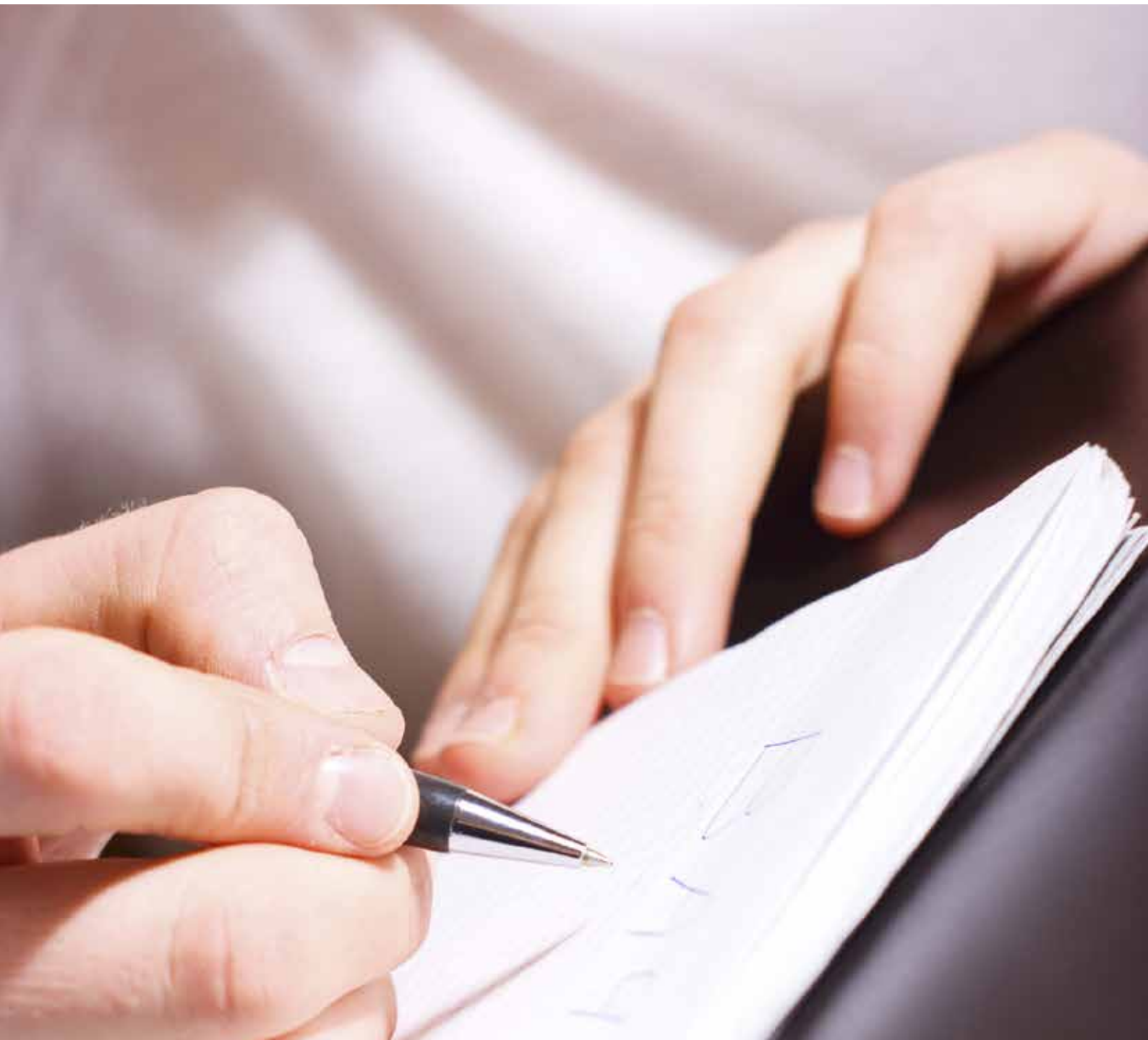




HOUSE OF COMMONS



Parliamentary Commissioner for Standards
Annual Report 2013–14

HC 354



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Parliamentary Commissioner for Standards

Annual Report 2013–14

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Foreword

1. This is the second annual report of my term as Parliamentary Commissioner for Standards and covers my first full year in post. The year has been a busy one, with a number of policy issues to address in addition to a variety of complaints and the need for some significant changes in my office. The new Committee on Standards was set up as I came into post and has itself been developing with the addition of three lay members. My positive and constructive working relationship with the Committee has greatly assisted my work.
2. During 2013-14 a total of 93 formal complaints were made to me, of which nine were accepted for inquiry. I resolved ten, of which two had been brought forward from the previous year. One active inquiry has been brought forward into 2014-15. The overall numbers of complaints received are similar to those of the previous two or three years. These complaints ranged from areas such as failing to register interests or to declare them appropriately, to lobbying for reward. They continue to include complaints relating to MPs' use of the Additional Costs Allowance under the expenses system which ceased in 2010. It is to be hoped that we may soon be able to move on from the difficulties of that time.
3. I am grateful to the House authorities for the support they have given me, first of all in ensuring that the long term accommodation for my small team is now fit for purpose and secondly for assisting me in the recruitment of new staff. For various reasons the turnover of my office staff has reached 50% in twelve months with three members of the team moving on for different reasons. I am grateful to them for their contribution (some of them over a period of many years) and have also been pleased to welcome new colleagues who have settled well. My thanks are also due to the remaining members of the team who have worked hard to maintain stability in a period of change. We are now in a position to continue and develop the advice and support we offer to MPs and to implement some changes planned for the coming year, as well as improving our service to the general public who contact us with concerns.
4. During the year, in co-operation with the Committee on Standards, I have been involved in a number of policy issues. Our agreement with the Metropolitan Police has been updated and a revised agreement with IPSA awaits the arrival of their new Chief Executive for signature. I have been closely involved in detailed work concerning the possible introduction of a revised Respect Policy, which would ensure that any allegations by House of Commons staff that MPs have not behaved appropriately towards them can be resolved satisfactorily. In the summer of 2013, the Registrar, Assistant Registrar and I were actively engaged in the work

of the Committee on Standards to develop proposals in relation to the regulation of All-Party Parliamentary Groups. I am pleased that the House has agreed the Committee's proposals which we will seek to implement by the beginning of the next Parliament. While it is still nearly a year until the next election, I am working with others to consider how best to ensure that new and returning MPs are aware of the Code of Conduct and the Rules as soon as they arrive and have the support they need to ensure that they meet the requirements. I have been concerned that some of the rules of the House are not easily available and will be considering with colleagues ways of bringing these together into an accessible format over the next few months.

5. All of the above is very positive work intended to assist MPs and the House to maintain high standards on a day to day basis. However, I would be failing in my responsibility to the House if I did not express my grave concern that the House still has not been given the opportunity to consider the revisions to the Guide to the Rules proposed by the Committee on Standards and Privileges in December 2012. It is extremely disappointing that time has not been found for such a debate, not least because the new rules are considerably clearer on certain issues, including some which have been the subject of inquiries this year. If there is disagreement with some of the Committee's proposals, MPs would be free to amend them in debate and leadership may be shown by addressing issues transparently and honestly rather than by avoiding difficult discussions. In my first annual report I expressed my disappointment that the House had not found time to consider the changes. Another full year has now passed without such a debate and decision on the rules.
6. The Rules would enable the implementation of some updates which would keep the House in line with other administrations and meet the recommendations made by the Greco report at the beginning of 2013. In recent weeks it has been agreed that the Standards Committee will undertake a review of the way in which it works and make recommendations for the future. Such proposals may require further revisions of the rules and processes which will take time and should be done carefully and thoughtfully. In the meantime the draft rules, which await approval, would provide a way of moving in the right direction while consideration is given to the future shape of the process. Approval of the Guide would also enable my office to implement some valuable clarifications of the rules before the beginning of the next Parliament, which would assist new MPs.

7. I conclude by drawing attention to the seven principles of conduct for those in public life, which were recently reviewed by the Committee on Standards in Public Life. These principles are published as part of the Code of Conduct and have stood the test of time. They are intended to be the standards by which all those in public life or service can consider and judge their own conduct and to which we should all aspire. These standards are not set for MPs alone. They are certainly applicable to all of those who work within the House and form part of the culture and expectations for everyone there. Many MPs and staff of the House already show leadership in adhering to these principles. I suggest that part of the thinking for the coming year might be about the ways in which we might all make these standards more visible in our everyday work.

Kathryn Hudson

Parliamentary Commissioner for Standards

25 June 2014

1 *Review of the year*

8. The work of the Committee on Standards and of my office in the last year has provided opportunities to focus on a number of policy issues and in some areas to make encouraging progress, while much still remains to be done. In this chapter I set out in summary the developments which have occurred.

