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Summary

5 I received a complaint alleging the All Party Parliamentary Group (APPG) for Global LGBT+ Rights (the Group) had failed to make available on its website a report published by the Group, as well as the dates of past and future meetings, and the minutes of past formal meetings. The complainant alleged this was a breach of the APPG rules on maintaining transparency.

10 My investigation concluded that in delaying the publication on its website of a position paper of the Group and failing to publish the dates of past and future meetings and the minutes of formal meetings, the Group had breached the rules for APPGs. My inquiry also identified that the website and published reports did not carry the required disclaimers, this was a further breach of the rules for APPGs.

15 I also considered whether reports published on the Group's website had been funded by external organisations, and if so, whether these reports should bear a disclaimer stating this fact (paragraph 22 of the rules). I have seen no evidence to suggest this to be the case. Therefore, I concluded the evidence submitted did not demonstrate a breach of this rule had occurred.

20 When these breaches were brought to his attention, the Chair of the Group cooperated fully with my investigation and took prompt action to rectify the matters identified. The Chair acknowledged and apologised on behalf of the Group for these errors and has informed me of the steps put in place to avoid any recurrence in the future.

25 While my investigation identified breaches to three of the rules for APPGs I found they were inadvertent and at the less serious end of the spectrum, and I concluded the matter using the rectification procedure available to me under Standing Order 150.

Mr Crispin Blunt MP: Resolution letter

Letter from the Commissioner to the complainant, 2 March 2021

5 I wrote to you on 22 October 2020, to tell you I had begun an inquiry into your allegation that the All-Party Parliamentary Group on Global LGBT+ Rights had breached the transparency rules for APPGs.

10 In your complaint you alleged the group had failed to comply with the rules regarding *Record Keeping*, found in paragraph 27 of the APPG rules. However, I decided to broaden the scope of my investigation to focus on whether the group had complied with the rules regarding *Maintaining Transparency*, found in paragraphs 21, 22, 23 and 24 of the rules for APPGs.

15 My investigation concluded that in delaying the publication of a position paper on the group's website, and in failing to publish the dates of past and future meetings, as well as the minutes of formal meetings, the group had breached paragraph 21 of the rules. My inquiry also identified that the group's website and published reports did not carry the required disclaimers as set out in the rules. As a result I found the group had also breached paragraphs 23 and 24 of the rules for APPGs.

20 Finally, I considered whether reports published on the group's website had been funded by external organisations, and if so, whether these reports should bear a disclaimer stating this fact (paragraph 22 of the rules). I have seen no evidence to suggest this to be the case. Therefore, I concluded the evidence submitted did not demonstrate that a breach of this rule had occurred.

25 The Chair of the Group, Mr Crispin Blunt MP, has acknowledged and apologised for this breach of the rules on behalf of the group. He has liaised with the co-ordinator of the group to correct the various issues identified in the course of my investigation, and he has detailed the steps the group now has in place to avoid any recurrence of these matters.

30 The full rationale for my decision can be found in my letter to the Chair, dated 25 January 2021 (item number 9 in the written evidence pack), which you can access once the evidence pack has been published. I consider this breach to be at the less serious end of the spectrum and have decided this inquiry should be concluded through the rectification procedure, available to me through House of Commons' Standing Order No 150.

35 I will publish my decision and the written evidence pack shortly on my webpages [include link to webpage] and I will report the outcome to the Standards Committee in due course. Thank you for bringing this matter to my attention. I confirm that the matter is now closed.

2 March 2021

Written evidence

1. Letter from the complainant to the Commissioner, 26 September 2020

This is a formal complaint about the transparency of APPG on Global LGBT Rights <https://www.appglgbt.org/> based on **Rule 27 c iii and iv**.

5

Rule 27(c) iii Each group must keep minutes of past formal meetings (which should record both attendance and decisions). These should be available on the website if the group has one.

10 There are no minutes on the APPG's website, as is evidenced by this google search (and also a manual search of the website)

www.appglgbt.org ▾

APPG on Global LGBT+ Rights

We are the UK Parliament's only all-party group dedicated to promoting LGBT+ rights both in the UK and across the world. Our membership includes ...

Missing: [minutes](#) | Must include: [minutes](#)

You've visited this page many times. Last visit: 25/09/20

There appear to have been at least two meetings

15 15 January 2020 <https://www.appglgbt.org/news/appg-lgbt-re-established-with-crispin-blunt-mp-as-new-chair>

8 July 2020 - as mentioned by Chair Crispin Blunt here <https://www.appglgbt.org/news/appg-lgbt-statement-in-response-to-the-governments-response-to-the-gra-consultation> 'Paper that was agreed by the

20 Officers of the APPG on 8th July 2020"

27 (c) iv Each group must publish on its website any reports or other publications issued;

25 Crispin Blunt in his post of 22 September highlights a Position Paper of the APPG which was produced in July 2020 and privately circulated to the government, political party subgroups and civil society groups

30 *"I am now releasing the private paper that was agreed by the Officers of the APPG on 8th July 2020. The paper was **shared with all the political parties' own LGBT+ Groups and was discussed fully with the relevant civil society groups**. Whilst different organisations had their own order of policy priorities for trans people, **it was agreed that the APPG position paper, in light of the government's apparent position, would represent a satisfactory outcome to the consultation**. The paper was **offered privately to the government** in the wake of the anxieties set off by the Secretary of State when she appeared before the Women and Equalities Select Committee on 22nd April 2020"*

The paper was not published on the APPG's website until 22 September, after journalists made requests <https://www.appglgbt.org/news/delivering-respect-and-reassurance-around-trans-equality-in-the-uk>

5 This falls short of the transparency expected of APPGs. It undermines trust in parliament. Thank you for your consideration.

26 September 2020

2. Letter from the Commissioner to Mr Crispin Blunt MP, 22 October 2020

10 I am writing to you as Chair of the APPG for Global LGBT+ Rights, to seek your help with an inquiry into an allegation I have received from [name redacted]. [Redacted] complains that the Group have failed to meet the requirements on maintaining transparency, as outlined in the Guide to the Rules on All Party Parliamentary Groups (the Guide to the Rules). I enclose a copy of [name redacted] correspondence for your information.

