stevenson; Sir Gary Streeter; and Mr Paul Thorogood (Lay Member).

Questions 51 to 90

### Witnesses

**I:** Liz Bates, Westminster Correspondent, The Yorkshire Post; Kate McCann, Political Correspondent, Sky News; and Rajeev Syal, Whitehall Correspondent, The Guardian.



## Examination of witnesses

Witnesses: Liz Bates, Kate McCann and Rajeev Syal.

**Chair:** I welcome our witnesses to this meeting of the Committee on Standards to consider how the House of Commons might reform the current system of sanctions imposed on Members of Parliament who have committed breaches of the rules set out in the code of conduct for MPs. This is an important, sensitive and very timely issue on which we are interested in hearing your perspective from the media's point of view.

I should make it clear at the start of the proceedings, for the avoidance of doubt, that because of the role of the Committee it will not be possible for us to discuss any individual cases with you. I am afraid that if questions are asked about individual cases, I will just say, "We can't comment on that."

We hope to be joined in the next few minutes by a third witness, Rajeev Syal, who has been held up by the complete failure of the Northern line this morning. In the meantime, could I ask each of you to introduce yourself for the record?

**Liz Bates:** I am Liz Bates, the Westminster correspondent for *The Yorkshire Post*.

**Kate McCann:** I am Kate McCann, a political correspondent for Sky News.

Q51 **Chair:** We are very pleased that you are here this morning.

What do you think matters most to the general public about MPs' conduct? What do you think they are most concerned about?

**Liz Bates:** I guess there are two main things that concern the public about MPs' conduct. First, there may be a general perception that MPs are subject to different rules from the general public: if someone does something at work that is deemed inappropriate, there will be certain procedures that they have to go through and they will be held to account in a certain way, but MPs do not have to abide by those types of rules.

I think there is also a general perception that MPs mark their own homework. If they are thought to be doing something wrong, the procedures that happen in reaction to that often involve a lot of their colleagues, are opaque and happen behind closed doors.

I think those are the two things: that MPs have different rules applied to them, and that they do it themselves and there is a real lack of transparency.

**Kate McCann:** I would agree with that, but there are obviously two sides to this: there are victims and people who have experienced bad behaviour,



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and then there is the perception of the general public. I think there is probably an overlap between those two groups; when speaking to people who have experienced bad behaviour, the word that comes up over and over again is “untouchable”. MPs are untouchable—ultimately, they keep their seats whatever happens—so whatever you do to them, there is no real effect on their behaviour.

I think that it is similar for the general public, but I would say that there was a shift after the expenses scandal, when things were particularly bad—the perception of MPs was that everybody was on the take and that MPs were living the good life. I think things did shift after that and there was a change, but maybe not as much of a change as people would like to have seen. There is still a perception, particularly after the recent reporting of behaviour in Westminster, that ultimately MPs will remain in post whatever happens. That is the fundamental problem.

Q52 **Chair:** Are you saying that what the public expect as a result of the actions that they have seen reported is that MPs should lose their seats?

**Kate McCann:** I think in some cases, yes.

Q53 **Chair:** In all circumstances? How does that play out in the public’s mind, in your view?

**Kate McCann:** I don’t think in all circumstances, but certainly if you talk to people they say, “If I did that in my job, I’d get the sack.” That refrain is quite a common thing to hear from people: “If I did that, I’d lose my job.” Ultimately, MPs losing their jobs is an incredibly rare occurrence.

I think it does come back to that for some people, but obviously this is at the extreme end of the scale when we are talking about behaviour—it is not necessarily for other things. I think that there are elements, which I am sure will come out today, about confidentiality, transparency and sanctions, whether the regime is robust enough, whether the sanctions are public enough and whether the public record is public enough, so that people know what is going on in here.

Q54 **Chair:** From your personal experience of working at Westminster, how widespread do you think the problem of bullying and harassment is?

**Liz Bates:** I’ve worked in Westminster for an MP and as a journalist, and my general view is that it is about a minority—a handful, or maybe more than that, of MPs. The way the system works is that there are certain MPs who everybody knows about: they have a high turnover of staff in their office, and when people go and work for them, if you are talking to staffers on a professional or social basis, they will say, “Yeah, that MP has a bad reputation, so watch yourself.”

That is a small number of people, but probably because of the way it comes out, it festers. People do not come forward; they just move on to different jobs, and then every now and again you might have stories in the media. That leads to a general perception that it is widespread in Parliament, but my working knowledge of Parliament, from the perspective of a journalist and from working for an MP, is that actually most members



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of staff get treated quite well and the harassment cases are quite minimal, though the way they are dealt with makes it seem like a wider problem.

I do think that there is a general feeling, among staff particularly, that if you are experiencing bullying or harassment, there is nowhere for you to go—that it is much better to keep quiet, move on and not do anything that would damage the party, and that if you come out publicly, it will probably end your career. That is how I would view it.

**Kate McCann:** In terms of actual cases, I think there are fewer—I don't know how you would compare workplaces, but maybe there are less than the perception is outside here. But I think there is a much bigger cultural problem, which contributes to the feeling that there is a bigger issue going on.

Part of that is due to the way this place works, which is slightly odd. It is filled with people who are driven by wanting to do really good things and who are willing to work really long hours, and there is a culture here that you meet people after work to go to the pub and things like that. I am not saying that the culture of drinking or going to the pub is the problem, but I think there is a wider cultural attitude problem that needs to be addressed. That is probably at the basis of trying to sort this problem out; if you can change that, maybe there will be more success in trying to stop some of those cases from getting quite so bad.

**Chair:** May I welcome our third witness? Would you like to introduce yourself for the record?

**Rajeev Syal:** Rajeev Syal from *The Guardian*. Apologies for the Northern line.

Q55 **Chair:** We are very pleased that you are here—we understand the problems with the Northern line.

If you are ready to plunge straight in, perhaps I can ask you the question that I have just been asking Liz and Kate. From your personal experience of working in Westminster, how widespread do you think the problem of bullying and harassment is here?

**Rajeev Syal:** I had no idea how widespread it was until the allegations started tumbling out. I had heard rumours, but I think staff were very reluctant to come forward until "Newsnight" and others started pressing the right buttons. That is possibly a failing of journalists such as myself, but it is also a symptom of the fact that there is a culture of secrecy and of MPs being all-powerful.

Q56 **Chair:** The Laura Cox report was the result of some of those news stories and wider concerns. What is your opinion of that report and of what the House has done since, in the light of the report's recommendations?