Lobbying

9. During the year concerns about lobbying of parliament and parliamentarians continued to engage both the Committee on Standards and me. While legitimate lobbying by constituency and other interests is a valuable part of the democratic process, it is important that paid lobbyists do not “call the tune” and crowd out other interests, and that access to parliamentary decision making does not depend on monetary influence.
10. The Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Bill was introduced on 17 July 2013, and received Royal Assent on 31 January 2014. When its major provisions are implemented, in the autumn of 2014, a Register for professional lobbyists will be established. I welcome this Register, which will increase transparency about the work of lobbyists, although I share with others the concern that the provisions of the new Act do not address lobbying by people who are not professional lobbyists but, for example, members of pressure groups or charities.
11. I am very much aware that that my predecessor’s proposals for the new Guide to the Rules, which were endorsed by the Committee on Standards and Privileges in 2012, contained two other measures specifically designed to address public concerns about lobbyists. First, he proposed tightening the Advocacy Rule, which restricts paid lobbying by MPs. The Committee on Standards and Privileges considered this with care in 2012 and proposed some amendments. Secondly, my predecessor proposed that MPs should in future be required to register members of their family who are engaged in professional lobbying. Since the House has not yet considered or approved these proposals, we have been unable to implement them. As I said in my foreword, this is a matter of regret. I consider that these measures would complement the new Register of Lobbyists and would play a useful part in helping to address public concern about the influence of lobbyists on MPs.

All-Party Parliamentary Groups

12. In 2011-12, amid concerns within the House and outside about All-Party Parliamentary Groups, and the possibility that they provided a conduit for access by lobbyists, my predecessor was asked to join a Working Group convened by the Speakers of both Houses. The group was tasked with advising on the regulatory regime for All-Party Parliamentary Groups. Under Standing Order 150, subsection (2)(d), it is part of the Commissioner’s role not only to maintain the four Registers of

Interests which the House requires, but also to monitor their operation and to make recommendations to the Committee on Standards and any of its subcommittees.

13. That Working Group reported in June 2012, and the work was afterwards taken forward by the Standards Committee and the Administration Committee. In 2013 the Committees took evidence from outside bodies as well as interests within the House. The Standards Committee concluded that All-Party Parliamentary Groups offered useful fora in which policy makers and parliamentarians could work together, and that – despite individual cases where the rules had been broken – they did not believe that these Groups in general provided a ready route for lobbyists to gain access to policy makers. The Committee published its Report on 29 November 2013, and the House considered and approved this on 13 May 2014¹. The Committee's recommendations are explained in Chapter Four of this Report.

The Respect Policy

14. From time to time concern has been expressed about MPs' conduct in relation to the staff who support them in various ways. Conduct which significantly damages the reputation and integrity of the House, or of MPs generally, would amount to a breach of the Code of Conduct for MPs if it involved contravening one of the rules of the House. However, the House of Commons has set no rules which regulate how MPs should behave towards their own employees, towards parliamentary staff, contractors or others. I would therefore be unable to inquire into such behaviour, which falls outside my remit. Nor is there anyone else who could do so.
15. Concerns about the impact of such behaviour on House of Commons staff led to a review of the Respect Policy, which the House of Commons Commission established in 2011 to meet its duty of care towards its own employees. The purpose of the policy is to establish expectations of behaviour towards employees of the House of Commons; to ensure that the House meets its duty of care towards its staff and to provide a means of dealing with allegations of bullying and harassment by MPs. Following an external review in 2013, the House of Commons Commission concluded that this policy was not fit for purpose. The House of Commons Commission noted, among other concerns, that it did not promote quick and effective resolution of problems, and that it did not have the confidence of MPs or of House staff. A small working group was therefore established to consider a way forward. This working group proposed that if all efforts to resolve a complaint brought under the Respect Policy had failed, the Parliamentary Commissioner for Standards should be asked to consider that complaint and to report to the Committee on Standards.
16. The Speaker wrote to the Committee on Standards on 7 June 2013 to ask the Committee to consider this proposal, which would amount to a new area of the Committee's work and a significant extension of the Commissioner's remit. The Committee agreed to consider the proposal further, after a revised policy had been the subject of consultation with the unions. That consultation was completed

1 Committee on Standards, Sixth Report of Session 2013-14, All-Party Parliamentary Groups, HC 357

in the early summer of 2014. The Committee and I are now considering what amendments to our procedures might be needed if we were to accept the proposal. I have made clear that I would expect only to inquire into a single very serious incident, or a complaint involving repeated incidents or a sustained and damaging pattern of behaviour, which had the potential to cause significant damage to the reputation and integrity of the House.

Inquiry Procedures

17. My investigation procedures are set out in the Guide to the Rules and in more detail in a Procedural Note approved by the Committee on Standards and Privileges². As the need arises, these procedures are revised and clarified.
18. During the year, the Committee and I took the opportunity to clarify the relationship between my inquiries and those of the police. This was prompted by the confusion amongst media commentators on a particular case in which a police inquiry followed an inquiry by my predecessor. It was generally reported that because the Commissioner had investigated the actions of this MP, the police were unable to make use of evidence obtained by the Commissioner, and as a result the Member would not face criminal proceedings. As I explain below, this was a misapprehension.
19. The position is that, generally speaking, an MP facing an allegation of criminal behaviour is in the same position as any other person. This is set out clearly in the protocol which was concluded between the Commissioner, the Committee and the police in 2008³. The protocol makes plain that if at any point in my investigation of a complaint, I consider that there are sufficient grounds to justify reporting the matter to the police, I will submit a recommendation to the Committee which would decide whether such a report should be made. I would then normally suspend my inquiry until the question of criminal proceedings had been resolved. The protocol also makes clear that police investigations take precedence over those by the Commissioner. The Metropolitan Police undertake to inform the Parliamentary Commissioner in the normal course of events if they are considering initiating criminal inquiries into an MP.
20. The revised agreement, concluded in December 2013, reaffirms the protocol, and describes in more detail the relationship between the Commissioner's inquiries and those of the police⁴. It also makes it even clearer that parliamentary privilege does not provide a haven from the general criminal law. If a criminal investigation followed an inquiry by me, the only material which would be privileged would be the Committee's Report, my memorandum and the associated evidence in the form in which it appears in that Report, in essence material prepared for submission to the

2 Now the Committee on Standards

3 Committee on Standards and Privileges, Eighth Report of Session 2007-08, The Complaints System and the Criminal Law, HC 523

4 Committee on Standards, Seventh Report of Session 2013-14, The House of Commons Code of Conduct and the Criminal Law, HC 903

Committee and to me. However, it is important to remember that parliamentary privilege is not the only reason why material contained in a memorandum from me and the Committee's subsequent Report might be inadmissible in a trial: there are strict legal safeguards around the gathering of evidence in criminal proceedings, but these do not, and are not intended to, apply to my investigations. The Commissioner and the Committee are concerned with the conduct of a MP in his or her capacity as an MP subject to the Code of Conduct. MPs are obliged to cooperate; and since they do not face criminal sanctions, the investigation, although fair, is not conducted with the legal safeguards appropriate in criminal cases, such as the caution given before any interview.

Review of Standards Committee and the Commissioner's Role

21. A more wide ranging inquiry into my procedures was announced in April 2014, shortly after the period covered by this report. On 8 April 2014 the Chair of the Committee on Standards announced in the House of Commons that the Committee has decided to examine the current system for consideration of complaints about MPs, and to consider improvements as required. I look forward to contributing to this Review in the year ahead.

2 *Looking outward: information and advice*

Publication of information about complaints and inquiries

22. In accordance with the procedures agreed by the House on 2 December 2010, I publish on my webpages the name of any MP I am investigating, alongside brief details of the nature of the complaint. I also publish on my webpages each month statistics about the complaints I have received and about those I have inquired into and resolved.
23. When I conclude an inquiry, if I report my findings formally to the Committee on Standards, the Committee will then publish its own Report on the inquiry, alongside my memorandum. If however I resolve a complaint without making a formal report to the Committee, I publish my resolution letter to the complainant on my parliamentary webpages. Similarly, if I decide not to uphold a complaint, I would normally publish my resolution letter on my webpages, rather than submitting a formal memorandum to the Committee. When I publish my resolution letters, I append to them all the evidence I have received, with any necessary redactions to protect individuals only peripherally involved in the matters I inquired into, and to remove material not related to my inquiry. Similarly, when the Committee publishes my memoranda, it will also publish on its web pages the evidence on which I have relied, subject only to any necessary redactions.
24. Further information about complaints and inquiries is contained in Chapter 3 of this report.

Responding to enquiries from the public

25. My office receives, and responds to, large numbers of enquiries from the general public, by telephone, e-mail, and letter. We always try to be as helpful as possible in providing advice and guidance to those who contact us and also direct enquirers to relevant information which has already been published. When anyone comes to us with concerns about a specific MP, we explain my role and the types of complaint I am able to consider. Where appropriate, we explain the procedure for submitting complaints and the need for me to have enough evidence to justify an inquiry.
26. Very often however, enquirers have come to us as a last resort, perhaps because their MP is unable to help them. Or they may hope that my office will be able to direct the MP to take the action they are seeking. In these situations, after explaining my role, we try to direct the caller to the person or organisation best placed to respond to them. However, there are some problems which cannot be resolved in this way, and we sometimes need to make clear that, however distressing the caller's circumstances, we are not able to offer help or advice.

