



Parliamentary Commissioner
for Standards

Annual Report 2012–13

*Available on the Commissioner's web pages at
www.parliament.uk/pcs*

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Foreword

This is the first Annual Report of my term as Parliamentary Commissioner for Standards. I took up my post on 1 January 2013 and consider it a great privilege to have the opportunity to support the House in operating and, as necessary, developing its standards framework. I have appreciated the warm welcome which I have received from those Members whom I have so far had the opportunity to meet. I would like to pay tribute to my predecessor, John Lyon, for his work during a difficult period for the House and for his comprehensive work to revise and update the Code of Conduct and the Guide to the Rules. I am personally grateful to him for his helpful contribution to my induction period and for ensuring a careful handover of current work. Much of this report relates to work undertaken during his period of tenure.

During the course of 2012-13, a total of 117 complaints were made, of which seven were accepted for inquiry. Nine were resolved, four of which had been carried forward from the previous year. Two active inquiries have been carried forward into 2013-14. The overall numbers of complaints received are not dissimilar to those of the previous two years. There were more inquiries into the registration or declaration of Members' financial interests than into any other subject.

With a relatively low level of investigations in hand during my early months in office, I have had the opportunity to consider how to build upon the firm foundation of a standards framework which has been in existence for many years. In the meantime my office continues with our day to day task of helping Members to ensure that their interests are transparent to other Members, to Ministers and to the public. On some occasions this requires them to provide details about their financial interests to the Registrar or her assistants for publication in the Registers. On others it requires Members to make oral declarations in the Chamber, in committee or elsewhere. I understand that there are many other pressing demands on a Member's time, but there remains room for improvement in the timeliness of registration and I foresee that our work in this area will be of increasing importance in the future.

I am concerned that the House has not yet considered the revisions to the Guide to the Rules relating to the conduct of Members which were proposed by the Committee on Standards in December 2012. My predecessor and the Committee on Standards and Privileges undertook considerable work to produce an entirely new Guide, which both clarifies and simplifies the expectations on Members. I believe it will support Members in their day to day work if these can be introduced in the near future. I hope the House will also soon have a chance to reconsider its decision to prevent the Commissioner from investigating the conduct of any Member in his or her private and personal lives, when that conduct has significantly damaged the reputation and integrity of the House or its Members generally. Such conduct is rare and the Committee offered an additional safeguard to prevent unwarranted intrusion into Members' lives by recommending that the Commissioner should only undertake such an investigation with the Committee's agreement. If the House accepts this change, it will bring clarity to the rules in this area and to my remit.

Codes of conduct and defined standards of behaviour are now widespread, particularly across professional bodies and public services. The contents of these codes and the expectations placed upon those who are subject to them change gradually over time with changes in the attitudes of society. These in turn are shaped by experiences and events. The expectations set out by the codes provide one of the foundations for the trust which people have in those who are given power over their lives. Without this trust democracy is threatened. Being a Member of Parliament is not a profession. Nevertheless, as representatives elected by their constituents, Members have a responsibility to safeguard their own integrity and reputation as individuals and the integrity of the House as a whole. I have been impressed by the way in which Members I have met carry out a complex and multi-faceted set of responsibilities in widely varying circumstances. Much of this is not visible to the outside world and trust remains at a low level. Members will need to consider whether the new Guide, with the changes it proposes, supports them in moving the House a step closer to a framework which aligns with the expectations of their constituents, and with the codes of practice which apply to others with similar levels of responsibility in different walks of life.

Ultimately, it is important that the rules are upheld. Trust will be restored by individual Members considering not only their personal integrity but also how their behaviour, whatever their intentions, is perceived by the external world. This is a high standard and also an aspiration which cannot be defined by specific rules. It is the active implementation of the principles of conduct set out and recently reviewed by the Committee on Standards in Public Life.

Within my own office there is work to do to increase the transparency and accessibility of my work to the external world as well as to Members. I hope to use a number of opportunities in the coming months to help Members and their staff to become more familiar with the Rules and with other aspects of the work of my office. Few people in the external world are aware of the role which my office plays. In addition to this, I know that members of the public sometimes have difficulty in finding out how to complain or are not able to work out which aspects of a Member's work fall within my remit. I have already revised my leaflet on the process for making complaints and work has begun on my web pages. The intention is to make the information which the House has agreed should be published easier to find and to direct people whose concerns I cannot address to other agencies where possible.

Kathryn Hudson

Parliamentary Commissioner for Standards

3 July 2013

1 Review of the year

1. Within any organisation, systems and thinking change and develop over time. It is important for this reason that any code of standards should be kept under review to ensure that it remains robust and effective. One of the most important roles of the Parliamentary Commissioner for Standards is to monitor the House's rules of conduct and to recommend changes he or she thinks are necessary. During the last year, my predecessor built on his earlier review of the House's Code of Conduct by conducting a thorough review of the Guide to the Rules which accompanies it.

2. It is also important that the House listens to and considers the views of external observers, both in the UK and internationally. During 2012–13, the House implemented a recommendation made by the Committee on Standards in Public Life when it appointed lay members to sit on the Committee on Standards. In addition to this, in the course of the year, parliamentary standards—together with standards governing other public bodies and office holders—were the subject of reports by the Group of States against Corruption (GRECO) and the Committee on Standards in Public Life. These reports were considered by the Committee on Standards, which reported to the House in March 2013.

Review of the Guide to the Rules

3. The Guide to the Rules relating to the conduct of Members accompanies the Code of Conduct. It provides detailed guidance and rules relating to the registration and declaration of interests and to lobbying. It also sets out the procedure for complaints about breaches of the rules. In his annual report for 2011–12, my predecessor reported that he had published a consultation paper on the Guide. This was the first comprehensive review of the whole Guide, including its content and presentation, since it was produced in its current form in 1996.

4. My predecessor submitted his recommendations, together with a draft revised Guide, to the then Committee on Standards and Privileges in September 2012. Among his key recommendations were to:

- present the Guide in a clearer and simpler format;
- reduce the number of registration categories, from 12 to 10 (with one rather than three employment categories);
- rationalise the thresholds in the registration categories to make them simpler and more logical, and express them as rounded cash sums rather than proportions of Members' salary;
- increase the threshold for registering employment payments to £100, but halve the threshold for gifts, benefits and hospitality to £300;
- require all Members to register in a new category the details of any family members involved in public sector lobbying;

- tighten the lobbying rules so that Members receiving outside payment may not initiate parliamentary proceedings or approach Ministers, other Members or public officials in the interests of those from whom they receive such reward or consideration; while continuing to allow Members to take part in (but not initiate) such proceedings and meetings as long as they do not act for the exclusive benefit of those paying them;
- impose restrictions on parliamentary lobbying by former Members by extending the lobbying rules to them for two years in respect of approaches to Ministers, other Members or public officials; and requiring former Members to register for two years any occupation or employment which involves them or their employer in contact with Ministers, other Members or public officials; and
- update the procedure for inquiries and remove the requirement for the Commissioner to consult the Committee before initiating an inquiry following a self-referral by a Member.

