

It was the FoI wot won it

Two of the biggest upsets of the winter in UK politics came from journalists using the Freedom of Information (FoI) law to probe the secrecy that has always protected the finances of British politicians. In Northern Ireland a minister was forced from office — Ian Paisley Junior, the FoI Act's first ministerial scalp. Days later, the NI First Minister, who happened to be his father, announced he was standing down as well. Meanwhile a political crisis was breaking in the House of Commons in London, where MPs faced a series of shocks over their finances: paying members of their own families out of the public purse, and drawing expenses and allowances without any serious checks. The facts were brought into the open by journalists pursuing freedom of information. Prominent among them were two active NUJ members, David Gordon in Belfast and Heather Brooke in London, who have used the Act to keep up the checks on our elected representatives.

David Gordon is Father of the NUJ Chapel at the Belfast Telegraph and the paper's investigations editor.

Why Northern Ireland's

DAVID GORDON reports on the work that brought down Northern Ireland Minister Ian Paisley Jnr and helped trigger his father's dramatic departure from the political scene

POLITICAL pundits are still coming to terms with the fall of the House of Paisley at Stormont, and in their commentaries there is a danger that the central role of freedom of information could be overlooked.

The fact is that Ian Paisley Jnr would still be in his comfortable job as a junior minister in his own father's office if the Freedom of Information Act were not on the statute books.

The younger Paisley has the distinction of being FoI's first ministerial scalp in the UK. His resignation in February weakened his First Minister father, Ian Paisley Snr, and helped push him towards the exit door within a matter of days.

Ian Paisley Jr stood down as minister in Northern Ireland's Office of the First Minister and Deputy, after months of controversy over his lobbying for a developer — and fellow Democratic Unionist Party member — called Seymour Sweeney.

He denied any wrongdoing, and his fall was anything but inevitable; after all, his dad was the boss.



Politicians who have



HEATHER BROOKE tells how she won her three-year fight to bring MPs' expenses into the public spotlight

Heather Brooke is a member of the NUJ London Freelance branch who teaches the union's FoI training course. The next course is on July 1.

BRITISH MPs are being made more directly accountable to their constituents. For the first time they will have to supply the documentation behind their claims for second home allowances.

It's taken four years of campaigning, probing and persistence but it now seems that Parliament may finally be dragged (albeit with whingeing ingratitude) into the 21st century.

It was always my belief that if you're going to campaign for transparency you should start at the top. I targeted MPs and MPs' expenses because I thought our elected representatives ought to be setting an example of open and accountable government to the rest of the nation. MPs seem to look on the public purse as a sack of free money and resent it when anyone questions how they've spent it.

At the Information Tribunal hearing last month, it was revealed that MPs don't have to provide any documentation at all for claims of less than £250, or £400 for food. And the food rule isn't even clear. Is it £400 per claim or £400 per month? Andrew Walker, the House of Commons Director of Finance, had to admit he didn't know. If the head of the Fees Office doesn't know, no one else is going to.

It also transpired that as well as MPs self-certifying their claims and providing no documentation, there was little checking done to ensure that money had been used for the reason claimed. "There is checking where there are receipts. Where there are no receipts there is no checking," said Andrew Walker, adding: "If it's below £250 then the assumption is that it's going to be reasonable."

This is the sort of lax and unprofessional system that develops in secrecy. Even knowing about such laxity is the first benefit of Freedom of Information, because until we know the extent of the problem it can't be fixed.

journalists don't look so lazy now



Father and Son on the way out: the Paisleys' domination of Ulster politics was shaken by David Gordon's work

His troubles began last September over a controversial planned development beside the Giant's Causeway, the dramatic rock formation on the Antrim coast that is Northern Ireland's top natural attraction. Another DUP minister had given Seymour Sweeney preliminary approval for a visitors' centre there, horrifying the National Trust, which owns the Causeway.

Ian Paisley Junior went on BBC Radio Ulster to trumpet the Sweeney scheme. Asked about the businessman, the Minister said: "I know of him, yes." That coyness helped inspire the subsequent onslaught.