Responding to enquiries from the media

27. As well as enquiries from MPs and the public, my office responded to over 150 media enquiries during the year. Most of these were questions related to complaints we had received or to current inquiries. In such cases my office confirms, when asked, whether or not a specific complaint has been received and whether a matter is under inquiry—including, where appropriate, directing enquirers to the information published on my web pages⁵. We do not comment on the progress of current inquiries. Once an inquiry has been completed, depending on the way in which it has been concluded, we direct enquirers to my parliamentary webpages or those of the Committee on Standards, where they can read my findings and the evidence on which it was based.
28. During the year my office received three requests under the Freedom of Information Act 2000 for information relating to my work. The House responded to these requests in accordance with the statutory procedures.

Relations with standards and other bodies

29. I am pleased to say that my office has maintained our good working relations with the Commissioners for the devolved administrations and with other standards bodies. We also maintain positive links with the office of the Parliamentary and Health Service Ombudsman, with the Compliance Officer in the Independent Standards Authority, who has responsibility for inquiring into breaches of the rules on expenses since the 2010 Election, with the Electoral Commission and with the Committee on Standards in Public Life.

International work and other outreach

30. During the year we continued to share our experiences in developing and maintaining a Code of Conduct with inward delegations from the Commonwealth and elsewhere. I have met with groups from a variety of different areas including among others, Ghana, Haiti, France, New South Wales and British Columbia. In May 2013, I spoke to attached clerks on a programme organised by the Commonwealth Parliamentary Association and in January 2014 to the Study of Parliament Group. I have held discussions with academics in the fields of politics and ethics, and groups of postgraduate students. In addition the Registrar gave presentations to inward delegations from Senegal and from Bolivia and to senior parliamentary staff from Hong Kong.
31. In June 2013 the Registrar gave a presentation at a workshop on the implementation of a Code of Conduct for MPs of the Parliament of Bosnia and Herzegovina. In December 2013 she spoke at a seminar on mechanisms to counter corruption in Belgrade, and in March 2014 she spoke at a further workshop on the implementation of a Code of Conduct, this time organised by the Westminster Foundation for Democracy, in Rabat.

5 http://www.parliament.uk/documents/documents/Procedural_Note-April_2012.pdf

Advice to MPs and others

32. Under Standing Order No 150, it is part of my role “to provide advice confidentially to MPs and other persons subject to registration”. This includes advice about the registration and declaration of interests, and also about general issues of ethics and propriety often concerning the use of facilities of the House.
33. In practice the responsibility for advice on the Register of Members’ Financial Interests is largely delegated to the Registrar and her team. She also advises on the obligation to declare interests. This obligation complements the requirement to register interests. In addition to placing their interests on the public record in the Register, MPs are under a duty to disclose them at relevant times, such as in debate in the House and in discussion with Ministers or public officials. The Assistant Registrar advises on the Registers for Members’ Staff, All-Party Parliamentary Groups and Journalists.
34. Advice given to an MP is confidential, and will be disclosed only if it becomes relevant to one of my inquiries.

3 *Inquiries into MPs' Conduct*

The complaints process

35. Under the procedures agreed by the Committee on Standards and Privileges in 2012, formal complaints made to me must normally be in hard copy, signed and include the complainant's name and address. Initial discussions of an issue may take place by telephone or email. Each year my office receives a number of complaints by email, and very occasionally by fax. If the subject matter of any of these appears to fall within my remit, my office explains the procedure and invites the complainant to submit their complaint formally in writing. If a complainant is unable to submit a written complaint we will seek to make suitable arrangements to assist their individual circumstances so that I can consider the issues they raise further. This chapter deals with the complaints received formally during 2013-14 and also gives a little information about some of the enquiries we receive in other formats.
36. When I receive a complaint I consider first whether it falls within the remit set by the House of Commons. This remit does not include certain kinds of complaint, namely those relating specifically to :
- policy matters
 - an MP's views or opinions
 - an MP's handling of or decision about an individual case
 - the funding of political parties
 - breaches of the Ministerial Code; or
 - the purely private and personal lives of MPs⁶.
37. If a matter raised falls within the remit of another person or body, I will, where possible, direct the complainant to the appropriate place. If the complaint does fall within my remit, I then consider whether the complainant has provided sufficient evidence to justify an inquiry. All complainants receive a response from me or from my office as quickly as possible to let them know whether their complaint has been accepted for inquiry.
38. In exceptional circumstances, I may start an inquiry when a MP has asked me to investigate an allegation against them which is not the subject of a specific complaint. I may also decide to start an inquiry on my own initiative. Unusually, there were two occasions in 2013-14 when I decided that it was appropriate to do this. These were the first occasions on which the Commissioner has started an inquiry in this way.

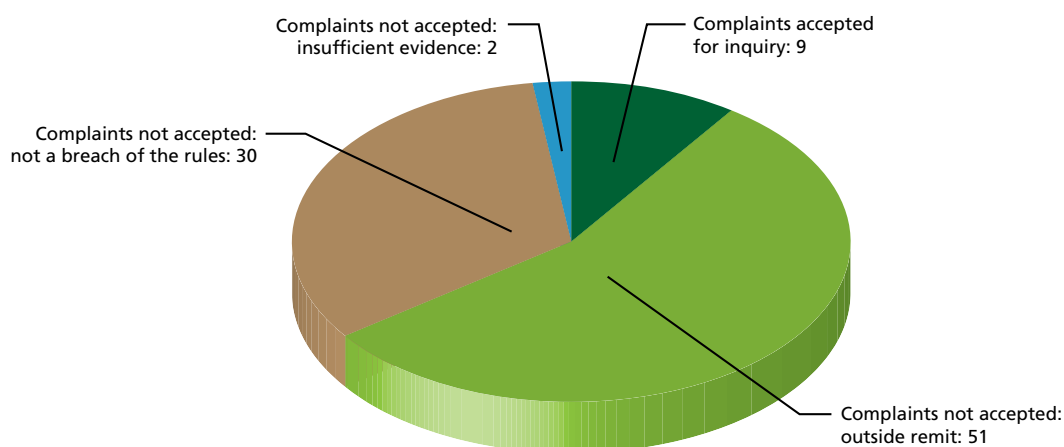
6 The Code of Conduct together with The Guide to the Rules relating to the conduct of MPs, HC1885, paragraph 105

Complaints received and accepted for inquiry in 2013-14

39. In the year beginning 1 April 2013, 93 formal complaints against MPs and former MPs were received. This is similar to the numbers received in the previous two or three years. Each one was considered carefully to see whether it fell within my remit and if so, whether the complainant had provided sufficient evidence to justify an inquiry. Although fewer complaints were received, I accepted nine for inquiry as opposed to the seven accepted in 2012-13. These related to seven MPs (and came from five complainants). The remaining two inquiries both arose out of allegations referred to me by the Member concerned. In both cases the Member did not specify the allegations against them, referring only to reports which had appeared in the media. In the absence of a clearly specified complaint, I began inquiries on my own initiative, framing the terms of reference for myself before beginning the investigative work. This was the first time a Commissioner had used the powers provided on 2 December 2010 to commence an inquiry without first having received a complaint or self-referral supported by evidence sufficient to justify that inquiry. In these cases, I considered that the evidence available in the media, which included video recordings, was sufficient to support an inquiry.

Table 1: Formal complaints and self- referrals inquired into in 2013-14

	Quarter 1			Quarter 2			Quarter 3			Quarter 4			Totals
	April 2013	May 2013	June 2013	July 2013	August 2013	September 2013	October 2013	November 2013	December 2013	January 2014	February 2014	March 2014	
Formal complaints received	2	3	4	9	4	5	33	10	2	5	7	9	93
New inquiries opened ⁷	0	0	3	0	0	0	2	3	0	0	0	1	9
Formal complaints not accepted for inquiry because:													
Outside remit	2	3	3	5	4	3	7	6	1	3	6	8	51
Not a breach of the rules	0	0	0	2	0	1	21	4	1	1	0	0	30
Insufficient evidence provided	0	0	0	0	0	0	1	0	0	1	0	0	2
Total complaints not accepted for inquiry													83 ⁸

Chart 1: Formal complaints and self- referrals inquired into in 2013-14


Complaints not accepted for inquiry in 2013-14

40. Many of the complaints received by the Commissioner cannot be accepted for investigation. This is the case with most complaints systems, and has been the case in every year since the office of the Commissioner was first created. 2013-14 was no exception. The largest category of complaints not accepted continues to be those which fall outside my remit. In 2013-14, these totalled 51 out of the total of 93 received i.e. just over 55%. The remaining complaints were not accepted as they fell within the categories listed in the bullet points in paragraph 35 above. Wherever possible we suggested a way in which the complainant might pursue his or her complaint elsewhere, but such options are not always available.

⁷ No complaints were suspended during the year

⁸ One formal complaint remained under consideration on 31 March 2014.

