

## RECTIFICATION

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### Summary

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5 The allegation I investigated was that the Pro-Life APPG had breached the House's rules on transparency set out in paragraphs 21 and 24 to 26 of the Guide to the APPG Rules. I found that the Group had acted in breach of paragraphs 21, 24 and 26 of the Guide to the Rules. I upheld the allegation.

The Chair of the APPG, Ms Fiona Bruce, accepted and apologised for these breaches of the rules, and I concluded this matter using the rectification procedure.

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# Pro-Life All-Party Parliamentary Group: Resolution letter

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### Letter from the Commissioner to Dr Nicolette Priaulx, 24 October 2016

5 I wrote to you on 25 August, saying that I would begin an inquiry into your allegation about the Pro-Life APPG. I have now concluded my work.

After correspondence with Ms Fiona Bruce MP, the chair and registered contact, for the APPG, I have concluded that there have been breaches of the Guide to the Rules for APPGs. I found that:

- 10 • The webpage which carried the call for evidence should have shown the full title of the APPG more prominently; it was not sufficient to include this information in small print at the very bottom of the webpage. The inquiry webpages did not contain any other information about the APPG or where the reader might find it. While the rules did not explicitly require this information to be carried on a website, the omission of such information
- 15 made it more likely that a reader might conclude wrongly that the report was to be an official parliamentary publication and, more particularly, a Select Committee Report.
- The website should have included the contact details of the APPG's chair.
- 20 • More generally, the 'look and feel' of the webpages which carried the call for evidence and the APPG Report itself was so similar to that of a Select Committee's material that it carried the potential for confusion. For example, the reference on the title page of the report to a '*Parliamentary Inquiry*' was open to misunderstanding.
- 25 • The webpage and the report both carried an incorrect Crowned Portcullis; the bespoke APPG Crowned Portcullis should have been used.

In the light of the information Ms Bruce has provided, I do not consider there to have been a breach of paragraph 25 of the Guide to the Rules concerning the declaration of external funding.

30 In light of the above, I have upheld your allegation about the APPG. Ms Bruce has acknowledged and apologised for the breaches and taken suitable steps to avoid further misunderstanding of the status of the APPG's Conscience Inquiry Report. I am satisfied from the explanations given that there was no deliberate attempt to mislead, and I consider the action taken sufficient to resolve the matter.

35 I will report the matter briefly to the Committee on Standards. In due course, this letter and the relevant evidence (a copy of which I enclose) will be made available on my parliamentary webpages.

I am sending a copy of this letter to Ms Bruce.

*24 October 2016*

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# Written Evidence received by the Parliamentary Commissioner for Standards

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**Letter from Dr Nicolette Priaux to the Commissioner, 16 July 2016 (received 23 August 2016)**

5 I write to lodge a complaint under Rule 33 as detailed under the Rules on All-Party  
Parliamentary Groups 2015 regarding Fiona Bruce MP's website:  
<http://www.conscienceinquiry.uk/>

10 While I write in a personal capacity, I am a Reader in Law at Cardiff University who  
is actively engaging in work in the field of medical law and ethics, and embedded  
within scholarly networks and communities accordingly. Individuals within the  
academic community have been questioning whether this Conscience Inquiry  
constitutes official business (and some treating it as if it is) of Parliament, for  
reasons that I understand. In line with a previous complaint in respect of the APPG  
for Pro-Life, which led the provision of written evidence (albeit with mention of the  
15 APPG for Pro-Life redacted) for the House of Commons Committee on Standards on  
All-Party Parliamentary Groups 2013-14, this website also portrays itself as official  
business of Parliament. As you will no doubt be aware, following that Committee a  
variety of measures were formulated designed to increase the transparency of  
APPGs, including the Rules on All-Party Parliamentary Groups (February 2015).  
20 This complaint speaks directly to these rules in respect of the latest purported  
Parliamentary "Conscience Inquiry".

