

The Yardstick

Journal of the British Weights and Measures Association

Number 46

ISSN 1361-7435

August 2011

Patrons

Sir Patrick Moore, CBE

Honorary Members

Peter Alliss, CBE

Clive Anderson

Michael Barry, OBE

Christopher Booker

Sir Ian Botham, OBE

Max Bygraves, OBE

Jilly Cooper, CBE

Bernard Cornwell, OBE

Prof. Richard Demarco, CBE

Roy Faiers

Rt Hon Frank Field, MP

Sir Ranulph Fiennes, OBE

Edward Fox, OBE

Sandy Gall, CBE

Candida Lycett Green

Simon Heffer

Peter Hitchens

Jools Holland

Conn and Hal Iggulden

Richard Ingrams

Dr James Le Fanu

Jonathan Lynn

Dr Richard Mabey

Christopher Martin-Jenkins

Alexander McCall Smith, CBE

Reverend Peter Mullen

Robin Page

Andrew Phillips, OBE

R W F Poole, MBE

Sir Tim Rice

Andrew Roberts

J K Rowling, OBE

Quinlan Terry, CBE

Antony Worrall Thompson

Red Tape Challenge

In April, the Prime Minister announced a “Red Tape Challenge” to reduce the number of government regulations. There is a sense of *déjà vu* in this; did not the Blair government produce the Better Regulation Task Force, which accomplished ... nothing? Nevertheless, BWMA has delivered a response, reprinted inside.

Mrs S Silver does not exist

Yours sincerely



Mrs S Silver

Last year, a hundred or so BWMA members received a letter from Mrs S Silver on behalf of Nick Clegg, following their appeal to his *Your Freedom* initiative. It now transpires that there is no Mrs S Silver, but that her name and signature were *manufactured*. We present inside the explanation from the Number 10 Direct Communications Unit, and BWMA President Vivian Linacre comments on the back page.

Facebook, and new Hon Member

Press Officer Warwick Cairns has set up a BWMA presence on Facebook, which can be reached by searching for “BWMA” in Facebook’s search field. And we are delighted to report that we have a new Honorary Member, Bernard Cornwell OBE, author of historical novels and best known for his novels about Napoleonic Wars rifleman *Sharpe*.

Honorary Treasurer

Members interested in undertaking the role of Treasurer are invited to email bwma@email.com, or write to the Chairman at the 38 Mount Pleasant address below. Duties include reporting to Committee on Association finances, preparing annual accounts for the AGM, and receiving and banking membership renewals.

John Gardner, Director

BWMA is a non-profit body that exists to promote parity in law between British and metric units. It enjoys support from across Britain’s political spectrum, from all manner of businesses and the general public. BWMA is financed by member subscriptions and donations.

Membership is £12 per year. Cheques or postal orders payable to “BWMA”, EGS Panther House, 38 Mount Pleasant, London WC1X 0AN

Reply from David Willetts, Minister for Universities and Science, 26 May 2011, to BWMA letter, 8 April 2011 (see *Yardstick 45*)

Thank you for your letter dated 8th April concerning Government policy on units of measurement. I apologise for the lengthy delay in replying.

I have previously written to you explaining the Government's policy and the reasons behind it. The Government has not undertaken a public consultation on this issue because we are not, at this stage, proposing any changes to the existing position and because the rules were determined at the European level (not within the UK) before we came to office.

However, we are always interested in learning from stakeholders and so I would urge you to consider the invitation from officials at the National Measurement Office to meet with you to discuss your concerns.

BWMA comment: note how Mr Willetts couches his reply in terms of the government's position, whereas BWMA's question to him concerned the Conservative Party's position, which changed on its *becoming* the government. He adds that the government is "always interested in learning from stakeholders", yet refuses to hold a public consultation. That Mr Willetts says the rules are determined outside the UK is a refreshing admission, but he is mistaken in this particular instance, since the directive applies to trade at the European level, not *domestic* trade. Even if the Directive *does* apply to domestic trade, its effect can be circumvented by way of a deregulation order, bringing regulated transactions into the same category as unregulated 'descriptive' goods.