15 **Paragraph 3** of the Guide to the Rules says that “*Each Group’s Chair and Registered Contact, who must be a Member of the House of Commons, is responsible for ensuring that the group complies with the rules of the House, and that if any person or organisation provides a secretariat or support services, that person or organisation is aware of and complies with those rules.*”

The scope of my inquiry

20 My inquiry will focus on whether the group failed to maintain transparency by publishing, on its website, the minutes of past formal meetings and any reports or other publications issued.

25 Having also looked at the APPG Global LGBT+ Rights website, I am concerned that the group may not have followed the House’s rules on publishing income and expenditure statements, as well as the rules regarding the inclusion of disclaimers on published reports. I also have concerns regarding the group’s website more generally.

30 My inquiry will consider whether the APPG has acted in compliance with paragraph 21 of the rules. In addition, I will also consider whether the group has acted in compliance with paragraphs, 22, 23, and 24 of the rules.

The relevant rules of the House

Paragraph 21 of the Guide to the Rules for APPGs says;

35 “Groups must be transparent about their nature, membership and funding. In particular, they must avoid presenting themselves in a way which could lead to confusion with Select Committees. They

must make full disclosures of any support received for their publications. An APPG must:

- 5 a) *use the group's full registered name, including the term 'All-Party Parliamentary Group'¹, in all its communications. This helps distinguish registered groups from unregistered groups and from other bodies such as select committees;*
- b) *publish details of its formal² meetings in advance, on the All-Party Notices, along with the names of any external speakers and details of a parliamentary contact;*
- 10 c) *publish on its website (or provide on request³) the following information;*
- i) *a list of active⁴ members (both parliamentary and external);*
- ii) *dates of meetings, both past and future;*
- iii) *minutes of past formal meetings (which should record both attendance and decisions);*
- 15 iv) *any reports or other publications issued;*
- v) *income and expenditure statements (if required: see paragraphs 28 and 29)*

20 **Paragraph 22** states; *If a report or other publication has been compiled or funded by any external individual or organisation, this should be made clear on the front cover (or equivalent⁵) through wording such as:*

“This Report was researched by xxx and funded by xxx.” The requirements in paragraphs 23 to 24 below do not however apply to income and expenditure statements.

¹ Groups which existed before the 2015 General Election may, exceptionally, retain earlier titles which do not meet these conditions

² A formal meeting is one at which one or more decisions is, or is to be taken, or a vote is to be held; or which includes an outside speaker. [details redacted].

³ Groups which do not have websites must instead make this information available on request

⁴ An active member is one who has asked to be on the group's mailing list.

⁵ If it is an online publication

Paragraph 23 states; *All APPG reports and publications should also bear the following disclaimer on the front cover (or equivalent⁶):*

5 “This is not an official publication of the House of Commons or the House of Lords. It has not been approved by either House or its committees. All-Party Parliamentary Groups are informal groups of Members of both Houses with a common interest in particular issues. The views expressed in this report are those of the group.”

10 **Paragraph 24** states; *A group’s website and its social media feed (if any) must give the contact details for the group’s chair, and secretariat and/or public enquiry point (if it has one). All such websites and media feeds must carry a disclaimer as follows:*

15 “This is not an official website [or feed] of the House of Commons or the House of Lords. It has not been approved by either House or its committees. All-Party Parliamentary Groups are informal groups of Members of both Houses with a common interest in particular issues. The views expressed in these webpages are those of the group.”

Next steps

I would welcome your comments on the following questions regarding possible breaches of the rules for APPGs.

- 20 1. Whether you were aware of the requirements set out in paragraphs 21, 22, 23 and 24 as above and set out in the Guide to the Rules which was approved by the Standards Committee on 24 February 2015?
2. Please could you detail the steps you have taken to ensure the secretariat is aware of, and complies with, the Guide to the Rules.
- 25 3. Who approves the content and who maintains the group’s website and social media feeds?
4. Why the information listed in paragraph 21(c) iii does not appear on the APPG’s website, and
- a. if the information is already in the public domain, where it can be found?
- 30 b. whether this information has been made available on request?

⁶ If it is an online publication

5. Why the position paper, titled *Delivering Respect and Reassurance Around Trans Equality in the UK*, agreed by the Officers of the APPG on 8th July 2020, was not published until 22 September 2020 and;
- 5 a. whether this position paper was compiled or funded by an external individual or organisation and if so, why the publication does not display the disclaimer as set out in paragraph 22 of the rules and;
- b. why this publication does not contain the disclaimer as set out in paragraph 23 of the rules?
- 10 6. Whether the disclaimer set out in paragraph 24 of the Guide to the Rules appears somewhere on the group's website (I cannot find it)?

Finally, the information available on the APPG register states, "*Kaleidoscope Trust is funded by the Baring Foundation to act as the group's secretariat*". However, on the APPG's website it states, "*Secretariat is supported jointly by the LGBT+ non-governmental organisations Kaleidoscope Trust, Stonewall, and Frontline AIDS*".

- 15 7. Please could you provide further detail regarding the source of the funding for the group secretariat and why the Baring Foundation is not named as a donor on the group's website.

20 It would be helpful to receive any evidence to support your responses when you reply to this letter. Any other points you wish to make to help me with this inquiry would also be welcome.

Important information

My inquiries are conducted in private. Following the decision taken by the House on 19 July 2018, I will not publish the fact that I am conducting an inquiry into an allegation of an alleged breach of the APPG rules. My office will not comment on any aspect of the inquiry to third parties. They will answer direct factual questions about the processes I follow and the standards system more generally but will neither confirm nor deny that I have begun an inquiry.

Procedure

30 I enclose a copy of the Commissioner's Information Note, which sets out the procedure for inquiries. Please note that this has not yet been updated to reflect the changes flowing from the decision of 19 July 2018.