41. It is understandable that many complainants are not familiar with the detailed rules of the House and do not appreciate that the Commissioner is able only to look into the areas defined by the Rules. In part this may be due to a lack of clarity in the minds of the public about the exact nature of a MP's role. For example, many of those who make telephone calls to this office are under the impression that an MP is legally required to provide practical assistance to all of his or her constituents. Callers are surprised to hear that this is not the case, and more so when they hear that it is at an MP's discretion whether he or she thinks it right take up a particular constituency matter. In such circumstances callers may be very disappointed to hear that I am unable to intervene in a constituency matter in order to override that discretion, and indeed that no-one else can do so either.
42. In addition to this the Commissioner can only accept a complaint if there is sufficient evidence to justify an inquiry. In 2013-14 two complaints were not accepted for inquiry because sufficient supporting evidence was not available. In these circumstances my office will remind the complainant of the need for sufficient evidence in support of their complaint.
43. As I have said above, many of the complaints made to me cannot be accepted, and many do not reach the formal stage. Nevertheless my office spends considerable amounts of time talking to potential complainants and offering advice on how they might resolve the issues they raise. This is an important though less formal aspect of our work, which is difficulty to capture in its entirety. We have received around 250 contacts of this nature during the year.

Suspended inquiries

44. From time to time it may become necessary for the Commissioner to suspend an inquiry, for example on medical grounds or because a matter is being considered by the police. I brought forward no suspended inquiries into 2013-14 and no inquiry has been suspended during this year.

Resolution of complaints

45. When I have accepted a complaint for inquiry, there are three possible outcomes, each of which is made public at the appropriate time. If I decide that a breach of the rules has not been established, the complaint will not be upheld. If this happens, I will normally write to the complainant and to the MP to set out this decision and inform the Committee on Standards. The outcome is then published on my web pages⁹.
46. On some occasions I find that the MP has broken the rules of the House. If the MP accepts this and I consider that the breach was inadvertent or at the less serious end of the spectrum, I may resolve the complaint informally, using what is known as the "rectification procedure". The MP must acknowledge the breach and take

⁹ The Commissioner may however report her findings formally to the Committee on Standards by means of a memorandum, if she considers that there are matters which require the Committee's consideration.

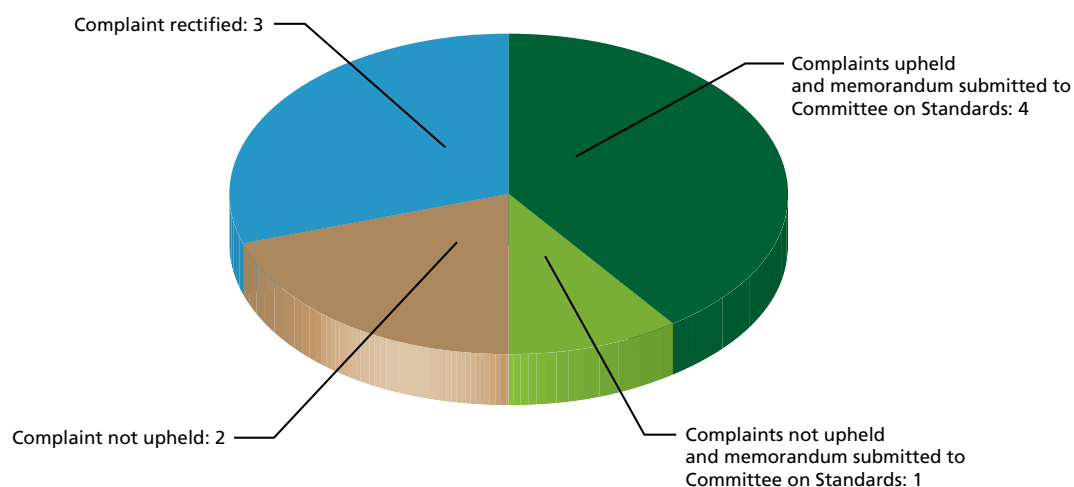
the appropriate action to put the matter right, for example by a repayment of money wrongly used or making a late entry in the Register of Members' Financial Interests. I would also expect the MP to apologise for the breach. In these cases I write to the complainant to explain how the matter has been resolved. After that I inform the Committee on Standards, and publish the outcome on my web pages.

47. In other cases I report the findings of an inquiry by submitting a formal Memorandum to the Committee on Standards. The Committee then reaches its own conclusions on whether the MP has broken the rules of the House. The Committee will publish its own report on the complaint together with my findings and the evidence received during the course of the inquiry. (The report itself and the Commissioner's memorandum are available in hard copy but the evidence is now published only on the web pages of the Committee on Standards.) It is for the Committee to decide what further action, if any, it wishes to recommend to the House. It can recommend a range of sanctions including an apology, repayment of money or a period of suspension from the service of the House.

Complaints resolved in 2013-14

48. During the year I resolved ten complaints, including two brought forward from 2012-13. Brief details of each of these inquiries are given below and further information including the evidence is available to the public online as follows:
- Three complaints were resolved informally using the rectification procedure. In each case the relevant evidence and my letter closing the complaint are available on my web pages.
 - Five complaints were the subject of a memorandum to the Committee on Standards. These memoranda, together with the relevant evidence, are published with the Committee's reports on its web pages. Four of these complaints were upheld but one was not.
 - In two other cases I did not uphold the complaint. The relevant evidence and my letter closing the complaint are available on my webpages.

On 31 March 2014 one complaint, which I had accepted for inquiry during that month, remained under inquiry and this was carried forward to 2014-15.

Chart 2: Formal complaints and self-referrals resolved in 2013-14

Time taken to resolve complaints in 2013-14

49. An analysis of the time taken to complete the 10 inquiries completed this year, shows considerable variation in the length of inquiries. They ranged from 30 days for the rectification of a failure to declare an interest, to 408 days in relation to a complaint about claims against the Additional Costs Allowance (ACA) scheme which was in force prior to 2010. Five cases were completed in fewer than three months and all of these related either to the declaration of interests or misuse of stationery. The more complex and serious cases all involved memoranda to the Committee on Standards and frequently covered more than one issue. Over the course of the year my inquiries covered most of the areas for which I am responsible including lobbying for payment, registration and declaration of interests, ACA allowances prior to 2010 and the use of stationery. More detail on the individual inquiries is given below.

Reports to the Committee on Standards

50. During the year I submitted five memoranda to the Committee on Standards. In four of these I upheld allegations, and in one, while not upholding the complaint, I raised issues concerning the chairing of select committees. In one complex case, the Committee sought additional evidence which resulted in different conclusions from those set out in my memorandum. The cases are summarised below.
51. My first memorandum of 2013-14 related to the registration by an MP of fees relating to a television appearance¹⁰. The complaint was that these fees had not been entered in the Register of Members' Financial Interests. The MP told me that fees had been paid to her company, which she had registered. She had not drawn out the money paid to the company. She declined to provide me with further information concerning payments made to this company, taking the view that she was required to register a payment only when she received one from her company, and that her contracts with commissioning companies were confidential.

10 Committee on Standards, Fourth Report of Session 2013-14, HC 806

52. I concluded that the MP concerned had breached the rules, because MPs are required to register payments for their services, whether or not they are made to a third party such as a company. I took the view that her refusal to co-operate with my inquiry was also a breach of the rules. The Committee agreed with me, noting that MPs cannot evade registration requirements through the use of confidentiality agreements which prohibit the sharing of this information. The Committee required the MP to register the details required by the Rules and to apologise to the House by way of personal statement for her attitude towards the Commissioner's inquiries. She accordingly apologised to the House and registered some 15 payments made to her own company, which were distinguished in the Register by the use of bold italic type. They will remain in that format for twelve months.
53. My second memorandum related to the registration and declaration of financial interests and an allegation of lobbying for reward¹¹. The complaint was that the MP had failed to register donations to his constituency party despite links which he had with the donors, that he had failed to declare two financial interests to the House, and to another MP and local councillors, and that he arranged and attended a meeting which had amounted to lobbying.
54. On inquiry I found that although the donations in question had been reported to the Electoral Commission by the local party and there was no intention to hide them, the MP had not been as attentive as he should have been to the Rules of the House and had not registered six donations as he should have done. A further two donations were registered late. The value of the unregistered donations amounted to over £30,000. I found that he should have declared his interest when arranging a meeting on behalf of the director of a donor company, but that he was in not breach of the rules on paid advocacy when he arranged this meeting.
55. The MP had apologised to me and the Committee and taken steps to reduce the chance that such mistakes might occur in the future. The Committee required him to register any outstanding interests and to apologise by a personal statement to the House. The Committee noted its concern that such a senior MP should have broken the rules over so long a period, and made clear its expectation that MPs involved in an inquiry will respond as promptly and accurately as possible. Again, the late entries were shown in the Register by the use of bold italic type. They will remain in that format for twelve months.
56. My third memorandum arose out of two articles in the media alleging that a senior MP had coached a director of a firm in which he had a financial interest before the latter gave evidence to the Select Committee which the MP chaired¹². It was also alleged that the MP had agreed to lobby for a fictitious company. The MP referred himself to me and in the absence of sufficient information about the allegations he wished me to consider, I determined the scope of an inquiry which I began on my own initiative. I decided to investigate the issues and also to consider whether his

11 Committee on Standards, Third Report of Session 2013-14, HC 805

12 Committee on Standards, Fifth Report of Session 2013-14, HC 849

conduct was such as to cause significant damage to the reputation and integrity of the House of Commons as a whole. The allegations arose out of the recording of an interview by two undercover reporters.