It was quickly demonstrated that Paisley Jnr had long-time links with Seymour Sweeney. Some of the revelations came from old-fashioned methods – leaks, official records, tip-offs etc, but FoI disclosures added substantial and crucial weight to the evidence.

One department released details of 13 different occasions when Ian Paisley Jnr had pressed senior officials or British Ministers on the Causeway scheme. Information emerged – again through FoI – of separate lobbying on a massive government land sale plan,

again involving Seymour Sweeney. The First Minister himself became embroiled in the "cronyism" story. A letter I obtained under FoI revealed that Ian Paisley Snr had also lobbied in favour of a Sweeney grant application. The First Minister hit back, denouncing the use of the Freedom of Information Act by "lazy journalists".



David Gordon: NUJ FoC and freedom of information champion

Another FOI request accidentally helped bring about the resignation. This involved rental expenses claimed by Assembly members for their constituency offices. The Paisleys' office was by far the most expensive, prompting investigations by the News Letter and Belfast Telegraph.

It transpired that the rent was going to a firm controlled by Ian Paisley Jnr's father-in-law and was used to pay off the mortgage for the property. Renting from relatives is permitted under Assembly rules, but Seymour Sweeney was a past director of the firm and had secured the mortgage.

Ian Paisley Jnr stressed that the businessman's services had been provided free of charge. But senior party colleagues had by this stage run out of patience and his resignation swiftly followed.

nothing to hide have nothing to fear

I can't help comparing the laxity of Parliament's expenses system to my experience examining the expense claims of politicians in America when I was a novice reporter, 15 years ago. I was asked by my editor to have a look at the expense claims of the area's senators and representatives.

A clerk brought out boxes full of receipts. Everything was there: restaurant bills, hotel bills, airline receipts, postage accounts, stationery costs. I went through it all – and found nothing. Not one improper claim.

That is the benefit of open, accountable government. Simply knowing that the eye of the public would be on these expenses was enough to make politicians behave with propriety. No need for an expensive government regulator, or a Standards Commissioner, or a Committee on Standards in Public Life. In a democracy it is to the people directly that public officials should account. This is precisely what British politicians fail to grasp.

I first encountered the elitist attitude of government officials when I naively tried to replicate my American request to the Mother of Parliaments. The House of Commons had grudgingly agreed to publish bulk annual figures of MPs' expenses. But from an anti-corruption point of view, these are no good. A multitude of sins can be hidden in say, an annual second-home claim for £22,000. Is it for mortgage interest or rent? A new kitchen or a cleaner? And what if the MP is a minister living in a grace-and-favour home? Why claim the full amount on a second home?

The House has not launched any investigations into MPs' expense claims other than as a result of tip-offs and leaks exposed by the media.

When the Freedom of Information Act came into force January 2005 I began making formal requests for breakdowns

of various expenses. Little did I know the lengths to which MPs and the House of Commons Commission would go to avoid being accountable.

I asked for a list of the names and salaries of MPs' staff (blocked by Speaker Michael Martin in May 2006); I asked for a breakdown of travel expense (denied by the House of Commons Commission on the grounds of privacy); and finally I asked for a detailed breakdown of MPs' Additional Costs Allowance, used to fund their second homes.

I encountered relentless opposition from the House of Commons Commission and Speaker Michael Martin. They claimed such disclosure was an invasion of MPs' privacy. Funny that, considering that this government has done more to strip away the privacy rights of private citizens than any other.

When it came to the Information Tribunal hearing, officials from the House of Commons Commission, the Treasury Solicitor and an externally hired barrister took all the seats at the front. Refusing to sit in the back of the room for my own case, I decided to occupy a table already covered with someone's papers.

"I say, you've taken my seat." It was the superior presence of Andrew Walker looming over me. I may not have invaded his fortress of archaic elitism in Parliament, but I had taken his desk. I refused to budge and he had to shift over. Fortunately, unlike most citizens, I was not alone in taking on the state, but had lawyers – Hugh Tomlinson QC and solicitors Simons Muirhead Burton, acting pro bono.

Andrew Walker was the only witness against us. He was straight out of central casting, playing the role of the arrogant, elitist bureaucrat with great aplomb. "MPs should be allowed to carry on their duties free from interference," he said.

Not for much longer, if journalists do their job properly.

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