



HOUSE OF LORDS

Report from the Commissioner for Standards

The conduct of Lord Adonis

Published 10 June 2020

Commissioner for Standards

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

Address: The Commissioner for Standards, House of Lords, London SW1A 0PW

Email: lordsstandards@parliament.uk

Telephone: 020 7219 7152

Website: www.parliament.uk/hl-standards

Code of Conduct for Members, Guide to the Code of Conduct and Code of Conduct for Members' Staff

The present Code of Conduct for Members of the House of Lords was agreed on 30 November 2009. Amendments to it were agreed by the House on 30 March 2010, 12 June 2014, 25 February 2016, 9 February 2017, 3 April 2017, 30 April 2019 and 18 July 2019.

The Guide to the Code of Conduct was proposed by the Committee for Privileges (2nd Report, Session 2009–10, HL Paper 81) and agreed by the House on 16 March 2010. The Guide was amended on 9 November 2011, 6 March 2014, 13 May 2014, 24 March 2015, 25 February 2016, 9 February 2017, 3 April 2017, 30 April 2019 and 18 July 2019.

The Code of Conduct for House of Lords Members' Staff was agreed on 13 May 2014. Amendments to it were agreed on 24 March 2015, 30 April 2019 and 18 July 2019.

The Codes and Guide are kept under review by the Conduct Committee.

Advice

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

Address: Registrar of Lords' Interests, House of Lords, London SW1A 0PW

Email: lordsregistrar@parliament.uk

Telephone: 020 7219 3112/3120

Registers of Interests

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

Parliamentary helplines

Independent Bullying & Harassment Reporting Helpline: 0800 028 2439 or disclosure@healthassured.co.uk

Independent Sexual Misconduct Advisory Service: 0800 1124 318 or isma@solacchub.org

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The Conduct of Lord Adonis

Summary of Complaints

1. On 19 February 2020, I received an email from a member of the public, Tony Duffy, which contained a number of allegations about Lord Adonis. This was followed by a further email on 22 February 2020 (see Appendix 1). On 28 February 2020, I received an email from Sir Christopher Chope MP which included some of the same allegations as the complaint from Mr Duffy, as well as one further complaint (see Appendix 2).
2. The complaints contained the following allegations:
 - Lord Adonis asked Questions for Written Answer which were connected to his financial interests, namely HS2 Ltd and Sharetego/Sharetego.¹
 - Lord Adonis voted on the High Speed Rail (London–West Midlands) Bill while he was serving as a Non-Executive Director of HS2 Ltd.
 - Lord Adonis failed to declare his position as a Non-Executive Director while speaking during the passage of the HS2 Bill.
 - Lord Adonis failed to add his position at HS2 Ltd to his Register of Interests.
3. I conducted a preliminary assessment of all aspects of the complaints:
 - (1) **Questions for Written Answer:** The dates of the QWAs in question were after his role with HS2 Ltd ended and preceded his financial interest in Sharetego/Sharetego (see next bullet point). In any event, I did not consider that the questions noted by Mr Duffy would be sufficiently closely connected to either of those interests for there to be a conflict of interests. I therefore dismissed this element of the complaint.
 - (2) **Sharetego/Sharetego:** In the course of my preliminary assessment into Mr Duffy’s complaint about the QWAs being connected to Lord Adonis’ financial interest in Sharetego, I could find only one result for Sharetego online, a website with no valid contact details and which was apparently defunct.² However, another website, <https://sharetego.com/>, appeared to be active and listed Lord Adonis as one of its Advisory Board members, though this role did not appear in his entry in the Register of Lords’ Interests. I considered that a failure to declare this would engage the Code of Conduct.
 - (3) **Participation in proceedings on the High Speed Rail (London–West Midlands) Bill:** Lord Adonis was a Non-Executive Director of HS2 Ltd between 1 July 2015 and 21 April 2017. During this time he voted three times on the HS2 Bill (twice at Report Stage on 24 January 2017 and once at Third Reading on 31 January 2017). I considered that

1 In his email of 22 February, Mr Duffy also extended his complaint to include the Minister answering the Questions for Written Answer, Baroness Sugg. Answering questions is a ministerial action and not covered by the Code of Conduct so I dismissed this part of the complaint and Baroness Sugg was not subject to any investigation.

2 <https://aesss16.wixsite.com/sharetego/about-us>

participation in proceedings which appeared to be so closely related to this financial interest might be a breach of the Code of Conduct.

(4) **Declaration of interests during the High Speed Rail (London–West Midlands) Bill:** Hansard showed that Lord Adonis declared his interest as a Non-Executive Director of HS2 Ltd at Second Reading and in Grand Committee, but not at any subsequent point, although he spoke further in Grand Committee on 12 January 2017, at Report Stage on 24 January 2017 and at Third Reading on 31 January 2017. I considered that this might be a breach of the Code of Conduct.