57. The rules do not prevent MPs from having business interests, whether or not they chair select committees. Candidates for committee chairs do however declare relevant interests at the time of their nomination. My investigation found that the MP did not lobby or offer to make approaches to ministers or civil servants in respect of a company in which he had an expectation of a financial interest, nor did he coach a witness to his committee. I did find that during a meeting he made comments which could damage the reputation of the House but I did not find that he had in fact caused damage. In my view the media articles had quoted selectively from the interview to support their arguments.
58. I therefore did not uphold the complaints against the MP. I did however submit a memorandum to the Committee on Standards to invite the Committee to follow up a request from the Speaker that they should consider the “inherent incompatibility between chairing a Select Committee and having commercial interests... in the sector covered by that committee.” The Standards Committee has now undertaken a consultation on that that issue.
59. My fourth memorandum related to a complaint that the MP had misused parliamentary allowances between 2005 and 2009 to defray the living costs of her parents in her second home and through the size of her mortgage claims relative to the purchase cost of that property¹³. This was a lengthy inquiry which was opened by my predecessor in December 2012, and which ran until the Committee’s Report was published in early April 2014. It involved the determination of the MP’s second home for the purpose of the allowances then and detailed consideration of the mortgage costs which could have been claimed under the previous expenses system. The MP was unwilling to give specific answers to questions concerning her mortgage and mounted challenges to the scope of the inquiry which delayed its completion.
60. My inquiry found that, on the balance of probabilities, the MP should have nominated her home in London as her main home between May 2005 and the end of March 2009, when the rules changed. I also found beyond reasonable doubt that between June 2005 and April 2009 she had claimed for mortgage interest against a mortgage significantly larger than the one required to purchase her property; that she further increased her mortgage without the knowledge or agreement of the House authorities in 2007, and that she then made continued claims for interest against the new amount, albeit offset by interest generated by another account. I considered that there could be no criticism of her in relation to her personal caring responsibilities, but that she should have made transparent financial arrangements to make it clear that public money was not being used to support their living costs. My estimates of the amount that the MP had over

13 Committee on Standards, Tenth Report of Session 2013-14, HC 1179

claimed on her mortgage were inaccurate because the MP had not been prepared to give me the information I requested.

61. At my suggestion the Committee sought more information from the MP, who, while still not answering all the issues put to her, gave further information concerning the mortgage. The Committee also had information before it which suggested that while my interpretation of the rules in 2005 was correct, the implications of the rule for MPs in the position now before them had not been anticipated or intended and the Committee preferred a different method of resolving that issue.
62. The Committee agreed with me that the MP should properly have designated her London property as her main home but considered that her designation was reasonable in the light of guidance available at the time, given that the matter was finely balanced. They made no criticism of her for this error. They also agreed that there was no criticism to be made of the MP in continuing her longstanding arrangement that her parents were an integral part of her family and considered that as her claims were below the total running costs of her home, parliamentary allowances were not used to cover their living costs. However, they shared my regret that she had not made any formal arrangements by which she could demonstrate transparently that she was not claiming for their costs.
63. In relation to the size of the MP's claims for mortgage interest in relation to the mortgage required to purchase her house, the Committee noted that no attempts had been made to ensure that new MPs claimed only for interest which related to the original purchase price of their property. The Committee decided that, whatever the strict construction of the rule, it was reasonable for the MP to claim the interest on her mortgage as it was when she entered the House rather than as it was when she first purchased the property. However, the MP had not given me full information about her mortgage and neither did she supply this to the Committee. The Committee accepted her assessment that she had over claimed by £5,800 on the basis of the Committee's interpretation of the rules and her own assessment of her mortgage interest claims.
64. Finally the Committee criticised the MP for her attitude to my enquiries and failure to provide the information requested. The Committee noted that the system relies on MPs responding to the Commissioner's enquiries fully and frankly, rather than trying to argue a case in a legalistic way. The Committee recommended that she should repay the £5,800 identified as an over claim and that she should apologise by personal statement on the floor of the House for her attitude to the Commissioner's inquiries. The MP did so.
65. My fifth memorandum during the year arose from an undercover media investigation which resulted in an MP accepting payment for setting up an All-Party Group (APG) and for tabling Parliamentary questions¹⁴. When articles appeared in the press the MP referred himself to me but did not identify the potential

14 Eleventh report of Committee on Standards 2013-14

breaches of the Rules involved. I therefore determined the issues for investigation. I also considered whether his conduct was such as to cause significant damage to the reputation and integrity of the House of Commons as a whole or its MPs generally. The investigation made use of extensive recorded interviews.

66. I found that the MP had failed to register an agreement for consultancy services and failed to declare his interest when tabling parliamentary questions and when establishing an All-Party Group (APG), and when tabling an Early Day Motion. His actions in tabling parliamentary questions and an Early Day Motion and in setting up an All-Party Group (APG) were at the very least significantly influenced by his relationship with a paying client. He inflicted significant reputational damage on the House and its Members.
67. The Committee agreed with me and recommended that the MP be suspended from the House for a period of six calendar months, one of the two longest suspensions proposed since 1947. The Committee's Report was published on 1 May 2014, but the MP had in fact stood down on 29 April 2014.

Complaints rectified

68. The first rectification which I undertook concerned a complaint that an MP had sent out a letter and survey on behalf of her political party, using parliamentary postage and stationery, contrary to the rules of the House. In correspondence with the MP she acknowledged that these facts were correct, and that this should not have happened. 498 letters and surveys were sent out in this way to a small part of one particular ward, at a total cost of £281.76. A cheque covering the total cost was sent to my office. The MP also apologised to me and assured me that no parliamentary staff time paid for from public funds was used in the preparation or mailing of the survey or letter. I upheld the complaint but I considered that the MP had made a prompt and acceptable response to it, which rectified the matter. The outcome was reported briefly to the Committee on Standards and the relevant evidence is available on my parliamentary web pages.
69. My second and third rectifications both concerned allegations arising out of the debate on the Transparency of Lobbying, Non-party Campaigning and Trade Union Administration Bill on 11 September 2013. I inquired into complaints from a single complainant but relating to three MPs. In the first case the complainant alleged that the MP had failed to declare donations when required to do so by the rules of the House. The MP acknowledged in his correspondence with me that the donation should have been declared, and agreed to apologise to the House for the omission. That apology was made promptly. This complaint was therefore, upheld and as I considered that the MP had made a prompt and acceptable response I accepted his action as appropriate rectification. I reported the outcome briefly to the Committee on Standards and the relevant evidence is available on my parliamentary web pages.

70. The same complainant also alleged that another MP had failed to declare a relevant registered financial interest, namely a donation to provide the services of a researcher; and that he had failed to record in the Register another donation which he none the less did declare on the same date. There were some questions as to whether the first donation needed to be declared, and whether the second donation should have been registered and I took advice from the Registrar of Members' Financial Interests. In her view the second donation was not registrable, but the MP should have declared the first donation when tabling and moving relevant amendments in the House.
71. I agreed with this opinion and upheld the part of the complaint which related to the declaration of interests, but not the part which related to registration. The MP had drawn the attention of the House to his entry in the Register but acknowledged that the first donation should have been specifically declared both when he tabled the relevant amendment, and when he spoke to it. The MP agreed to apologise to the House for the omission by means of a point of order. I considered that he had made a prompt and acceptable response to rectify the matter. I reported the outcome briefly to the Committee on Standards and the relevant evidence is available on my parliamentary web pages.

Complaints not upheld

72. The third allegation from this complainant into which I inquired concerned an allegation that another Member had failed to declare a relevant registered financial interest, also in debate on the Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Bill on 11 September 2013.
73. As in the previous case, there were some questions as to whether the interest registered did in fact require registration, and equally whether, having been registered, it thereby became declarable. I therefore sought the opinion of the Registrar of Members' Financial Interests. She considered that the interest was neither registrable nor declarable, and that the MP's error was therefore not in failing to declare it but in registering it in the first place.
74. I decided not to uphold the complaint concerning this MP. The relevant evidence is published on my Parliamentary web pages, and the outcome of this inquiry was reported briefly to the Committee on Standards.
75. In the three cases outlined immediately above, none of the MPs received notification from the complainant, who is also an MP, that he was making a complaint. This was a failure in basic courtesy by the MP concerned and I wrote separately to him to remind him that the Procedural Note states that an MP should send a copy of his letter of complaint to the MP concerned. It is regrettable that the usual courtesies were not observed in these cases.
76. Finally, I did not uphold a complaint that a MP made use of stationery bearing the parliamentary portcullis for what appeared to be party political purposes. I sought

the advice of the Clerk of the Journals on this matter and discussed it with him. He drew my attention to a 2011 circular letter which suggested that similar use of the crowned portcullis on a previous occasion was 'not inappropriate', and of his opinion that the letter that is the subject of the current complaint 'falls just the right side of OK'. My view was also that the letters which were the subject of this complaint were very much on the border of being of a party political nature. In general, MPs are wise to maintain a clear separation between the parliamentary and political sides of their correspondence.