**Kate McCann:** One of the biggest issues that came out of the whole process of discussing it, particularly in the debates around it, was about confidentiality versus consistency. That sounds quite bland, but it is probably at the heart of what this Committee is considering when it comes



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to sanctions. There was obviously a lot of back and forth about whether or not the old system should be merged with the new, and whether everything ought therefore to be confidential.

For me as a journalist, that is one of the biggest issues with the changes that have been made. Making the whole process confidential for every single case is problematic for a number of reasons. It looks like Parliament is moving backwards in terms of transparency, because previously we would have known that cases were being investigated but we are no longer aware of that. There are problems about reporting—for example, if a journalist is aware that an investigation is happening, but the Committee cannot confirm or deny it, how do we report that? Do we report what we know? If we are not able to confirm it officially, that is difficult.

I understand Andrea Leadsom's argument about the need to make everything consistent so that people understand, but I wonder whether it comes at a price. It makes it look like the new system is actually less transparent than the old system was. Clearly there is a problem when it comes to victims and people not wanting to be identified, but at the end of the day, if you are going to publish the result of an investigation, there is an argument to suggest that even if the victim is still anonymous, people in here will probably know what you are talking about.

There are difficulties within any system that you come up with, but the fact that the question of how to go about sorting out that problem was not addressed at the six-month review means that the issue will just build up. It needs to be talked about and sorted out, and a decision needs to be made about it.

**Liz Bates:** I agree. Probably the worst aspect of what came out in the wake of that report was that we went backwards in terms of transparency. That was a real shame; from the public perception point of view, it is clearly going to be damaging.

**Rajeev Syal:** I agree. One of the things we learned from the expenses saga was that what people demanded was independence of the system and transparency. We took a massive step backwards when we decided to hide all those investigations: it stops the public from knowing that there is a system by which MPs can be brought to account, and it also stops other people from coming forward. When it is to do with MPs' expenses or their behaviour, such as taking particular holidays, there is no actual victim to hide, so there is absolutely no reason to keep those details out of the public domain.

**Kate McCann:** A lot of good stuff came out of the Laura Cox report, and then there was a huge effort to solve a complicated set of problems that have been ingrained in this place for a really long time. A lot of positivity and a lot of good things came out of it, but the lack of ability to report those allegations—particularly, as Rajeev says, the ones where there is no obvious victim—is a problem. If you explain it to a member of the public in really bald terms, it just looks bad, doesn't it?



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**Rajeev Syal:** The victim is the taxpayer. If someone is fiddling their expenses or failing to declare something, the victim is every taxpayer, and they have a right to know.

Q57 **Dr Midha:** Perhaps the victim is public confidence as well as the taxpayer. Liz made a point about MPs marking their own homework when they do it themselves. In your view, has the reality of the number of lay people around the table—that there are equal numbers of lay members and MPs, that we have a vote and so on—reached the public at all, or does it not make a difference?

**Liz Bates:** No, it hasn't. That is a shame, because it is a really positive aspect of the process, but I don't think it has come through at all. For the public, the details of how things happen in here do not filter through at all—you just get a general view.

It is not the processes; it is the culture in Parliament. You could set up a perfect system here, but if people do not come forward and use it because of the way that Parliament operates, it really does not matter. Every now and again, we will get leaks to the media about things—things will dribble out in that kind of way—and that is why the public perceive that things are not right in this place.

**Chair:** Can I bring in Charmaine at this point, because your question is in this area, isn't it?

Q58 **Miss Burton:** Before I come to my questions fully, I just want to ask you this. You said that the fact that we have seven lay members on this Committee isn't out there in the open. I guess my question is about the media and what they choose to put out there. Is that something that would be of interest to the public and others in the House on some of the platforms that you occupy?

**Kate McCann:** Talking plainly, it is never going to lead the news. The fact that there are lay members on this Committee is a brilliant thing, but in and of itself, that is not a news story. It is not valuable enough for the short amount of space that there is on a TV bulletin or in a newspaper. That's not to say that there isn't a bigger story to be done about the way this process works. Those have been written.

The problem that you guys have as lay members is that, unfortunately, when those stories were written, the focus was on the fact that confidentiality now applies to all cases. In our opinion, and many others, that is the most important thing. It is unfortunate for your Committee because it has overshadowed something that, as you say, is really good.

There is always more to be done when it comes to the reporting of how this place works, but there is a limited appetite for really intricate detail about how any policy or anything else works. People get a sense and make a judgment based on how they feel about what they see and read. What they judge is that this process looks like it is probably not as good as it could be.



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**Rajeev Syal:** There is also a question of the independence of this Committee—that is not to disparage anyone’s views here. Who knows what the views are of the MPs on this Committee, or will be on it if there is an election in a few months’ time, as there probably will be? They have the upper hand, in terms of knowledge of how this place works. They will be able to influence you. Even if they don’t influence you, the public won’t fully trust that they are not influencing you. I would question why there are voting MPs on this Committee.

Q59 **Miss Burton:** Could decisions by the Committee and the Commissioner be presented better or more clearly, in terms of the media?

**Rajeev Syal:** Many aspects could be presented. I will give you one example. Obviously, the case of Keith Vaz has been in the—

Q60 **Chair:** Rajeev, before you came in I said that we cannot comment on any individual cases at all.

**Rajeev Syal:** Right. I wasn’t here for that.

There have been cases where individuals have said that they were too unwell to face the Committee. There has been much speculation on social media about whether those individuals were well enough, because they were attending other events, going about their business, entertaining people from abroad, etc. There have been question marks about whether someone was well enough. There could be more of an explanation.

We don’t expect this Committee to give out the medical details of someone who has claimed that they are too unwell to face an inquiry, but there could be more detail about, for example, your process and the way in which two doctors have assessed it—whatever your process is—so that we and the public have more faith in the way the Committee and the Commissioner operate.

Q61 **Miss Burton:** Would you say that, as a Committee, we could do more on public engagement? Would you say that we are out there already?

**Rajeev Syal:** People will judge the Committee on your results. They will decide whether this Committee is working, and whether MPs who are seen to have done something wrong are punished properly in the eyes of the public. That really is the bottom line—all the rest is by the by.

It is interesting for us that there are lay people on this Committee; I have been following the Committee for 20 years on and off, and to me it is quite interesting—but I am a weirdo. For most people out there, it is the kind of detail that is not going to interest them.

**Kate McCann:** That is really important. The perception in here is different from the perception of the public. The perception in here of the Committee is important, which I think is partly what you are getting at—but as for the perception of the public, it is not that no one will care, but unless you are slightly odd, you probably will not care that much about the intricate details. The results are what is important.