35 This letter and any subsequent correspondence between us in connection with this inquiry is protected by parliamentary privilege. You should not discuss this with any third party except in so far as seeking answers from the group's secretariat, as outlined above. Our correspondence should be kept confidential until the outcome of my inquiry is published. I am informing the complainant that I have begun an inquiry and I will explain the confidentiality requirement to her as well.

While I do not, at this stage, know whether it will be necessary to interview you about this matter, it would be open to you to be accompanied at any such interview. I am, of course, very happy to meet with you at any stage if you would find that helpful.

- 5 I should say now, as a matter of courtesy, that I may seek the advice of the House authorities and others as part of this inquiry.

Potential outcomes

Inquiries are generally concluded in one of three ways. If the evidence does not substantiate the allegation, it will not be upheld. If the evidence demonstrates a
10 breach of the rules, I may – in certain circumstances – uphold the allegation and conclude the inquiry using the rectification procedure, without making a referral to the Committee on Standards. Where an allegation is not upheld or is rectified, the material is published on the Parliament website, on my webpages. If I uphold the allegation and it is either unsuitable for the rectification procedure, or you do not
15 accept my decision, I must make a referral to the Committee on Standards. My Memorandum to the Committee would be published, as an appendix to the Committee's own Report.

I should make clear that all the relevant evidence, including our correspondence, will be published when this inquiry is concluded. I routinely redact the personal
20 data of third parties unless it is relevant to my decision(s). If you provide sensitive material which you think I should consider redacting, please tell me. I would give careful consideration to any such request.

Action

I would be grateful to have your response to this letter as soon as possible and no
25 later than 5 November 2020. If you would prefer me to communicate with you by email or via a different postal address, please give the details when you reply to this letter.

It would also be helpful if you were willing to provide a telephone number through which I might contact you. Information provided to me during the course of my
30 inquiry will be retained, and disposed of, in accordance with the House of Commons' Authorised Records Disposal Policy.

Thank you for your cooperation with this matter.

22 October 2020

3. Email from Mr Crispin Blunt MP to the Commissioner, 30 October 2020

35 This e-mail is in response to your letter of 22 October, arising out of the formal complaint sent to you by [name redacted] of 26 September by e-mail at 10:20 hours.

I have copied this to the head of my Parliamentary Office, [name redacted], and the coordinator of the All Party Parliamentary Group for Global LGBT+ Rights, [name redacted], whom I have needed to consult to provide you the most accurate and complete response. Noting your statement in respect of privacy I have not shared
 5 the fact of your inquiry more widely, with the Officers of the Group for example. If you feel I should or you wish to question them then of course I will brief them appropriately. I believe the explanation I am able to provide is comprehensive and fully addresses the substance of [name redacted] complaint. However I await any guidance from you in light of this response to your questions.

- 10 1. *Whether you were aware of the requirements set out in paragraphs 21, 22, 23 and 24 as above and set out in the Guide to the Rules which was approved by the Standards Committee on 24 February 2015?*

I had read and was aware of the Guide to the Rules on All-Party Parliamentary Groups. A printed copy is kept by my staff in my office.

- 15 2. *Please could you detail the steps you have taken to ensure the secretariat is aware of, and complies with, the Guide to the Rules.*

20 The APPG's secretariat consists of one coordinator, for which the APPG has had funding since February 2019. Before that date the APPG was administered out of the Parliamentary Office of Rt Hon Nick Herbert, MP for Arundel and South Downs, who stood down at the General Election of December 2019. [The Coordinator] took up the role in February 2019 and attended APPG training provided by Parliament on 26th February 2019.

In January 2020, upon election as Chair of the Group, my office provided the Coordinator with an up-to-date copy of the APPG Regulations.

25 The Coordinator has also sought advice from the Deputy Registrar and the Registrar as and when necessary to clarify any questions and ensure to the best of her ability full compliance with all regulations. This includes email exchanges on 9th August 2019 (on registering a benefit), 15th January 2020 (on General
 30 Election rules) and 12th February 2020 (on registration form and bank account), to name a few examples.

3. *Who approves the content and who maintains the group's website and social media feeds?*

35 Where the APPG issues a press release or an official quote, the content is typically drafted by the Coordinator, amended as required and signed off by the Chair, and if I decide appropriate it may also be signed off by the Officers.

The day to day maintenance of the APPG's website and social media feeds is otherwise carried out by the coordinator.

4. *Why the information listed in paragraph 21(c) iii does not appear on the APPG's website, and*

a. if the information is already in the public domain, where it can be found?

b. whether this information has been made available on request?

5 For this reporting year, due to COVID-19, there has been only one formal group meeting - our inaugural meeting of 15th January 2020. Draft minutes from this meeting were circulated to Parliamentarians after this meeting but to date remain formally in draft format as they are yet to be approved at a group meeting, as due to Covid-19 only the Officers have met on-line since.

10 [The complainant, name redacted] requested a copy of our position paper (see following question) on 23rd September 2020, and this request was replied with a link to the paper on 30th September 2020. The complainant also emailed the APPG's Coordinator on 24th September 2020 requesting to be pointed "to the minutes of the APPG". The Coordinator replied to this email on 23rd October
15 2020 with a copy of the draft minutes of the AGM, our only formal group meeting this year. I am not aware of any other information requests, from the complainant or anyone else.

In light of your inquiry I have noted the complainant's suggestion that no minutes appeared on our website more broadly. I have also noted that other
20 items listed in Paragraph 21 c) were also not published. I have now asked the coordinator to rectify this. The available minutes from the Group's inauguration in 2016 will be put on-line in a section marked "Minutes" under the grouping "About".