5. The Committee on Standards and Privileges considered these recommendations and proposed a revised Guide to the Rules. The Committee accepted most of the recommendations, but recommended that former Members should be bound by the lobbying rules for six months after leaving the House, rather than two years, as the Committee considered it could be disproportionate to impose a stricter regime upon former back benchers than upon former Ministers and Crown servants. The Committee also considered that it was not necessary at this stage to introduce a new register for former Members. The Committee's report, together with its proposed revised Guide to the Rules, was published on 6 December 2012.¹

6. I am concerned that, at the end of the financial year 2012–13—almost four months since the publication of the Committee's report—the House had not had an opportunity to debate and decide on the Committee's proposals. The House has appointed the Commissioner and the Committee to advise it on standards matters and does need the opportunity to consider their advice. The revised Guide is simpler and clearer and has the potential to make an important contribution to the public's understanding of the House's rules. The streamlined registration categories would maintain the principles of the Register while reducing the bureaucracy required of Members, which will assist them. The thresholds for registration in the various categories have also been carefully considered and, where appropriate, reductions have been proposed.

7. It is more than ten years since the House last substantially revised the rules on lobbying. Since then, the House has considered the case of Members of Parliament approached by undercover reporters purporting to offer employment as lobbyists after those Members had left the House.² Some, but not all, of those approached breached the rules of the House. The House approved the report from the Committee on Standards and Privileges, in which the Committee had agreed with my predecessor that there was a strong case for a review of the rules relating to lobbying. The proposed new Guide to the Rules offers the House an

¹ Committee on Standards and Privileges, Third Report of Session 2012–13, Proposed Revisions to the Guide to the Rules relating to the conduct of Members, HC 636

² Committee on Standards and Privileges, Ninth Report of Session 2010–12, HC 654

opportunity to consider the lobbying rules in the light of widespread public concern about Members' lobbying activities and to take action to improve the situation.

8. The Committee's report also proposed an amendment to the Code of Conduct. In its consideration of a new Code of Conduct in March 2012, now more than a year ago, the House decided that the Commissioner should not be able to investigate a Member's conduct in his or her personal life even where that conduct had significantly damaged the reputation and integrity of the House or its Members generally. However, this conduct remained within the scope of the Code. This means that the House, faced with exceptional conduct of this kind, would either be unable to act or would have to devise a new procedure for investigating this conduct, without the involvement of the independent Commissioner appointed by the House. I agree with my predecessor and the Committee on Standards and Privileges that this situation leaves the Code in an unsatisfactory and uncertain position and the House at risk of having no appropriate way of dealing decisively with a challenging situation.

9. I understand that the House may be concerned about unnecessary intrusion into a Member's private and personal life. The Committee on Standards and Privileges endorsed the proposal, put forward by the Chair of the Committee, that the Commissioner should be required to seek the agreement of the Committee before embarking on such an investigation. This seems to me to be a proportionate and reasonable solution, and one which deserves consideration by the House. It is now more than a year since this problem, and a possible solution, were identified. I very much hope that the House will be able to address it alongside the changes proposed to the Guide to the Rules.

Appointment of lay members to the Committee on Standards

10. One of the most radical changes during the course of this year was the appointment of lay members—that is, people who are not, and have never been, Members of Parliament—to join the Committee which oversees my work. This change had been under consideration for some years. It followed a recommendation from the Committee on Standards in Public Life in 2009,³ which was endorsed by the House in December 2010.⁴ In November 2011, the Procedure Committee made recommendations to the House about how this should be implemented,⁵ and the necessary changes to the Standing Orders were agreed in March 2012.⁶ In particular, the House agreed that the Committee on Standards and Privileges should become two Committees (the Committee on Standards and the Committee of Privileges) and that lay members should sit on the Committee on Standards.

11. On 13 December 2012 the House appointed Sharon Darcy, Peter Jinman OBE and Walter Rader OBE as members of the Committee on Standards, and they took up their posts in January 2013. They will be able to participate fully in evidence taking and in the informal consideration of draft reports. While they will not have full voting rights, any

³ Committee on Standards in Public Life, Twelfth Report, *MPs' expenses and allowances*, Cm 7724, November 2009

⁴ Votes and Proceedings, 2 December 2010

⁵ Procedure Committee, Sixth Report of Session 2010–12, *Lay membership of the Committee on Standards and Privileges*, HC 1606

⁶ Votes and Proceedings, 12 March 2012

written opinion of a lay member must be published as part of a Committee report and the Committee on Standards cannot conduct any business unless at least one lay member is present. I very much welcome this development and look forward to continuing to work with the Committee on Standards, including its lay members, in the years to come.

Group of States against Corruption (GRECO)

12. The Group of States against Corruption (GRECO) is a body of the Council of Europe, of which the United Kingdom is a member. GRECO conducts its work in a series of evaluation rounds. After an initial questionnaire, an evaluation team visits the country and prepares a draft report which is then adopted by the GRECO in a plenary session. In the course of this year, it conducted its fourth evaluation round, “Corruption Prevention in respect of Members of Parliament, Judges and Prosecutors.” The evaluation team for the UK visited and met, among others, the Chair of the then Committee on Standards and Privileges and my predecessor. Although the final report had not been published when the Committee came to consider revisions to the Guide to the Rules, the Committee was able to take into account the evaluation team’s draft report.

13. GRECO adopted the final report at its plenary session on 16 and 17 October 2012.⁷ The Committee on Standards subsequently produced a report which considered the recommendations which related to the House of Commons.⁸ The key recommendations from GRECO were that:

- pending any introduction of an accountability system for staff conduct, it should be made clear that Members of the House of Commons and Members of the House of Lords can be held responsible for the conduct of their staff when carrying out official duties on behalf of the Member and that, unless otherwise specified, the conduct of the staff should be judged against the standards expected of the Members;
- consideration should be given to reducing the thresholds for reporting financial holdings (such as stocks and shares);
- clearer guidance should be provided for Members of the House of Commons and the House of Lords concerning the acceptance of gifts, and consideration should be given to reducing the current thresholds for registering accepted gifts;
- the Codes of Conduct and the guidance for both the Commons and the Lords should be reviewed in order to ensure that the Members of both Houses (and their staff) have appropriate standards/guidance for dealing with lobbyists and others whose intent is to sway public policy on behalf of specific interests;
- the available disciplinary sanctions for misconduct of Members of the House of Commons and Members of the House of Lords should be reviewed in order to

⁷ [http://www.coe.int/t/dghl/monitoring/greco/evaluations/round4/GrecoEval4\(2012\)2_UnitedKingdom_EN.pdf](http://www.coe.int/t/dghl/monitoring/greco/evaluations/round4/GrecoEval4(2012)2_UnitedKingdom_EN.pdf)

⁸ Committee on Standards, First Report of Session 2012–13, *Guide to the Rules relating to the conduct of Members: GRECO Report and other developments*, HC 724

ensure that they are effective, proportionate and dissuasive; and relevant guidance to the Codes of Conduct should contain a clearer description of the possible sanctions for breaches of the rules.

14. As the Committee on Standards noted in its report, the House will be able to look at these recommendations when it considers the revised Guide to the Rules.⁹ The proposed new Guide already takes account of GRECO's key recommendations. In particular, the proposals would reduce the threshold for registering gifts to less than half the current level. With regard to sanctions, the new guide sets these out clearly in the section relating to the procedure for inquiries.

The Committee on Standards in Public Life (CSPL)

15. In January 2013 the CSPL published its Fourteenth Report, *Standards matter: A review of best practice in promoting good behaviour in public life*.¹⁰ In this report, the CSPL reflected on the changes in standards in public life since the Committee was first established in 1995.

