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# The Conduct of Baroness Meacher

## THE CONDUCT OF BARONESS MEACHER

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### Summary of complaint

1. On 28 May 2019, Dr Gordon Macdonald, Chief Executive of the Care Not Killing Alliance, wrote to me alleging that Baroness Meacher had breached the Code of Conduct by failing to declare her interest as Chair of Dignity in Dying (DiD) in relation to an oral question she asked in the House on 23 May [see Appendix A].
2. Dignity in Dying is a “not-for-profit membership organisation that campaigns for a change in the law on assisted dying.”<sup>1</sup>
3. Baroness Meacher’s oral question was:

“To ask Her Majesty’s Government what assessment they have made of whether the threat of prosecutions under the Suicide Act 1961 is causing suffering to mentally competent, terminally ill people at the end of their lives.”<sup>2</sup>
4. A member may ask a follow-up question after the Minister’s initial answer to the tabled question. Baroness Meacher’s follow-up question was:

“My Lords, the Minister will be aware that Ann Whaley recently took her husband, Geoff, to Dignitas for a peaceful death. Geoff suffered from motor neurone disease and faced the complete loss of any movement and the ability to speak, swallow, eat, drink or breathe without a ventilator. In answer to a question from Ann, Lord Sumption, our Reith lecturer, said that the assisted dying law—that is, the prohibition of assisted dying—should remain but that compassionate families should break the law. I find that remarkable. If a former Supreme Court judge is telling people to break the law, does that not indicate that the law itself is broken and should be reformed? What plans do the Government have to prepare for a change in this broken law so that terminally ill people who suffer unbearably—there are a number of them—and have only six months to live can have a peaceful death?”<sup>3</sup>
5. Members are required to declare registered interests when asking an oral question in two ways:
  - by drawing the House’s attention to the interest by means of an [I] on the Order Paper beside the oral question; and
  - by declaring the interest orally in the Chamber.<sup>4</sup>

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1 <https://www.dignityindying.org.uk/about-us> [accessed 20 June 2019]

2 House of Lords Business [No. 305](#), Session 2017–19, 23 May 2019

3 HL Deb, 23 May 2019, [cols 2075–76](#)

4 In the case of an oral question, where time in the Chamber is limited, a brief reference to the member’s interests in the Register is sufficient. In more substantial proceedings, more specific declarations are required.

6. These requirements are set out in paragraphs 101–105 of the *Guide to the Code of Conduct*.<sup>5</sup>
7. That Baroness Meacher is the Chair of the Board of Dignity in Dying is properly included in the Register of Lords’ Interests.
8. In his letter, Dr Macdonald noted that the case of Mr and Mrs Whaley had been taken up by Dignity in Dying and said:

“The required disclosure of an interest by Baroness Meacher would have allowed peers to better understand her calls for a change in the law as being part of longstanding, ideologically entrenched campaign on the part of DiD and of her close association with that organisation.”

9. I carried out a preliminary assessment of the complaint and decided to investigate both allegations.

### Investigation

10. I wrote to Baroness Meacher on 7 June presenting the complaint to her [Appendix B]. She replied on 10 June, accepting that she ought to have declared her registered interest.
11. In the light of this, I considered that the case could be resolved by remedial action. Remedial action usually involves “putting the record straight”, and the member making a formal apology to the chairman of the Conduct Committee. As Baroness Meacher’s entry in the Register is accurate, I proposed a letter of apology would be sufficient remedial action in this case. She has since written to Lord Mance, chairman of the Conduct Committee [Appendix C].

### Finding

12. Baroness Meacher accepted that she ought to have declared her interest as the Chair of Dignity in Dying. I do not believe this failure was an attempt to conceal an influence or mislead the House or public, not least as her interest is properly registered. The case was therefore resolved by remedial action. I am grateful to Baroness Meacher for her cooperation with this matter.

Lucy Scott-Moncrieff, CBE  
Commissioner for Standards

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5 [Guide to the Code of Conduct and Code of Conduct](#), Seventh Edition, May 2019

## Appendix A: Complaint from Dr Gordon Macdonald, Chief Executive, Care not Killing Alliance, 28 May 2019

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I am writing with regard to a potential breach of the House of Lords Code of Conduct by Baroness Meacher who is also Chair of the Board of Dignity in Dying (DiD). DiD is a ‘national campaign and membership organisation’ seeking the legalisation of assisted suicide for those who are terminally ill with a prognosis of six months or less to live. DiD recently launched a new media and political campaign to push for this objective. It is within this context that Baroness Meacher’s conduct should be viewed.

Paragraphs 90-91 of the Guide to the Code of Conduct states that:

‘The House has two distinct but related methods for the disclosure of ... relevant interests ... The main purpose of the Register is to give public notification on a continuing basis of those interests held by members that might reasonably be thought to have a general influence on their parliamentary conduct or actions. The main purpose of declaration of interest is to ensure that fellow members of the House, ministers, officials and the public are made aware, at the point at which the member participates in proceedings of the House or otherwise acts in a parliamentary capacity, of any present or expected future interest that might reasonably be thought relevant to that particular action by the member ... declaration, like registration, is compulsory.’

While Baroness Meacher has registered her chairmanship of DiD, she did not declare that interest when she tabled, and on 23rd May spoke to, the oral question below:

Baroness Meacher - to ask Her Majesty’s Government what assessment they have made of whether the threat of prosecutions under the Suicide Act 1961 is causing suffering to mentally competent, terminally ill people at the end of their lives.