25 5. *Why the position paper, titled Delivering Respect and Reassurance Around Trans Equality in the UK, agreed by the Officers of the APPG on 8th July 2020, was not published until 22 September 2020 and;*

a. whether this position paper was compiled or funded by an external individual or organisation and if so, why the publication does not display the disclaimer as set out in paragraph 22 of the rules and;

30 *b. why this publication does not contain the disclaimer as set out in paragraph 23 of the rules?*

The position paper "Delivering Respect and Reassurance Around Trans Equality in the UK" was not a paper of the Group. It was very specifically an agreed position of the Officers of the Group, who between them usefully represent the
35 main political parties. The narrow answer to your questions is that it is as such not required to be published at all;

On 5) a. No, it was entirely compiled by me, although that certainly engaged the advice and assistance of the coordinator and:

5 on 5) b. it was intended to be private between those it was circulated to and since they were all engaged in representative politics it never occurred to me a disclaimer would apply and they would all understand whose views it represented as it was clearly marked as a private paper representing the collective position of the Officers.

10 However, I would like to address the question around its publication in the wider context which is what the complainant and the document deserve. It was a paper designed to build consensus on this highly charged issue. Its origin lies in the work I did as Chair in discussing privately with my Conservative colleagues who were having the most public difficulty with the apparent direction of policy development towards Trans people following the 2018 consultation on reform of the Gender Recognition Act 2004. I was trying to find a consensus that would engage those
15 people sympathetic to the anxieties and concerns of the kind raised by [name redacted], even if unable to resolve the most fundamentalist position on sex and gender, it should cover every reasonable practical issue, be endorsed as a satisfactory outcome by all the leading LGBT organisations and as such enable the Government to adopt it with confidence as the core of its response to the
20 consultation. The endorsement of the APPG's Officers, drawn from the main political parties, would be an important step in establishing that the Paper could be the basis for that position.

Before continuing with the precise use of this paper let me give some background to it for context.

25 In summer 2018 the Government launched the LGBT Action Plan. This stated:

"We will ensure transgender people are treated with dignity and respect. Our survey showed dissatisfaction with the gender recognition process. We will immediately consult on reforming the Gender Recognition Act 2004 and consider how best to make the gender recognition process less bureaucratic and intrusive."

30 The rights of Trans people have become a highly emotive issue, with an apparently well-funded and organised lobby making the case that any advancement in the rights of Trans people would be coming at the expense of cisgender women. Whilst the Government did promptly carry out the consultation in 2018, by this summer it, and the Government's response, had yet to be published. In this time an extremely
35 toxic discussion was taking place on UK social media. Groups and individuals, on both sides of the debate, had been targeted, often by groups and individuals benefiting from the anonymous cover provided by online forums.

[Further details redacted as they are not relevant to my inquiry]

Trans people, having had held out to them the prospect of a route to self-identification in the gender they identify with, not only now saw this possibility being snatched away with Government inaction and to trans people and their supporters an alarming unsolicited statement from the Equalities Minister on 22nd April 2020 to the Women and Equalities Select Committee, but also the views of opponents as a fundamental assault on their gender identity, an identity usually arrived at through years of the most serious stress of all kinds. The response of some Trans people on social media was as unforgiving and intolerant of those who would deny them their identity. So toxic had the debate become that earlier this summer, the former Chairman of the Equality and Human Rights Commission, David Isaac, felt the need to raise concerns on the long-term impact on the country. He said:

"We've been calling for greater protection for trans people, but I'm concerned, not just about the polarisation, but also the toxic nature of debate, which is about shutting down freedom of expression and stifling discussion. We have to acknowledge there are lots of difficult issues in relation to women-only spaces, but shouting at each other doesn't help anybody. We need to move beyond that toxic debate so talking to each other, engaging in respectful listening even if you disagree, that's the only way forward."

It was and is within this difficult environment that the APPG has been, and will be, working to deliver respect and reassurance around trans people in the UK, so they can obtain the rights that are increasingly recognised in law across the rest of the "liberal west" and anxieties raised about the implications of the exercise of those rights addressed as well.

This formed the background to securing the support of the officers of the group to this paper, then securing the agreement of all the political parties own LGBT groups and the principal LGBT and Trans organisations that this paper, if adopted by the Government would be a satisfactory way forward. Through the Officers it was shared with Opposition party spokesman and the Leader of the Opposition. It was my judgement that if this paper could be communicated to the Government as representing a wide collective agreement they would be more likely to adopt it as theirs, than if they were faced with a public demand around this position and be seen to be forced into accepting it. Hence privacy around this paper was an essential (I believed) part of the strategy in order not to make the adoption of this position more difficult for the Government.

As we now know that was a mistaken approach. The government in its response chose not to follow the recommendations in the paper. This is a matter of some considerable regret to me.

The Government published its response to the consultation on 22nd September 2020, at which point any reasons for privacy fell away and I instructed the paper be published so all engaged in this debate could see how reasonable the position is, or

at least make their own judgement about it. The APPG released a press statement detailing its reasons for doing so.

Subsequently the APPG received correspondence on the issue, it having been suggested on social media that there was something amiss in the non-publication of the Officers' private paper after I referenced it and explained the attempts to rally the government to a widely agreed satisfactory position, reflecting my conversations with all sides of the argument. On 30th September 2020, the Coordinator sought advice from the Registrar of Members' Financial Interests who replied as follows:

10 *"Thank you for your email about the timing of publishing your group's policy position paper.*

15 *These are not matters covered by the APPG rules. The rules do not say how quickly an APPG report or other document has to be published. And APPGs may have internal policy documents, which do not have to be published.*

20 *What is important is that any decisions in relation to publication – or indeed any other matter – are taken by the parliamentarians who are members of the group. It is for them to decide what should be published and when. External campaigners may have a view but they have no vote when it comes to a decision."*

25 However in light of your inquiry I have asked that the appropriate disclaimer now be added to the paper, and in light of the on-going interest of this issue it to be published in both the news and publications sections of our website. At the next formal group meeting it is my intention to ask that this paper is formally adopted by the Group.

6. *Whether the disclaimer set out in paragraph 24 of the Guide to the Rules appears somewhere on the group's website (I cannot find it)?*

30 This was an oversight which the Coordinator has now rectified. The website now reflects this statement in every section and our social media channels (due to character limits on their description boxes) link to our website where the statement can be found.