16. As part of its review, the CSPL considered the seven principles of public life established by the first Committee on Standards in Public Life (often known as the Nolan principles, after the Chair of that Committee). It concluded that there was no need to alter the seven principles, but did propose some changes to the descriptions which accompany them. Most of the material in the new descriptions was already in the existing descriptive text, but has been moved from one principle to another. For example, the prohibition on taking decisions to gain advantage for oneself, family or friends has been moved from "selflessness" to "integrity". The one major change is that the description of "Honesty" now reads "Holders of public office should be truthful".¹¹

17. These general principles of conduct are quoted in Part IV of the House's own Code of Conduct. The Committee on Standards reported to the House on the revised descriptions proposed by the CSPL alongside its consideration of the GRECO recommendations. The Committee considered whether these new descriptions should be incorporated into the Code of Conduct. The Committee's view was that:

The revised descriptors may well be used in future revisions of the Code, but we do not recommend updating the Code at this stage, other than by the insertion of a footnote to draw attention to the CSPL's revisions and this Report.¹²

18. The CSPL also looked ahead at the subjects it is likely to investigate in the near future. I draw the House's attention to the fact that one of these subjects is lobbying, in light of what the CSPL describes as "concerns about unequal access to decision-makers and inadequate

⁹ Committee on Standards, First Report of Session 2012–13, *Guide to the Rules relating to the conduct of Members: GRECO Report and other developments*, HC 724, para 6

¹⁰ Committee on Standards in Public Life, Fourteenth Report, *Standards matter: A review of best practice in promoting good behaviour in public life*, Cm. 8519, January 2013

¹¹ The previous description was "Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest."

¹² Committee on Standards, First Report of Session 2012–13, *Guide to the Rules relating to the conduct of Members: GRECO Report and other developments*, HC 724, para 28

transparency”. Elsewhere in its report, the CSPL expresses concern that “responses to standards issues often come too late and only in response to public scandals which by then have done a lot of damage.” This is an important point and one which is of concern to me across a range of issues. Yet again, it endorses the need for the House to have an early opportunity to debate the proposals made by the Committee on Standards and Privileges, which include changes to the lobbying rules.

2 Looking outward: information and advice

Publication of information about complaints and inquiries

19. In accordance with the procedures agreed by the House I publish on my web pages each month statistics about the complaints I receive and resolve. I identify the name of any Member I am investigating. Where I resolve an inquiry without reporting on it to the Committee on Standards, my resolution letter to the complainant, and the evidence on which it is based, are published on my parliamentary web pages. My reports to the Committee concerning complaints which I have not resolved informally, together with all the relevant evidence supporting them, are published on the Committee's web pages. Further information about complaints and inquiries is contained in Chapter 3 of this report.

Responding to enquiries from the public

20. My office receives, and responds to, enquiries from the general public by telephone, e-mail, fax and letter. We always try to be as helpful as possible in providing advice and guidance to those who contact us. When anyone comes to us with concerns about a specific Member, we explain the role of the Commissioner and the types of complaint I am able to consider. Where appropriate, we explain the procedure for submitting complaints and the need for complainants to provide enough evidence to justify an inquiry.

21. If we are asked about particular inquiries which are in hand, we direct enquirers to any relevant information that has already been published. We will also confirm, if asked, whether or not we have received a specific complaint and whether it is under inquiry. I am aware that the information we publish can sometimes be difficult to find and it is for this reason, among others, that my web pages will be revised in the coming months.

22. If an enquirer raises a matter or asks a question which falls outside my remit, we try to direct them to the person or organisation best placed to respond. However, there are some matters which cannot be resolved in this way.

Responding to enquiries from the media

23. As well as enquiries from members of the public, my office responded to over 170 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 pages.¹³ We do not comment on the progress of current inquiries but, once an inquiry has been completed, the course and chronology of each inquiry is available either on the web

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

pages of the Commissioner or those of the Committee on Standards depending on the way in which it has been resolved.

Freedom of Information requests

24. During the year the House of Commons received seven requests under the Freedom of Information Act 2000 for information relating to the Commissioner's work. The House responded to these requests in accordance with the statutory procedures. Five of these requests related to complaints about or investigations into Members; one asked for information about an All-Party Group; and one concerned travel by the Commissioner.¹⁴ A full or partial disclosure was made in all cases except two where the House either did not hold the information or did not confirm or deny that it was held.

Relations with other standards bodies

25. I am pleased to report that during the year we continued to maintain our contacts with the Standards Commissioners for the devolved administrations. I know that my predecessor was grateful for their contributions to his consultation on the Guide to the Rules. For my part, I was pleased to be able to attend the biennial Standards Network Seminar in Belfast in March 2013. We have also maintained our close working relationship with the Electoral Commission with regular contacts at working level and meetings when required.

International work and other presentations

26. While each Parliament and parliamentary assembly faces its own challenges in establishing and reinforcing standards of conduct, there is nevertheless much that we can learn from each other. I have been pleased to learn that parliamentarians and parliamentary officials maintain a healthy dialogue about standards across national boundaries. Part of this dialogue is conducted by means of meetings with delegations visiting Westminster, who frequently ask for updates on the workings of the standards system here. During 2012-13 my office gave presentations on the Westminster standards system to the Commonwealth Parliamentary Association conference and to delegations from Bosnia and Herzegovina, Chile, Ghana, Macedonia, Jordan, Vietnam, Uganda and Uzbekistan. We have also had less formal, but equally valuable, exchanges of information with delegates from Israel and Iran.

Advice to MPs and others

27. A core part of my office's work is to provide confidential advice to Members. This includes advice about the registration and declaration of interests, as well as advice about wider issues of propriety. The Registrar of Members' Financial Interests and Executive

¹⁴ The requester asked for a list of all travel undertaken by the Commissioner in connection with his parliamentary duties since he took up his post in 2008, and for details of any expenses claimed. The response was as follows: (a) 2008: Birmingham—inquiry work with Complaints Officer. Total cost for both: £53.95; (b) 2011: trip to Vilnius, Lithuania. Presentation to the Parliamentary Assembly of the Council of Europe. Cost of train travel to airport, flight and overnight accommodation claimed. Total claimed 169.35 euros from the Council of Europe; (c) 2012: Oxford – keynote address. No expenses claimed.

Assistant advise on the Register of Members' Financial Interests, while the Assistant Registrar advises on the Registers for Members' staff, All-Party Groups and journalists. This advice is disclosed only if it becomes relevant to one of my inquiries.

28. I am keen to ensure that Members are aware that this advice and support is available to them, and to their staff, on a confidential basis.

3 Inquiries into MPs' Conduct

The complaints process

29. Under the procedures agreed by the Committee on Standards, I do not accept complaints unless they are in hard copy, signed and bearing the complainant's name and address. If a complainant is unable to submit a complaint in this way, my office discusses with the complainant how we can adjust our procedures to meet their needs. Each year my office receives a number of complaints by fax and by e-mail. If the subject matter of any of these complaints appears to come within my remit, my office explains the procedure and invites the complainant to submit their complaint formally in writing, if they are able to do so. This allows me to consider the complaint further. This chapter deals with the complaints received formally in hard copy during 2012-13.

30. When I receive a formal complaint, I first consider whether it falls within the remit set by the House of Commons. This remit does not include certain kinds of complaint, namely complaints about:

- policy matters;
- a Member's views or opinions;
- a Member's handling of or decision about an individual case;
- the funding of political parties;
- alleged breaches of the Ministerial Code; or
- the purely private and personal lives of Members.¹⁵

31. 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.