Could you tell us how you would report, or what you would do?

- Q62 **Chair:** Kate, we are actually taking answers from you today—please interview us afterwards, but this is a session where we are asking your opinion. If you want to express an opinion on the kind of reporting that you would like us to be making, that will be really helpful, but we are not here today to explain systems and processes and account to you.

**Kate McCann:** I was just thinking that because under the new system you have not reported a really big issue or instance yet, it would be good for us to know—since you are asking us whether you do a good job—how that would work, although maybe we cannot know until it happens.

Having access to full information—transcripts and that kind of thing, particularly when it is something that until that point has been kept confidential—is really important to us to be able to report it probably.

**Chair:** There will be more questions on confidentiality from Tammy later, but perhaps we can move on for now and then come back and explore some of these points more with you.

- Q63 **John Stevenson:** You have touched on many of the areas that I was going to ask you about, but I was interested in your observation at the beginning about perception. We have talked quite a lot about perception, because the public perception often is the reality. How do we change the system? How do you think the system should be changed so that it is seen by the public to be going in the right direction?

**Liz Bates:** The most important thing to change public perception is to make it work—to create a system that people in Parliament feel comfortable coming to, and that feels effective when they come to it. From what I know about how the place operates and how people view the processes that happen in Parliament around issues such as bullying and harassment, it does not work yet. It is still in its early stages, but it does not work yet.

- Q64 **John Stevenson:** What would you do to change the system?

**Liz Bates:** I don't know, really—I wish I knew. I think there are a few issues. I don't know whether MPs should be involved in it; I feel like that is problematic. As somebody who worked for an MP, I don't know how I would have felt knowing that I was reporting something difficult that was going on between me and an MP, when that information might come before somebody they had been friends with for 20 years and worked with. I think that that is the problem.

**Kate McCann:** There are a few things that you can do. You can have a sanctions regime that is robust, clear, fit for purpose and public, so people can see very clearly: "If you do this, this happens." That needs to be enforced across the board, so that people cannot get off one time and get punished the next.

I think you need to put as much information as possible about what you are doing into the public domain, so that it can be properly reported. You



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need to do that as soon as you possibly can, and there are issues around confidentiality.

To change the culture, there needs to be more training for staff and for MPs. Cultural change is a process that takes time, but I think it is changing. We have seen changes around the way that MPs with babies are perceived in here, and on levels of acceptability. There are still comments being made—even to MPs—that are unacceptable, so from the top to the bottom everybody needs to know what is and is not okay.

People need to be treated the same: MPs' staff, MPs, Doorkeepers—everybody needs to behave in the same manner and expect the same manner of treatment back. That is really important.

Overall, it is going to take you time to change the system, but being able to say, "Look, if you do this wrong this is going to change", is important.

I understand the point about MPs marking homework, but I think there is some role here for the parties. I don't know how the Whips Office interacts or how the parties themselves interact with the system now it is up and running, but there is a responsibility within the parties, as well as for the House, when it comes to the behaviour of their MPs.

**Q65 John Stevenson:** Would you have MPs on the Committee, along with lay members?

**Kate McCann:** That is a very difficult question that I don't know the answer to, if I'm honest. If you take MPs out of it, you risk the system becoming sort of us vs them, where you don't necessarily have buy-in. For things to change, you need the people who are within the system to be bought into it, to be trying to change it and to be trying to make it work. There is also evidently a problem about MPs marking their own homework, but you know—

**Rajeev Syal:** I would say that MPs in an advisory capacity is fine; MPs with votes on a Committee that is passing judgment on other MPs just doesn't work. The problem is that the politics always seeps through. The more fraught the politics are—and they are pretty fraught at the moment—the more influence will be brought to bear on a Committee like this, which may suspend an MP when we have a minority Government. It is going to become incredibly difficult for lay members to pass a fair judgment.

**Q66 John Stevenson:** On the general question, how would you reform this then?

**Rajeev Syal:** I thought a lot of the suggested reforms from the Commissioner were good ideas. The one thing I would add is that the repeated failures to declare second jobs, and money from second jobs, hasn't been dealt with; ACOBA has failed to deal with that time and time again. That is something that this Committee could perhaps be much stronger on.



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One of the ways you could do that: I don't see why you shouldn't be able to ban an MP from taking up second jobs if they are repeatedly failing to declare. I could name a couple of MPs who repeatedly do that, but I won't. There are repeat offenders. That needs to be stopped. We need to know who is paying them so that we can ensure that politics is clean.

**Q67 John Stevenson:** Do you all think that having a menu of sanctions is a positive step forward?

**Kate McCann:** There is a bit of a gulf at the moment between an apology and a suspension. There is a whole conversation around what is appropriate, given the role of an MP and the fact that you represent constituents, and how you manage that when it comes to restricting access and things like that. There are shades of grey in there and there needs to be sanctions regime to reflect that. There is a regime to reflect that in any normal workplace.

**Liz Bates:** I worry about how outcome focused those sanctions are and how effective they will be in tackling things like bullying. I don't know how a victim would feel, to think that if you were going to come forward with something like this and try to tackle it, the only options on the table were for the person you are accusing of something to be either suspended or to lose out on pay.

I don't know whether there are other processes. I am not an HR expert, but I would think that mediation and other forms of support would be more useful. I don't see those sanctions as being particularly useful, if I'm honest. I do not know how you could continue to work for someone who you had accused of harassment, if they had apologised to you or they had been suspended. I feel like that would be quite a difficult process after that. For me, I don't know how effective those sanctions are.

**Chair:** I am going to bring Paul Thorogood in here, because I know he wanted to ask a question about this area.

**Q68 Mr Thorogood:** At the end of the day, we—I am a lay member—just want MPs to behave, and most do. I want to focus on behaviour generally and the culture that you mentioned earlier. You understand what sanctions are available to us in any given sense, and they are not huge. What kind of sanction do you think would actually have a significant impact on MPs' behaviour generally and might lead to a change in culture?

**Kate McCann:** I went away and spoke to some victims who have gone through this in Parliament. I asked them what they would want to see happen, and in both cases the word they used was "untouchable"—as I said at the start, there is a sense that MPs are untouchable. The sanctions that they were talking about were things like docking pay, suspension and possible expulsion, which we might see as being at the extreme end of your list of sanctions.

