



HOUSE OF LORDS

House of Lords Commissioner for Standards
Annual Report 2013–2014



Foreword

This report, my fourth, covers the period from 1 June 2013 to 31 May 2014.

Once again there has been an increase in the number of complaints received and the number of complaints upheld. In common with many bodies who receive complaints, I consider that an increase in complaints may reflect public confidence in the complaints regime. However, I do not think anyone can draw comfort from the fact that the year under review saw not only an increase in complaints upheld but an increase in the number of members referred to the Sub-Committee on Lords' Conduct for sanction.

Paul Kernaghan CBE QPM
Commissioner for Standards

Review of the year

Complaints resulting in sanction

It is not my role to recommend sanctions against members who have breached the Code. I do, however, have the ability to agree “remedial action” in cases where the breach is minor and acknowledged by the member concerned. In such cases the remedial action invariably includes “setting the record straight” and making a formal apology for the breach by way of a letter to the chairman of the Sub-Committee on Lords’ Conduct. In the year under review I was able to dispose of three cases by way of remedial action. Another four cases were referred to the sub-committee; three of them resulted in the members concerned being suspended from the service of the House and in the fourth the member was required to make a personal statement of apology to the House.

Complaints in general

The complaints dealt with between 1 June 2013 and 31 May 2014 are set out in the table below. The table covers the 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	23
Complaints subject to investigation	10
(a) complaints dismissed	3
(b) upheld and resolved by remedial action	3
(c) upheld and referred to the sub-committee for sanction	4
Complaints not investigated	13
(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	8

The number of complaints increased from 16 in 2012–13 to 23 this year. The number of complaints subject to formal investigation stayed the same as last year: 10. In seven of those cases I upheld the complaint. My reports on all of the cases subject to a formal investigation are appended to the relevant reports of the Committee for Privileges and Conduct.

Correspondence from members of the public

Members of the public regularly correspond with my office. In addition to making formal complaints against named members, they demonstrate the interest of the public in ensuring that the House of Lords operates in an open, transparent and accountable manner.

Meetings, etc.

In the course of the year I contributed to standards consultations undertaken by the House of Commons, the New South Wales Parliament and the Northern Ireland Assembly. I also met the Deontologist of the French National Assembly and other “G7” colleagues, who hold analogous advisory and regulatory posts. It is of interest that the Privileges Committee of the New South Wales Parliament recommended in June 2014 the creation of a Commissioner for Standards in New South Wales, based on the model used in the UK Parliament.

Reflections and looking forward

This report documents a year in which the number of complaints received increased and, more significantly, the number of complaints upheld increased. The nature of the complaints upheld was different, in that only three lent themselves to remedial action. Thus, I had to refer four cases to the Sub-Committee on Lords’ Conduct for it to consider recommending a sanction. The sub-committee recommended periods of suspension in three of the four cases; those recommendations were subsequently endorsed by the House. The periods of suspension were, in the light of experience over recent years, towards the higher end of the spectrum and included one suspension until the end of the Parliament.

The current Code of Conduct and supporting investigatory regime were adopted by the House following well-publicised cases of misconduct in 2009. It is thus particularly disappointing that the three suspensions arose from cases involving behaviour of broadly the same nature as that previously condemned by the House. The House has shown by the sanctions imposed that it is determined to uphold the high standards which it has set and which are upheld by most members. I would commend my reports to members as they identify unacceptable behaviour and illustrate the standards to which they have agreed.