35 7. *Finally, the information available on the APPG register states, "Kaleidoscope Trust is funded by the Baring Foundation to act as the group's secretariat". However, on the APPG's website it states, "Secretariat is supported jointly by the LGBT+ non-governmental organisations Kaleidoscope Trust, Stonewall, and Frontline AIDS".*

Please could you provide further detail regarding the source of the funding for the group secretariat and why the Baring Foundation is not named as a donor on the group's website.

5 The APPG benefits from the services of one Coordinator who is legally employed by Kaleidoscope Trust. From 4th February 2019 until 4th August 2020 the Kaleidoscope Trust had secured funds to administer and legally employ the Coordinator through a grant from the Baring Foundation, its own funds from other sources, and contributions from Frontline AIDS and Stonewall.

10 This is the position that was on the APPG's website. This will be updated to reflect the latest arrangements that have now been reported to the Registrar, following the first payment direct to the APPG from the Baring Foundation earlier this month. The Baring Foundation has agreed to fund the APPG directly for the services of a coordinator with effect from 4th August 2020 and currently the coordinator continues to be administered by the Kaleidoscope Trust and the APPG is receiving invoices for that service. The declarations to the Registrar reflect this change of circumstance with the ending of the direct contributions from the three associated NGOs.

15 To complete the understanding of the arrangements and the latest changes below is the full list of payments in respect of the APPG and the coordinator's work:

In respect of the coordinator's salary and expenses until 4th August 2020:

Frontline AIDS

20 Payment of £3,000.00 received by Kaleidoscope Trust on 23 December 2019

Stonewall

Payment of £7,000.00 received by Kaleidoscope Trust on 20 December 2019

Kaleidoscope Trust

25 During the period of 4th February 2019 to 4th August 2020, Kaleidoscope Trust committed £13,729.17 of its own funds to the position.

Baring Foundation

Payment £20,000.00 received by Kaleidoscope Trust on 5 March 2019

Payment £20,000.00 received by Kaleidoscope Trust on 10 March 2020

In respect of the coordinator's services after 4th August 2020:

30 On 9th October 2020 the APPG received funding of £18,420 direct from the Baring Foundation and this was reported to the APPG Register on 20th October

2020. This money was paid directly to the APPG to fund the employment of the Group's Coordinator from 4th August 2020 to 31st December 2020. The Coordinator will continue to be formally contracted by Kaleidoscope Trust who will invoice the APPG for the services provided by the coordinator.

- 5 I hope the above address your questions fully and I remain available for any further information required and as requested I can be reached on [number redacted].

30 October 2020

Enclosures: Email exchange between the Secretariat for APPG on Global LGBT+ Rights and the Registrar of Members' Financial Interests.

- 10 **Date:** 30 September 2020 11:04
From: Secretariat for APPG on Global LGBT+ Rights
To: Registrar of Members' Financial Interests
Subject: Clarification on APPG rule 21.c (iv) re publishing documents

- 15 I am the coordinator of the APPG on Global LGBT+ Rights. Last week we issued a position paper which was signed off by our Officers, then sent to the relevant Ministers back in July.

- 20 There are some campaigners who were less than pleased with the content of our position who have been emailing me and quoting Rule 21.c (iv), suggesting that we have broken the APPG rules by not publishing the position paper immediately when it was drafted & shared internally in July.

- 25 It was my understanding that this rule referred to publications such as inquiries and reports prepared with the intention of being public, and does not cover every briefing/position paper/policy document the APPG produces, and that is it very much in the decision-making powers of the Officers when and how these sorts of documents are shared wider.

Any clarity you have on this matter would be very much appreciated as I want to ensure the APPG is following all regulations correctly.

- 30 **Date:** Wed, 30 Sep 2020 at 13:18
From: Registrar of Members' Financial Interests
To: Secretariat for APPG on Global LGBT+ Rights
Subject: RE: Clarification on APPG rule 21.c (iv) re publishing documents

Thank you for your email about the timing of publishing your group's policy position paper.

These are not matters covered by the APPG rules. The rules do not say how quickly an APPG report or other document has to be published. And APPGs may have internal policy documents, which do not have to be published.

5 What is important is that any decisions in relation to publication – or indeed any other matter – are taken by the parliamentarians who are members of the group. It is for them to decide what should be published and when. External campaigners may have a view but they have no vote when it comes to a decision.

30 September 2020

10 **4. Letter from the Commissioner to the Registrar of Members' Financial Interests, 23 November 2020**

I would like to ask your advice on a complaint I have received about the APPG for Global LGBT+ Rights. The Chair for this group is Mr Crispin Blunt MP.

The complaint is that the group have failed to meet the transparency requirements outlined in the *Rules for All Party Parliamentary Groups*,

15 I enclose a copy of the correspondence from [name redacted], which led to me opening this inquiry. I also enclose my initiation letter to Mr Blunt, dated 22 October 2020, and his reply of 30 October 2020.

20 It would be helpful to receive your advice on this matter and specifically on the answers provided by Mr Blunt in his most recent letter. I would be particularly interested to know how you would have advised Mr Blunt if he had asked about the publication of the position paper after it had been endorsed by the Officers of the Group.

25 Mr Blunt has also informed me that the group Coordinator, [name redacted], has communicated with your office about this group. I would be grateful for details of any other contacts, including telephone calls and emails, you and your team may have exchanged with [name redacted] or Mr Blunt, that you think may assist me with this inquiry.

Any other comments you would wish to make would be most welcome.

30 It would be very helpful to have your reply by 3 December 2020. If you require further information from Mr Blunt before giving your advice, I would be happy for you to contact him direct.

Thank you for your assistance.

23 November 2020

5. Letter from the Commissioner to Mr Crispin Blunt MP, 23 November 2020

Thank you for your letter dated 30 October 2020, and for the information that it provided. I'm sorry it has taken longer than usual to reply.

5 In my letter to you of 22 October 2020, I said I may seek the advice of the House authorities as part of my investigation. Today I have written to the Registrar of Members' Financial Interests, and a copy of that letter is included for your information (minus the enclosures previously shared with you).