(5) **Failure to add HS2 Ltd position to Register of Interests:** Sir Christopher Chope’s complaint said that Lord Adonis failed to add his position at HS2 Ltd to his entry in the Register of Lords Interests. The Code requires members to register interests within one month of taking them up. Lord Adonis took up his position with HS2 Ltd on 1 July 2015. He emailed the Registrar of Lords’ Interests on 17 July 2015 to request that his position be added to the Register. Editions of the Register after July 2015—which are available on the parliamentary website—show that this interest was properly included. I therefore dismissed this element of the complaint.

4. I wrote to Lord Adonis launching an investigation into points 2, 3 and 4 and asking for his written response (see Appendix 3).

Sharetego/Sharetego

Investigation

5. In the course of conducting my preliminary assessments, it came to my attention that Lord Adonis was listed as an advisory board member of Sharetego on their website. I found no reference to this in Lord Adonis’ Register of Interests, although he did list shareholdings in a company called Sharetego.

6. Paragraph 11(a) of the *Code of Conduct* says:

“In order to assist in openness and accountability members shall ... 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”.

7. Paragraphs 81–83 of the Guide to the Code of Conduct explain the types of non-financial interests that members should register.

8. In my letter of 4 May 2020 (see Appendix 3), I asked Lord Adonis to clarify when he took up this role with Sharetego; whether he had taken any advice on whether this role was a registerable interest; why it had not been registered; and whether the reference to Sharetego in the Register was an error and should read Sharetego.

9. Lord Adonis replied the same day (see Appendix 4), with the following explanation:

“In respect of Sharetego, my financial interest in Sharetego relates entirely to my shareholding, which I declared as soon as I took a share in this start-up company last June. I emailed the Assistant Registrar of Lords’

Interests on 28 June 2019 to this effect. This is a small start-up company; all the principal shareholders are members of the advisory board and I am not remunerated separately for this so did not think I needed to make two separate declarations in respect of the same company. However, to make assurance doubly sure I have now registered my membership of the advisory board (unpaid) as well as my shareholding.”

10. He also clarified that the name of the company is now Sharetego, having been changed since it was first set up, and confirmed that he had corrected his Register of Interests accordingly.
11. I asked Lord Adonis in a further letter of 7 May (see Appendix 5) whether he had sought any advice on whether to declare his position at Sharetego from the Registrar at the time it started; and Lord Adonis confirmed to me in his reply of 12 May (see Appendix 6) that he had not.

Finding

12. **I considered that Lord Adonis’ position at Sharetego constitutes a non-financial interest which ought to have been included in the Register. As the purpose of the Register is to promote openness and accountability, it was not sufficient to include only his shareholdings on the assumption that this could be read to include his position on Sharetego’s advisory board.**
13. **Lord Adonis’ failure to declare his advisory board position at Sharetego in his Register of Interests was a breach of paragraph 11(a) of the Code of Conduct.**

Participation in proceedings on the High Speed Rail (London–West Midlands) Bill

Investigation

14. While serving as a Non-Executive Director of HS2 Ltd, Lord Adonis voted three times on the High Speed Rail (London–West Midlands) Bill (twice at Report Stage on 24 January 2017 and once at Third Reading on 31 January 2017). He also spoke in proceedings at every stage of the Bill.
15. Paragraph 16 of the *Code of Conduct* states that:

“Members are not otherwise debarred from participating in proceedings in regard to which they possess relevant interests, financial or non-financial; but such interests should be declared fully. In participating in such proceedings they shall resolve any conflict between their personal interest and the public interest at once, and in favour of the public interest.”
16. The *Guide to the Code of Conduct* provides further details on this provision:

“12. In accordance with paragraph 16 of the Code a member with a relevant interest is free to take part in the public business of the House subject to:

 - the rules on financial inducements and parliamentary influence (paragraph 8 of the Code);
 - the exclusive benefit rule (paragraph 15 of the Code);

- the rules on the registration and declaration of interests (paragraphs 11–14 of the Code); and
- the resolution of any conflict between personal and public interest in favour of the public interest (paragraph 7 of the Code).

13. More generally, a member who is unsure whether or not to participate in parliamentary proceedings in relation to which he or she has relevant interests should consider the following factors:

- the nature of the proceeding itself. There would, for instance, be more latitude in the case of a general debate than in proposing or voting on an amendment to legislation. Members with financial interests that are relevant to private legislation should exercise particular caution, and seek advice before deciding to participate in proceedings on that legislation.
- the nature of the member’s intended contribution. A speech urging Government investment in a sector in which the member had a financial interest might be open to misconstruction, whereas a speech canvassing issues of more general interest would not.”