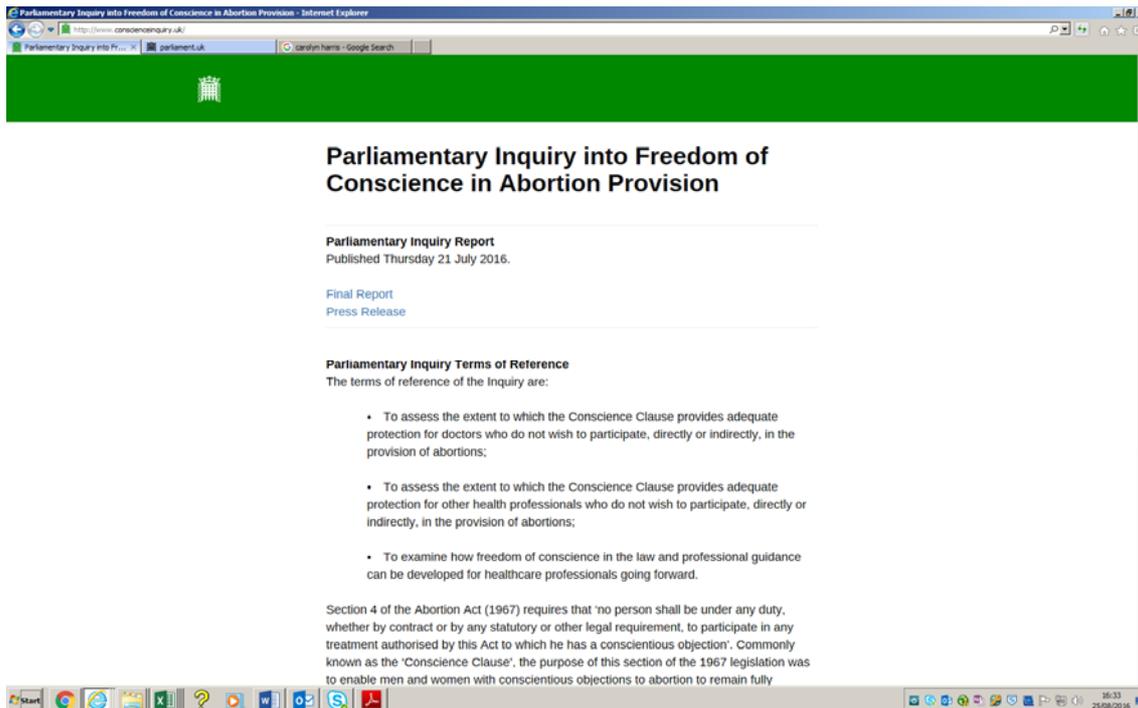
25 There is a thin level of compliance in one respect, indicating that the APPG for Pro-  
Life is cognisant of the above rules. Unlike a previous purported Parliamentary  
Inquiry seemingly run by the APPG for Pro-Life (abortion and disability) and also  
headed by Fiona Bruce MP in 2013, this Conscience Inquiry now details a disclaimer  
which highlights at the very bottom of the page that this is the APPG for Pro-Life and  
that the inquiry does not constitute official business of either House. While the  
positioning of the disclaimer is not prominent, the wording used complies with Rule  
24 and clarifies that an APPG sits behind this.

30 However, in two significant respects, the website fails to comply with the Rules for  
APPGs. These are as follows:

### **1. Failure to comply with Rule 25**

35 The purported Inquiry continues to use the Crowned Portcullis which pertains to  
Select Committees/official business, rather than deploying the bespoke APPG  
portcullis emblem as required under rule 25. The Crowned Portcullis appears both  
on the two webpages of this site, the tab of the site for the web-browser, in addition  
to its presentation via social media (e.g. Twitter and Facebook).

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## 2. Failure to comply with Rule 21

5 The Reference to 'Parliamentary Inquiry...' as opposed to what this is, an All-Party Parliamentary Group inquiry seems to me to run directly against what is required under Rule 21: *"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."* In the previous abortion and disability inquiry, broadsheet papers reported this as a Parliamentary Commission. References to Parliamentary Inquiry were repeated through other news channels treating it as  
10 tantamount to official business, and a variety of individuals from academia have highlighted the role they played in presenting evidence to Parliament. In other words, the term 'Parliamentary Inquiry' invites confusion—even among those perhaps best-equipped to know better—and it seems designed to confuse in a way that other APPGs have successfully avoided.