10 Once I have received the Registrar's reply, I will write to you again regarding the next steps. In the meantime, this matter remains protected by Parliamentary Privilege and should continue to be kept confidential.

23 November 2020

6. Letter from the Registrar of Members' Financial Interests to the Commissioner, 2 December 2020

15 Thank you for your letter of 23 November asking for my advice on the matters raised by the complaint against this group. I am pleased to hear that the Co-ordinator has been supplied with a copy of the APPG Guide to the Rules, and that the Chair or officers approve all external communications. I can confirm that those supporting this group have sought our advice on occasion.

Website

20 I have viewed the group's website and I am very pleased to see that past minutes are now posted online.

It would be helpful if the Chair and/or staff of the group looked over the site and its contents one more time. I can see some loose ends to tidy up:

- 25 1. The disclaimer should appear on all APPG publications. This means that it should be shown on all reports on the website and also on other documents such as calls for evidence etc. It is important that this appears on the front page of each.
2. If any outside organisation contributed to these publications, either directly or by paying for staff, this should also be explained in the same place.
- 30 3. The APPG logo should be converted from rainbow colours to the black and white one required. This applies no matter where the logo is used: website, social media, emails etc. (I hope the group will be able to use their rainbow colours in some other way.)

Position paper

In relation to the “position paper” published in September, I have considered what advice I would have given if I was consulted in the summer. I think I would have advised publishing it at an earlier stage. As I explained to the group’s co-ordinator
5 in October, there are no rules covering the exact questions she raised. I see no need to publish APPG documents on the group’s website while they are in draft form. But in my view once they are sent to other bodies outside the group for their use, that is a different matter. I would advise that they should be posted on the group’s website then, if they have not been published earlier. I have also considered whether this
10 was truly an APPG document if it was approved only by the APPG officers and not by the other parliamentarians who were members. However, since it was “owned” by a subset of the APPG ‘s parliamentary members I think it should be treated as an APPG document and carry the disclaimer.

Contact with the group

15 I attach emails detailing our contacts with this group in the current Parliament. (I have not supplied those about the mechanics and technical difficulties of sending the first registration form. And you already have my exchange with the Co-ordinator about the position paper.) We would be very happy to talk through the rules with the Chair and Co-ordinator if that would help; we may be able to offer some helpful
20 advice.

2 December 2020

See appendix for emails exchanged**7. Letter from the Commissioner to Mr Crispin Blunt MP, 7 December 2020**

25 In my letter of 23 November 2020, I explained I would seek the advice of the Registrar of Members’ Financial Interests, [name redacted]. I have now received her advice and I enclose a copy of her email, sent on 2 December 2020, for your information.

30 It would be helpful to have your comments regarding her advice, and particularly on the points she has identified under the headings of **Website** and **Position Paper**. Any other comments you would like to add regarding the advice would also be welcome.

It would be helpful to receive your reply by 18 December 2020. In the meantime, our correspondence remains protected by parliamentary privilege and I must ask that you continue to maintain the strict confidentiality of the inquiry.

35 *7 December 2020*

8. Email from Mr Crispin Blunt MP to the Commissioner, 4 January 2021

I am writing in response to your letter dated 7th December 2020. Please accept my apologies for the delay in this response which has been due to an oversight of my

sole monitoring of my personal inbox. I am grateful for the opportunity to provide you with further information after your initial deadline and hope this assists in drawing the matter to a close.

- 5 In your correspondence you ask for my comments in respect to [the Registrar's] headings of 'Website' and 'Position Paper'. On the former, I am grateful for her advice and have asked that our Coordinator, [name redacted], who holds the website's log in details and amendable versions of the publications, reviews this once again to ensure every final point is addressed. [Name redacted] is on leave this week but I will ensure she addresses this immediately on return on 11th January 2021.
- 10 Turning to the Position Paper, I note [the Registrar's] conclusion that the Paper should be considered as an APPG document and I shall ask the APPG's Coordinator to ensure that a disclaimer is added to this. With regards to its publication date, my position remains unchanged from my earlier correspondence to you dated 29th October 2020 however.
- 15 As noted then, this Paper was designed to build consensus on a highly charged issue in a highly toxic environment. I was trying to enable the Government to adopt it with confidence as the core of its own response to the 2018 consultation before it issued a public response. In this context, it was my judgement that if this paper could be
20 communicated to the Government privately, and as representing a wide collective agreement, they would be more likely to adopt it as theirs than if they were faced with a public demand around this position and be seen to be forced into accepting it. I believed the privacy around this paper was an essential part of the strategy in order not to make the adoption of this position more difficult for the Government. When the Government published its response to the consultation on 22nd
25 September 2020, the reasons for privacy fell away and on the same day I instructed the paper be published so all engaged in this debate could see the APPG's position on this matter. The APPG released a press statement detailing its reasons for doing so.
- 30 As [the Registrar] noted both in her correspondence on 30th September 2020 and now, the rules do not say how quickly an APPG report or other document has to be published. This said, I do fully appreciate and support the broader transparency objectives of the rules set out in Paragraph 21 which states that "*groups must be transparent about their nature, membership and funding*". The above paragraph in this letter explains why the Paper was kept private for some time and how, the same
35 day my reasons for keeping the Paper private fell away, it was published. Publishing the document before the Government's public response, at an earlier stage as suggested by [name redacted], would have undermined our political strategy and by extension our attempt to deliver reassurance and respect around trans equality in the UK, a real, pressing need for the 200,000 to 500,000 of our fellow citizens
40 estimated to be trans. From the Coordinator's return the document will bear the appropriate disclaimer.

I hope this email is of assistance in your enquiries. Please could the record also reflect my and my team's appreciation for [the Registrar] and her team's support and continuous availability.

4 January 2021

5 **9. Letter from the Commissioner to Mr Crispin Blunt MP, 25 January 2021**

Thank you for your email of 4 January 2021, and the additional responses you have provided in relation to the Registrar's advice. Having considered all of the evidence carefully, I now have sufficient information to make a decision.

