



House of Commons Committee on Standards

Keith Vaz

First Report of Session 2019–20

*Report, together with formal minutes relating
to the report*

*Ordered by the House of Commons
to be printed 28 October 2019*

Committee on Standards

The Committee on Standards is appointed by the House of Commons 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; to consider any specific complaints made in relation to the registering or declaring of interests referred to it by the Commissioner; to consider any matter relating to the conduct of Members, including specific complaints in relation to alleged breaches in the Code of Conduct which have been drawn to the Committee's attention by the Commissioner; and to recommend any modifications to the Code of Conduct as may from time to time appear to be necessary.

Current membership

Kate Green MP (*Labour, Stretford and Urmston*) (Chair)

Mrs Tammy Banks (*Lay member*)

Mrs Jane Burgess (*Lay member*)

Miss Charmaine Burton (*Lay member*)

Sir Christopher Chope MP (*Conservative, Christchurch*)

Stewart Malcolm McDonald MP (*Scottish National Party, Glasgow South*)

Mrs Rita Dexter (*Lay member*)

Dr Arun Midha (*Lay member*)

Bridget Phillipson MP (*Labour, Houghton and Sunderland South*)

Sir Peter Rubin (*Lay member*)

John Stevenson MP (*Conservative, Carlisle*)

Sir Gary Streeter MP (*Conservative, South West Devon*)

Mr Paul Thorogood (*Lay member*)

Liz Twist MP (*Labour, Blaydon*)

Powers

The constitution and powers of the Committee are set out in Standing Order No.149. In particular, the Committee has power to order the attendance of any Member of Parliament before the Committee and to require that specific documents or records in the possession of a Member relating to its inquiries, or to the inquiries of the Commissioner, be laid before the Committee. The Committee has power to refuse to allow its public proceedings to be broadcast. The Law Officers, if they are Members of Parliament, may attend and take part in the Committee's proceedings, but may not vote.

Publications

© Parliamentary Copyright House of Commons 2019. This publication may be reproduced under the terms of the Open Parliament Licence, which is published at www.parliament.uk/copyright/.

Committee reports are published on the Committee's website at www.parliament.uk/standards and in print by Order of the House. Evidence relating to this report is published on the publications page of the Committee's website.

Committee staff

The current staff of the Committee are Medha Bhasin (Second Clerk), Jim Camp (Committee Assistant), Dr Robin James (Clerk) and Maev Mac Coille (Media Officer).

Contacts

All correspondence should be addressed to the Clerk of the Committee on Standards, House of Commons, London SW1A 0AA. The telephone number for general enquiries is 020 7219 3259; the Committee's email address is standards@parliament.uk.

Contents

Report	3
Introduction	3
The Commissioner’s inquiry	3
The Commissioner’s conclusions	4
The Committee’s consideration of the case	5
Credibility of Mr Vaz’s version of events	6
The incident on 27 August 2016	6
Reliability of the audio-recording and transcript	7
Purpose of the encounter and alleged ‘steering’ of the conversation	9
The claim of amnesia	12
Alleged willingness to buy drugs	13
The events of 27 August 2016: conclusions	16
Other arguments adduced by Mr Vaz in his defence	16
Interpretation of Paragraph 16 of the 2015 Code	17
“Purely private and personal life”	18
Parliamentary role / public confidence and trust in Parliament	18
Entrapment	19
Mr Vaz’s conduct during the inquiry	20
Comments on the Commissioner’s findings	22
Recommended sanction	25
Mitigating factors	26
Aggravating factors	26
Sanction	27
Appendix: Memorandum from the Parliamentary Commissioner for Standards—Rt Hon Keith Vaz MP	28
Summary	28
Memorandum	30
Introduction: the reason for this Memorandum, its structure and content	30
The role of the Parliamentary Commissioner for Standards	31
Background to the Inquiry	31
Summary of key steps in the inquiry	32
Evidence - arranged in chronological order of events since 27 August 2016	35
Analysis	46
The Commissioner’s remit	46
The Evidence provided by Trinity Mirror plc	50

The medical evidence	52
Mr Vaz's account	53
What happened on 27 August 2016?	56
Mr Vaz's conduct during this inquiry	58
Mr Vaz's comments on the draft Memorandum	60
Conclusion	61
Formal minutes	63
Published oral and written evidence	64
Oral evidence	64
Written evidence	64
List of Reports from the Committee during the current Parliament	65

