



JUDICIARY OF
ENGLAND AND WALES

IN SOUTHWARK CROWN COURT

R -V- LORD JOHN TAYLOR

SENTENCING REMARKS OF MR JUSTICE SAUNDERS

31 MAY 2011

I have delayed sentencing in this case to await the conclusion of the trial of Lord Hanningfield. There were two reasons for that. I wished to hear all the evidence that I could as to the way the expenses system in the House of Lords operated and also I wished to avoid the risk that anything that I said in sentencing Lord Taylor could affect the trial of Lord Hanningfield. I sought the views of Lord Taylor's lawyers before putting off sentence and they agreed. I deal with this case on the evidence that I have heard in court as I have all the others.

The evidence that the jury and I heard in both the trial of Lord Taylor and Lord Hanningfield demonstrated that the manner in which the expenses scheme in the House of Lords operated lacked clarity. While the scheme was set up under a Resolution of the House of Lords to repay actual expenditure, it was treated by some peers as an allowance scheme which entitled them to claim the maximum without regard to their actual expenditure. Under the scheme a peer was entitled to claim for the cost of nights spent in London in order to carry out parliamentary duties if his or her main residence was outside Greater London. There was no definition of main residence but the interpretation given to it by some peers did not accord with the normal meaning of the words. Also the evidence demonstrated at least the possibility that some peers claimed the maximum amount that they could claim by way of the overnight allowance even though the cost to them of staying in London had been minimal because, for example, they had stayed with friends or relatives.

None of this related directly to the case of Lord Taylor. Whatever ambiguity there may have been in the expenses system operated by the Lords, that did not contribute to what Lord Taylor did, except in so far as he may have believed, as a result of the way the system was run, that he could get away with false claims, and he may have believed, rightly or wrongly, that others were abusing the expenses system.

Lord Taylor was convicted by a jury of six counts of false accounting. The total amount of money that he received dishonestly was in excess of £11,000. He claimed that money by pretending to the House of Lords that his main residence was outside Greater London and that he was entitled to the overnight allowance and travel expenses from his main residence to the House of Lords. The false claims of which he was convicted were made between March 2006 and October 2007. At all times Lord Taylor's main and only residence was in Greater London. He was not entitled to the overnight allowance and he was only entitled to a much smaller amount for travel than he was claiming and being paid. The jury were satisfied that Lord Taylor knew perfectly well that he was not entitled to the overnight allowance and that the reason he made the claims for travelling was to support his claim that his main residence was outside Greater London.

Lord Taylor told the House of Lords that his main residence was an address in Oxford. In fact he had visited it on only two occasions and had never stayed the night. The house was occupied by a relative of Lord Taylor, Robert Taylor, and I have no doubt that Lord Taylor selected this address as his main residence as the electoral roll would show that a person with the name of Taylor lived there. Lord Taylor did not tell Robert Taylor what he was doing but did ask him whether he could have correspondence sent there. He told Robert Taylor that he was concerned that his wife might intercept correspondence which went to his home address. That was untrue. The real reason was that Lord Taylor feared that if correspondence was sent there by the House of Lords it might be returned and the fact that Lord Taylor did not live there would be discovered. At the time when the Sunday Times were making their investigations Lord Taylor tried to persuade Robert Taylor not to speak to the press. The investigation into these offences has caused considerable distress to Robert Taylor who had no knowledge of what Lord Taylor was doing. He was thrust into the media spotlight where he had no desire to be. In my judgment that is an aggravating feature of these offences.

Lord Taylor stopped claiming the overnight allowance in November 2007. In November 2009 a Sunday Times reporter informed Lord Taylor that they were going to run a story

about his expenses claims and there was an exchange of e-mails. Lord Taylor told lies in those e-mails to try and avoid the truth being discovered. He said that he had lived with his mother who was in poor health in the Midlands until 2007. Those lies were exposed by the Sunday Times. His mother had died in 2001. Lord Taylor told the jury that he had not lied in those e-mails but had made a mistake. That was also a lie.

He told the jury that he believed that he was entitled to claim on the basis that he did, because he had been told that by a fellow peer. The jury were clearly satisfied on the evidence that Lord Taylor did not have any such genuine belief and that the claims had been dishonest from the start. The jury were clearly satisfied that the account that Lord Taylor gave in the witness box was untrue and concluded that he was lying.

Lord Taylor has now told the Probation Officer that he fully accepts that he is guilty of the offences and has expressed regret and remorse for what he has done. While it is to his credit that Lord Taylor admits his guilt it does mean that he accepts that he wasn't telling the truth on oath in the witness box.

Apart from this conviction, Lord Taylor's life has been one of great achievement. I have read a truly remarkable series of references from a very large number of people. They have come from important figures who speak of Lord Taylor's dedication to public service and his achievements. They come from fellow Christians who speak of his charitable work and his help to others; all done with a gentle humility. Perhaps most importantly I have heard from many young people who have been inspired and helped through his work with the Warwick Foundation in particular. He has been a role model to many.

He became a successful barrister and has held important positions in Government departments. He has done this through his own hard work without the advantages that many other successful people have had. He suffered racial prejudice when he stood for Parliament which has been rightly condemned. He dealt with it with a quiet dignity and humour which has characterised so much of his public life. He reacted to it not with resentment but by working to improve race relations so that others would not be treated as he was. All that Lord Taylor has thrown away. Not by one stupid action but by a protracted course of dishonesty.

Lord Taylor said that becoming a working peer cost him money. No doubt that is true but no one has to accept a peerage. Everyone who accepts a title knows that they are expected to give their time and expertise for nothing in return for it.

The expenses scheme in the House of Lords was based on trust. Peers certified that their claims were accurate. They were not required to provide proof. It was considered that people who achieved a peerage could be relied on to be honest. Making false claims involved a breach of a high degree of trust. The expenses scandal has affected the standing not just of the House of Commons but also the House of Lords. In the telling phrase used by the Chaplain to the Speaker, 'it has left an indelible stain on our political system'.

It is urged on me that I should distinguish between the sentence to be imposed on MPs and peers because they weren't paid. I do not consider that to be a proper basis on which to distinguish. At the core of the offending of both MPs and peers is the high degree of breach of trust and the effect on the reputation of Parliament. That applies equally to both Houses. I am urged to suspend the sentences of imprisonment. I am afraid I cannot.

The least sentence that I can impose on all counts concurrently is 12 months imprisonment.