Red Tape Challenge; BWMA responds

On 7 April 2011, David Cameron announced the "Red Tape Challenge" to reduce the number of statutory rules and regulations. The Prime Minister said: "...we must sweep away unnecessary bureaucracy and complexity, end gold-plating of EU directives, and challenge overzealous administration and enforcement". All 42 weights and measures regulations were listed on the Red Tape Challenge website,

including those relating to metric conversion, so BWMA made the following submission, dated 5 May 2011:

We would like to make the government a Red Tape Challenge under the scheme announced by the Prime Minister on 7 April 2011. BWMA is a non-profit organisation that campaigns for the retention of imperial weights and measures.

The main regulation¹ to which we draw attention is the Weights and Measures Act 1985 (Metrication) (Amendment) Order 1994 (No. 2866), which states:

"Section 8 of the Act is amended so as to make unlawful the use for trade of the pint, fluid ounce, pound or ounce except as supplementary indications of quantity or where a derogation which is reflected in section 8(2) permits their use as primary units ... One of the most significant of the amendments made by this Order to the Act is made by article 4(2), the effect of which will be to prohibit, on and after 1st January 2000, the sale of fruit and vegetables loose from bulk by the pound".

i) Gold-plating of an EC Directive

The Explanatory Note to the Metrication Order says that it gives effect to an EC Directive:

"This Order implements the amendments made by Council Directive 89/617/EEC" [to EC metrication Directive 80/181].

The above statement is incorrect; EC units of measurement Directive 80/181, amended by 89/617/EEC, does not require metric units to be used for domestic retail purposes, such as the above cited sale of fruit and vegetables, loose from bulk. The Directive applies to cross-border EU trade; it states:

"... the laws which regulate the use of units of measurement in the Member States differ from one Member State to another and as a result hinder trade; in these circumstances, it is necessary to harmonize laws, regulations and administrative provisions in order to overcome such obstacles".

That the EC Directive does not affect domestic retail trade in 2002 was acknowledged by the Prime Minister David Cameron, when in Opposition:

¹ There are also various related regulations, such as the Units of Measurement Regulations 1994 (No. 2867)

“Since the goods sold are for domestic sale only, there should be no difficulty in allowing the use of pounds and ounces for loose goods to continue” (letter, 20 December 2002).

The applying of Metrication Orders to the UK’s domestic retail goes beyond the EC Directive stated purpose, and is a clear and obvious case of ‘gold-plating’.

ii) Effectiveness and rationale of regulations

The Government’s justification for the metrication regulations, beyond implementing the Directive, was stated in 1996:

“... to ensure that the consumer is given sufficient information about the quantity and price before a sale is concluded to enable the consumer to make value-for-money judgements between competing products” (letter, 25 March 1996).

In other words, the government wanted to make the use of imperial units illegal because, it said, allowing a choice between metric and imperial would mean different retailers using different units, thereby preventing consumers from comparing prices. This view is shared by the current Government:

“Use of imperial units [would] reduce consumer protection as buyers would no longer be able to compare prices, undermining consumer confidence in the marketplace and leading to a potential market failure” (letter, 6 June 2010).

This reasoning depends on several assumptions, that:

- consumers compare prices;
- metric regulations will enable consumers to compare prices;
- comparing unit prices is necessary to judge value;
- enabling price comparison is properly part of consumer protection;
- traders and consumers cannot be relied upon to choose units of measurement.

These assumptions are flawed, and we shall address them in turn.

Consumers compare prices

Decades ago, most goods were sold in a single location, such as a town market. This made it possible for consumers to compare prices between different traders. Today, most consumers buy in supermarkets, which are self-contained environments that render price comparison with other retailers impossible.²

Regulations will enable consumers to compare prices

Following on from the point above, compulsory use of metric units will not enable shoppers to compare prices between supermarkets since there is no law that compels one supermarket to display the prices of others.

Comparing unit prices is necessary to judge value

Most goods, from pencils to houses, are not sold by reference to a unit price, and the government has never argued that customers are unable to make such transactions. In these sales, the government assumes that a consumer is able to judge value in *absolute terms*.

In relation to goods sold by reference to a unit price, understanding of absolute value is entirely absent from the government’s thinking: customers can know the unit price, the product, and what they are willing to pay, yet are deemed to be unable to assess whether it is a good buy *to them*. This is despite the fact is that millions of people do this in supermarkets and elsewhere every week.

To illustrate the point in another context, we draw attention to the practice of selling ‘by the bowl’, illegal because no unit price comparison is possible between bowls, or with comparable products priced per unit. In practice, selling and buying by the bowl is popular, since consumers see the items in the bowl, and the price, and make their *own decision* as to whether to buy or decline; trading standards officers routinely turn a blind eye. This shows how a simple trade is over-rationalised and consequently over-regulated. We suggest that the same over-rationalisation applies to choice of measurement.