My decision

10 After considering our correspondence, the published rules for APPG's, and the advice from the Registrar of Members' Financial Interests, I have decided that the APPG for Global LGBT+ Rights acted in breach of paragraphs 21, 23 and 24 of the Rules for All Party Parliamentary Groups. I have found no evidence that paragraph 22 has been breached and no further action will be taken on this point.

15 **Rationale**

I will address each of the rules, and the reasons for my decision, in turn.

Paragraph 21 (Maintaining transparency)

15 Prior to my investigation, the website for the APPG for Global LGBT+ Rights did not meet all the requirements as set out in paragraph 21 of the rules. My investigation
20 revealed the group had not consistently published the dates of formal meetings both past and future, or the minutes of past formal meetings on its website. Although this has been corrected, these omissions were a breach of paragraph 21(c) ii and iii of the rules.

25 **Paragraph 21(c) iv** sets out that APPGs should publish on their website "*...any reports or publications issued*". [Name redacted] wrote to me when it became apparent there had been a gap of several months between the position paper being agreed by the Officers of the APPG, on the 8 July 2020, and the publication of the position paper on the group's website, on 22 September 2020.

30 In your letter of 30 October 2020, you stated that the position paper titled, "*Delivering Respect and Reassurance Around Trans Equality in the UK*" was not a paper of the group, and as such, publication on the group's website was not required. The rules are not specific on what should be regarded as an APPG publication, so I have considered this point carefully. I see that on the group's website it is referred to as an APPG position paper. In view of this I think it should
35 have been published in accordance with the rules on APPG reports and documents.

The rules however do not say when publication should have happened, and in your correspondence, you have explained in detail the reasons why you chose not to publish the position paper sooner. The Registrar stated that if her advice had been

sought, she would have advised “...publishing at an earlier stage.” I am inclined to agree with her advice and would recommend publication within 28 days of a future report or paper being agreed, to avoid a recurrence of this situation.

Paragraph 22 (Information to be shown on reports)

5 When I started my investigation, I explained that reports published on the group’s website, and funded by external organisations, should bear a disclaimer stating this fact. During my investigation I have seen no evidence to suggest that any reports published on the group’s website have been funded externally. Therefore, I have
10 seen no evidence to suggest the group have breached paragraph 22 of the rules for APPGs.

Paragraph 23 (Reports and publications)

The rules require that all APPG reports and publications should carry a disclaimer on the front cover (or equivalent⁷). Failure to include this disclaimer on the group’s published reports was a further breach of the rules.

15 In your email of 4 January 2021, you indicated that you would work with the Group’s Coordinator to address these points, and I see from a review of your website that all published reports – except the downloaded 2016 Report - now carry the disclaimer as required. Thank you for your actions so far on this matter.

Paragraph 24 (Social media)

20 The rules for APPGs also make it clear that a group’s website and media feed must carry an approved disclaimer. When I started my investigation, the required disclaimer was not displayed on the group’s website or their social media feed, which was in breach of paragraph 24 of the APPG rules.

In your letter of 30 October 2020, you stated that a disclaimer is now visible on the
25 group’s website, and that “...social media channels (due to character limits on their description boxes) link to our website where the statement can be found.”

Other matters

In my initiation letter I asked you to provide, “...further detail regarding the source
30 of the funding for the group secretariat and why the Baring Foundation is not named as a donor on the group’s website?” In your reply on 30 October 2020, you explained that the circumstances around the funding for the Group’s coordinator had recently changed, and that you had contacted the Registrar to update this information. I note that this change in funding has also been reported on the group’s website.

35 In her advice on 2 December 2020, the Registrar also explained that the APPG logo displayed on the group’s website should be converted from rainbow colours to the black and white logo approved by the House. I appreciate the significance of using a rainbow version of the APPG logo for this group. However, I am pleased to see the group’s website now features the House’s bespoke APPG portcullis emblem; please

⁷ If it is an online publication

make sure that it is changed in every instance where it appears on the website or on published documents.

If you would like further advice on the crowned portcullis emblem and its uses, please contact the Brand and Design Manager, [details redacted].

5

Next Steps

I consider the breaches identified above to be at the less serious end of the spectrum. Standing Order No 150 makes provision for me to conclude an inquiry without making a referral to the Committee on Standards in certain circumstances. The
10 Committee would generally expect the Chair of the APPG to have acknowledged and apologised for breaches of the rules on behalf of the group, and to have taken any steps necessary to rectify the breaches.

Thank you for providing information of the steps you have taken to rectify the breaches identified above. I am satisfied that you now have measures in place to
15 ensure the group's ongoing adherence to the rules for APPGs.

I have decided that a referral to the Standards Committee is not necessary and that I can resolve this breach of the rules through rectification. To do so, the Committee would generally expect the Member to provide the following:

- a) Confirmation that you accept my decision;
- 20 b) Action on the outstanding items (changing the rainbow coloured portcullis logo and the disclaimer needed on the front cover of the downloaded 2016 report);
- c) As Chair and on behalf of the group, an acknowledgement that the APPG for Global LGBT+ Rights breached the rules as set out in my rationale;
- 25 d) As Chair and on behalf of the group, an apology for the breaches identified by my investigation.

The above can be provided by way of your formal response to this letter.

Subject to your acknowledgement and apology for this breach of the rules, and your confirmation that the matters identified above have been put right, I would be
30 willing to conclude this matter by way of the rectification procedure. If you are content for me to conclude the inquiry in this way, please write to me with the above information by **5 February 2021**.

If you agree to my proposal, I will share my written evidence pack with you, so that you can check its factual accuracy before publication. I will also report the outcome
35 to the Committee on Standards in due course as a matter of routine.

If you do not accept my decision, you should tell me the reasons for that by reply. After which, I will prepare a Memorandum to the Committee on Standards, so that they may consider the matter. I would give you the opportunity to see and comment on a draft of the Memorandum, but the content of it would, in the final analysis, be for me alone.

In the meantime, our correspondence remains protected by parliamentary privilege and I must ask that you continue to maintain the strict confidentiality of the inquiry.