15 I would respectfully request that the Office of the Parliamentary Commissioner for Standards intervenes to ensure compliance with the rules on APPGs which were designed to ensure greater transparency for the broader public. In addition, if the Commissioner could request that websites of APPGs link to the APPG membership pages so that the public can more easily access details as to who are members of  
20 relevant APPGs (rather than upon request), and indeed, who funds them, alongside clear notification of the nature of the inquiry and the Members of Parliament that will be managing submitted evidence, that would be an important and useful step.

16 July 2016

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### Letter from the Commissioner to the Chair of the Pro-Life APPG (Ms Fiona Bruce MP), 25 August 2016

I would welcome your help, as chair of the Pro-Life APPG, with a complaint I have received from Dr Nicolette Priaulx about that APPG. Paragraph 3 of the Guide to the Rules on All-Party Parliamentary Groups (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.”.

5 I enclose a copy of Dr Priaulx’s letter, which I received on 23 August. (I understand this complaint was originally sent to me on 16 July but did not arrive.) The essence of the allegation is that the Pro-Life APPG has not followed the House’s rules on transparency.

10 Paragraph 21 of the Guide to the Rules says;

15

“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:

20

a) use the group’s full registered name, including the term “All-Party Parliamentary Group” in all its communications. This helps distinguish registered groups from unregistered groups and from other bodies such as Select Committees; ....”

25 Paragraphs 24 to 26 of the Guide to the Rules says:

“24. 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:

30

*“This is not an official website [or feed] of the House of Commons or the House or 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.”*

35

25. An APPG must identify sources of external funding on its headed paper; or must include on it a link to the Register or to a website where those sources are listed.

40

26. APPGs who wish to use the crowned portcullis must use the bespoke APPG portcullis emblem which is available on the APPG page of the parliamentary website....”

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I would be grateful to have your comments on the allegation and, in particular, it would be helpful to know:

- 5           • whether you were aware of the requirements above, as set out in the Guide to the Rules which was approved by the Standards Committee on 24 February 2015;
- when the Conscience Inquiry was set up and by whom;
- whether you consider that the Conscience Inquiry website has met each of the requirements set out in the paragraphs above, and if not, where it falls short;
- 10          • how the look and feel of the website was determined, and in particular
  - Who designed it;
  - Who choose the green and white colours to use, the portcullis logo and the general format and wording;
  - Who approved these;
- 15          • whether you consider that this website makes sufficiently clear that the inquiry is being carried out by an All-Party Parliamentary Group, or whether you consider that it could create the impression that the inquiry is begin undertaken by a parliamentary committee or other, official, parliamentary body;
- 20          • whether this inquiry benefits from any outside support, in money or in kind; and
- any outcome you expect from the inquiry, other than a report.

I have explained to Dr Priaulx that, while the inquiries I am initiating today are directed to you as the responsible officer for the Group, my inquiry is about an  
25           alleged breach of the rules by the APPG. It is not an inquiry into an alleged breach of the Code of Conduct for Members.

I will, in the next few days, include on my parliamentary web-page the fact that I am conducting an inquiry into this complaint about the APPG. I will, as far as possible, follow my usual procedures, which are set out in the enclosed Commissioner's  
30           Information Note. While my inquiry is in progress, this matter is protected by parliamentary privilege and you should, therefore, not share this correspondence with anyone other than those with whom it is strictly necessary in order to answer my questions.

I would be grateful to have your response to this letter by 9 September 2016  
35           *25 August 2016*

### **Letter from Ms Fiona Bruce MP to the Commissioner, 5 September 2016**

Thank you for your letter of 26 August.

I respond as follows, using the bullet points on page two of your letter, in their order:

- Confirmed;
- 40          • June 2016, by me as Chair of the Pro-Life APPG;

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- All the research, administration, drafting and completion of the Inquiry Report was carried out 'in house' in my Parliamentary office by my staff members [names redacted] (who are both credited in the report for their work), and myself. No outside organisation or individual assisted with this.

The only external help sought was technical IT support to put a basic website and the report online. As the cost of this was nominal, I did not believe it was necessary to disclose this, being very considerably under £1,500, and this being the only substantive work the All-Party Parliamentary Group has carried out this year. We have no secretariat - that work is also carried out by my Parliamentary office.