17. In my letter of 4 May (see Appendix 3), I asked Lord Adonis what consideration he gave to whether it was appropriate to speak and vote in these proceedings given his role with HS2 Ltd at that time; and whether he sought advice from the Registrar before taking part in the proceedings.

18. In a further letter to Lord Adonis on 7 May (see Appendix 5), I explained that I was considering whether he had breached the “exclusive benefit” rule as set out in paragraph 15 of the *Code of Conduct*:

“A member must not seek by parliamentary means to confer exclusive benefit on an outside body or person (a) in which he or she has a financial interest (including by way of salary, fees, shareholding or other arrangement) or (b) in return for payment or reward.”

19. The rule is also described more fully at paragraphs 23–30 of the *Guide to the Code of Conduct*.

20. I asked Lord Adonis to confirm some further points about the nature of HS2 Ltd and his work with it.

21. In his reply of 12 May (see Appendix 6), Lord Adonis explained that:

“HS2 Ltd is a non-departmental public body and has been since its creation in 2009. Page 2 of the Framework Document between the Secretary of State for Transport and HS2 Ltd sets this out: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/709378/framework-document-between-the-secretary-of-state-for-transport-and-high-speed-2-limited.pdf. The issue of ‘exclusive benefit’ did not therefore arise in 2016/17, since Paragraph 29 of the Guide to the Code of Conduct excludes from its application ‘members or employees of non-departmental public bodies (whether commercial or non-commercial in character) in relation to those specific roles.’”

Finding

22. **I am satisfied that Lord Adonis’ participation in the passage of the High Speed Rail (London–West Midlands) Bill did not breach the Code of Conduct because of the exclusion provision in paragraph 29 of the Guide to the Code of Conduct.**

*Declaration of interests during the High Speed Rail (London–West Midlands) Bill**Investigation*

23. Hansard records show that Lord Adonis declared his interest as a Non-Executive Director of HS2 Ltd during his speeches at Second Reading (14 April 2016) and in Grand Committee (10 January 2017). He spoke further in Grand Committee on 12 January 2017, at Report Stage on 24 January 2017 and at Third Reading on 31 January 2017 and did not declare his interests during any of those interventions.
24. Paragraph 93 of the *Guide to the Code of Conduct* states that:
- “A full declaration of any interests relevant to a bill should be made at least on the occasion of the member’s first intervention at each stage of the bill’s progress. Repetition of declarations of interest within committee and report stage is unnecessary.”
25. In my letter of 4 May (see Appendix 3), I asked Lord Adonis what consideration he gave to whether it was necessary to declare his interest in HS2 Ltd at Report Stage and Third Reading; and whether he sought advice from the Registrar on this matter.
26. In his reply to me on 4 May, Lord Adonis wrote:
- “In respect of the HS2 declarations, I had not realised that speakers are expected to declare their interests in respect of a Bill at every stage of the Bill and not only when they first speak. I have noted this and I will certainly ensure that I do so in future. As you note, I did declare my interest the first time I spoke on the Bill so there was no intention whatever to avoid a necessary declaration. I should add that my close association with HS2, as a former Secretary of State for Transport, is well known in the House, as was my membership of the board of HS2 as a public appointment. But I now realise that I should have made a declaration at each stage of the Bill and I apologise for not doing so.”
27. In his email of 12 May, Lord Adonis re-emphasised the point about his well-known association with HS2:
- “Might I also note that my close founding and continuing association with HS2—which I announced in a substantial oral statement to the House of Lords as Secretary of State for Transport on 11 March 2010—is well known across the House and was referred to by speakers in the debates at each stage of the Bill. It has also been the subject of regular media attention.”
28. While many members of the House may have been aware of Lord Adonis’ close connection with HS2, it should not be assumed that members of the public were. Paragraph 87 on the *Guide to the Code of Conduct* states that:

“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.”

29. Members should be mindful of the need to ensure that members of the public watching or reading records of the proceedings are made aware of relevant interests.

Finding

30. **Lord Adonis’ failure to declare his interest as Non-Executive Director of HS2 Ltd. during Report Stage and Third Reading of the High Speed Rail (London–West Midlands) Bill was a breach of the Code of Conduct.**

Outcome

31. Although I have found that Lord Adonis breached the Code, I am persuaded that he did not intend to mislead anyone through his failure to register his position at Sharetego or his failure to declare his interest in HS2 at relevant stages on the passage of the HS2 Bill.
32. I also note that this is Lord Adonis’ first breach of the Code of Conduct.
33. In the light of these factors, I considered these to be minor breaches of the Code and for which remedial action is an appropriate outcome. Lord Adonis has already corrected his entry in his Register of Interests. I proposed a letter of apology to Lord Mance, Chairman of the Conduct Committee, would be sufficient remedial action in this case. Lord Adonis has since written to Lord Mance (see Appendix 7).
34. I am grateful to Lord Adonis for his cooperation with this matter.