Complaints received and accepted for inquiry in 2012–13

32. In the year beginning 1 April 2012, 117 formal complaints against Members and former Members were received. This was very slightly more than in the previous year. We carefully considered each one to see whether it fell within my remit and, if so, whether the complainant had provided sufficient evidence to justify an inquiry. Most of these complaints were about conduct which was not within my remit.¹⁶ Some other complaints were about conduct which could not have broken the rules of the House.

¹⁵ *The Code of Conduct* together with *The Guide to the Rules relating to the conduct of Members*, HC 1885, para 105

¹⁶ See paragraph 30, above.

33. Of these complaints, we accepted seven for inquiry. These came from six complainants and related to seven different Members.

Complaints not accepted for inquiry in 2012-13

34. As with most complaints systems, a large number of the complaints received by the Commissioner cannot be accepted for investigation. This has been the case in every year since the office of Commissioner was first created, and it was also the case in 2012–13. As in previous years, the largest category of complaints not accepted (76% of all complaints received, 89 of the 117 received in total) were those which fell outside the Commissioner’s remit. Such complaints were not accepted because, for example, they related to the way in which a Member had handled an individual case (including whether the Member had responded to correspondence), to a Member’s views and opinions, or to actions taken by Ministers. Wherever possible, we suggested a way in which the complainant might pursue his or her concerns, but other options are not always available.

35. It is understandable that many complainants are not familiar with the details of the rules of the House. As a result, some complaints are made about conduct which would not constitute a breach of the rules of the House. Fifteen such complaints were received last year. For example, some of these involved misunderstandings about the rules relating to Members’ allowances from previous Parliaments, or about the requirements of the House in relation to apparent conflicts of interest. The House does not prevent Members undertaking paid employment outside the House, but it does require them to register and, when relevant, declare those interests openly.

36. The Commissioner can only accept a complaint if it is supported by sufficient evidence to justify an inquiry. Last year, three complaints were not accepted for inquiry because the complainants provided insufficient evidence of the allegations they were making. In such cases, my office replies to the complainant to remind them of the need to provide sufficient evidence. In two further cases, complaints were not accepted for investigation because an inquiry into a similar complaint was already under way.

37. Table 1 (overleaf) shows the number of complaints accepted and not accepted during each quarter of the year. It also shows the reasons why complaints were not accepted.

Suspended inquiries

38. From time to time it may become necessary for the Commissioner to suspend his or her inquiries. This may be, for example, because a matter is being considered by the police, or on medical grounds. My predecessor brought forward two suspended inquiries from 2011–12. He reactivated and then concluded one of these inquiries. He closed the remaining inquiry, with the agreement of the then Committee on Standards and Privileges, following the conclusion of court proceedings. In the latter case, the individual concerned was no longer a Member of the House and the inquiry had been suspended for a considerable period of time. At the end of the year, I carried forward no suspended inquiries to 2013–14.

Table 1: Complaints considered in 2012–13

	Quarter 1 Apr-June 2012	Quarter 2 Jul-Sept 2012	Quarter 3 Oct-Dec 2012	Quarter 4 Jan-Mar 2013	Total
1. Formal complaints received	23	29	42	23 ¹	117
2. Complaints inquired into:					
(a) Complaints under inquiry and brought forward from 2011–12	2	-	-	-	-
(b) New complaints accepted for inquiry	1	0	5	1	7
(c) Inquiries suspended at quarter end	2	1	0	0	0
3. Complaints not inquired into:					
(a) because the complaint fell outside Commissioner's remit	18	24	32	15	89
(b) because complaint did not concern a breach of the rules	4	4	2	5	15
(c) because insufficient supporting evidence was provided	0	1	1	1	3
(d) because a similar complaint had already been accepted	0	0	1	1 ²	2
<i>Total complaints not inquired into</i>	22	29	36	22	109

Note 1: One of these complaints was considered in Quarter 1 of 2013–14.

Note 2: This complaint was received in Quarter 3.

Resolution of complaints

39. When the Commissioner has accepted a complaint for inquiry, there are three possible outcomes, each of which is made public at the appropriate time. If the Commissioner decides that there is not sufficient evidence to substantiate the complaint, he or she does not uphold the complaint. If this happens, the Commissioner writes to the complainant to explain this decision and informs the Committee on Standards.

40. In some cases, if the Commissioner finds that the Member has broken the rules of the House, the Member accepts this, and the Commissioner considers that the breach was inadvertent and/or at the less serious end of the spectrum, the Commissioner may resolve the complaint informally. This is called the “rectification procedure”. The Member must

make an apology and must take appropriate action to put the matter right—this might be a repayment or a late entry in the Register of Members’ Financial Interests. In these cases, the Commissioner writes to the complainant to explain how the complaint has been resolved and informs the Committee on Standards.

41. In other cases, the Commissioner reports his or her findings and conclusions to the Committee on Standards (formerly the Committee on Standards and Privileges). The Committee then reaches its own conclusions on whether the Member has broken the rules of the House. The Committee will then publish its own report on the complaint, together with the Commissioners’ findings and the evidence he or she has received. 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, a repayment of money or a period of suspension from the service of the House.

Complaints resolved in 2012–13

42. During the year, my predecessor and I resolved nine complaints, including two brought forward from 2011–12 and two inquiries which had previously been suspended. Brief details of each of these are given below and further information is available to the public online (or in hard copy on request), as follows:

- Five complaints were resolved informally using the rectification procedure. In each case, the relevant evidence and the Commissioner’s letter closing the complaint are available on the Commissioner’s web pages.¹⁷
- Two complaints were the subject of a memorandum to the Committee on Standards and Privileges. These memoranda, together with the relevant evidence, are published with the Committee’s reports on its web pages.¹⁸
- In one case, my predecessor did not uphold the complaint. The relevant evidence and the Commissioner’s letter closing the complaint are available on the Commissioner’s web pages.¹⁹
- One inquiry was closed following the conclusion of court proceedings. A statement about this is available on the web pages of the Committee on Standards and Privileges.²⁰

17 <http://www.parliament.uk/mps-lords-and-offices/standards-and-interests/pcfs/publications/inquiries/matters-rectified/>

18 <http://www.parliament.uk/business/committees/committees-a-z/commons-select/standards-and-privileges-committee/Publications/>

19 <http://www.parliament.uk/mps-lords-and-offices/standards-and-interests/pcfs/publications/inquiries/matters-not-upheld/>

20 <http://www.parliament.uk/sandp>

43. Table 2 shows the complaints which were resolved during the year.

Table 2: Complaints inquired into and resolved in 2012–13

	Quarter 1 Apr-June 2012	Quarter 2 Jul-Sept 2012	Quarter 3 Oct-Dec 2012	Quarter 4 Jan-Mar 2013	Total
1. Complaints upheld:					
(a) resolved through the rectification procedure	1	1	0	3	5
(b) subject of a memorandum to the Committee on Standards and Privileges	0	1	1	0	2
<i>Total complaints upheld</i>	<i>1</i>	<i>2</i>	<i>1</i>	<i>3</i>	<i>7</i>
2. Complaints not upheld:					
(a) without a formal report to the Committee on Standards and Privileges	0	0	1	0	1
(b) subject of a memorandum to the Committee on Standards and Privileges	0	0	0	0	0
<i>Total complaints not upheld</i>	<i>0</i>	<i>0</i>	<i>1</i>	<i>0</i>	<i>1</i>
3. Other complaints submitted to the Committee on Standards and Privileges					
(a) Inquiry closed	0	0	1	0	1
Total complaints inquired into and resolved	<i>1</i>	<i>2</i>	<i>3</i>	<i>3</i>	<i>9</i>