As you know, due to the current pandemic, my team are currently working from home only, so I would be grateful if you could please send your response electronically to [details redacted].

25 January 2021

10. Email from Mr Crispin Blunt MP to the Commissioner, 3 February 2021

Thank you for your letter of 25th January re the complaint from [name redacted] against the APPG for Global LGBT+ Rights.

15 I accept your decision.

We have changed the logo to the required black APPG square and are seeking the Registrar's advice on a new logo consistent with the guidance.

The disclaimer has been added to the front cover of the 2016 Report.

20 I accept the rules were breached as set out in your rationale. I apologise on behalf of the Group for those breaches.

25 I am grateful for your trouble in the investigation and I'm pleased that as the Group has progressed since its inception in 2015 its administration has generally improved and I recognise the necessity of being punctilious, not least in areas of great controversy around fundamental questions of rights and identity where passions run high among those engaged. The irony of it being the handling of the paper whose purpose was to deliver compromise through respect and reassurance around this issue created the complaint and the necessary implications of your judgement in trying to find the broadest base of compromise is not lost on me.

3 February 2021

30 11. Letter from the Commissioner to Mr Crispin Blunt MP, 12 February 2021

Thank you for your email of 3 February 2021, in which you agreed to my proposal to conclude the inquiry by way of the rectification procedure and you acknowledged and apologised on behalf of the APPG on Global LGBT+ Rights, for their breach of the rules for APPGs.

I enclose a copy of the written evidence pack, which includes the correspondence exchanged during my investigation. In this pack you will find a draft copy of the letter I plan to send to the complainant; it is the first item in the pack, after the summary. While the content of the letter is a matter for me alone, I would welcome
5 any comments on the factual accuracy of this and the written evidence pack. The complainant's name will be redacted from the published pack; please let me know if there are any further redactions you think should be made, and I will consider your request.

10 I would be pleased to receive any comments you wish to make on these items as soon as possible, and no later than 24 February 2021.

Once I have any comments you wish to make, I will finalise the pack, which will then be published on my webpages. I will notify you of the publication of the pack and I will also notify the Committee on Standards of the outcome of my inquiry in due course.

15 In the meantime, our correspondence continues to be protected by parliamentary privilege. Until I send you and the complainant letters concluding the inquiry, this matter should remain confidential.

12 February 2021

Appendix

20 **Emails exchanged between the Secretariat for the APPG for Global LGBT+ Rights, the office of the Registrar of Members' Financial Interests, and the office of Mr Crispin Blunt MP**

1. **From:** APPG Register
Sent: 29 October 2020 16:57
25 **To:** BLUNT, Crispin
Cc: APPG Register
Subject: FW: Entry for the APPG for Global LGBT+ Rights

30 Dear Mr Blunt

Thanks for your call earlier about the registration of donations to the Global LGBT+ APPG.

35 I think that there may have been some confusion. If you could let us know how you think the register entry should look, going forward, that would help. Since [name redacted] was dealing with this earlier I will then ask her to pick up any changes needed when she returns to the office. I hope that will be satisfactory.

Best wishes

40 [Name Redacted]

Registrar of Members' Financial Interests

2. **From:** [Name redacted] Senior Parliamentary Assistant to Crispin Blunt MP
Sent: 20 October 2020 16:35
5 **To:** APPG Register
Cc: BLUNT, Crispin
Subject: Entry for the APPG for Global LGBT+ Rights

10 Dear [Name redacted]

I hope this email finds you well.

15 On Crispin's behalf I am writing to advise of a donation of £18,420 made by the Baring Foundation to the APPG for Global LGBT+ Rights on 9th October 2020. This money will be used to fund the employment of the Group's coordinator, formally contracted with the Kaleidoscope Trust who will be invoicing the APPG for the services of the coordinator.

20 I hope the above provides sufficient detail for the appropriate entry but if not please do let me know and I'll happily assist. I can be reached on [number redacted] should a call be easier.

25 Many thanks in advance and best wishes,
[name redacted]

Senior Parliamentary Assistant to Crispin Blunt MP
Member of Parliament for Reigate

- 30 3. **From:** APPG Register
Sent: 14 April 2020 15:14
To: Secretariat APPG Global LGBT+ Rights
Subject: RE: Registration form - APPG on Global LGBT+ Rights

35 Thanks for the clarification, [name redacted].

I'll amend the group's register entry accordingly in due course.

40 Kind regards
[Name redacted]
Assistant Registrar

- 45 4. **From:** Secretariat APPG Global LGBT+ Rights
Sent: 14 April 2020 15:06
To: APPG Register
Subject: Re: Registration form - APPG on Global LGBT+ Rights

Hi [name redacted],

Apologies if I made a mistake - Kaleidoscope Trust provides the Secretariat aka my salary, and they are able to because of a grant from the Baring Foundation. I'm not sure if this needed to be listed separately.

Kind regards,

[Name redacted]

Secretariat APPG Global LGBT+ Rights

5. **From:** APPG Register

Sent: Thursday, 9 April 2020 11:18 AM

To: Secretariat APPG Global LGBT+ Rights

Subject: RE: Registration form - APPG on Global LGBT+ Rights

Hi [name redacted]

You indicated in section 12 of the form that Kaleidoscope Trust is paid by another organisation to act as the group's secretariat. What is the name of that organisation?

Kind regards

[name redacted]

Assistant Registrar

6. **From:** Secretariat APPG Global LGBT+ Rights

Sent: 08 April 2020 15:19

To: APPG Register

Cc: [name redacted]

Subject: Registration form - APPG on Global LGBT+ Rights

Dear [name redacted],

I hope you are keeping well in these troubling times.

As discussed, there was some error along the way in submitting our form, but please find it attached and electronically signed by our chair Crispin Blunt MP (due to illness I have not been able to access our records in the office, and then due to social distancing measures an in-person signature is no longer possible!).

If you have any questions or queries please get in touch, and all the best,

[name redacted]

Secretariat APPG Global LGBT+ Rights