



HOUSE OF LORDS

Report from the Commissioner for Standards

The conduct of
Baroness Kennedy
of The Shaws

Commissioner for Standards

The independent Commissioner for Standards is responsible for considering any alleged breaches of the Codes of Conduct.

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Registrar of Lords' Interests

The Registrar of Lords' Interests advises members of the House and their staff on their obligations under the Codes of Conduct.

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Registers of Interests

A list of interests of members and their staff can be found online: www.parliament.uk/hlregister

Independent Complaints and Grievance Scheme helpline

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The conduct of Baroness Kennedy of The Shaws

SUMMARY OF COMPLAINT

1. On 5 April 2024, my office received a complaint from a member of the House, Lord Jackson of Peterborough, about the conduct of Baroness Kennedy of The Shaws.¹
2. Lord Jackson alleged that Baroness Kennedy had failed to register her role as a trustee of the Sigrid Rausing Trust. Lord Jackson also alleged that Baroness Kennedy failed to declare this interest during her remarks in the second reading debate on the Foetal Sentience Committee Bill [HL] on 22 March 2024.²

Relevant parts of the Code

3. Paragraph 14 of the Code of Conduct states:

“In order to assist in openness and accountability members shall:

 - (a) register in the Register of Lords’ Interests all relevant interests, in order to make clear what are the interests that might reasonably be thought to influence their parliamentary actions;
 - (b) declare when speaking in the House, or communicating with ministers or public servants, any interest which is a relevant interest in the context of the debate or the matter under discussion.”
4. Paragraph 17 of the Code of Conduct states: “Members are responsible for ensuring that their registered interests are accurate and up-to-date. They should register any change in their relevant interests within one month of the change.”
5. Paragraph 38 of the Guide to the Code of Conduct sets out what constitutes a relevant interest:

“Relevant interests may be financial or non-financial. The key consideration in determining relevance in respect of both registration and declaration of an interest is that the interest might be thought by a reasonable member of the public to influence the way in which a member of the House of Lords discharges his or her parliamentary duties. In the case of registration, this means the member’s parliamentary duties in general; in the case of declaration, his or her duties in respect of the particular matter under discussion.”
6. Members are required to register unremunerated interests under category 10 (non-financial interests), including “unremunerated directorships or other regular employment” and “acting as an office-holder or trustee in voluntary or not-for-profit organisations.”

1 The investigation and report were completed by Martin Jelley QPM DL.

2 HL Deb, 22 March 2024, [cols 431–432](#)

7. Category 1 of the Register of Lords' Interests is for remunerated directorships. Paragraph 54 of the Guide to the Code of Conduct, which explains this category, states: "Other unremunerated directorships should be registered under category 10 (non-financial interests) so that in one category or another all directorships should be registered."

Preliminary assessment

8. As part of my preliminary assessment, I reviewed the Sigrid Rausing Trust's entry on the Charity Commission's register of charities. I also reviewed Baroness Kennedy's entries in current and historical versions of the Register of Lords' Interests.
9. I noted that Baroness Kennedy was listed as a trustee in the Sigrid Rausing Trust's entry in the Charity Commission's register, which recorded her as having been appointed on 1 October 2023. She also featured as a trustee on the Sigrid Rausing Trust's website.³
10. There was no record of Baroness Kennedy having registered this trustee role in the Register of Lords' Interests.
11. I therefore decided that there was sufficient *prima facie* evidence to investigate whether Baroness Kennedy had breached paragraphs 14(a) and 17 of the Code of Conduct by not registering this interest.
12. I also considered Baroness Kennedy's alleged failure to declare this interest during the debate on the Foetal Sentience Committee Bill [HL] on 22 March 2024.
13. The Sigrid Rausing Trust's website states that it issues grants under three broad themes and 11 programmes. The Center for Reproductive Rights is one of 358 current grantees of the Trust. To expect a trustee to be aware of all 358 grantees and to declare that as an interest each time the work of one of the grantees is potentially relevant to a debate would not be practical; nor would this be expected by a reasonable person. As a result, I decided not to investigate the part of the complaint about alleged failure to declare an interest.