77. I decided not to uphold the complaint concerning this MP. I advised the MP that in order to avoid the possibility of further complaints of this nature he should think again about the wording of letters and the use of the portcullis on letters bearing information that could be construed as party political in nature.
78. In this case I also expressed concern that the MP continued to send out letters similar to those about which I had received a complaint, before any decision had been reached despite being aware that he was potentially in breach of the rules of the House in relation to those letters. The relevant evidence is published on my parliamentary web pages and the outcome of this inquiry was reported briefly to the Standards Committee.

Other means of closing inquiries

79. No inquiry was closed other than those listed above.

Trends in complaints from 2007-08 to 2013-14

80. Although the number of complaints received and accepted for investigation is similar to that of last year, it is possible to see a gradual downward trend in the number of complaints received in each year, after the small increase in 2012-13. Chart 4 shows a change in the distribution of reasons why complaints were not accepted for inquiry with a significant increase in the number which did not concern a breach in of the rules. The figures are affected by complaints from a single source of failing to declare a registrable interest which was made against a total of 25 MPs. A breach of the Rules could be demonstrated in only three of these cases and only those three were investigated. As in every other year, in the majority of the complaints into which I have not inquired. I have not done so because they fell outside my remit.

Table 3: Complaints received from 2007–08 to 2013–14

	2007–08	2008–09	2009–10	2010–11	2011–12	2012–13	2013–14
1. Formal complaints against a named MP	226	192	317	115	109	117	93
2. Complaints subject of inquiry	71	54	80	37	14	10	9
3. Complaints not inquired into	155	160	245	105	101	109	83

Chart 3: Trends in complaints received and inquired into from 2007–08 to 2013–14

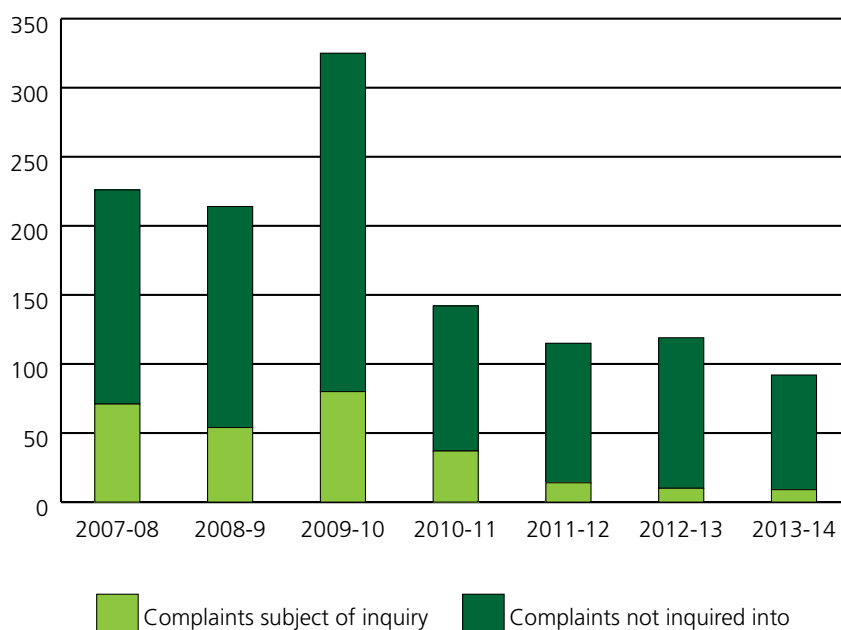


Table 4: Reasons for not inquiring into complaints

Complaints not inquired into	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14
a) because complaint fell outside remit	94	83	105	82	81	89	51
b) because complaint did not concern a breach of the rules	-	32	76	17	15	15	30
c) because insufficient supporting evidence was provided	-	27	53	6	2	3	2
d) because a similar complaint had already been accepted	-	18	11	0	2	2	0
e) because inquiry not justified following self-referral	-	0	0	0	1	0	0

Note 1: Before 2008-09 the Commissioner's office did not maintain detailed statistics on the reasons why complaints were not inquired into.

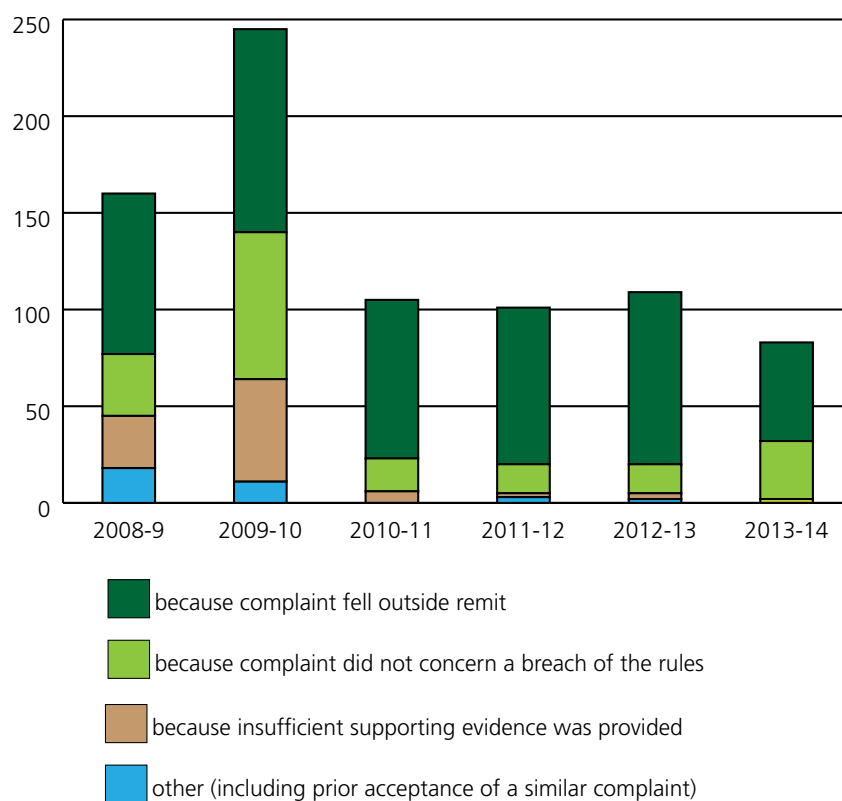
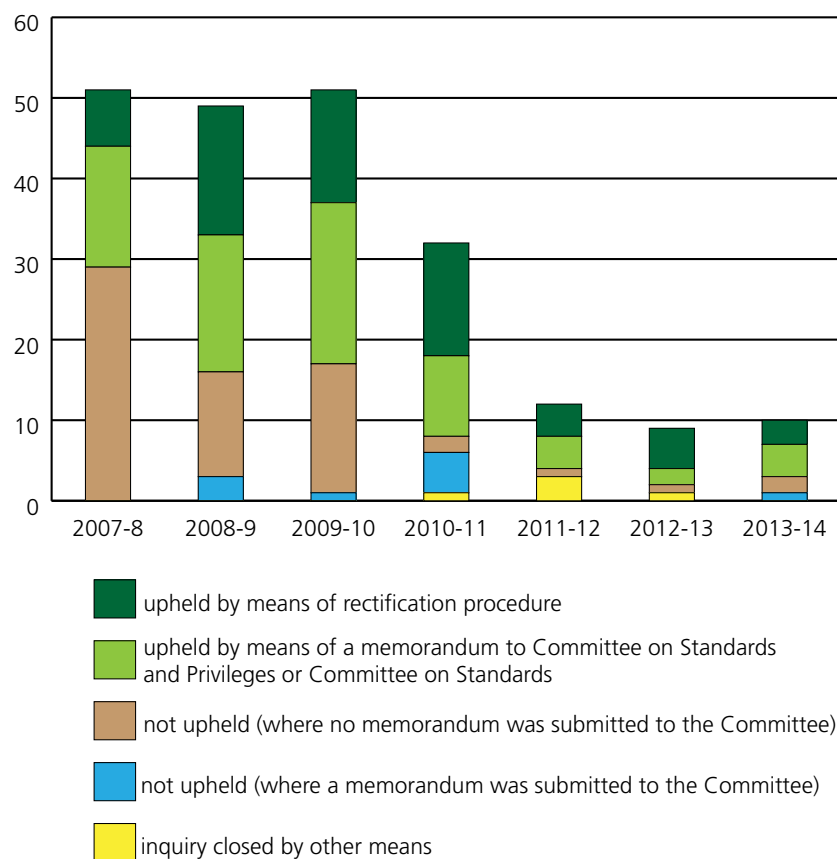
Chart 4: Reasons for not inquiring into complaints 2008-09 to 2013-14

Table 5: Complaints resolved 2007-08 to 2013-14

Complaints resolved	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14
a) upheld by means of rectification procedure	7	16	14	14	4	5	3
b) upheld by means of a memorandum to Committee on Standards and Privileges or Committee on Standards	15	17	20	10	4	2	4
c) not upheld (where no memorandum was submitted to the Committee)	29	13	16	2	1	1	2
d) not upheld (where a memorandum was submitted to the Committee)	0	3	1	5	0	0	1
e) Inquiry closed by other means				1	3	1	0
Total complaints resolved	51	46	51	32	12	9	10

Chart 5: Means of resolving complaints 2007-08 to 2013-14



Frivolous or vexatious complaints

81. If I receive a complaint and conclude that it is frivolous or vexatious, the Guide to the Rules requires me to report this to the Committee on Standards. This guidance was first introduced in 2005 and has never been used. In the course of his review of the Guide to the Rules, my predecessor recommended to the Committee on Standards and Privileges that this provision should be removed. The Committee agreed with this recommendation, which is now a matter for the House.

