



HOUSE OF LORDS

House of Lords Commissioner for Standards
Annual Report 2014–2015



Foreword

This report, my fifth, covers the period from 1 June 2014 to 31 May 2015.

The reporting year saw a significant decrease in both formal complaints received and complaints subject to investigation.

This is a welcome development, allied to the fact that neither of the substantiated complaints resulted in a sanction of suspension being recommended. It should be noted, however, that one year's figures cannot provide more than a snapshot. One newspaper story published in July 2015 about the conduct of a member generated significant publicity and prompted wider debate on the role and composition of the House. That story, and the resulting complaints, fall within my next reporting year and so will be covered in my sixth annual report.

Paul Kernaghan CBE QPM
Commissioner for Standards

Review of the year

Complaints resulting in sanction

I investigated two complaints and in both cases found that the Code of Conduct had been breached. In one case I was able to agree “remedial action” as the breach was minor and acknowledged by the member concerned. The other case was referred to the Sub-Committee on Lords’ Conduct, which required the member to make a personal statement of apology to the House.

Complaints in general

The complaints dealt with between 1 June 2014 and 31 May 2015 are set out in the table below. The table covers complaints I disposed of during the last year; other complaints received but not disposed of during the reporting year will be covered in next year’s annual report.

Formal complaints received	9
Complaints subject to investigation	2
(a) complaints dismissed	0
(b) complaints upheld and resolved by remedial action	1
(c) complaints upheld and referred to the sub-committee for sanction	1
Complaints not investigated	7*
(a) because fell outside remit	4
(b) because anonymous	0
(c) because repeating allegations of previous inquiry	0
(d) because trivial or vexatious	1
(e) because no <i>prima facie</i> evidence of breach established	2

*In one complaint, which is not included in the figures in (a) to (e) above, a series of allegations were made. These were dismissed for a combination of: the allegations being outside my remit; their repeating allegations already investigated; and because they were trivial.

The number of complaints decreased from 23 in 2013–14 to nine this year. The number of complaints subject to formal investigation decreased to two, from 10 in the previous year. In both cases I upheld the complaint.

Correspondence from members of the public

Members of the public regularly correspond with my office. I reiterate my view expressed in previous annual reports that such correspondence demonstrates the interest the public take in ensuring the House of Lords operates in an open, transparent and accountable manner.

Meetings, etc.

In the course of the reporting year I met in Westminster delegations from Chile, Mexico and South Korea to discuss parliamentary codes of conduct and ethics. I also met “G7” colleagues, who hold analogous advisory and regulatory posts in the UK.

Reflections and looking forward

The Code of Conduct and associated guidance cannot remain immutable documents. They require alteration to reflect experience and the overriding need to ensure that standards of conduct are such as to secure and maintain public confidence in the House of Lords. During the reporting year the House of Lords (Expulsion and Suspension) Act 2015 became law. This legislation enables members to be suspended for any period of time or expelled from the House. The House has passed standing orders to implement these new powers, which are exercisable when a member has been found to have breached the Code of Conduct. This represents a major expansion in the sanctions available to the House; it reflects, and responds to, many representations received by my office from members of the public.

Nominations to the House of Lords are not a matter for my office. The House of Lords Appointments Commission is charged with nominating Crossbench peers and vetting nominees from political parties for propriety. I have instituted a process whereby my reports on cases published by the Committee for Privileges and Conduct are formally sent to the Appointments Commission. I considered it important that the Appointments Commission were aware of cases of misconduct by members such that they might, if they so wish, draw on lessons from those cases in carrying out their functions and share them with others responsible for nominating future members of the House of Lords. This process is in line with good practice in other fields and should assist nominators when they are considering the obligation on potential future members of the House fully to adhere to the Code of Conduct.