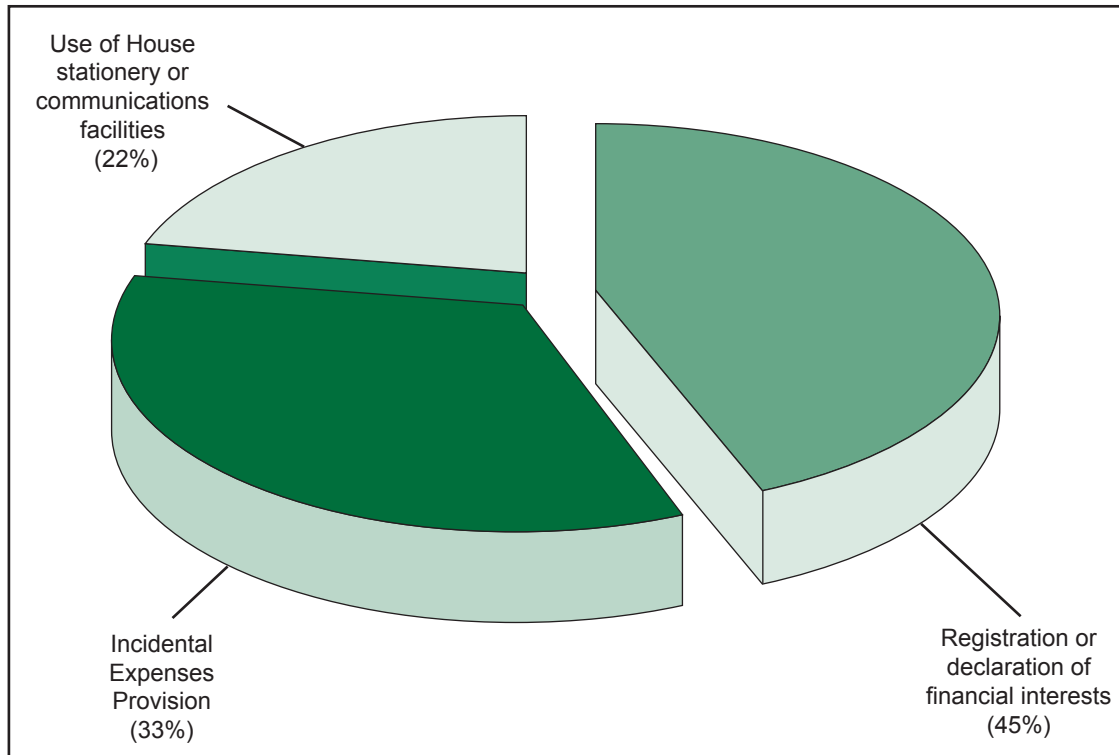
Subject matter of complaints resolved during the year

44. Chart 1 shows the main subject matter of the nine complaints resolved during the year. This includes one complaint which was closed following the conclusion of court proceedings. Four cases (45%) related to the registration or declaration of a Member's financial interests. Three cases (33%) were about a Member's use of the Incidental Expenses Provision, an allowance provided under the expenses rules in the previous

Parliament to meet the costs of accommodation for office or surgery use and other office costs. The remaining two cases (22%) related to a Member's use of House stationery or facilities.

45. Four complaints resolved this year related to a Member's actions in the current Parliament. Four other complaints related to conduct in previous Parliaments. The remaining complaint related to conduct which had begun in the previous Parliament and continued into the present Parliament.

Chart 1: Main subject matter of inquiries resolved in 2012-13



Time taken to resolve complaints in 2012-13

46. Over the year, 8 of the 10 cases which were under active inquiry were resolved. One case was resolved in less than a month. Four further cases were resolved in two months or less. Another case was resolved in less than five months. A further case, which had been carried forward from the previous year, was resolved in nine months. Of the remaining two cases, one had been suspended for a significant period while matters were investigated by the police and was resolved three years and three months after it had first been accepted for inquiry. The remaining case was closed following the conclusion of court proceedings.

Reports to the Committee on Standards and Privileges

47. During the year, my predecessor submitted two memoranda to the Committee on Standards and Privileges. In both cases, he upheld the allegations. In both cases, the Committee accepted his overall findings before deciding what action, if any, to take or to recommend to the House.

48. The first memorandum related to claims made by the Member for his constituency office.²¹ The complaint was that between 2002–03 and 2009–10 the Member had rented accommodation for his constituency office from an organisation in which he and a family member owned shares, which was in breach of the rules of the House. My predecessor found that the Member had indeed sub-leased office premises from a company in which he had a substantial interest and in which his sister-in-law had a much smaller interest.

49. The Member told my predecessor that he had sought advice from officials in the Fees Office and that he had been advised that his arrangements were within the rules at the time. Having taken evidence from the officials concerned, my predecessor concluded that the evidence was not sufficient on the balance of probabilities for him to conclude that the Member had omitted to tell Fees Office staff in 2002 of his shareholding in this company before they approved his arrangements. The Member accepted that he had breached the rules, albeit not deliberately or knowingly, and apologised. The Committee noted this breach of the rules and did not recommend any further action.

50. The second memorandum²² related to claims made by the Member for research and translation services between 2005 and 2008, and to his claims for computer equipment during the same period. The complaint was accepted on 15 July 2009. As a result of information discovered by my predecessor in the course of his inquiry, the Committee on Standards and Privileges agreed that the conduct of the Member should be reported to the Metropolitan Police. This was done in October 2010 and the Commissioner's investigation was suspended. On 3 July 2012, the Metropolitan Police Service informed the Commissioner that they would take no action as a result of their inquiries. He then resumed his own inquiry and reported to the Committee in October 2012.

51. In respect of the Member's claims for computer equipment, my predecessor concluded that the Member had breached the rules of the House by buying some computers when that expenditure was not wholly, exclusively and necessarily incurred on parliamentary duties. Moreover, one claim for a computer was made twice and therefore should not have been made or paid a second time.

52. With regard to the Member's claim for research and translation services, my predecessor found that he had submitted 19 invoices which the Commissioner considered to be misleading. He found that these invoices had been presented on headed paper of a policy institute and signed by its General Manager. At that time, the institute did not exist in this form and there was no General Manager. The Member told the Commissioner that he, or one of his staff acting under his authority, had signed the invoices in the name given for the General Manager. My predecessor considered that these invoices misled the House authorities and ensured there was no means of checking their accuracy or admissibility, nor any restraint on the Member's claims. In effect, the Member had been sending the invoice to himself and writing his own cheque.

53. My predecessor found that the claims that the Member had made against the incidental expenses provision, supported by these invoices for "research and translation", went

21 First Report of Session 2012–13, HC 564

22 Second Report of Session 2012–13, HC 635

beyond what was allowable under the rules. In particular, over four financial years he had claimed for the costs of his own extensive travel across Europe.

54. The Committee considered that this was the gravest case that had come to it for adjudication. It agreed with my predecessor's findings and recommended that the Member be suspended from the service of the House for twelve months. Before the House had an opportunity to debate this recommendation, the Member chose to stand down from the House.