APPENDIX 1: COMPLAINTS FROM MR TONY DUFFY, 19 FEBRUARY 2020 AND 22 FEBRUARY 2020

19 February 2020

I would be very grateful if you would investigate the following about Lord Adonis:

Please find some evidence that I have copied and pasted relating to Lord Adonis and his without doubt vested interests. Here is the link to the information that I have copied, but please note I have only copied some of the questions and answers.

<https://members.parliament.uk/member/3743/writtenquestions?page=2#expand-798056>

Below I copied to make it more easy for you to see, what I mean. Sorry! for the red outlines.

Further to this Lord Adonis voted on High Speed Rail on 31st January, 2017, and two times on 24th January 2017. At this time he was being paid by HS2.

More shocking is that he's asking questions relating to help him financially and he's on the board of: <https://sharetego.com/about.html>

ShareTeGo | Join a Group Share the Cost

We believe that the power of sharing can be used to provide better value in all industries, even those that might seem completely obvious. The vision for the Sharetego platform is to become the place for the shared economy in the services sector.. Sharetego will begin with train transport, but our plans are much grander. Hotels, gyms, museums, restaurants, leisure spots and much more are on ...

sharetego.com

Lord Andrew Adonis

ADVISORY BOARD As a former United Kingdom Minister of Transport, Lord Adonis has pioneered large scale transportation projects in the UK such as High Speed 2, and the electrification of some of the UK's main railway lines. He was elevated to the Peerage and appointed to the House of Lords in 2005. A rail enthusiast, he believes that sustainable transport is the only way forward, and therefore found Sharetego's focus on sustainability particularly appealing. He has decided to join Sharetego's advisory board in order to propel the company forward.

He's clearly asking questions and abusing his power! I have copied to make it more easy for you to see, what I mean. Sorry! for the red outlines.

HS2 appointed Lord Adonis on 1 July 2015 and he resigned on 21st April 2017.

It is morally wrong for him to get answers to his financial gain questions from the Lords.

I believe with all my heart these type of questions should never be allowed and they go against any ethical standards. Especially with him having shares and being on a company board.

If the general public knew about this there would be uproar. Like I say, its never been brought up.

To ask Her Majesty's Government whether there will be a chairman of the new public East Coast company; and if so, who they propose for this post.

Asked 14 June 2018

Robin Gisby is the new Chair of London North Eastern Railway.

Answered 28 June 2018

By Baroness Sugg (Conservative, Life peer)

Question for Department for Transport

London North Eastern Railway: Pay

To ask Her Majesty's Government what salaries will be paid to (1) the chief executive of the new public East Coast rail operator, and (2) the next four most highly paid executives.

Asked 14 June 2018

Remuneration packages for the Board of London North Eastern Railway will be published in due course as part of the normal disclosures in the company annual accounts.

Answered 28 June 2018

By Baroness Sugg (Conservative, Life peer)

To ask Her Majesty's Government whether the top five executives of the current Virgin Trains East Coast company will transfer to the public East Coast rail operator when it assumes responsibility; and if not, what staffing changes, if any, they propose.

Asked 14 June 2018

All staff who currently have an employment contract with Virgin Trains East Coast, including the Executive Directors, fall within the scope of the Transfer of Undertakings Protection of Employee Regulations (TUPE). Under TUPE, all staff have been offered the opportunity to transfer to London North Eastern Railway (LNER).

Answered 28 June 2018

By Baroness Sugg (Conservative, Life peer)

To ask Her Majesty's Government how many (1) staff, and (2) consultants, at the Department for International Trade are paid salaries in excess of £140,000; and to what posts those salaries apply.

Asked 27 April 2018

Information on high earning staff (£150,000 and above) in the Civil Service is in the public domain, accessible via the transparency data reports on gov.uk. The most recent version is the senior officials 'high earners' salaries as at 30 September 2017: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/693864/150k_2017_Master_for_publication_March_18_update.csv/preview

The Department for International Trade (DIT) does not have any staff paid more than £140,000 but less than £150,000.

UK Export Finance (UKEF) has one member of staff paid more than £140,000 but less than £150,000, in the post of Director of Business Group.

The Department does not hold information on the pay received by individual consultants from their employing company.