As I mentioned, some sanctions, such as restricting access or restricting the ability to sit on Select Committees, may be slightly problematic in that an MP represents a constituency. Does that have an impact on the



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constituents they serve? How do you measure that? That is quite a complicated question. Who are you punishing—are you punishing the constituents, or are you actually punishing the MP?

I think what it comes down to is whether people in here and out there feel that the behaviour has been punished appropriately. Have they been made to apologise? One option is apologising on a point of order in the House of Commons; I cannot imagine that any MP would think that that was getting off lightly. That, in and of itself, would not be low on your list of sanctions: it would be quite a big deal for most people and—to go back to your earlier point—it would get widely reported.

I suppose the question is where the balance is. Are you looking to make an example of somebody, get the press to report it and publicly shame them? Is that the right way to go? Does it change behaviour? If you are not looking to do that, what are you looking to do? Are you looking to make the victim feel that justice has been done? That is probably going to be different in almost every case.

**Q69 Mr Thorogood:** I would suggest that sanctions do two things. They are something that you do to somebody once something has happened, as a judgment, but they are also a deterrent. What do you think is going to deter an MP from going down a certain path?

**Rajeev Syal:** In a way, it depends on the MP. Certain MPs are going to feel incredibly embarrassed by being forced to stand up and apologise, but for others it really is just water off a duck's back—they have done it a few times.

Obviously, the tough end of the spectrum is good. The way the recall system is starting to kick in now—we have already had one MP, and possibly another—is impressive, and I think people will feel that and recognise it. But how do you decide the right punishment for the right individual MP? I don't know. There are certain MPs who would be mortified if someone took away their APPG foreign holidays—fact-finding missions, I should say—but others would not find that to be a punishment at all. You will have to decide quite carefully how to punish an MP, depending on who they are and what they are doing wrong.

**Kate McCann:** If you are asking how to deter people, I think the only way you can do that, though I might be wrong, is social pressure—the perception that you have acted outside the way in which people in your world expect, and that that will bring shame on you. That is what prevents people from doing bad things.

Ultimately it comes back to culture, which is a really difficult question. There is not really anything like that that you can do that will change the culture in here. It is going to take time, but lots of things already in the report will help do that—helplines and availability of advice and so on. It needs to be ingrained, normalised, and for people to feel, "This is the normal way to behave, but that is not." I think it is shifting. I think it has changed since I came here, but it takes time.



**Rajeev Syal:** It is also about realising that out there, if people in normal jobs break the rules, they normally get seriously punished. They can lose their job quite easily by failing to declare something or fiddling their expenses—whatever it happens to be. They would be out the door. MPs are in a privileged position because for quite a long time they have not been subject to the same punishments and rules that are applied to most people in most jobs.

Q70 **Sir Gary Streeter:** I would argue that since 2009 that has not been the case, certainly with expenses.

**Rajeev Syal:** Yes.

**Sir Gary Streeter:** But to answer your earlier point, for one MP—thick-skinned, hard-nosed, safe seat—a public apology is no big deal, but a sensitive soul like myself would be mortified. Such things would certainly be covered by the *Yorkshire Post*—not me, but the local press would go to town on that sort of thing. Is that an argument for having Members of Parliament on the deciding Committee?

I can think of a case we discussed before Christmas. I will not name it, but it handed down a pretty severe judgment. Part of the assessment was that this is the nature of the beast—this is not just about an MP, who are all the same. Is that an argument for retaining a little expertise on the Committee—“My colleague, this guy, is like that. With this guy we’ve got to go in hard”?

**Rajeev Syal:** I don’t see the problem with an advisory role. The problem is that you need to be a public face and a Committee that says, “This is nothing to do with politicians anymore.” For a long time it has been—most institutions in Britain now have some sort of outside body that oversees things, and I don’t see why Parliament can’t be the same. Why not have that body that can decide those punishments?

**Liz Bates:** I think that would be a tricky area to get into. If you were saying, “Well I know this guy from around. He’s a pretty sensitive soul so perhaps we should hand down a less severe punishment to him. But I don’t particularly like this other guy and he probably deserves a stronger punishment”. I don’t think that is the way to go.

Q71 **Sir Gary Streeter:** Okay—I may have been hoist by my own petard there. My real question was about what credence you give to the fact that every three, four or five years—or in the current circumstances perhaps every six months—we have to face our constituents in a general election. If someone is re-elected by their constituents, is that significant in terms not of wiping the slate clean, but in dealing with reputational issues? Where do you place that in terms of credence—or don’t you? It used to be the one thing: if constituents re-elect you, that’s it.

**Liz Bates:** I worked for an MP who was in a very safe Labour seat and also a really good local MP—he used to win awards for being a great local MP. He used to say to me, “Liz, don’t forget, only 5% of people round here will recognise me. This is about the party.” He was basically trying to say that as much work as MPs do, most people don’t know who their local MP



is. They vote for a party. That kind of stuck with me as I thought it was a good perspective to have.

**Kate McCann:** I think it is a slightly separate thing. Clearly, having to work for your job again is a unique element of being an MP, and your record over your time in Parliament will be taken into account.

One thing that has just occurred to me, though, is that if we are now saying that all cases that go before the Committee are confidential, that means that the opportunity to report that something is happening will come when a decision is made. If, when we write our reports or I try to get it on the TV, there are loads of other things going on that day, the chances are that it could quite easily be missed—whereas if you report a story from start to finish, with the evidence session and what is happening at each point, it gives a much more complete picture. It is not a one-hit wonder; it is a long-running investigative piece of journalism that has the potential to have much more of an impact.

When you talk about public perception, you are basically assuming that when you get re-elected, people will know your record in here—not just your voting, but your behavioural record. Will they? What if they miss the one day when there was a story about you?

Q72 **Sir Gary Streeter:** It is unlikely that the local press would miss it. For them, that is front page news.

**Kate McCann:** Yes, but would they cover it over a period of weeks, or would they cover it on just one day? The reporting of these stories is not the primary concern for your Committee—that is the behaviour of MPs—but it does have an impact. That decision will have an impact on the way we can report this kind of thing, which will have an impact on how many members of the public are aware of what is going on in here. That comes back to the point about transparency.

**Rajeev Syal:** I agree with Kate. The media have to have access in order to show that you are doing your job. What happened with the decision last year has completely changed the way in which I view the Committee. I get no access now to even the faintest idea of what the Committee is doing or what the Commissioner is doing or investigating. I need that—we need that. You are going to have to start releasing that information again, because otherwise you will not get any coverage. People are not going to know that there is a system by which MPs are being held to account.