Enabling price comparison is properly part of consumer protection

Consumer protection means there must be something to protect consumers from. Consumers need protecting from fraud and inaccuracy because these misrepresent quantity. Helping consumers compare prices is not *protection*, but aimed at “getting the best bargain”. This may be laudable, but getting the best bargain is the consumers’ responsibility, not the protection agencies’. Time spent by trading standards officers on denying choice of unit means less time spent on protecting consumers from actual harm, such as fraud and inaccuracy, unsafe foods, counterfeit goods, dangerous goods, etc.

Presumably to justify the metric regulations as part of consumer protection, the government has sought to link ‘unfairness’ to choice of measurements. For example, when explaining the regulations in 1997, the government said:

² Except in advertising where the metric regulations do not apply.

“... some traders would continue to trade in imperial in order to gain an *unfair* competitive advantage. Metric prices appear to be higher than imperial ones because, in general, round metric quantities are larger than imperial ones” (letter, 9 April 1997).

If prices are displayed without the weight, or the wrong weight, this would be unfair because consumers would be misled, but that is not the accusation; the claim is that showing the consumer price *and* weight is misleading, and undermining competitors unfairly; this is patently false. As the quote notes, metric unit prices are higher because the unit is *heavier*. Imperial unit prices are lower because the unit is *lighter*. Using the same reasoning, one might as well say that metric pricing is ‘unfair’ because the customer appears to be getting ‘more weight’ because kilograms are ‘bigger’. So long as the price is described per unit, no deception has occurred.

Traders and consumers cannot be relied upon to choose units of measurement

This is probably the crux of the argument for the metric regulations. The government says choice of units will cause or allow a situation in which different retailers use different units, thereby causing ‘detriment’ (i.e. a retailer being out-competed, or a consumer being unable to compare prices).

What happens following this ‘mish-mash’ of measurements? The government does not know, because its analysis does not extend beyond this point; it recently acknowledged that, “no research has been conducted ... specifically into this area” (letter, 28 February 2011).

In practice, consumers will do what they already do when unable to compare prices: they judge prices in absolute terms. The retailer will know if he is losing customers and will make a decision whether to change to the consumer’s preferred units. In other words, *market operators will adjust*. It is contradictory for the government to say that there is detriment and traders and consumers will not adjust. Traders and consumers *do* adjust, and this renders the regulations unnecessary.

The correct role of regulations is to support choices and adjustments made by market operators, and this is done by making sure that no retailer gives short measure, and that scales are accurate, regardless of units used.

iii) Enforcement

The government and LACORS have indicated that they do not want to enforce the regulations unless there is “clear evidence of consumer or business detriment” and a “clear case for protection”. According to the government:

“In December 2009, LACORS published guidance advising Trading Standards against prosecution for units of measurement offences unless there was clear evidence of consumer or business detriment. This new guidance rightly recognised the importance of proportionality. The government supports proportionate and flexible enforcement that intervenes only when there is a clear case for protection” (letter, 28 February 2011).

To illustrate the problem with this position, we will rephrase the first sentence by replacing the reference to metrication regulations with those relating to fraud:

“In December 2009, LACORS published guidance advising Trading Standards against prosecution for fraud offences unless there was clear evidence of consumer or business detriment”.

We cannot imagine LACORS publishing such guidance, because fraud *is* consumer or business detriment. In the case of the metric regulations, ‘detriment’ is not inherent to the act of choosing a unit of measurement, and so enforcement agencies are encouraged to *perceive* detriment, rather than apply the letter of the law. This situation is intolerable; instead of persuading enforcement agencies not to implement the regulations, the government should repeal the regulations.

Proposal

We believe that the Metrication Orders are prime candidates for removal under the Red Tape Challenge. There are two solutions, depending on the government’s view of the EC Directive.

If the government accepts that the EC Directive applies only to cross-border trade, it can re-authorise imperial units alongside metric.

If the government does not believe that the EC Directive applies only to cross-border trade, then it can *de*-authorise the need to use specific weights and measures, by way of a deregulation order. Not requiring a particular measure in law will move unit sales out of the EC Directive’s application, in the same way as unregulated ‘descriptive’ uses of measurement. General trade descriptions law (requiring accuracy, etc) would still apply.