Answered 9 May 2018

By Baroness Fairhead (Conservative, Life peer)

To ask Her Majesty's Government what assessment they made of the impact on the budget of the Department for Transport of the changes to the franchising regime announced on 29 November; and whether the Department agreed those changes in advance with Her Majesty's Treasury.

Asked 5 December 2017

We work with Her Majesty's Treasury on all issues that affect significant public spending and budget allowance.

At Her Majesty's Government, investment decisions are made based on a rigorous and fair appraisal process that ensures spending goes to the projects and programmes where it is most needed and delivers greatest value-for-money for both taxpayers and passengers.

We are always looking for the best ways to achieve value for money for the tax payer and the best results for passengers. Announced reforms will build on the best of the public and private sectors, with private sector involvement bringing innovation, investment and competition.

Answered 15 December 2017

By Baroness Sugg (Conservative, Life peer)

To ask Her Majesty's Government, further to the statement by Baroness Sugg on 29 November (HL Deb, cols 679–82), whether any other rail company, besides Stagecoach Group and Virgin Rail Group on the East Coast franchise, has indicated to HM Government a desire to end its existing franchise early and forge a public-private partnership; and if so, which.

Asked 4 December 2017

Due to commercial confidentiality, we don't comment on the financial position of individual franchises. We work closely with all our franchisees throughout their contracts and monitor their progress against their contractual commitments. We expect all operators and their guarantors to continue to fulfil their financial and contractual commitments.

Answered 15 December 2017

By Baroness Sugg (Conservative, Life peer)

5 more questions were asked on on 4th December 2018 relating to Rail.

2 more questions were asked on 30th November 2018.

1 more question on 29th November.

22 February 2020

I would be grateful if you would also investigate Baroness Sugg, together with Lord Adonis. Please will you look at all the questions that Lord Adonis asked, and Baroness Sugg answered relating to transport. You will see that the questions can and will benefit Lord Adonis and the company he's got shares in, which is Sharetego.com.

Baroness Sugg should not be giving Lord Adonis information that will benefit him financially. Lord Adonis does declare that he's got shares in this company, however, he does not declare that he's on the board of this company.

It makes it all the more ridiculous that he should be allowed to have such information, when he's got shares in this company.

Please Note he's always asking questions regarding other companies, and franchises, and especially questions that will benefit him personally. This is without a shadow of a doubt, totally unacceptable by any moral standards. To add insult to injury, as the saying goes, he's claiming his daily allowance from the Lord's which us tax payers are paying.

I have copied and pasted only one of the questions. I am asking you to please look at the other questions and answers relating to Transport between Lord Adonis and Baroness Sugg.

Please find the following that I have pasted and copied:

To ask Her Majesty's Government what was the traffic performance of each of the train companies operating rail franchises in the first six months of 2017; and how that performance compares to the projections of traffic for that period in those companies' final bids for the franchises.

Asked 4 December 2017

The Office of Rail and Road produces data on the number of passenger journeys made (millions) on franchised train operators in Great Britain. The data for the period between January and March; and April and June 2017 are given in the table below:

Rail passenger journeys by franchised train operator, Great Britain

	Jan-Mar 2017	Apr-Jun 2017
Arriva Trains Wales	7.8	8.0
c2c	12.3	11.6
Caledonian Sleeper	0.1	0.1
Chiltern Railways	7.0	6.8
CrossCountry	9.7	9.7
East Midlands Trains	6.7	6.6
Govia Thameslink Railway	80.3	77.9
Great Western Railway	25.7	25.9
Greater Anglia	20.5	19.9
London Midland	19.3	17.6

	Jan–Mar 2017	Apr–Jun 2017
London Overground	47.5	47.0
Merseyrail	9.6	10.1
Northern	27.4	25.7
ScotRail	23.9	23.5
South West Trains	58.0	52.1
Southeastern	46.9	41.6
TfL Rail	11.3	10.2
TransPennine Express	6.9	6.5
Virgin Trains East Coast	5.5	5.3
Virgin Trains West Coast	9.7	9.2

Answered 15 December 2017

By Baroness Sugg (Conservative, Life peer)

**APPENDIX 2: COMPLAINT FROM SIR CHRISTOPHER CHOPE MP,
28 FEBRUARY 2020**

I have received representations to the effect that Lord Adonis failed to declare, while he was giving speeches and voting on HS2 issues, that he was a Director of HS2. This is despite the Guide to the House of Lords Code of Conduct stating that a member who has a financial interest should not be able to vote or speak. My complainant also asserts that Lord Adonis did not include this financial interest in his Register of Interests.

I shall be grateful if you can let me know what action can be taken on this issue.