Q73 **Dr Midha:** I was going to talk about sanctions, which we have covered a lot, but there is one area that I would like to test with you. We have talked a lot about sanctions being a punishment. Do you see sanctions as a restorative opportunity to train or re-educate, in an Orwellian sense—by going on a training course, say? That might work. Re-education of an MP—it could be good.

**Rajeev Syal:** It is a good headline for us.

**Dr Midha:** Why do you think I said it?



**Rajeev Syal:** The North Korean aspect, yes. I think training is a good idea; especially as you get longer in the tooth, you lose touch with how language and behaviour changes, and actually some people could benefit from that.

**Kate McCann:** Why would you make training a sanction? Why would you make it a punishment to teach people how to change? I understand what you are saying, but if you are trying to change perceptions, training and education should be something that everybody does because it is a good thing to do, rather than "This guy has to do it for this reason." I appreciate that that may be true for anger management courses or other elements, but maybe they are separate from training people about language or behaviour. If you want to make the culture better, that stuff has to be part of the good bit, not the bad bit.

Q74 **Dr Midha:** I suspect that it would be a mixture, where the punishment might be an apology, but with that apology you were required to do X, Y or Z hours of training.

May I ask about two other areas? Rajeev, you mentioned MP involvement, as Gary did. Professional regulators have doctors with lay people, lawyers with lay people or external people. Do you not see that working at all in this environment? It is not about an MP just knowing what an MP is about; it is about working with lay people.

**Rajeev Syal:** We have possibly crossed that particular bridge, and I am not sure whether we can go back. Over the last 25 years, from Elizabeth Filkin onwards, we have had a series of problems with the way we look at the behaviour of MPs, and with how the Commissioner and the Standards Committee interact. We have at certain times failed to clamp down on bad behaviour or have not been able to look into certain forms of bad behaviour.

Obviously, we are now focused very much on harassment and bullying. You might have to have that separation to get the public's trust back. As soon as we start reporting the fact that MPs still have some influence, we will also be looking for that influence. It will be there—I have no doubt that it will come back if MPs have a vote. That is not to knock down anyone on the Committee.

Q75 **Dr Midha:** One other area that you talked about was party processes. From a policy perspective, is it confusing that you have the party system—the parties have their own systems for investigating MPs and so forth—and the parliamentary system? I can see the separation, but I am here. Do you see an element of confusion in the public's eye? They see on Sky News or in your papers that so-and-so is being investigated, but the nuance is that it is being investigated through the party system, as opposed to the parliamentary system. Is that a problem, or does it not matter?

**Rajeev Syal:** I think there is quite a problem with the fact that there are just so many channels through which you need to travel. There are many different options. You have IPSA, the party system and your Committee.



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You have the Commissioner, and you also have the Committee on Standards in Public Life. It is a really confusing system.

I find it confusing, and I have been looking at it for years. I don't understand how a junior member of staff who has a bullying problem, or an ordinary member of the public who is having a problem with a certain MP, navigates the system. I do not want yet another tsar, but it would be very good to have an individual or a body through which complaints could filter and be directed, because I find it very difficult to navigate. I don't know about anyone else.

**Liz Bates:** Actually, it is a bit of a problem for you that the parties sometimes deal with these things, because the parties deal with them quite badly. The way that the parties deal with things is very opaque and tribal, and a lot of it goes on behind closed doors, but it is all one thing to the public—it is how MPs are being dealt with, and how this behaviour is being dealt with. The stuff that you guys are doing will get completely lumped in with that, which is a problem.

**Kate McCann:** I completely agree. It is kind of what we were talking about just a minute ago: even though good stuff is happening, everybody is tarred with the same brush when other stuff happens that is not up to scratch, which is why the whole culture has to change.

I completely agree that the way parties deal with it is so hit and miss that it is very confusing, even for journalists who cover it. You have to go back and think, "What Committee is this again, and what is the process that they have gone through?" Ultimately, if you are talking about public perception, which is different from in here, they just care about the end result—the end product. That is the only thing that matters. No one will probably ever take the time to distinguish between Committees. They just want to know that if someone has behaved badly, they get punished. That is all they care about.

Q76 **Sir Peter Rubin:** My question has largely been asked by Arun. We all get allocated questions and mine is on the structure and function of the standards system. You have used the word "opaque" twice now, Liz, and you have just referred to this as well.

What struck me when I joined the Committee as a lay member was that the standards system had developed in response to various crises and scandals. The inevitable lack of coherence is about to get worse when the plethora of reviews into the ICGS cases start to recommend and be implemented.

As a journalist, do you understand the system? If you do understand the system, what recommendations would you make for improvement?

**Rajeev Syal:** I have just said that I don't fully understand.

**Kate McCann:** I don't think any of us does. I think at the point of reporting it, we do. I think there is a difference. At the point of reporting the story, that is the point at which you go, "Okay, which Committee?"



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When did this blah, blah, blah?" That is when you go back through and look, and it is obvious then. If you just asked us off the top of our heads—

**Rajeev Syal:** It is not obvious.

**Kate McCann:** It is not obvious or clear, no.

Q77 **Sir Peter Rubin:** Can we do anything to improve that? Or do you think, as you were saying just now, that the public don't care, as long as they feel there is outcome that they feel is just? Whatever happens underneath that, the public is not that interested.

**Rajeev Syal:** I say that the public don't care but I'm sure people employed in Parliament care very much. They really do need a direct line. They need to be able to understand exactly who is the person at the top who makes the decision, or the body at the top that can make a decision.

Q78 **Sir Peter Rubin:** You all feel that you don't really get that, either.

**Kate McCann:** When it comes to party disputes, we do. Anyone who has covered Labour recently will have had to wade through the very complex process of their disciplinary committee. So, to a point, yes, the party system is perhaps better trodden because it comes up more frequently.

In terms of these systems, they are new and learning to interact with each other, anyway. So that is different and a change that has happened relatively recently. There are still some big unresolved questions actually, about how they do work together and about which system needs to handle which complaint, and which is the right committee or person to make a judgment.

I don't believe, having read into this for this session, that that is clear, even having read the debates, the papers and the letters. I am still not clear, if I were trying to do a flow chart now, about exactly how that process would work. I have made phone calls and done reading and I still don't really understand.

**Liz Bates:** There is a bit of a problem with the fact that it does not feel like there is anybody who is in charge. Has somebody really got hold of this issue and said, "I am the person" or "This is the committee" that is going to ensure that we stamp out bullying and harassment? It sort of goes on and you are never sure which jurisdiction it falls under.