There is at least one precedent for allowing choice in unit pricing, the sale of gold; according to the government, “As for the much smaller physical trade in precious metals, this can be conducted in either troy or metric units, whichever the purchaser and seller find convenient” (letter, 14 December 2005).

Yours sincerely, etc

* * *

A Tale of Two Punnets

Asda reintroduces 454 gram quantities and “1 lb” supplementary indications to punnets of strawberries ...

In February 2011, BWMA asked Asda why it had downsized its strawberry punnets from 454g (the equivalent of 1lb) in 2009, to 400g in 2010. Asda replied on 6 May: Thank you for your email regarding the recent change in weight for our fresh Strawberries. We have been 400g in the UK season for the last two seasons along with every other retailer in the high street. With rising production costs and not wishing to pass this onto the consumer we have had to look at other ways of keeping retails to a similar level. This year however, we are reverting back to the old weight as we feel it offers the right value to the customer. So from Sat 7th May you can pick up UK Strawberries for 454g in Asda. Tesco sells a 400g pack and I would guess the rest of the high street are still reverting to this pack.

On 9 May, BWMA Director John Gardner wrote to Asda’s Chief Executive Andy Clarke: Two years ago, Asda reduced its strawberry punnets from 454 grams (i.e. 1lb) to 400 grams. However, we understand from an email last week that Asda is now reverting to the 454 gram weight. As an association that campaigns for the retention of imperial weights and measures, we are delighted by this move, but urge Asda to state ‘1lb’ on the packaging. This is legal as a ‘supplementary indication’, and will draw the public’s attention to what will undoubtedly be a popular move.

On 27 May 2011, Asda issued the following news release: Lots of customers tell us they still think in pounds and ounces – so we’re bringing them back and selling 1lb packs of strawberries for the first time in 16 years. And if the trial, which starts on Monday, is popular we’ll look at extending it to other items. As *The Sun* reports today, when we asked people whether they prefer metric or imperial measures seven out of ten said they still think in pounds and ounces. It seems many of us still use recipes that measure in pounds and ounces and miss the ability to buy in round pounds, half-pounds or quarter-pounds. The EU requires all European countries to use metric measures but stopped short of an overall ban on pounds and ounces – so long as the metric measures are also displayed.

This adoption of an imperial quantity and supplementary indication was widely reported by the press, including the Grocer magazine. BWMA’s Warwick Cairns was quoted in the Daily Express, and John Gardner in the Daily Mail.

... while evasive Tesco slips in a ‘hidden’ price increase

BWMA to Tesco, February 2011: I am writing on behalf of the British Weights and Measures Association, which campaigns for the retention of UK units of measure. We are disappointed that Tesco has replaced its 454g (i.e. 1 lb) punnets of strawberries in favour of a metric-rounded 400 grams. Please explain why Tesco did this. Did Tesco reduce the price?

Tesco’s reply, 22 March 2011: Thank you for your email. Firstly, I’d like to apologise for the delay in getting back to you. Please let me assure you that we always try to respond to our customers’ queries in a timely manner and I’m sorry that due to high volumes of contact, this has not happened on this occasion. I had today finally received a response from our Business Support Team and they have advised me that the weight measurement is dependant on the supplier and the country in which the products are produced. Once again please accept my deepest apologies for any delay in our response ... Dominic Wheeler, Customer Service Manager.

*Unfortunately for Tesco, BWMA made a note of its price of strawberries when sold in 454 gram packs: £1.98 (source: mysupermarket.co.uk, May 2010). Its current price (June 2011) is £1.99 for 400 grams. Thus, the one penny rise belies the real increase of **23 pence** that would be apparent had the 2011 pack remained as 454 grams.*

Hampshire trading standards take no action against Perry Leon

In Yardstick 43, we reported on Perry Leon, market trader in Gosport High Street, who has advertised his products in pounds and ounces for 16 years. Although Hampshire County Council visited his stall on 7 October 2010 and told him he was to start weighing in kilograms, Mr Leon received the following letter from Phil Thomas, Assistant Head of Regulatory Services, dated 3 November 2010 (our emphasis):

Further to your telephone conversation on 3 November with Nigel Wood, I am writing to you as requested, to confirm the legal position on selling fruit and vegetables by weight, and the County Council’s policy on infringements of these requirements. It remains legal for customers to ask for their fruits and vegetables in pounds and ounces. While the law requires retailers to display the metric unit price, they can also quite legally show the Imperial unit price as well. And many traders display both prices to help their customers. **I can assure you it has never been the intention of the County Council to prosecute you for offences in relation to Metrication. This is because it is not a high priority for the County Council, and such a prosecution would not, in our view, be in the public interest.** While we have a legal duty to enforce Weights and Measures laws, we seek to do this by working with businesses to help them comply. We do this by giving help, support and advice to ensure a fair and level playing field exists across the

marketplace for both consumers and traders. I hope this clarifies the true position for you.