APPENDIX 3: LETTER FROM THE COMMISSIONER FOR STANDARDS TO LORD ADONIS, 4 MAY 2020

I am writing because I have received two complaints, one from a member of the public, Tony Duffy, and one from Sir Christopher Chope MP, alleging that you have breached the House of Lords Code of Conduct. Copies of the complaints are enclosed.

I have carried out a preliminary assessment of the complaints. Some of them are not substantiated and I have dismissed them accordingly. However, I have decided that there is sufficient *prima facie* evidence regarding some of the allegations to investigate whether the House of Lords Code of Conduct may have been breached. I will set out each of the allegations and my preliminary assessment of them so it is clear which ones have been dismissed and which ones I will be investigating.

Aspects of the complaints I have dismissed at preliminary assessment

Tony Duffy's complaint that you asked Questions for Written Answer which were connected to your financial interests. The dates of the QWAs in question were after your role with HS2 Ltd ended and preceded your financial interest in Sharetego/Sharetego (see below). In any event, I do not consider that questions noted by Mr Duffy would be sufficiently closely connected to either of those interests for there to be a conflict of interests.

I have dismissed this complaint. There is no need for you to respond.

Sir Christopher Chope's complaint says that you failed to add your position at HS2 Ltd to your entry in the Register of Lords' Interests. An email to Brendan Keith, then Registrar of Lords' Interests, on 17 July 2015 (within the time limit allowed for adding positions to the register) shows that this is not the case. Previous editions of the Register show that this interest was properly included.

I have dismissed this complaint. There is no need for you to respond.

Aspects of the complaints I intend to investigate

Registration of interests in Sharetego

In the course of my preliminary assessment into Tony Duffy's complaint, I could find only one result for Sharetego online, a website with no valid contact details which is almost certainly defunct (<https://aesss16.wixsite.com/sharetego/about-us>). However, another website, <https://sharetego.com/>, appears to be active and lists you as one of its Advisory Board members, though this role does not appear in your entry in the Register of Lords' Interests.

I therefore intend to investigate whether the following provision of the Code of Conduct has been breached in relation to this matter:

“In order to assist in openness and accountability members shall ... 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” (Paragraph 11(a))

I therefore invite you to respond in writing with a full and accurate account of this issue. In particular I would be grateful if you could let me know:

- when you took up this role with Sharetego;

- whether you have taken any advice on whether this role is a registerable interest and why you have not registered it;
- whether the reference to Sharetego in the Register is an error and should read Sharetego (and if this is the case, please arrange with the office of the Registrar of Lords' Interests for a correction to be made).

Declaration of interests during the High Speed Rail (London–West Midlands) Bill

Sir Christopher Chope MP, in addition to repeating Tony Duffy's complaint about voting, alleges that you failed to declare your position as a Non-Executive Director while speaking during the passage of the HS2 Bill. Hansard shows that you did declare your interest in Grand Committee on 10 January 2017 but not at any subsequent point though you spoke further in Grand Committee on 12 January 2017, at Report Stage on 24 January 2017 and at Third Reading on 31 January 2017).

The Guide to the Code states that:

“A full declaration of any interests relevant to a bill should be made at least on the occasion of the member's first intervention at each stage of the bill's progress. Repetition of declarations of interest within committee and report stage is unnecessary.” (Paragraph 93)

Your non-declaration at the second day of Grand Committee is therefore not a breach of the Code but I believe your failure to declare your interest at Report Stage and Third Reading merits further investigation.

I therefore invite you to respond in writing with a full and accurate account of this issue. In particular I would be grateful if you could let me know:

- what consideration you gave to whether it was necessary to declare your interest in HS2 Ltd at Report Stage and Third Reading; and
- whether you sought advice from the Registrar on this matter.

Participation in proceedings on the High Speed Rail (London–West Midlands) Bill

Tony Duffy also alleged that you voted on the High Speed Rail (London–West Midlands) Bill while you were serving as a Non-Executive Director of HS2 Ltd. It appears that you were a Non-Executive Director of HS2 Ltd. between 1 July 2015 and 21 April 2017, and during this time you voted three times on the HS2 Bill (twice at Report Stage on 24 January 2017 and once at Third Reading on 31 January 2017). I am aware from the Hansard record that you also spoke at various points in the Bill's proceedings.