Complaints rectified

55. During the year, my predecessor and I resolved five inquiries by means of the rectification procedure. Three of these related to the registration or declaration of Members' financial interests; one related to a Member's use of House of Commons stationery and pre-paid envelopes, and the remaining complaint related to a Member's use of his parliamentary e-mail account.

56. In the first case, my predecessor investigated the Member's use of House of Commons stationery and pre-paid envelopes. The complaint was that the Member had used House of Commons stationery and pre-paid envelopes to send his constituents a letter which included material in connection with work for his political party, contrary to the rules of the House. These letters were accompanied by reply slips which included material about the Member's political party. The view of the House authorities, with which my predecessor agreed, was that the inclusion of these reply slips meant that the letters were in breach of the rule that House stationery and postage must not be used in connection with work for a political party. The Member immediately recognised and accepted this mistake, apologised and repaid the full cost of sending the letters. He undertook to retrain all his staff members who were involved with this dispatch so that they were clear about the requirements of the rules of the House.

57. In the second case, the complaint was that the Member had failed to register sponsorship he had received for a series of networking events held for him and another Member between May 2009 and March 2010. The advice of the Registrar of Members' Financial Interests, with which my predecessor agreed, was that the Member was required under the rules on registration to register the three networking events he had attended since, in her view, the events provided financial or material support for both himself and the other Member as Members of Parliament, including for their political activities. She would not have advised him to register the events he did not attend. The Member readily accepted that he should have registered these events, registered them once he was aware of the situation and apologised. The late entries appear in the Register of Members' Financial Interests in bold italic type, with an explanatory note. They will remain in the Register in that form for 12 months from the date of the rectification of the complaint or until the next printed edition, whichever is the later.

58. In the third case, the complaint was that the Member had failed to register, from 2005 to the date of the complaint in 2012, a financial interest in a film partnership, contrary to the rules of the House. The advice of the Registrar of Members' Financial Interests, with which I agreed, was that she found it hard to avoid the conclusion that the Member had a financial interest which met the purpose of the Register. She therefore advised that the

interest should have been registered in the Miscellaneous category. The Member accepted that he had breached the rules of the House, apologised and registered his interest in the film partnership. This late entry appears in the Register of Members' Financial Interests in bold italic type, with an explanatory note. It will remain in the Register in that form for 12 months from the date of the rectification of the complaint or until the next printed edition, whichever is the later. The Member undertook to ensure that he will in future notify the Registrar promptly of any interest which the House requires him to register.

59. In the fourth case the complaint was that the Member had, contrary to the rules of the House:

- failed to declare benefits from two companies connected to the gambling industry at an early stage of a select committee inquiry related to gambling;
- failed to declare those benefits when asking three parliamentary Questions;
- failed to declare those benefits in debate; and
- failed to declare a relevant interest when asking questions of a witness in a select committee evidence session.

The advice of the Registrar of Members' Financial Interests, with which I agreed, was that the benefits that the Member received from one of the companies did not meet the test of relevance—that is, that they could reasonably be thought by others to influence the Member's words or actions in the proceedings identified by the complainant. She did, however, consider that the benefit the Member had received from the other company met this test, and that it should therefore have been declared in proceedings. The Member accepted that he had breached the rules of the House and apologised on a point of order.

60. In the fifth case, the complaint was that the Member had used his parliamentary e-mail account to send a message which constituted party political campaigning, contrary to the rules of the House. The e-mail related to the then forthcoming Police and Crime Commissioner elections. The advice of the House authorities, with which I agreed, was that the e-mail would, under the rules which operated for a communications allowance between 2007 and 2010, have crossed the line between acceptable parliamentary communication and party political campaigning. The Member accepted that he had breached the rules of the House, apologised and undertook to avoid a recurrence.

Complaint not upheld

61. There was one case during the year in which my predecessor did not uphold the complaint. This was because, following an inquiry, the facts did not support the allegation that the Member had breached the rules of the House. The complaint was that the Member had failed to declare to a select committee, of which he was the Chair, a relevant personal interest arising from his relationship with the owners of a care home company. The Member told my predecessor that the couple in question had been family friends for approximately fifteen years, and that this friendship had not arisen because of the couple's business interests. My predecessor concluded that the nature of the Member's connection to his friends was not such as to require him to declare it as a personal interest and so he was not required to stand aside from the Committee's inquiry.

Inquiry closed

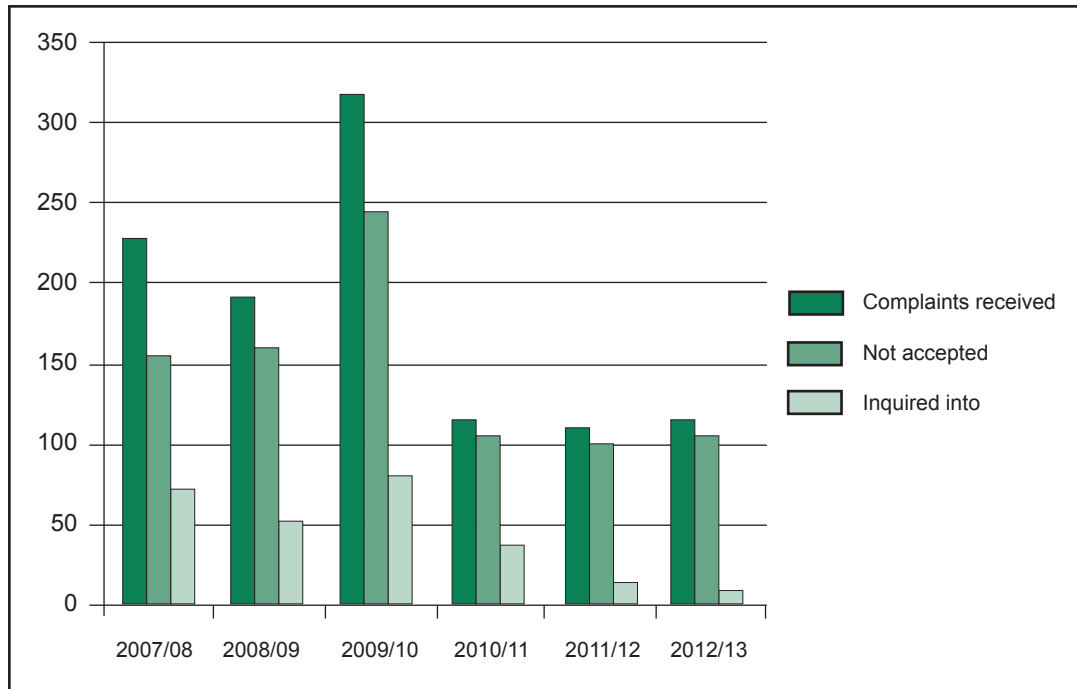
62. My predecessor closed one inquiry during the year. The inquiry related to the Member's use of the incidental expenses provision, administrative and office expenditure and the staffing allowance. This inquiry had been suspended in 2010 to allow time for the question of possible criminal proceedings, relating to the Member's claims for other allowances, to be resolved. Following the outcome of court proceedings, my predecessor—with the agreement of the Committee on Standards and Privileges—closed the inquiry.

Trends in complaints from 2007 to 2013

63. The overall number of complaints has remained broadly the same in the last three years, having fallen substantially from the high level it reached in 2009–10. The number of active inquiries undertaken each year has declined in the same period.