Paragraphs 102 and 103 of the Code of Conduct state that:

‘Members are required to draw attention to the existence of a relevant registered interest when tabling ... questions ... for oral answer’

‘The responsibility for drawing attention to any relevant registered interest rests with the member concerned:

the member must notify the staff of the Table Office of any relevant registered interest before tabling any item of business;

if the member has such an interest, he or she must also specify which registered interest is affected.’

‘When such an interest exists, the symbol “[I]” is printed after the member’s name in House of Lords Business.’

*Business and Minutes of Proceedings* No. 305, published 23rd May, indicates no notification to Table Office staff by Baroness Meacher of a relevant interest, as required and provided for by the Code, despite the question (and its lack of an ‘[I]’) having been published in every day’s *Business* for weeks.

Paragraphs 92 and 93 state that:

‘Members should declare interests briefly, usually at the beginning of their speech. Declarations should wherever possible be comprehensible, specific and unambiguous, without either demanding prior knowledge of their audience ... during proceedings on oral questions ... a brief reference to the member’s interests in the Register suffices.’

On 23rd May, Baroness Meacher failed to make any oral declaration prior to or during her question. Her supplementary question highlighted the experience of Mr and Mrs Whaley where Mrs Whaley was interviewed by the police following an anonymous tip off that Mr Whaley intended to commit suicide at Dignitas. As noted above, the Code warns peers against ‘demanding prior knowledge’ of their interests, and her question as framed could be taken as the concerns of an otherwise uninvolved individual in the plight of that particular couple.

DiD is a significant actor in the ongoing public debate about assisted suicide. In the lead up to Mr Whaley’s death, DiD was actively involved in publicising that case in the media. On 23rd May Baroness Meacher had an article referring to the Whaley case published on the Politics Home website. That article also referred to her question in the House. No mention was made of her link with DiD.

Baroness Meacher’s portrayal of Mr and Mrs Whaley’s story is more honestly understood in the context of DiD’s role in publicising their story and building on it to forward its campaign goals. These include the announcement by DiD, just days before the question was heard, of a new campaign called ‘Acts of Love’ - ‘led by Ann Whaley’. DiD’s press release about that campaign refers also to Baroness Meacher’s question which had been tabled in the House of Lords. The required disclosure of an interest by Baroness Meacher would have allowed peers to better understand her calls for a change in the law as being part of longstanding, ideologically entrenched campaign on the part of DiD and of her close association with that organisation.

We ask that you investigate Baroness Meacher’s failure to make the declaration of her interest in this case, and look forward to hearing from you in due course.

## Appendix B: Letter from the Commissioner for Standards to Baroness Meacher, 7 June 2019

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I am writing because I have received a complaint from Dr Gordon Macdonald, Chief Executive of the Care Not Killing Alliance, alleging that you have breached the House of Lords Code of Conduct. The complaint relates to your oral question on the application of the Suicide Act 1961 on 23 May and your role as Chair of Dignity in Dying.

I have carried out a preliminary assessment of the complaint. I have decided that there is sufficient prima facie evidence to investigate whether the House of Lords Code of Conduct may have been breached. In particular, I intend to investigate whether the following provisions of the Code of Conduct and the Guide to the Code of Conduct have been breached:

- The requirement to declare when speaking in the House any interest which is a relevant interest in the context of the debate or the matter under discussion (paragraph 11(b) of the Code).
- The requirement to draw attention to the existence of a relevant registered interest when tabling an oral question (paragraphs 101–105 of the Guide to the Code of Conduct).

In considering the allegations I will take into consideration paragraphs 12 and 13 of the Code which state:

“12. The test of relevant interest is whether 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, the member’s parliamentary duties in general; in the case of declaration, his or her duties in respect of the particular matter under discussion.

13. The test of relevant interest is therefore not whether a member’s actions in Parliament will be influenced by the interest, but whether a reasonable member of the public might think that this would be the case. Relevant interests include both financial and non-financial interests.”

I also draw your attention to the seven general principles of conduct identified by the Committee on Standards in Public Life and incorporated into the Code of Conduct.

I invite you to respond in writing with a full and accurate account of the matter in question. A response by 21 June would greatly assist me in investigating this matter in a timely fashion.

I would also wish to draw your attention to paragraph 137 of The Guide to the Code of Conduct:

“From the point that the Commissioner decides to undertake an investigation all evidence and correspondence relating directly to the inquiry is covered by parliamentary privilege. It must remain confidential unless and until it is published. If such evidence or correspondence were to be published or disclosed to anyone else without the agreement of the Conduct Committee or the Commissioner, this would be a contempt of

the House. An attempt to obstruct an investigation is a contempt of the House.”

In accordance with paragraph 126 of the Guide to the Code of Conduct a webpage on the parliamentary website will include basic information about the case.

I have enclosed:

- A copy of the complaint from Dr Macdonald [Appendix A];
- A copy of the Order Paper from 23 May<sup>6</sup>; and
- The relevant extracts from Hansard for 23 May.<sup>7</sup>

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6 House of Lords Business [No. 305](#), Session 2017–19, 23 May 2019

7 HL Deb, 23 May 2019, [cols 2075–76](#)

**Appendix C: Letter from the Baroness Meacher to the Chairman of the Conduct Committee, 17 June 2019**

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In response to the complaint against me by a campaigning body about my failure to declare my non monetary interest when I asked an oral question on May 23rd, I have to confess that it never occurred to me that I needed to do this in the context of a question when my interest in assisted dying is well known across the House. I apologise for my failure on that occasion.

I can also assure that you that I will of course take great care to declare my non-monetary interests in future.