Metric Signs: Rex Poulton vs Salisbury City Council *et al*

BWMA member Rex Poulton is pursuing Salisbury City Council for flagrant breach of the 2002 Traffic Regulations and General Directions by installing signs displaying distances in kilometres: to Salisbury, North Carolina 6,276km; Salisbury, Maryland 5,750km; Saintes in France 1,061km; and Xanten in Germany 713km.

According to officials from Salisbury City and Wiltshire County Councils, the signs are not unlawful because they are “decorative” rather than directional, and are on private land. This is, of course, nonsense. If a sign displays a distance and is pointed in a direction, then it is a distance and directional sign; whether it gives the distance to the local car park or the North Pole is irrelevant. And as the signs in question are positioned to be read by people on a public pavement, they are covered by the Traffic Regulations. We reproduce some of Rex’s correspondence:

Email to Rex Poulton, from Reg Williams, City Clerk, Salisbury City Council, 30 March 2011

Dear Mr Poulton

I have been forwarded the email correspondence below from John Glen’s office in respect of the Market Square twinning sign posts. I apologise if you were expecting a response from us but I was under the impression that the Wiltshire Council Highways Traffic Office had responded previously outlining the position.

Basically the signs, I am advised by the Traffic Office, are not directional as such and do not come under any Traffic Orders or Regulations – they are merely decorative and of interest to tourists and the like. The land the fingerpost sits on is not a designated highway either. As such the signs, and therefore the Council, are not, in our view, breaking any law as you suggest.

You are right to say that the post will have to come down as part of the Market Square refurbishment project and I will ask the Councillors at Salisbury City Council if they are happy for it to be re-erected in its current form somewhere within the project area or if they would like it changed in any way. The project is due to commence during very early 2012 so it is unlikely that anything will happen before that. I hope this makes our position clear though I understand it may not be what you wish to hear.

Rex Poulton replied on 1 April 2011

The law is very clear concerning traffic signs. A “road” is any length of highway or any other road including footpaths or privately owned roads or land to which the public have a right of access. It includes areas maintainable at public expense. The public have

full 24 hour access on foot or with vehicles to Salisbury market place which, though owned by Salisbury City, clearly falls within the above meaning and is maintained at public expense.

The metric signs at issue are by definition traffic direction signs. They immediately adjoin a scheduled public path near its junction with two others, are plainly intended for public information from those paths and they stand on land to which the public have full access as described above. They point distanced directions to places which exist. As such, they fall unmistakably within the meaning of the Traffic Signs Regulations and General Directions as traffic signs, no matter the Council’s intention when first erected.

Metric distances and dimensions are illegal on all roads, footpaths and all ‘highways’ to which the public have access including footpaths, roads or rights across private land, so long as the public have access to them. This legal position is confirmed in the Traffic Signs Regulations and General Directions. The only exception relates to road bridge heights and widths where Imperial dimensions must be included. The Salisbury market place metric signs therefore are illegal ... your suggestion to “ask the Councillors at SCC if they are happy for it to be re-erected in its current form somewhere within the project area or if they would like it changed in any way” is insensitive, arrogant and offensive. Neither I nor the many taxpayers of whom I am increasingly aware, want the signs to remain. We want them removed ... Wiltshire Council as highway authority responsible for traffic signs and Salisbury Council as erector of the signs both act illegally each day that the signs are allowed to remain in place. This is a glaringly poor example to set when councils are obliged to conform with the law. I therefore look forward to receiving confirmation that the signs will shortly be removed.

From Reg Williams, 4 April 2011

Dear Mr Poulton

Thank you for your email. Clearly we are unlikely to agree over this. The advice I have from the Traffic Officers in Salisbury is quite clear in respect of this particular issue. As the professionals in this field, I have absolutely no reason to doubt their advice that Salisbury City Council is not acting unlawfully in this instance by allowing this sign to remain. Unfortunately therefore I think we must simply agree to disagree about this issue at this time. Many thanks, Reg

Rex Poulton appealed direct to Councillors of Salisbury Council, but was instead surprised to receive another email from ‘Reg’, 13 May 2011

Further to your recent email to Councillors regarding the distance sign located on the Guildhall Square, the vast majority have requested that I respond on behalf of them with one email, rather than a considerable number individually. The response is exactly as that sent to you previously by myself on 30 March and 4

April. I hope this allows the matter to now be closed and that we can all move on to other pressing matters, many thanks.