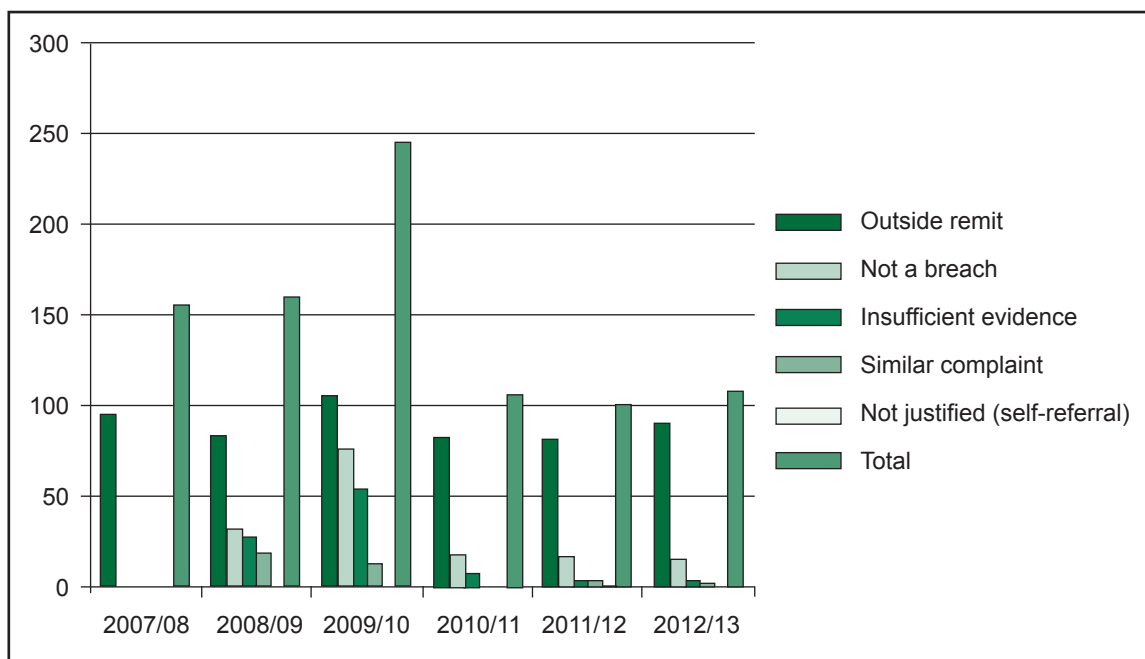
64. The number of complaints which did not provide sufficient supporting evidence is very similar to the number recorded in the previous year: 3 in 2012–13 and 2 in 2011–12. This may be because the matters that now fall within the Commissioner's remit mainly relate to matters for which there are published and easily available sources, such as the Register of Members' Financial Interests and Hansard.

Table 3 and Chart 2: Complaints received from 2007–08 to 2012–13



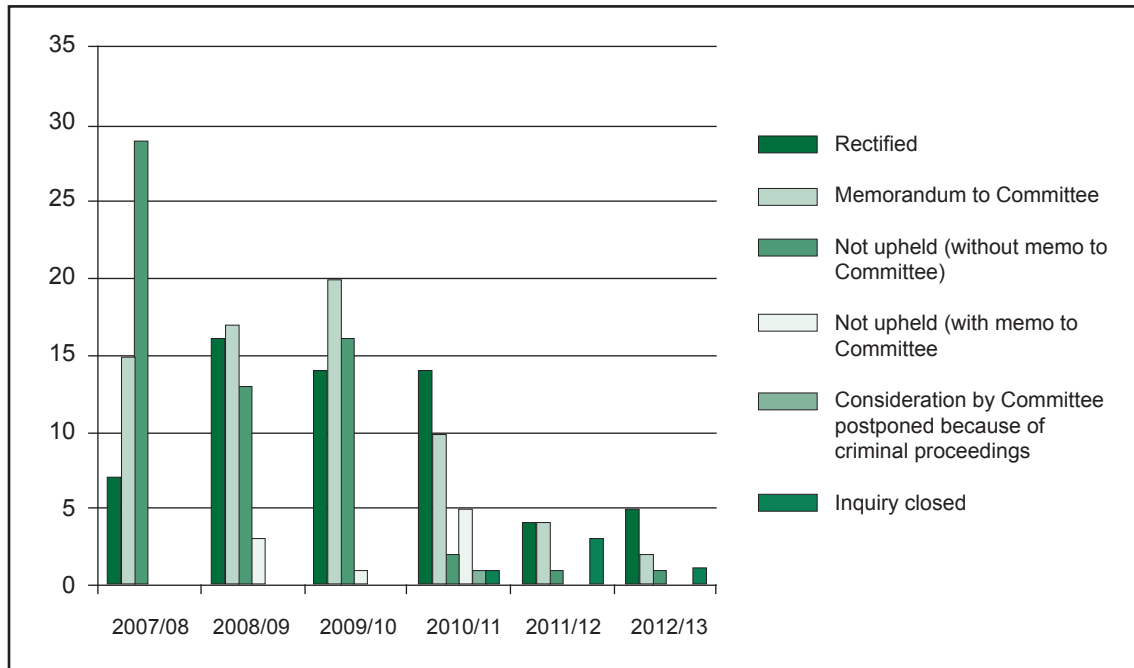
	2007–08	2008–09	2009–10	2010–11	2011–12	2012–13
1. Formal complaints against a named Member	226	192	317	115	109	117
2. Complaints subject of inquiry	71	54	80	37	14	10
3. Complaints not inquired into	155	160	245	105	101	109

Table 4 and Chart 3: Complaints not inquired into



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

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

Table 5 and Chart 4: Complaints resolved

Complaints resolved	2007–08	2008–09	2009–10	2010–11	2011–12	2012–13
a) upheld by means of rectification procedure	7	16	14	14	4	5
b) upheld by means of a memorandum to Committee on Standards and Privileges	15	17	20	10	4	2
c) Complaints not upheld (where no memorandum was submitted to the Committee)	29	13	16	2	1	1
d) Complaints not upheld (where a memorandum was submitted to the Committee)	0	3	1	5	0	0
(e) Consideration by Committee postponed because of criminal proceedings				1	0	0
(f) Inquiry closed				1	3	1
Total complaints resolved	51	46	51	33	12	9

Frivolous or vexatious complaints

65. The Guide to the Rules relating to the conduct of Members states that, if the Commissioner receives a complaint and concludes that it is frivolous or vexatious, he or she would report this briefly 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 accepted 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

66. The Commissioner's office is responsible for compiling 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 Groups.

The registers provide a publicly available record of the interests which might be thought to influence a Member in his or her parliamentary capacity, or to influence the actions of other holders of a parliamentary pass.

67. All four Registers are published electronically on the parliamentary website. The Members' Register is updated electronically on the parliamentary website every two weeks while the House is sitting, and less frequently during recess. The other three Registers are published every six weeks. Enquirers can also inspect print-outs of the current edition of each Register, by appointment, and they can arrange to see earlier editions of the Registers which do not appear on the parliamentary website.

Register of Members' Financial Interests

68. 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.”²³

69. During 2012-13 my office published 18 online updates to the Register. The Register is also published in hard copy once every twelve months, usually in January. The third printed Register of the 2010 Parliament was published on 18 January 2013.

70. The House has decided that Members should register changes to their interests within 28 days. We therefore attach considerable importance to timely and accurate registration. Late and incomplete registration can result in the House and the general public lacking relevant information about a Member's financial interests, and Members are regularly

23 HC Deb 27 March 2008, Cols 382-394

reminded of this. Since the Electoral Commission draw from the Members' Register the information which it publishes about donations to Members, it can also result in inaccuracies and omissions in the information on the Electoral Commission website.