4 *Registers of interests for Members, Members' Secretaries and Research Assistants, Journalists and All-Party Groups*

Introduction

82. It is one of my formal responsibilities to compile and maintain the four registers of interest required by the House, which are:
- the Register of Members' Financial Interests;
 - the Register of Interests of Members' Secretaries and Research Assistants;
 - the Register of Journalists; and
 - the Register of All-Party Parliamentary Groups.

The registers provide a publicly available record of the interests which might be thought to influence the parliamentary actions or words of MPs, or to influence the actions of other holders of a parliamentary pass.

83. All four registers are published electronically on the parliamentary website. The Members' Register is updated online every two weeks while the House is sitting, and less frequently during recess. The other three registers are published approximately every six weeks. Enquirers can also, by arrangement with the parliamentary archives, see earlier editions of the registers which we hold but which do not appear on the parliamentary website.

Register of Members' Financial Interests

84. The main purpose of this register is
- “to provide information of any financial interest or other material benefit which a Member receives which might reasonably be thought by others to influence his or her actions, speeches or votes in Parliament, or actions taken in his or her capacity as a Member of Parliament, and such other information as the House may from time to time require.”¹⁵

The House has identified eleven specific categories of interest which might be thought to influence a MP in this way. In addition, there is a Miscellaneous category where MPs are to register other interests which meet the purpose of the register but which do not fall clearly under any of the other headings. The categories in the register are described in detail in the Guide to the Rules.

85. The Members' Register is published in hard copy once every twelve months, usually in January. The fourth printed register of the 2010 Parliament was published on 20

15 HC Deb 27 March 2008, Cols 382-394

January 2014. In addition to the 20 January 2014 edition, during 2013-14 my office published 21 online updates to the Register.

86. Maintaining the Members' Register involves checking for completeness the draft entries which MPs send us, which are then formatted and entered in the Register. The registration team also remove items from the register when they are time expired. Interests remain in the Register for twelve months after they have ceased, or until they have appeared in one hard copy edition, if that is later.
87. The House has decided that MPs should register changes to their interests within 28 days. We regularly remind MPs of the importance of this. Late and incomplete registration can result in the House and the general public lacking important information about a MP's financial interests. Since the Electoral Commission draws from the Members' Register the information which it publishes about donations to MPs, late registration can also result in inaccuracies and omissions in the information in the Electoral Commission's records and published on its website.
88. Each MP is responsible for registering their own interests, but many enlist the help of their staff in doing so. This help is more valuable if it is well informed, and for this reason my office has developed the practice of offering to MPs' staff seminars on the Register of Members' Financial Interests. During the year the registry staff delivered three such seminars.

Register of Interests of Members' Secretaries and Research Assistants

89. Those holding a parliamentary pass as a Member's secretary or research assistant are required to record their details in the Register of Interests of Members' Secretaries and Research Assistants. Such staff are required to register any other occupation from which they receive income of more than 0.5% of a MP's salary (£330 until 31 March 2014) in the course of a calendar year, if that occupation is in any way advantaged by the privileged access to Parliament afforded by their pass. They also have to register any tangible gift (e.g. glassware) and any other benefit (e.g. hospitality, services or facilities provided) which they receive, if the value of the gift or benefit exceeds that sum and the gift or benefit relates in any way to their work in Parliament.
90. The number of registered staff on 31 March 2014 was 1,878, a slight increase on the 1,857 staff who were registered on 31 March 2013. The number of those staff with registered interests was 337 on 31 March 2014, a slight decrease from the 359 staff with registered interests on 31 March 2013. My office published eight editions of the Staff Register in 2013-14.

Register of All-Party Groups

91. The membership of All-Party Groups (APGs) consists mainly of backbench MPs of the House of Commons and members of the House of Lords but may also include

Ministers and non-parliamentarians. There are two types of groups: subject groups and country groups.

92. The number of registered groups was 597 on 31 March 2014, of which 132 were country groups (23% of the total) and 465 were subject groups (77% of the total). This was a slight increase on the 581 registered groups on 31 March 2013, of which 134 were country groups (22% of the total) and 447 were subject groups (78% of the total). The number of groups with registered financial or material benefits was 415 (70% of the total) on 31 March 2014, slightly more than the 386 (66% of the total) registered with benefits on 31 March 2013. My office published eight editions of the Groups' Register in 2013–14.

Changes to the Rules on All-Party Groups (APGs)

93. In June 2012 the Speaker's Working Group published a Report setting out a number of recommendations on All-Party Parliamentary Groups. In order to take these forward, the Standards Committee and the Administration Committee, working in tandem, further considered the measures which would be needed. The two Committees jointly commissioned an electronic survey of representatives of all the Groups on the Register, and also sought oral and written evidence about the changes needed.
94. Before the two Committees had reported, allegations were made that an MP had attempted to establish an All-Party Parliamentary Group at the request of a political consultant. Such was the concern about this that the House of Commons Administration Committee immediately abolished the category of security pass reserved for staff of All-Party Parliamentary Groups. The House of Lords did likewise after the summer recess.
95. In November 2013 the Committee on Standards published its Report on All-Party Groups, which was considered and approved by the House on 13 May 2014¹⁶. The Committee made a number of recommendations designed to increase transparency about APGs' finances, activities and publications. For example, from May 2015, Groups will have to provide more information when registering interests and when publishing reports; and those which receive more than £12,500 in benefits each year will be required to prepare and publish income and expenditure statements. In order to ensure parliamentary control, Groups will have to appoint a Commons chair who will take responsibility for compliance with the rules; and to amend their constitutions in order to ensure that voting rights are given only to parliamentarians. Some of these recommendations, for example about the wording on published reports and the amendments needed to the constitutions of some Groups, are to be taken forward in the present Parliament, but the majority will be implemented at the start of the next parliament, to take account of the fact that all groups are required to re-register following a General Election.

16 Sixth Report from the Committee on Standards, All-Party Parliamentary Groups, Session 2013-14, HC 357.

Register of Journalists' Interests

96. Any individual who holds a pass as a lobby journalist accredited to the Parliamentary Press Gallery or for parliamentary broad casting is required to record in this Register any occupation or employment which is advantaged by the privileged access to Parliament afforded by their pass. The registration requirement is subject to an income threshold equivalent to more than 1% of an MP's salary from the same source in the course of a calendar year (£660 until 31 March 2014).
97. The number of registered journalists on 31 March 2014 was 406, almost unchanged from the 405 registered on 31 March 2013. The number of journalists with registered interests was 64 on 31 March 2014, slightly more than the 55 who had registered interests on 31 March 2013. My office published eight editions of the Journalists' Register in 2013–14.

Complaints relating to the registration and declaration of interests in the Staff, Journalists' and All-Party Parliamentary Group Registers

98. The Registrar of Members' Financial Interests has the responsibility of considering complaints relating to the Registers of Members' staff, journalists and All-Party Parliamentary Groups. If necessary, she is able to open an inquiry into these. She is however only able to do so if we are provided with evidence, which must be sufficient to justify an inquiry, that there may have been a breach of the rules relating to that particular Register.
99. During 2013–14 my office received three complaints about All-Party Parliamentary Groups. The first two complaints were about the same group and the allegations concerned the conduct of meetings and election of officers. These are matters for the Groups concerned, and the alleged shortcomings would not, if substantiated, have amounted to breaches of the rules. We therefore did not inquire into these complaints.
100. The third of these complaints alleged that the Group had failed to register secretariat services it had received from an outside organisation. If the value of these services had exceeded £1,500 in any year since the General Election, the Group would have been required to register them. Upon inquiry we found however that the assistance provided by the organisation had remained below this level. We therefore did not uphold the complaint.
101. I also received two complaints about journalists. Journalists are required to register certain outside employment if it is advantaged by the holding of a parliamentary pass. In the first case the complainant alleged that the journalist had failed to register employment, overseas visits and income from property. He did not however provide evidence that the employment was advantaged by the journalist's privileged access

to Parliament. Journalists are not required to register overseas visits or income from property. We therefore did not inquire into this complaint.

102. The same complainant questioned the legitimacy of another journalist holding a parliamentary pass. Since my office does not manage security passes, we referred this to the Pass Office for action.
103. During the year no complaints were received about MPs' staff.

5 *Resourcing the work*

104. The table below shows the costs of running my office in 2013-14 and in previous years.

Table 6 : Costs of running the Commissioner's office from 2007-08 to 2013-14

Year	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14
Staffing etc	£419,816	£494,005	£578,300	£584,579	£450,000*	£373,987	£442,733
Other running costs	£5,881	£5,850	£10,256	£15,071	£6,871	£5,194	£3,713
Total	£425,697	£499,855	£588,556	£599,650	£456,871	£379,181	£446,482

*includes estimated costs for one secondment.