Rex Poulton has also contacted the Auditor, which responded on 5 May 2011, as follows

I have now had time to consider your email of 22 April 2011, which the Audit Commission forwarded to me as the appointed auditor for Salisbury City Council. I have considered the concerns you raised in the context of my audit responsibilities which are drawn from the Audit Commission Act 1998 (the Act) and are set out in further detail in the Audit Commission's Code of Audit Practice (the Code). The Act and the Code afford a local authority auditor wide ranging powers, but these powers are limited.

As the Council's auditor, I can consider issues concerning its accounts, for example, whether an item of account is potentially unlawful. I cannot, however, take action in relation to concerns that are raised about a Council's policies, financial procedures or anything else that is not relevant to the accounts. I can consider issues or concerns regarding waste, inefficiency or value for money in the way in which a Council runs its services.

However, the issues you have raised relate to legitimate decisions the Council has taken regarding the distribution of resources within a service and are therefore of a policy nature. I note your assertion that the signs are illegal due to their metric content but given the restricted role of the auditor, as summarised above, this is not something that I can arbitrate on. Nor do I believe that the likely costs involved in erecting these signs justify or necessitate the involvement of the external auditor, the costs of which would fall directly on the council tax payers of Salisbury, and therefore I do not believe this is something that warrants our investigation.

You may find the attached documents of some assistance - one provides further details on the responsibilities and powers (including their limitations) of a local authority external auditor and the second provides information on alternative regulators and agencies who may also be able to assist you. I am sorry I cannot be of further assistance.

Chris Wilson, Partner, KPMG LLP, Reading

To be continued ...

* * *

Pavers Shoes

Our colleague Stuart Delvin received the following letter, 1 September 2010, from Stuart Paver, Managing Director of York-based comfort footwear specialist and retailer, Pavers Ltd: "I read your letter with interest and can fully understand that some customers find metric measurements confusing. Having discussed imperial v metric with my colleagues, we have decided to include both on our advertising going forward. I hope this helps in your fight to preserve traditional weights and measures".

Decimal Watch: Report from ABC News, USA, 24 April 2011

"A 9-month-old girl recovering from an operation was given 10 times the prescribed amount of morphine. The baby went into cardiac arrest and died. It was because of a misplaced decimal point. A doctor at Children's Hospital in Washington prescribed 0.5 milligrams of morphine to relieve the infant's pain, but instead she received 5 milligrams".

Mrs S Silver is not real; letter from BWMA to Deputy Prime Minister Nick Clegg, 11 May 2011

Dear Mr Clegg

According to the attached news report, the government "uses false names on letters to MPs and members of the public". Several months ago, you invited members of the public to respond to your "Your Freedom" initiative, designed to sweep away restrictive and unnecessary laws. Many of our members responded and received a reply from one "Mrs S Silver". Please can you indicate whether or not "Mrs S Silver" exists?

Reply from "Mrs T Sampson", 10 Downing Street, 21 June 2011

I am writing in my capacity as the head of the Direct Communications Unit, the unit responsible for processing the correspondence received by both the Prime Minister and the Deputy Prime Minister. I recognise that the recent news regarding the use of pseudonym names by this correspondence unit may have been disappointing to many.

I can assure you that this office is staffed by real, hard working people who genuinely take great pride in what they do and treat each letter received with the utmost respect. The decision to make use of pseudonym names was taken in 2005 after a particularly nasty incident when a member of staff was subjected to threats and traced to their home address. We are of course duty bound to look after the security of our staff. However, having reviewed our approach we will no longer use pseudonyms in the future.

I can assure you that suggestions received were passed to the Your Freedom team in Cabinet Office and also to the relevant Your Freedom teams in each Government Department for consideration. Thank you for taking the time to write and I hope this letter is helpful.

Yours sincerely



MRS T SAMPSON

GOVERNMENT'S GHOSTWRITERS

By Vivian Linacre

“Listening to the people”, “transparency”, “freedom of information” are favourite buzz-words echoing down the corridors of power. So what happens when you write to the appropriate Minister on some issue of policy that requires a clear answer from the highest level?