A lot of the processes are passive. They require victims to come forward. Nobody is going, "What is going on over here? We are getting involved in this because we are the people who are going to ensure that this culture changes and we are going to roll it out." There is a problem with that really.

**Kate McCann:** When Andrea Leadsom was in charge of this process and trying to push it forward and bring everybody together, that was a lot clearer. Because there was clearly a politician in charge of the process.



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Obviously, there were a lot of debates in the House, but she was doing a lot in terms of other Committees and speaking to stakeholders. She was a point of contact and, if we were reporting it, we could ring her office and say. Clearly now, she is not in post any more, so the political nature of that makes it difficult.

**Rajeev Syal:** I agree. We have all had to examine the party system and we kind of understand where that is and how that works now. Within Parliament, it could be much clearer. We would like to see those secret flow charts. I am sure someone has but I don't know. I do not fully understand how an individual approaches the system with a complaint, decides who to go to or who they can trust. It is very difficult.

**Kate McCann:** When you are reporting it as a journalist you get to know, from reporting a few cases, who is the best-placed person in this place who has that insider knowledge. Then you go, "Okay, I'll ring up so and so in this person's office because I know they know the system." And you say, "Tell me what is going on here."

When you lose that person—if they lose a political appointment or they move on—you lose all that knowledge and experience of the system and how it works, so you sort of have to start all over again and try to get somebody else to say, "No, it's going here next, and then it goes here."

**Liz Bates:** That is a good point. There needs to be a point of contact that is the institution rather than the individual. I have had conversations with people where particular staffers have been going through particular things. You say, "You should ring this MP, because they'll know how to deal with it," but it should be, "You should engage in a formal process." I do not think we are there yet at all in terms of there being a formal point of contact that people trust.

**Sir Peter Rubin:** Thank you very much.

Q79 **Mrs Banks:** Hi. I am Tammy Banks, a lay member of the Committee. First, just a couple of reflections. You talk a lot about the public. I would argue that we lay members are also the public. We are one and the same. I certainly took this role very much from a public stance. I think it is important that that is recognised in this process.

Interestingly, Kate, you have referred numerous times to the Laura Cox report and to the part of the report with regards to confidentiality. When the media reported that decision—the vote that was taken—there was one line saying that the Committee on Standards did not agree with that and believed there should be transparency, which we put forward before the vote. I absolutely understand what you are saying, but, without saying too much, some of your points absolutely have been discussed in detail from the Committee's perspective.

Perhaps if the public were interested and it was not such a complex political landscape at the moment—perhaps if they were looking at other things than just Brexit—they might see that, over the last year in particular, some of the things that you are saying are problems, in their



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perception, actually have changed really quite significantly, particularly with us having the majority vote now: when I arrived two years ago, we did not have a vote at all.

I want to ask how you think members of the public would react to an extension of sanctions for MPs. When I talk about an extension, I am talking about access to facilities in Parliament, access to services, overseas travel—things that would absolutely impact MPs. Do you think that could be done without damaging the interests of constituents and MPs' staff?

**Liz Bates:** On the first point, you are right to say that. That has come up a few times here. There is never any harm in a Committee engaging more with journalists, or in journalists engaging more with what goes on in a Committee. It is good to come closer together on those things and communicate better so we can do accurate reporting and so you can feel like you are reported on accurately. When things get better, it takes a bit of time for that to filter through, but it will get there.

On the second thing, I think that comes back to the point of what we are trying to do here in terms of changing culture. We are into the area again of asking how important it is to punish MPs versus getting a resolution and getting to a point where these issues are significantly diminishing.

On the thing about constituents—we have not really talked about that—it is a bit of a punishment for constituents when the MP is not there. I think there is another issue. I do not know whether you guys have talked about this before, but I sometimes worry that constituents are kind of lost in the debate when an MP is suspended or accused of bullying or harassment or something.

I worked in an MP's constituency office, and you guys know that the people who come in are the whole range—they are sometimes very vulnerable. I do not know what the protections are for them during these processes. That is a slightly separate point. To come back to what you said, suspensions and things like that are a bit of a punishment for constituents, so that is a concern.

Q80 **Mrs Banks:** What about access to services internally? I am talking about bars, restaurants, access to rooms and facilities, and overseas trips.

**Liz Bates:** I see that. I think it is slightly different with expenses, because punishment works better for that. I am not sure whether somebody being unable to go to a bar for three or four months will be effective in getting to a better place with bullying and harassment.

Q81 **Mrs Banks:** Is alcohol part of the problem?

**Liz Bates:** Potentially, but as I said I have a bit of a question mark over those particular sanctions. I am just trying to think about it from the victim's perspective. As a victim of bullying or harassment, would I want to see that person unable to go on overseas trips for a few months? I don't know whether that would make me feel safer working here.



**Q82 Mrs Banks:** I guess it is linked to Rajeev's point earlier with regard to what would impact the MP. I work in sexual harassment and misconduct. From a victim's perspective, absolutely it is about mediation and being able to resolve and work positively together in the future; however, quite often that is not the case, and quite often people need to choose to engage in that restorative approach. Reflecting back specifically on this part of the question, do you feel that there is any role for sanctions—specific punishment-led sanctions—with regard to bullying and harassment?

**Kate McCann:** Yes, I do, 100%—partly from having spoken to people about it and asked for their opinions via my former colleague and friend Laura Hughes, who has done a lot of reporting in this area. Their response to MPs being restricted in what services they can use and the bars was: "What a joke!" However, that is a personal opinion and it is not everybody. It will be different for everybody responding to this.

Are you trying to prevent the person you are trying to punish from running into their victim by banning them from bars, or are you trying to say, "The bars are a privilege of working here and therefore you're not allowed in them, because you're having your privileges withdrawn"? I think you need to know exactly what you are trying to do before you can answer the question about whether it works or not.

At the moment, I do not feel that it is clear what exactly these are trying to do. On withdrawing your service from somebody, if you stop them sitting on a Select Committee there is a chance that that will damage their ability to act as an MP. If you stop them going in a bar, it will not damage their ability to be an MP. It may damage them socially, and it may help the victim in some cases, but it is not the same for everybody.

It is a confusing and difficult set of circumstances for every case. As Rajeev said, it is much more straightforward when it comes to somebody who has been using envelopes in the wrong way or who has a second job. It is much easier to sanction them. I think this is a really good framework and it is a really good starting point. It fills in some of those gaps between apology and suspension. I think it just needs to be clearer about exactly what and for whom these are about, and those are much bigger questions. Maybe you will not be able to answer them on paper, and that is where the Committee comes in with judgment and things like that.