I regret that the Report on the website used the wrong Portcullis logo on page 1—print attached.<sup>1</sup> I apologise for this. I believe it is the only breach in the report. As the words 'All-Party Parliamentary Pro-Life Group' appear immediately alongside, I do not believe there is any likelihood that a reader would mistake the group which produced this Report for an official Parliamentary body, particularly since the appropriate disclaimer is at the foot of that opening page. On page 3, the correct logo does in fact appear (also attached).<sup>2</sup>

Immediately on receipt of your letter of 26 August, I requested that the website be taken down, and is it still down, pending my ensuring that you are satisfied with compliance going forward. As I see it, the only change I would need to make is to change the Portcullis logo on page 1 to that on page 3. The Report, a full copy of which is enclosed, will be the only content on the website, [www.conscienceinquiry.uk](http://www.conscienceinquiry.uk) going forward. (I am even proposing to remove the submissions which were originally annexed, to ensure complete clarity and compliance.)

The APPG has had no printed copies of this report produced, although we were thinking of doing so, and again for the sake of compliance accuracy I should be grateful if you would be satisfied if we produce the print in the format of the enclosed document. I would be grateful for your confirmation.

- Regarding the look and feel of the website, I have spoken with [name redacted] (who carried out the bulk of the work of this inquiry), who has confirmed to me that the entire content of the website was designed by [him/her], including its wording, design, colours, logo and general format. The only external help [s/he] sought was, as mentioned, the technical IT support to put this online, which involved setting up a basic website. (For the sake of absolute completeness, although de minimis, [name] also tells me that [s/he] spoke/emailed extremely briefly with two professionals with knowledge in this field, for advice about going about the Inquiry, and a 'friendly lawyer' very briefly checked some wording for [him/her].)

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<sup>1</sup> Print not included

<sup>2</sup> Print not included

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5 [Name redacted] informs me that [s/he] went to considerable lengths to make sure that the content would not be in breach of any rules, and was quite concerned about this. [Redacted] says [s/he] called the Parliamentary switchboard and 'had several discussions about whether we could use the Portcullis logo and the colour green because I knew there were strict rules around it (I foolishly hadn't realised there were two different logos)' and that [s/he] only proceeded when [...] felt satisfied. Unfortunately, [redacted] does not have names or records of the phone calls. Knowing [redacted] as I do, as person of total integrity, I am confident there was no intention whatsoever to mislead the status of this Inquiry or Report, and that any error was genuine.

10 I approved the wording before it went online, although I did not look at the website once up. I apologise for this, and also take full responsibility for [redacted's] work, both as employer and Chair of the APPG.

- 15
- I consider that the website does make sufficiently clear that the Inquiry is an All-Party Parliamentary Group inquiry.
  - No, apart from as mentioned above, the very modest technical help to [redacted] to set up the website.
  - None.

20 I hope the above is helpful, and would be happy to meet with you to discuss this further.

*5 September 2016*

### **Letter from the Commissioner to Ms Fiona Bruce MP, 15 September 2016**

Thank you for your letter of 5 September. I am grateful for your helpful response.

25 I should perhaps explain that Dr Priaulx originally complained at the stage when the Group was inviting people to submit evidence to the inquiry. Her complaint therefore originally related to the website as it was at that stage. Problems with the postal system caused a delay, and I did not receive her documentation until 23 August, by which time your inquiry had (I assume) received its evidence. I understand from your letter that the inquiry's website has been updated and, if it had not been taken down, that it would now contain the Report of this inquiry.

30 I should be grateful for your response on the three issues below.

#### 1. Portcullis logo

35 I am grateful for your acknowledgement that the report was originally published on the website with the wrong portcullis logo. Dr Priaulx's complaint also included a screenshot of a web page (I think before the report was uploaded) showing the same white portcullis logo above the terms of reference, apparently on a banner. Please let me know whether you agree that this too was an error.

#### 2. Lack of transparency about ownership of the inquiry

40 The second element of Dr Priaulx's complaint was that the website and the call for evidence as they were at that stage did not make sufficiently clear that they related

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to an inquiry initiated by an APPG. Paragraph 21 of the Guide to the Rules says that groups must avoid presenting themselves in a way which could lead to confusion with Select Committees.