I intend to investigate whether this was in breach of the following provision of the Code of Conduct:

“Members are not otherwise debarred from participating in proceedings in regard to which they possess relevant interests, financial or non-financial; but such interests should be declared fully. In participating in such proceedings they shall resolve any conflict between their personal interest and the public interest at once, and in favour of the public interest.” (Paragraph 16)

The Guide to the Code of Conduct provides further details on this provision:

“12. In accordance with paragraph 16 of the Code a member with a relevant interest is free to take part in the public business of the House subject to:

- the rules on financial inducements and parliamentary influence (paragraph 8 of the Code);
- the exclusive benefit rule (paragraph 15 of the Code);
- the rules on the registration and declaration of interests (paragraphs 11–14 of the Code); and
- the resolution of any conflict between personal and public interest in favour of the public interest (paragraph 7 of the Code).

“13. More generally, a member who is unsure whether or not to participate in parliamentary proceedings in relation to which he or she has relevant interests should consider the following factors:

- the nature of the proceeding itself. There would, for instance, be more latitude in the case of a general debate than in proposing or voting on an amendment to legislation. Members with financial interests that are relevant to private legislation should exercise particular caution, and seek advice before deciding to participate in proceedings on that legislation.
- the nature of the member’s intended contribution. A speech urging Government investment in a sector in which the member had a financial interest might be open to misconstruction, whereas a speech canvassing issues of more general interest would not.”

I therefore invite you to respond in writing with a full and accurate account of this issue. In particular I would be grateful if you could let me know:

- what consideration you gave to whether it was appropriate to speak and vote in these proceedings given your role with HS2 Ltd at that time; and
- whether you sought advice from the Registrar before taking part in the proceedings.

Next steps

As set out above, I invite you to respond in writing with a full and accurate account of the matters I intend to investigate; this response may be by email or letter and to whatever length you feel necessary. A response by 20 May would greatly assist me in investigating this matter in a timely fashion.

I would also wish to draw your attention to paragraph 136 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 125 of the Guide to the Code of Conduct a webpage on the parliamentary website will include basic information about the case.

APPENDIX 4: LETTER FROM LORD ADONIS TO THE COMMISSIONER FOR STANDARDS, 4 MAY 2020

Thank you for your letter of 4 May 2020. I take very seriously proper conduct by members of the House in accordance with declarations of interest, and I gladly respond in full to the points you raise about the registration of my interest in Sharetego and my declarations of interest when a non-executive director of HS2 Ltd.

In respect of Sharetego, my financial interest in Sharetego relates entirely to my shareholding, which I declared as soon as I took a share in this start-up company last June. I emailed the Assistant Registrar of Lords' Interests on 28 June 2019 to this effect. This is a small start-up company; all the principal shareholders are members of the advisory board and I am not remunerated separately for this so did not think I needed to make two separate declarations in respect of the same company. However, to make assurance doubly sure I have now registered my membership of the advisory board (unpaid) as well as my shareholding.

You are correct that the name of the company is now 'Sharetego' not 'Sharetogo.' It was named 'Sharetogo' when it started and when I registered my interest. It changed the 'o' to 'e' thereafter and I inadvertently failed to notify the Registrar of this. I apologise for this and I am grateful to you for pointing it out to me. I have now made a correction.

In respect of the HS2 declarations, I had not realised that speakers are expected to declare their interests in respect of a Bill at every stage of the Bill and not only when they first speak. I have noted this and I will certainly ensure that I do so in future. As you note, I did declare my interest the first time I spoke on the Bill so there was no intention whatever to avoid a necessary declaration. I should add that my close association with HS2, as a former Secretary of State for Transport, is well known in the House, as was my membership of the board of HS2 as a public appointment. But I now realise that I should have made a declaration at each stage of the Bill and I apologise for not doing so.

I am very grateful to you for drawing these matters to my attention, and I hope I have made suitable amends.

APPENDIX 5: LETTER FROM THE COMMISSIONER FOR STANDARDS TO LORD ADONIS, 7 MAY 2020

Thank you for your reply to my letter of 4 May and for your prompt corrections to your register of interests. I would be grateful if you could answer a few more questions for me so that I can conclude this investigation.

In respect of your role as an advisory board member of Sharetego, did you seek any advice from the Registrar on whether you should declare the position at the time?

In respect of the HS2 Bill, aside from the declaration of interests issue which you have responded to, I am concerned about the propriety of you participating in the passage of the Bill at all considering your position at the time with HS2 Ltd. In particular, I will need to decide whether you speaking at Second Reading, Grand Committee, Report Stage and Third Reading, and voting on amendments at Report Stage and Third Reading would constitute a breach of the “exclusive benefit” rule:

“A member must not seek by parliamentary means to confer exclusive benefit on an outside body or person (a) in which he or she has a financial interest (including by way of salary, fees, shareholding or other arrangement) or (b) in return for payment or reward.” (paragraph 15, Code of Conduct)

The rule is described more fully at paragraphs 23-30 of the Guide to the Code of Conduct.