Report

Introduction

1. This Report arises from a complaint that Rt Hon Keith Vaz MP breached the Code of Conduct for Members of Parliament by allowing a conflict of interest to arise between his private behaviour and his role as Chair of the House of Commons Home Affairs Select Committee (HASC).
2. The previous Parliamentary Commissioner for Standards (PCS) conducted an inquiry which was continued by her successor, who has submitted a memorandum which we publish with this report as an Appendix.¹
3. We have taken oral evidence in private from Mr Vaz and received a considerable quantity of written material from him, his legal representatives and medical advisers. We invited and received from the Commissioner some additional material in response to Mr Vaz's oral and written submissions. Most of this documentation is published with our Report. However, for reasons we set out more fully below,² some of the material we publish has been redacted, and a number of documents we have received will not be placed in the public domain on grounds of medical or personal confidentiality.
4. Despite the protracted nature of the inquiry and the quantity of documentation it has generated, we believe the essential issues in this case are relatively simple. In this Report we concentrate on those essential issues. We will, where appropriate, make clear why we have not engaged in detail with a number of matters raised by Mr Vaz during the Commissioner's inquiry and our consideration of the case which we consider to be irrelevant or of marginal relevance to the core issues.
5. We also emphasise at the outset that the Committee's aim has been to establish whether the rules of the House have been complied with, not to investigate Mr Vaz's private life or pass judgement on issues of sexual morality.

The Commissioner's inquiry

6. On 4 September 2016 an article appeared in the Sunday Mirror based on a recorded meeting between Mr Vaz and two people whom the newspaper described as "male escorts". The article claimed that Mr Vaz had paid these men for sex and that he had offered to pay for cocaine to be bought for others to use.³
7. On 5 September 2016 Mr Andrew Bridgen MP wrote to the Commissioner alleging Mr Vaz had breached the Code of Conduct for Members, on the grounds that there was a conflict of interest between his role as the Chair of the Home Affairs Committee, which had been conducting inquiries into prostitution and psychoactive drugs, and his apparent relationships with sex workers and his offer to pay for drugs.

1 Referred to in footnote citations as "PCS memorandum".

2 At paras 10, 12 and 13

3 The factual material in this and the following paragraph is taken from the PCS's memorandum, at paras 9 and 10.

8. The previous Commissioner, Kathryn Hudson, began an inquiry on 12 September 2016. She told Mr Vaz that she would consider whether he had breached Paragraphs 10 and 16 of the 2015 Code of Conduct. Paragraph 10 stated that: “Members shall base their conduct on a consideration of the public interest, avoid conflict between personal interest and the public interest and resolve any conflict between the two, at once, and in favour of the public interest.” Paragraph 16 stated that: “Members shall never undertake any action which would cause significant damage to the reputation and integrity of the House of Commons as a whole, or of its Members generally.” (In 2018 the Code of Conduct was revised: paragraph 10 has become paragraph 11, and paragraph 16 is now paragraph 17. In this Report, for the avoidance of ambiguity, we shall refer throughout to those paragraphs by the numbering which was in force in 2016.)

9. The inquiry begun by Kathryn Hudson has been continued by the present Commissioner, Kathryn Stone, who has been in post since January 2018.⁴ The inquiry has been subject to a number of delays arising from (a) two referrals to the Metropolitan Police, who on each occasion decided not to proceed with a criminal investigation, (b) the Dissolution of Parliament for the general election in 2017 and (c) Mr Vaz’s ill health.⁵ The Commissioner’s memorandum provides a summary of key steps in the inquiry and a chronological list of events.⁶

10. On 22 May 2019 the Commissioner sent Mr Vaz a draft of her memorandum. On 17 July she sent a final version to the Committee. Some of the material in the inquiry was, unusually, redacted from the memorandum in the interests of protecting sensitive personal information. That material has been made available in full to Committee members under secure conditions in the Commissioner’s office.

