The Viscount Monckton of Brenchley

15 July 2011

Dear Lord Monckton,

My predecessor, Sir Michael Pownall, wrote to you on 21 July 2010, and again on 30 July 2010, asking that you cease claiming to be a Member of the House of Lords, either directly or by implication. It has been drawn to my attention that you continue to make such claims.

In particular, I have listened to your recent interview with Mr Adam Spencer on Australian radio. In response to the direct question, whether or not you were a Member of the House of Lords, you said “Yes, but without the right to sit or vote”. You later repeated, “I am a Member of the House”.

I must repeat my predecessor’s statement that you are not and have never been a Member of the House of Lords. Your assertion that you are a Member, but without the right to sit or vote, is a contradiction in terms. No-one denies that you are, by virtue of your Letters Patent, a Peer. That is an entirely separate issue to membership of the House. This is borne out by the recent judgment in Baron Mereworth v Ministry of Justice (Crown Office) where Mr Justice Lewison stated:

“In my judgment, the reference [in the House of Lords Act 1999] to ‘a member of the House of Lords’ is simply a reference to the right to sit and vote in that House ... In a nutshell, membership of the House of Lords means the right to sit and vote in that House. It does not mean entitlement to the dignity of a peerage.”

I must therefore again ask that you desist from claiming to be a Member of the House of Lords, either directly or by implication, and also that you desist from claiming to be a Member “without the right to sit or vote”.

I am publishing this letter on the parliamentary website so that anybody who wishes to check whether you are a Member of the House of Lords can view this official confirmation that you are not.

Yours sincerely,

David Beamish
Clerk of the Parliaments