Summary of investigation

14. I wrote to Baroness Kennedy on 9 April to inform her that I had launched an investigation into the alleged failure to register an interest as a trustee of the Sigrid Rausing Trust. I invited her to submit a full written response to the allegation, including an explanation of why her role had not been registered.
15. Baroness Kennedy responded to my letter on 11 April, stating:

"I want to acknowledge that I have been remiss in not referring my recent unremunerated appointment to the Sigrid Rausing Trust. I have only recently completed my induction course to that role. I had no idea that any one of the 358 grants made by the Trust prior to my appointment related to reproductive rights.

I hope you will take the view that if any infraction has taken place, it is of a minor kind.

3 The Sigrid Rausing Trust, 'Trustees and Staff': <https://www.sigrid-rausing-trust.org/who-we-are/staff/> [accessed 17 May 2024]

I have registered my Trusteeship to the Sigrid Rausing Trust with the Lord Register.”

16. My office responded on my behalf to Baroness Kennedy on 17 April, noting that she had now registered her interest as a trustee in the Register of Lords’ Interests, and seeking confirmation of the date on which she became a trustee and an explanation of why the role had not been previously registered.
17. During my investigation, I also identified that Baroness Kennedy was listed as a director of the Sigrid Rausing Trust company on the Companies House register.⁴ I therefore sought confirmation from Baroness Kennedy as to whether she also held a related directorship and, if so, whether this was unremunerated and from what date she commenced this role.
18. Baroness Kennedy responded on 18 April, stating:

“I am a trustee of the Sigrid Rausing Trust. It is wholly unpaid role. I have never been referred to as a Director, and have no administrative or directorial role. My role is to review grant applications to see if they are *bona fide* and worthy of financial support. So far I have been to two meetings—one to meet the other trustees and staff. Then for induction and to review a couple of applications. I agreed to be on the board last October. There is an induction process which I could not undertake immediately. [...] I have now undertaken their induction and as you mention I have recorded my role in the Register.

[...]

The non registration was an oversight on my part. The annual reminder which has just been circulated would have prompted me. Lord Jackson got there first.”
19. My office responded on my behalf to Baroness Kennedy on 23 April to explain that it is not uncommon for members who hold a trusteeship also to be registered as a director of the associated company. This has been the subject of previous investigations.⁵ Therefore, I suggested that Baroness Kennedy seek clarification on her position from the Sigrid Rausing Trust, before liaising with the Registrar of Lords’ Interests.
20. On 23 April Baroness Kennedy emailed to say:

“I am enclosing an email from one of the senior administrators at Sigrid Rausing Trust. I hope it helps explain the situation and that I was not informed of the entry in Companies House.”
21. The enclosed email confirmed Baroness Kennedy was a director of the company related to the trust and apologised that this had not been made clearer when Baroness Kennedy joined the trust.
22. I received a further email from Baroness Kennedy on 24 April enclosing a letter from the benefactor of the trust, which confirmed Baroness Kennedy as an unremunerated director of the Sigrid Rausing Trust company and

4 All the trustees of the charity are also registered as directors of its incorporated arm.

5 Commissioner for Standards, *The Conduct of Baroness Smith of Basildon* and *The Conduct of Lord Kennedy of Southwark*

said that the benefactor was also unaware of the requirement to register directorships with Companies House.

Findings

23. **I find that Baroness Kennedy of The Shaws did not register her role as a trustee of the Sigrid Rausing Trust within the required one-month period. Baroness Kennedy also did not register her role as an unremunerated director of the associated company within one month. While this is closely linked to the trustee role, all directorships require registration. I therefore find Baroness Kennedy of The Shaws breached paragraphs 14(a) and 17 of the Code of Conduct.**
24. **I consider these breaches to be minor and consider remedial action to be an appropriate outcome.**
25. **Baroness Kennedy has already registered her role as a trustee and unremunerated director of the Sigrid Rausing Trust in the Register of Lords' Interests, which I consider to be sufficient remedial action in this case.**
26. **I take this opportunity to remind members of their responsibility to register all relevant interests in the Register of Lords' Interests within one month of the interest arising (or ceasing). The annual audit of members' interests should not be relied on as a reminder to register relevant interests.**
27. **I am grateful to Baroness Kennedy for her cooperation in this matter and for her prompt responses.**