105. The costs of my office are mainly staff costs. During the year I increased my commitment from 2.5 days to 3 days a week, which meant that for most of the year my office had just over 5.5 full time equivalent staff, including myself. This is very slightly higher than during 2012-13. The exact hours of the Commissioner's post have always been flexible, and I am grateful to the House authorities for their agreement to my increasing my hours in response to the needs of the work. In March 2014, in response to work levels in the Registry team, a part time member of staff in the Registry, who retired after long service with the House, was succeeded by a full time employee. This resulted in a further small increase in our overall staffing levels.
106. These changes, and a single one-off payment following voluntary redundancy, contributed to the increase in our staffing costs in 2013-14.
107. The other running costs of the office in 2013-14 relate mainly to the printing of two documents: the Register of Members' Financial Interests, and my Annual Report. I am pleased to say that the costs of printing these were slightly lower than in 2012-13.

6 *Looking ahead*

108. The core functions of my office will continue into the coming year, through the consideration of complaints, advice to MPs on the rules and matters of conduct, and to the Committee on Standards, the maintenance of the Registers and recommendations for change when appropriate. These matters and in particular the resolution of complaints made to me are the first priorities for my office and will remain so. My office will continue to provide information, within the parameters agreed by the House, to the public and others. I will continue to press the House to find the opportunity to debate the revisions to the rules and enable their swift implementation. This would clarify some of the issues related to complaints which have been resolved in the last year
109. However, there are opportunities for significant further contributions. I will work with the Committee on Standards on the review of the way in which standards are currently upheld in the House, and will take on any further work on the rules which may then be required. My office will implement the changes to the rules for All-Party Parliamentary Groups in time for the re-registration of those groups following the General Election in 2015 and will continue to work towards implementing a new electronic system for the Register of Members' Financial Interests. If the House decides to implement the revised Respect Policy, further work will be required to ensure the effectiveness of the new process.
110. It is not too early to consider the support which can be given to MPs, particularly those who join the House for the first time, after the General Election next year. The Registrar will as usual prepare to assist MPs to complete their registration of interests promptly and offer advice and explanation of the Rules to MPs and to their staff. In addition to this we will make preparations to join with House staff in introducing MPs to the culture and standards expected in the House and will work to bring together the existing rules governing actions and behaviour to ensure that they are as accessible as the Code of Conduct.

Kathryn Hudson
Parliamentary Commissioner for Standards

25 June 2014

Appendix 1: Standing Orders Nos 149 and 150, as amended by the House on 12 March 2012

- 149.**— (1) There shall be a select committee, called the Committee on Standards—
- (a) to oversee the work of the Parliamentary Commissioner for Standards; to examine arrangements proposed by the Commissioner for the compilation, maintenance and accessibility of the Register of Members' Financial Interests and any other registers of interest established by the House; to review from time to time the form and content of those registers; and to consider any specific complaints made in relation to the registering or declaring of interests referred to it by the Commissioner; and
 - (b) to consider any matter relating to the conduct of Members, including specific complaints in relation to alleged breaches in any code of conduct to which the House has agreed and which have been drawn to the committee's attention by the Commissioner; and to recommend any modifications to such code of conduct as may from time to time appear to be necessary.
- (2) The committee shall consist of ten Members, and at least two and no more than three lay members.
- (3) Unless the House otherwise orders, each Member nominated to the committee shall continue to be a member of it for the remainder of the Parliament.
- (4) The committee shall have power to appoint sub-committees consisting of no more than seven Members, and at least two lay members, and to refer to such sub-committees any of the matters referred to the committee.
- (5) Lay members may take part in proceedings of the committee and of any sub-committee to which they are appointed and may ask questions of witnesses, but lay members may not move any motion or any amendment to any motion or draft report, and may not vote.
- (6) The quorum of the committee shall be five members who are Members of this House, and the quorum of any sub-committee shall be three members who are Members of this House.
- (7) The committee and any sub-committee may not proceed to business unless at least one lay member is present.

(8) The committee and any sub-committee shall have power—

(a) to send for persons, papers and records, to sit notwithstanding any adjournment of the House and to adjourn from place to place;

(b) subject to the provisions of paragraph (9) of this order, to report from time to time;

(c) to appoint legal advisers, and to appoint specialist advisers either to supply information which is not readily available or to elucidate matters of complexity within the committee's order of reference.

(9) Any lay member present at a meeting at which a report has been agreed shall have the right to submit a paper setting out that lay member's opinion on the report. The Committee shall not consider a motion that the Chair make a report to the House until it has ascertained whether any lay member present wishes to submit such a paper; and any such paper shall be appended to the report in question before it is made to the House.

(10) The committee shall have power to order the attendance of any Member before the committee or any sub-committee and to require that specific documents or records in the possession of a Member relating to its inquiries, or to the inquiries of a sub-committee or of the Commissioner, be laid before the committee or any sub-committee.

(11) The committee, or any sub-committee, shall have power to refer to unreported evidence of the former Committees on Standards and Privileges and to any documents circulated to any such committee.

(12) The committee shall have power to refuse to allow proceedings to which the public are admitted to be broadcast.

(13) The Attorney General, the Advocate General and the Solicitor General, being Members of the House, may attend the committee or any sub-committee, may take part in deliberations, may receive committee or sub-committee papers and may give such other assistance to the committee or sub-committee as may be appropriate, but shall not vote or make any motion or move any amendment or be counted in the quorum.

150.— (1) There shall be an Officer of this House, called the Parliamentary Commissioner for Standards, who shall be appointed by the House.

(2) The principal duties of the Commissioner shall be—

(a) to maintain the Register of Members' Financial Interests and any other registers of interest established by the House, and to make such arrangements for the compilation, maintenance and accessibility of those registers as are approved by the Committee on Standards or an appropriate sub-committee thereof;

(b) to provide advice confidentially to Members and other persons or bodies subject to registration on matters relating to the registration of individual interests;

(c) to advise the Committee on Standards, its sub-committees and individual Members on the interpretation of any code of conduct to which the House has agreed and on questions of propriety;

(d) to monitor the operation of such code and registers, and to make recommendations thereon to the Committee on Standards or an appropriate sub-committee thereof; and

(e) to investigate, if he thinks fit, specific matters which have come to his attention relating to the conduct of Members and to report to the Committee on Standards or to an appropriate sub-committee thereof, unless the provisions of paragraph (4) apply.

(3) In determining whether to investigate a specific matter relating to the conduct of a Member the Commissioner shall have regard to whether in his view there is sufficient evidence that the Code of Conduct or the rules relating to registration or declaration of interests may have been breached to justify taking the matter further.

(4) No report shall be made by the Commissioner—

(a) in any case where the Member concerned has agreed that he has failed to register or declare an interest, if it is the Commissioner's opinion that the interest involved is minor, or the failure was inadvertent, and the Member concerned has taken such action by way of rectification as the Commissioner may have required within any procedure approved by the Committee for this purpose; and

(b) in any case involving parliamentary allowances, or the use of facilities or services, if the Commissioner has with the agreement of the Member concerned referred the matter to the relevant Officer of the House for the purpose of securing appropriate financial reimbursement, and the Member has made such reimbursement within such period of time as the Commissioner considers reasonable.

(5) The Commissioner may at any time in the course of investigating a complaint, and if so requested by the Committee on Standards shall, appoint an Investigatory Panel to assist him in establishing the facts relevant to the investigation.

(6) An Investigatory Panel shall—

(a) consist of the Commissioner, who shall be Chair of the Panel, and two assessors, one of whom shall be a legally qualified person appointed by the Commissioner and the other shall be a Member, who shall not be a member of the Committee on Standards, appointed by

the Speaker; and

(b) meet in private.

(7) The Commissioner—

(a) shall determine the procedures of the Panel, subject to the provisions of this order; and

(b) may appoint counsel for the purpose of assisting the Panel.

(8) Any report that the Commissioner may have made to the Committee on Standards in relation to the complaint before the appointment of the Panel shall be made available to the Panel by the Committee.

(9) Any Member who is the subject of the complaint under investigation shall, if he so requests, be heard by the Panel; may call witnesses; and may examine other witnesses.

(10) When the Panel has completed its proceedings—

(a) the Commissioner shall report as in paragraph (2)(e);

(b) the legal assessor shall report to the Committee on Standards his opinion as to the extent to which its proceedings have been consistent with the principles of natural justice; and

(c) the Member assessor may report to the Committee on Standards his opinion as to the extent to which its proceedings have had regard to the customs and practice of the House and its Members.

(11) The Commissioner shall report each year to the House on the exercise by him of his functions.

(12) The Commissioner shall have leave to publish from time to time—

(a) information and papers relating to—

(i) matters resolved in accordance with paragraph (4) of this order; and

(ii) complaints not upheld;

and

(b) information about complaints received and matters under investigation.

(13) The Commissioner may be dismissed only following a resolution of the House, moved for by a Member of the House of Commons Commission, after the Committee on Standards has reported to the House that it is satisfied that the Commissioner is unfit to hold his office or unable to carry out his functions; and any such report shall include a statement of the Committee's reasons for its conclusion.