I would be grateful if you could answer the remaining questions I put to you in my letter of 4 May:

- Can you tell me what consideration you gave to whether it was appropriate to speak and vote in these proceedings given your role with HS2 Ltd at that time; and
- Did you seek advice from the Registrar before taking part in the proceedings.

I would also be grateful if you could confirm or correct my understanding on some points:

- Your role with HS2 Ltd was a remunerated non-executive directorship;
- The purpose of the High Speed Rail (London–West Midlands) Act 2017 was to confer powers for the construction of Phase One of HS2;
- The purpose of HS2 Ltd was to promote and construct a new high speed railway, of which Phase One was part;
- No other company has a role comparable to HS2 Ltd in the promotion and construction of a new high speed railway; and
- That it would have been detrimental to the activities of HS2 Ltd had the High Speed Rail (London–West Midlands) Bill not passed through Parliament.

APPENDIX 6: LETTER FROM LORD ADONIS TO THE COMMISSIONER FOR STANDARDS, 12 MAY 2020

Thank you for your further letter.

HS2 Ltd is a non-departmental public body and has been since its creation in 2009. Page 2 of the Framework Document between the Secretary of State for Transport and HS2 Ltd sets this out: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/709378/framework-document-between-the-secretary-of-state-for-transport-and-high-speed-2-limited.pdf. The issue of ‘exclusive benefit’ did not therefore arise in 2016/17, since Paragraph 29 of the Guide to the Code of Conduct excludes from its application ‘members or employees of non-departmental public bodies (whether commercial or non-commercial in character) in relation to those specific roles.’

On re-reading the Hansard record of the passage of the 2017 High Speed Rail (London-West Midlands) Act, could I note that in addition to declaring my interest as a non-executive director of HS2 Ltd in the Register and in the debate in Grand Committee, I also did so in the second reading debate (Hansard, 14 April 2016, col. 369), which was by far the longest and fullest of the debates on the Bill in the House. I therefore declared my interest at two of the four stages in the passage of the Act, as well as in the Register. As I said in my last letter, I had not realised that I should do so at all four stages. I renew my apology for this and I will ensure that I do so if anything comparable happens again, although I have not now been a non-executive director of HS2 Ltd for more than three years.

Might I also note that my close founding and continuing association with HS2—which I announced in a substantial oral statement to the House of Lords as Secretary of State for Transport on 11 March 2010—is well known across the House and was referred to by speakers in the debates at each stage of the Bill. It has also been the subject of regular media attention. I have spoken in virtually every debate on HS2 in the House of Lords in the past ten years, the great majority of them before or since my 21 months of service as a non-executive director of HS2 Ltd between 2015 and 2017, including on the two other major pieces of HS2 legislation which have come forward: the 2013 High Speed Rail Preparation Act and the High Speed Rail (West Midlands-Crewe) Bill currently under consideration by the House. I have done so because I believe high-speed rail to be profoundly important public policy for the modernisation of the country and I believe I have a duty to make my advice and knowledge available.

On the issue in relation to Sharetego—‘In respect of your role as an advisory board member of Sharetego, did you seek any advice from the Registrar on whether you should declare the advisory board position at the time?’—I did not do so because I did not think that the issue arose for the reason explained in my last letter. Having declared my shareholding in Sharetego in the Register, it did not occur to me that I might need to make a second declaration relating to an advisory position which went together with my declared shareholding in this start-up company. But as I noted in my last letter, I have now made a second declaration in the Register to make assurance doubly sure.

I have not spoken in the House, or voted or asked questions, on any issue or legislation which pertains to the interests of Sharetego.

In my 15 years in the House I have always taken very seriously my duties to abide by the Code, and to uphold the integrity of Parliament and my personal integrity, as I hope this response demonstrates.

**APPENDIX 7: LETTER FROM LORD ADONIS TO LORD MANCE,
CHAIR OF THE CONDUCT COMMITTEE, 2 JUNE 2020**

I have been in correspondence with the Commissioner for Standards about complaints about my registration and declarations of interests.

You will have received the report, in which the Commissioner finds that in two specific instances—relating to the registration of an advisory role which I hold in a company in which I also hold a shareholding which I had registered; and relating to oral declarations of my interest, properly recorded in the Register, at each stage of the High Speed Rail (London to West Midlands) Bill 2016—I did not act fully in accordance with the Code.

I wish to apologise for these lapses and I am writing to you, and through you to the House, to do so.

I am glad that the Commissioner concludes that in neither case was there any intention to mislead the House or the public, let alone to act improperly. Both actions were inadvertent. But the Commissioner rightly highlights these lapses, and I wish to give an assurance that I have taken careful note of her report and I will ensure that they do not recur.