On your first point, I would say very quickly that it is a perfect example of what we are saying. Yes, the Committee did try to do something, and an amendment was put. Ultimately, the result was still the same. The reporting of it is going to be that MPs have decided to keep this confidential. Unfortunately, journalists report the result of a situation. It is much more difficult to report the process. We report the process as part of it, but ultimately, we say, "What happened was this."

If I was in the pub, I would say, "This happened." I would not say, "This, this and this happened, and then this happened." That is why that happens, so ultimately even if you are trying to do something good, if the



system does not work you will be prevented from doing something good—or what you think is the right thing.

**Rajeev Syal:** That could have been followed up the following day or on the weekend with a statement from the lay members of the Committee saying, “This is exactly why we believe this was the wrong decision, and why it will damage the reputation of Parliament.” That is a possible splash in a national newspaper. So in a way, if you take the initiative, we will follow it.

**Kate McCann:** But then you are becoming political, and you are operating in the way that the political system works. Does the Committee want to behave like that? That is the question.

Q83 **Mrs Banks:** Thank you. I have a supplementary question on confidentiality. Journalists are obviously in favour of openness—I think we have established that today—but do you accept that special arrangements need to be made in cases of bullying, harassment and sexual misconduct, specifically to protect vulnerable victims and encourage them to come forward?

**Liz Bates:** I would say yes. I can absolutely see the argument for that—even more so in this place, where you are so easily identifiable. As we have talked about, the whole culture is that it is not really just a job; it is your career. So yes, I do think that that is important, but the way that it became a blanket thing was regrettable.

**Rajeev Syal:** I think Jess Phillips argued for the same position with reporting as with the criminal courts, where you maintain complete anonymity for the victim and transparency for those accused. I think that that might be enough, but I am willing to hear otherwise.

**Kate McCann:** I would agree that there does need to be something, but I question why you would need to have it for the entire system. Even the MPs who voted against that amendment in the House—those who voted for the system to be blanket—acknowledged the problems. Pete Wishart said, “There are compromises and things that are uncomfortable and unsatisfactory.”

Is that good enough? Is it good enough that the system that you are implementing is uncomfortable and unsatisfactory? If the people who are operating in it think that, clearly it needs to be looked at again. One of the points made in the debate was that it would come up at the six-month review, but as far as I am aware, it did not. This issue—one of the most pressing and controversial issues with the whole system—was pushed down the line for six months and then ignored. That is why we talk about it, write about it and report it: because it is not good enough. Who is going to address it?

I am not directing this at you. I am just saying, “Why can you not have two systems that work effectively, one of which clearly has the confidentiality that is evidently needed for all kinds of reasons, and one of which clearly does not?” One of the most important things about the other



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one is that, in order to deter people from behaving in that way, it needs to be public. I question why you need to have one system.

Q84 **Chair:** If you have to protect vulnerable victims, which I think is the point that you are all agreeing on, and if there needs to be confidentiality there, should there be penalties for people who breach it?

**Kate McCann:** Who are you talking about?

**Chair:** Somebody who knows about the case and makes it public.

**Kate McCann:** Do you mean if they came to a journalist?

**Chair:** They might come to a journalist; they might just post it on social media.

**Kate McCann:** I don't think any journalist would report a case like that. Certainly, from my perspective, if somebody came to me who was not the victim and asked for a case to be reported, you would have to call the person involved. It would be very unlikely that you would report it. If they were saying, "No, absolutely not," I cannot really see a situation in which you would report it. You may report allegations, but they would remain anonymous—the person involved would remain anonymous, although the MP might not. Would the punishment be for naming the MP or for naming the victim?

Q85 **Chair:** I am just asking what happens when somebody—who could be any of a number of people—knows that an investigation is in course and decides to make it public. You have said that you believe that in those bullying and harassment cases it should be confidential. That making public might not involve a journalist; somebody might just post it on social media. Should they be penalised for breaching that confidentiality?

**Kate McCann:** Gosh, that is complicated. If you are talking about an MP making it public—I guess that that is the only realm in which this would apply—then evidently, if it is a confidential system, yes. Well, I think it depends, doesn't it? If I, as a journalist, were to find out that the Committee was investigating a case and I rang the Committee, which you would do, and the Committee said, "We can't comment, because we just can't comment on whether the case exists at all," then if I were sure enough and I had more than one source, I would—I think you would report that an investigation was going on, if you were sure enough, but you wouldn't report the victim. You would never report that there was a—

**Rajeev Syal:** You wouldn't identify—

**Kate McCann:** You wouldn't identify a victim.

Q86 **Chair:** Would it concern you that, in what is a village, reporting about the perpetrator might in practice identify the victim?

**Kate McCann:** Yes, and that was the judgment call made over and over again when we reported it when I was at the *Telegraph* before Sky News. You don't report it in a vacuum, because in order to report it, you have to



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be in touch with the victim in some way, shape or form, so you are working with that person, and if the person is determined to be anonymous, you have to make sure that they are happy with the way the story is reported, if they are integral to it.

I think people forget that we operate under the editorial code; we operate as journalists under all kinds of different codes that prevent us from reporting things in certain ways. We also have a moral code and a duty to victims and people who come forward that we operate under. We make judgments about that kind of stuff all the time.

I can't see an instance in which we would report the name of somebody who was going through this process and who did not want it to be reported. I cannot see how that would happen—I might be wrong.

**Rajeev Syal:** No, I can't see it happening.

Q87 **Sir Christopher Chope:** May I thank you for your encouragement to us to revisit this issue of confidentiality and may I seek your assurance that if we do revisit it, you will carry our campaign forward in the media before the House has a chance to vote on it? I think that what happened last time was that there was no public comment in the press, which put pressure on colleagues to support Kevin Barron's amendment. I think that if more pressure had been put on as to the consequences, some of which you have referred to today, there might have been a different result from that particular vote.

My questions concern more the read-across from what we have been discussing to what happens with the ministerial code. Under the ministerial code, which is very opaque—to use the word that you use in the context of some political parties' disciplinary procedures—Ministers can be sacked or suspended without due process and despite protesting their innocence.

We know that Damian Green, Gavin Williamson and, now, Mark Field have been suspended, basically, without having had a chance to express themselves. What do you think of that and does it fit into the syndrome that you have been describing of the perception by the public, if you are a Minister behaving in a particular way in a public forum, that it's difficult to differentiate that from the conduct of an MP?