Until a few years ago, you would have received an acknowledgment bearing the Minister's facsimile signature, or from his/her secretary signed personally, promising to investigate though hoping you would go away; but today procrastination no longer works because (a) we are all so much more adept at correspondence and not so easily fobbed off, and (b) the machinery of government has grown so vast that Ministers and even MPs simply cannot cope with sacks of mail from the public outside their own constituencies. So any letters from you and me, or concerning any special interest, that cannot be delegated for a low-level response, have to be side-tracked.

The latest standard diversionary device is the “Direct Communications Unit”, from whom you will eventually receive a reply on the Minister's behalf. Except that it is actually the ‘*Indirect Communications Unit*’, since a direct communication would of course have been from the Minister! So that's the first confidence trick. Furthermore, it is not even a reply to your letter but, instead, will tell you about how this Direct Communications Unit “processes correspondence”, will direct you to a “Your Freedom” website and even, very thoughtfully, provide an online free telephone number in case you are unfamiliar with the internet! So that's the second confidence trick.

Finally, the signatory will not only be a nonentity but, as we discovered in May, it would be a pseudonym, in order to protect staff against occasional abuse and threats from disgruntled citizens – i.e. you can be as rude as you like to bankers, butchers, builders or bookmakers, but bureaucrats must be insulated from the rough world outside. This fictitious practice was abandoned, however, in face of public outcry, but the regime remains virtually anonymous and inaccessible. For whereas it was always possible to repeatedly press a Minister's office for a proper answer, you can't get through to anybody responsible within a “Direct Communications Unit” – and each response you receive will be signed by just another nobody.

The dead end is reached when the third or fourth response does not even pretend to address the issue but is confined to a review of the correspondence to date in order to assure you that correct procedures have been followed. Thereafter, if you still persevere, you find yourself *writing letters about writing letters*, which becomes surreal – playing one of civil servants' favourite games. The ultimate response to one complaint I saw explained how “a test examination of the key systems operated by the Department to form an overall view on the controls in place” had been conducted and, naturally, had detected no weaknesses in the system – so that was alright, then!

The lesson, therefore, is: don't be conned, don't waste your time and effort. Use your MP and insist that he/she talks to the Minister concerned and gets the information you want, or else complain by letter to your local press and TV station – or do both!

Mike Plumbe writes, 4 March 2011

As part of a Hastings “regeneration” scheme, a “Design a Deckchair” competition is being organised. The artwork for this is said to be a “12.8cm tapering down to 11cm wide by 35.6cm long”.

These figures seemed odd until I realised they are translations of original 5”, 4¼” and 14”. I protested, rather tersely as Hastings Council use metric on their pedestrian signs and won't change. To my surprise and delight, the lass in charge of the publicity accepted my challenge and will add inch measurements to her website.

It's a pity the metric will remain alongside the inches, but at least I can claim SOME SUCCESS!

José O'Ware writes, 9 January 2011

In the King George V Playing Fields (KGV), the largest fields in Enfield, some of the football goalpost have been replaced this season. I note that the only label on them states: *Goalpost 8' x 24'*. What joy, not a metric conversion in sight.

*BWMA gratefully records the Patronage of the late
The Hon. Mrs Gwyneth Dunwoody, MP, Lord Shore,
Vice-Admiral Sir Louis Le Bailly, KBE, CB,
and Lord Monson*

And the Honorary Membership of the late John Aspinall, Nirad C Chaudhuri CBE, Jennifer Paterson, CBE, Leo McKern AO, Norris McWhirter CBE, Fred Dibnah MBE, Sir Julian Hodge, KStG, KStJ, Bernard Levin, CBE, Dr Charles H Sisson, CH, DLitt, Fritz Spiegl, F S Trueman, OBE, Sir Rowland Whitehead, Bt, George MacDonald Fraser, OBE, Beryl Cook, OBE, John Michell, David Shepherd, MBE, Keith Waterhouse, CBE, Dick Francis, CBE, Prof. Antony Flew, Trevor Bailey, CBE, Prof. Richard Holmes, CBE

BWMA

Website: www.bwmaOnline.com

Hon President: Vivian Linacre

Director: John Gardner

Chairman: Michael Plumbe

Press Officer: Warwick Cairns 07711 873740

Production and Distribution: Robert Stevens