71. Maintaining the Members' Register involves checking for completeness the draft entries which Members 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. One-off interests remain in the Register for twelve months after registration, and continuing interests for twelve months after the interest has ceased.

72. During the year the registry staff delivered briefings on registration requirements to four meetings of Members in party groupings, and to another four seminars for Members' staff. These briefings were reinforced, when required, by the circulation of reminders and guidance to Members on topical issues; and by the individually tailored advice which the Registrar and her staff provided via e-mail, telephone or in person to individual Members.

Register of Interests of Members' Secretaries and Research Assistants

73. 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 Member's salary (£329 until 31 March 2013) 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.

74. The number of registered staff on 31 March 2013 was 1857, a slight increase on the 1784 staff who were registered on 31 March 2012. The number of those staff with registered interests was 359 on 31 March 2013, again a slight increase on the 352 staff with registered interests on 31 March 2012. My office published eight editions of the Staff Register in 2012–13.

Recent changes to the rules

75. Following security concerns raised by a Member about the requirement for Members' staff to disclose participation in the Reserve Forces, the Committee on Standards and Privileges ruled on 18 December 2012 that the rules should not in future be interpreted as requiring registration of such participation.

Register of All-Party Groups

76. The membership of All-Party Groups (APGs) consists mainly of backbench Members 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.

77. The number of registered groups was 581 on 31 March 2013, of which 134 were country groups (23% of the total) and 447 were subject groups (77% of the total). This was a slight increase on the 568 registered groups on 31 March 2012, of which 136 were country groups (24% of the total) and 432 were subject groups (76% of the total). The number of groups with registered financial or material benefits was 386 on 31 March 2013, slightly fewer than the 401 registered with benefits on 31 March 2012. My office published eight editions of the Groups' Register in 2012–13.

Proposed changes to the rules on All-Party Groups

78. In his Report on the financial year 2011-12, my predecessor said that the Speakers of both Houses had established a Working Group to review Parliament's arrangements for All-Party Groups. This Working Group reported in June 2012. In its Report the Group recommended a number of changes, including:

- the establishment of a panel of Members from both Houses to advise on possible new Groups;
- the publication of accounts by all those Groups which receive benefits of more than £3,300 in a calendar year;
- reducing from £1,500 to £660 (or according to future registration thresholds in the Members' Register) the financial thresholds for registering benefits provided to Groups;
- an end to the status of Associate All-Party Group, which presently allows voting rights to non-parliamentarians;
- increasing the quorum for a Group's meeting from 3 to 5;
- introducing a requirement for Groups to produce and make available minutes of their meetings;
- a new requirement to elect officers by secret ballot on any occasion when the election is contested or if any officer seeks re-election for a third or further term;
- ending the arrangement which allowed Groups to use the crowned portcullis on their reports, websites and correspondence;
- exploring standard wording for the cover pages of Groups' reports, in order to minimise the possibility of their being confused with Select Committee reports;
- introducing a more stringent test of eligibility before Group staff are given a security pass for the purposes of their work.

79. In December 2012 the Standards and Privileges Committee wrote to the Speaker, expressing their agreement with the Working Group's recommendations on the need for greater transparency but warning against more stringent monitoring which, in the Committee's view, and that of the Administration Committee, would run the risk of appearing to give APGs an official status which they do not have. The two Committees recommended further fact-finding in order to establish the impact the Working Group's

recommendations would have on existing Groups. The Standards Committee therefore launched an inquiry and commissioned a joint electronic survey in March 2013. At the time of writing the results of the survey are under consideration. More details about the Committee's inquiry are available on its web pages.²⁴

Register of Journalists' Interests

80. Any individual who holds a pass as a lobby journalist accredited to the Parliamentary Press Gallery or for parliamentary broadcasting is required to record in this Register certain occupations or employment which are 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 a Member's salary from the same source in the course of a calendar year (£657 until 31 March 2013).

81. The number of registered journalists on 31 March 2013 was 405, slightly fewer than the 410 registered on 31 March 2012. The number of journalists with registered interests was 55 on 31 March 2013, again slightly fewer than the 62 who had registered interests on 31 March 2012. My office published eight editions of the Journalists' Register in 2012–13.

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

82. Complaints alleging that a Member's secretary or researcher, a parliamentary journalist or an All-Party Group has breached the rules governing the Registers are in the first instance considered by the Registrar of Members' Financial Interests.

83. During 2012–13 my office received four complaints about All-Party Groups. These all related to the remit of one particular group. None of the complaints was accepted for inquiry because, under the rules, each Group is free to determine its own remit. The complaints therefore did not concern a breach of the rules. We received no complaints about the Registers of Members' staff or parliamentary journalists.

24 <http://www.parliament.uk/standards/>

5 Resourcing the work

84. The table below shows the costs of running my office in 2012-13 and in previous years.

Table 4 : Costs of running the Commissioner's office between 2007-08 and 2012-13

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

**includes estimated costs for one secondment.*

85. During the year the Commissioner's office was able to continue to reduce costs, which overwhelmingly relate to the employment of staff. The reduction in staff costs during 2012-13 reflects the smaller complaints workload and the completion of the work on reviewing the Code of Conduct and the Guide to the Rules, which resulted in reduced costs on the part of the Commissioner and the staff supporting this work. The appointment is a part-time one, and my predecessor was, during his final year, retained on the basis of three days a week. In view of the smaller workload on complaints, I was appointed on the basis of a reduced commitment of 2.5 days a week. The exact hours have always been flexible, subject to the requirements of the work, and I am grateful to the House authorities for their continued commitment to meet any necessary additional costs.

86. Staffing levels in April 2012 were equivalent to approximately 5.5 full time staff, including the Commissioner, and this did not change significantly during the year.

87. The other running costs of the office in 2012-13 were slightly lower than in 2011-12. These relate to the printing of two documents: the Register of Members' Financial Interests, and the Annual Report. The costs of printing the Register of January 2013 were slightly lower than those of January 2012.

6 Looking ahead

88. When I took up my post, I inherited a clear and robust standards framework. It is considered to be among the most transparent parliamentary standards systems in the world. I hope to build on the hard work of my predecessor in the years to come.

89. I arrived at the same time as the three new lay members of the Committee on Standards. Their appointment is a sign of the House's ongoing commitment to developing and strengthening its standards system and its openness to an external perspective on the standards framework and the inquiries undertaken. I hope that their presence on the Committee will serve to increase the public's confidence in the House's disciplinary processes by increasing the expectation of openness and transparency.

90. I took up my post a month after the Committee on Standards and Privileges had published its proposals for a revised Guide to the Rules. I had anticipated that the House would consider the Committee's recommendations in the early weeks of my tenure and looked forward to the opportunity to work with Members to implement the new system. However, the House reached the end of the parliamentary session without having had an opportunity to debate these valuable proposals. I believe that the implementation of the revised rules would provide a constructive and supportive focus for my work in the coming year, and I hope that the House will soon express its view.

91. I look forward to serving the Committee and the House in the coming year and to helping to ensure that the House has a standards system in which the public, and Members themselves, can have confidence. By ensuring that such a system is in place the House will assist in regaining public confidence and trust in the Members elected to represent their constituents and in democracy itself.

Kathryn Hudson

3 July 2013

Parliamentary Commissioner for Standards

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 the 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.