**Rajeev Syal:** It is an interesting question, because obviously all those Ministers are also MPs, so why should there be a separate code? But there is. The Cabinet Secretary is the person in charge of that code. I agree: I think it's pretty odd that we have separate systems for MPs and Ministers. I suppose they have different responsibilities, but it is odd.

**Liz Bates:** In terms of the way it is viewed from the outside, it is the same thing; it looks like this is the way people in political life are dealt with, so it reflects on you guys as well. I think it is sort of a ridiculous thing. It is a kind of historical overhang—a process that doesn't make any sense a lot of the time. You see these things happening. Somebody does something that is deemed to be in breach of the ministerial code. We



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know that what is going to happen after that is that they are going to be “sacked” or they are going to “quit”, but they continue to be an MP. They go and sit on the Back Benches as an MP for two years and—I don’t know—reflect on what they have done. And then they get a Cabinet job two years later when everyone has forgotten about it.

What kind of system is that? It operates separately, right? And why should it when they are also an MP and their behaviour should be held to account in that realm as well? The two things should be one, surely. The ministerial code stuff is probably the worst for public perception because of that whole “pretend sacking, letter from the Prime Minister, you send a sad letter back” thing. I mean, the whole thing is ridiculous.

**Kate McCann:** It is a much speedier process. There is some form of investigation. Clearly, in the case of Gavin Williamson, there was an investigation; whether or not he agreed with it is another matter, but there is some process that is gone through.

Again, it is not particularly transparent. There is obviously an exchange of letters, and that is how it is reported, but I would echo Liz’s point: if bad behaviour is happening, why is it only dealt with under that code? If it is dealt with under the ministerial code, can it not also be picked up under another process? Does one mean that the other doesn’t happen? I don’t know the answer to that question, but is there a reason why it shouldn’t?

Q88 **Sir Christopher Chope:** Obviously, one way it could be changed would be for conduct that is potentially against the parliamentary code of conduct to be referred to the Commissioner to investigate, rather than being left to senior civil servants to investigate.

**Kate McCann:** But presumably then, because of the complexities of how they are employed by the Government, would the Commissioner be able to make a decision on their employment in that capacity quickly enough, or would the system take such a long time that they would remain a Minister for six months or so while the process happened? That is a complexity of the system.

I suspect the reason why the ministerial code is much more efficient is because of the PR problem. You know, if it lingers on—was it Alastair Campbell who said, “If it’s on the front page of a paper for 11 days”, or something like that? That is why they do it quickly; that is why it becomes a problem. It is how those two systems can interact, which is not to say that it is the right way to do it. I am just suggesting that if you were going to operate under this code, you might need to look at how that would work with those things.

**Rajeev Syal:** I presume, as well, that the Cabinet Secretary has access to all sorts of papers that at the moment, the Commissioner for Standards doesn’t. There are all kinds of questions about—

**Kate McCann:** It is also a slightly different job, isn’t it? It is not like there is a formal interview process for Defence Secretary; no one goes along for



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a job interview. It is at the whim of the Prime Minister, so it is a slightly different process anyway, in that it is a political appointment.

**Sir Christopher Chope:** When I was appointed as a Minister years ago, I was on holiday in Corsica, so there was no interview.

**Kate McCann:** There was no interview—exactly. There you go.

**Chair:** Final question from Jane Burgess.

Q89 **Mrs Burgess:** In many ways, you have sort of answered the question that I had, which was around the extension of confidentiality to all code of conduct cases. There is one thing that I would like to say before I ask the question, which is that I think we have to be careful about language. When we talk about “victims”, when there is still an investigation going on, it is an alleged victim. It is very emotional language.

The question I have is that clearly, from what you have said—say if I have misinterpreted it—you accept that there is some confidentiality around sexual harassment cases, bullying and harassment cases, but for the other code of conduct cases I get the sense that you would like to return to having those more openly reported, because clearly access to information is your bread and butter. If we were to be successful in being able to make that change—and who knows—how would you want those cases reported?

**Rajeev Syal:** I think I would just pull you up on one point. More than it being bread and butter, it is the way the public get their information; the public have a right to know. How are we going to go about reporting those cases? Well, I think we will report them in pretty much the way that we’ve historically reported them.

Q90 **Mrs Burgess:** I suppose the question I have is this: if we were to revert to how we reported them before the blanket confidentiality came in, is that a way that works for you?

**Rajeev Syal:** Yes. We will focus on the individual, what they are accused of, their defence and the outcome. It is pretty straightforward reporting.

**Kate McCann:** It allows you to report the process, which allows the public a much better insight and picture of what is going on. Part of the point about transparency is not just that we want to see it because we want to see it; it allows a more complete story to be told.

On Tammy’s point about why there was not much reporting on the amendment put, and your point, part of it is about how those stories are reported in the run-up to those decisions being made. If we have no information, it is very difficult to give a full picture of how something happened. If you have a process of information, it is much easier.

It may not be the front page of the newspaper or the top story of the news every day, but that build-up of information allows people to follow it over a period of weeks or months. It allows for a more informed discussion and for people to understand, “Okay, fine: this was the first bit, and I will get



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the result in six months' time or two months' time." That helps people to understand that a lot of what you are trying to achieve is to give people the sense that this is being properly. It is quite hard to do that.

If there is nothing to report, I cannot report it, so how do people know it is happening? If they do not know it is happening, how do they trust that system is policed properly? That is the biggest problem that you are trying to get around.

No one in this process is doing it in a bad way, I hope. The aim is to protect victims, but it is what happens with the other side of these behavioural issues as a result that is the problem.

**Rajeev Syal:** It is also the case that for so many years we were able to say, "There have been X number of complaints this year." Now, we know nothing. We do not know how many complaints have been received, and how many been resolved or dropped. We have nothing to tell the public. They do not know about any of the work in the commission. It is a bizarre situation.

**Kate McCann:** Part of the deterrent point comes down to public record—I do not know whether the Committee has discussed sanctions—but a very public record of those behaviour issues and transgressions. Is that recorded somewhere very public, that people could go to and see, "Oh right—this and that happened"? The less the information, the harder it is to make that easy for the public to access and for people to see.

**Chair:** Thank you very much. That concludes the public evidence session. We are grateful for your evidence this morning. If there is anything else you want to submit to our inquiry, please write in with further thoughts. We would be very pleased to receive them. The Committee will now return to a private session—*[Laughter.]* In the light of the discussion we just had, that probably is not great for public confidence. We are very appreciative of your evidence and we thank you for your time.