My concerns are:

- 5
- the design of the webpage which invited people to submit evidence. I shall need to consider whether, under paragraph 21 of the Guide to the Rules, the page ought to have shown the full title of the APPG as well as the name of the inquiry, rather than expecting the reader to scroll down to the small print at the very bottom in order to find who was conducting the inquiry.

10

This information was not provided anywhere else. At that time, the webpages also did not carry any information about the APPG or tell the reader where they could find out about it. I accept that this was a website devoted to a particular inquiry, and not a permanent website which would definitely have been required, under the rules, to carry this information.

15

Nevertheless I shall need to consider whether, under paragraph 21, the website ought to have shown the full name of the group and its membership, meetings and any published reports. I am pleased to see some of this information included in the group's Report.

    - The format of the pages which carried the call for evidence, and the APPG report, were in some ways similar to those of Select Committee material. There is of course no ban on using House of Commons green, but I shall need to take a view on whether the "look and feel" of both the call for evidence and the front page of the Report were close enough to Select Committee material to carry the potential for confusion. (I attach copies of the original front page of your Inquiry report and also the title page of a recent select committee report for your information.)

20

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I shall need to consider whether the combined effect of these issues was that a member of the public with limited knowledge of Parliament could too easily assume that the inquiry was being conducted by a parliamentary body with an official mandate, such as a select committee. *Please let me have any comments you would wish me to consider.*

30

Publication of the report

Thank you for amending the portcullis logo on this report. I am pleased to see that the title page includes the necessary disclaimer, and that the correct logo was included inside the report. I would be grateful if you would make further amendments to the title page so that it looks less like a select committee page, and send it back to me for approval. Once this has been approved, I would have no objection to publication, either online or in print or both, alongside the evidence submitted to it.

35

When I hear back from you, I shall consider how best to resolve this complaint. If you accept that the portcullis and the presentation of the inquiry infringed the rules, and apologise, it would be open to me to resolve this complaint through the rectification procedure. I would then convey your apology to the Standards Committee and I would write formally to the complainant to explain what action had been taken. I would then publish that letter, and our earlier exchanges, on my webpages together with all the relevant evidence.

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I would be grateful for your response on items 1 and 2 above, and to see a revised front page for the inquiry report. It would be helpful to have these by the end of September. Please also let me know if you would like me to consider resolving this complaint through the rectification procedure.

5 *15 September 2016*

### **Email from Ms Fiona Bruce MP to the Commissioner, 29 September 2016**

Thank you for your letter of 15 September.

I reply as follows, using your enumeration.

(1) Agreed and I apologise.

10 (2) There was absolutely no intention to mislead, indeed [redacted], as previously stated, went to great lengths to ascertain that the content and presentation did not infringe any rules, including checking the actual colours used. However, if you conclude that the website conveyed an inaccurate impression, then notwithstanding that this was inadvertent, I  
15 apologise.

Regarding publication of the Report, I will send you by post shortly a revised title page when the presentation and colours have been changed (my staff member who has the expertise to attend to this is currently away).

20 Finally, I note you have the option of resolving this complaint through the rectification procedure and would like you to do so.

*29 September 2016*

### **Letter from the Commissioner to Ms Fiona Bruce MP, 4 October 2016**

25 Thank you for your email of 29 September 2016. I have considered carefully all the information you have provided. While I accept that there was no deliberate attempt to mislead, the Group has acted in breach of the Guide to the APPG Rules (rules 21, 24 and 26) and I, therefore, uphold the allegation.

30 Since you have acknowledged several of the breaches already and signalled your willingness to accept my judgment on the outstanding issues, I enclose a copy of the written evidence pack which I intend to publish once I have written to Dr Priaulx to notify her of my decision. (My draft letter to Dr Priaulx is the first item in the enclosed evidence pack.)

While the content of my letter is, of course, a matter for me alone, I would like to give you this opportunity to comment on its factual accuracy before I conclude this matter. I would also like to thank you for your co-operation with my work.

35 I can confirm that, subject to the revision of the report for hard and soft publication, I consider the steps taken to be sufficient to bring this inquiry to a final conclusion.

I would be grateful if you would let me know as soon as possible, and no later than 20 October 2016 whether you have any comments on my draft letter to Dr Priaulx.

*4 October 2016*

40