The Commissioner’s conclusions

11. In her memorandum the Commissioner reached the following conclusions:

The evidence I have seen does not demonstrate that Mr Vaz had any involvement in the use of drugs relevant to the Committee’s inquiry regarding psychoactive substances at a time relevant to the Committee’s work on that inquiry. **I do not uphold the allegation that he should have recused himself from the work of the Home Affairs Select Committee on its Report on Psychoactive drugs.**

The evidence that I have seen and heard leads me to conclude that it is more likely than not that Mr Vaz has engaged in paid sexual activity. The evidence does not show that he did so while the Committee was conducting its inquiry into prostitution. I cannot, therefore, say with any certainty that Mr Vaz should have recused himself from any Committee discussions about criminalisation of prostitution. **I do not uphold the allegation that he should have recused himself from the work of the Home Affairs Select Committee on its report on prostitution.**

4 When we refer to “the Commissioner” in this Report we are referring to the current Commissioner, Kathryn Stone. We refer to Kathryn Hudson as “the previous Commissioner” or “the then Commissioner”.

5 PCS memorandum, para 32

6 At paras 13–32 and 33–88 respectively.

I uphold the allegation that Mr Vaz acted in breach of paragraph 16 of the 2015 House of Commons' Code of Conduct for Members. The audio-recording contains evidence of Mr Vaz's apparent willingness to purchase controlled drugs for others to use. While his comments regarding this may not amount to a criminal offence, he shows disregard for the law and that, in turn, is disrespectful to the House and fellow Members, who collectively are responsible for making those laws. Mr Vaz's conduct has also been disrespectful of the House's system of standards. He has not "co-operated at all stages" with the investigation process. He has failed, repeatedly, to answer direct questions; he has given incomplete answers and his account has, in parts, been incredible. I do not believe he has given me or my predecessor a full and accurate account of the relevant events.⁷

The Committee's consideration of the case

12. On 19 July 2019 the Clerk of the Committee wrote to Mr Vaz enclosing the Commissioner's memorandum and offering him, as is customary, the opportunity to submit written evidence and to request to submit oral evidence. Mr Vaz responded saying that he would submit written evidence by 30 August and wished to give oral evidence. On 23 July the Committee agreed to accept Mr Vaz's request to give oral evidence. His written evidence was submitted on 30 August. The Committee took oral evidence in private from Mr Vaz on 9 September; the transcript of that evidence is published with this Report, with redactions requested by Mr Vaz and approved by the Committee (these chiefly relate to personal medical matters).

13. Following the evidence session, Mr Vaz submitted further written evidence. We asked the Commissioner (who had not been present at the evidence session) to comment on Mr Vaz's oral evidence and his initial written evidence. We showed the Commissioner's comments to Mr Vaz, who has submitted further evidence in response. The supplementary evidence from Mr Vaz and the Commissioner is published with this Report, with redactions as requested by Mr Vaz to protect certain personal details and medical information.

14. In her memorandum published with this Report, the Commissioner has provided full details of her inquiry, including a detailed chronology of events. In this Report we will not recapitulate the background detail and supporting information given in the Commissioner's memorandum. We will focus on considering the counter-arguments deployed by Mr Vaz in his challenge to the Commissioner's conclusions that he had breached the Code of Conduct.

15. In addition, we consider whether the Commissioner was correct not to uphold one of the allegations against Mr Vaz (the alleged conflict of interest arising from HASC's work on prostitution); in doing so we take into account recent representations on this specific matter from Mr Vaz.

Credibility of Mr Vaz's version of events

The incident on 27 August 2016

16. The Commissioner states that:

At around 11.30 pm on the evening of 27 August 2016 two men visited Mr Vaz at a flat he owns, not far from his family home. An audio-recording of those events was made covertly by one of the two men. The Committee will have the opportunity to listen to the full unedited audio-recording and to read the un-redacted transcript.⁸

17. The two men arranged with the Sunday Mirror to engage Mr Vaz in a 'sting' operation. The article which appeared in the newspaper on 4 September 2016 alleged that the covert recording revealed that:

"Keith Vaz, a married father of two, is leading a double life paying young male escorts for sex [...]. Mr Vaz paid the escorts in cash. Money was also paid into a bank account used by one of them by a man linked to a charity set up by the MP. While chair of the Home Affairs Select Committee, Mr Vaz has publicly said he was "not convinced" that men who pay for sex should face prosecution. Within weeks of a report from the committee, he himself paid money to escorts in a flat he owns near his family home in [...] North West London. Mr Vaz has had at least two meetings with the escorts. In a 90-minute rendezvous on August 27, the former Minister for Europe offered to cover the cost of cocaine if it was brought to the flat—but said he did not want any himself. [...] The Sunday Mirror can reveal Mr Vaz first made contact with the two younger men after meeting a fellow escort they knew in London. At least one meeting took place before Mr Vaz met the pair again eight days ago."⁹

18. The newspaper article alleged that Mr Vaz engaged in sexually related banter with the two men and that a sexual encounter then followed. The article claimed there was also extended discussion of hoped-for participation by a third man for whom Mr Vaz had paid money in advance, but who in the event did not turn up. It was in connection with this third man that Mr Vaz allegedly made an offer to procure cocaine.¹⁰

19. Trinity Mirror plc subsequently supplied the previous Commissioner with the full audio-recording together with a transcript.¹¹ The audio-recording lasts for about an hour and three-quarters.

20. The Commissioner has found that Mr Vaz was in breach of the Code of Conduct as a result of showing disregard for the law by expressing willingness to buy cocaine. She also found that he had treated the House's standards system with disrespect by, amongst other things, giving an incredible account of the incident at his flat on 27 August 2016. She did not uphold the allegation about potential conflicts of interest when the select committee

8 PCS memorandum, para 34

9 Sunday Mirror, 4 September 2016, article entitled "Married MP Keith Vaz tells prostitutes in his flat: 'Bring poppers' ... 'We need to get this party started'"

10 Ibid.

11 PCS memorandum, para 44

he chaired was conducting work relating to prostitution and drugs. All these findings arise from the incident on 27 August 2016. It is therefore central to our consideration of the case to establish as clearly as possible what actually took place on this occasion, insofar as that is relevant to the Commissioner's findings.

21. Mr Vaz has responded to questions about the 27 August 2016 incident in the following ways:

- a) He has argued that the audio-recording and transcript are not to be relied upon.
- b) He has asserted that the purpose of his encounter with the two men was not to engage in paid-for sex but to discuss the interior decoration of his flat.
- c) He has implied that because the encounter was a newspaper 'sting' operation, the two men 'steered' the conversation with Mr Vaz in ways which give a misleading impression.
- d) He has declined to comment on details of his encounter with the two men on grounds of the medical condition of amnesia.

We will consider in turn each of these responses by Mr Vaz. We also consider one specific aspect of the incident on 27 August 2016, namely the allegation that Mr Vaz expressed a willingness to buy illegal drugs for use by a third party.

Reliability of the audio-recording and transcript

22. As we have seen, Trinity Mirror plc supplied the previous Commissioner with a full audio-recording of the encounter between Mr Vaz and two men at his flat. The present Commissioner comments that:

Mr Vaz has never denied that his is one of the three voices audible on the audio-recording [...] I am satisfied that Mr Vaz is one of the three men who can be heard speaking on the recording.¹²

23. The Commissioner appends to her memorandum extracts from reports by two experts (Dr Frederika Holmes retained by Mr Vaz, Iain McArthur by the Commissioner) on the audio-recording.¹³ She notes that neither expert has identified evidence of the full unpublished audio-recording having been manipulated. She continues, "having listened to the recording several times, I am satisfied that the transcript provided by Trinity Mirror is sufficiently accurate for me to draw conclusions on the balance of probability about the activity that took place, and about the meaning of what was said that evening."¹⁴

24. In support of the evidential value of the audio-recording, the Commissioner states that:

[Mr Vaz] participated coherently throughout the whole of that recording. He spoke about different topics and referred to previous meetings with the two men, as well as to details about their personal circumstances which

12 PCS memorandum, para 112

13 PCS memorandum, Appendices 3 and 4. The full material supplied by Dr Holmes to Mr Vaz has been submitted to the Committee and is published on its website as WE 8.

14 PCS memorandum, para 114

demonstrated foreknowledge of their personal circumstances. This included knowledge of a pet dog and of the study plans of one of the men. I am not persuaded that the recording could have been manipulated to achieve that effect.¹⁵

25. Mr Vaz in his evidence argues that his expert, Dr Holmes, has:

cast significant doubt on (a) the reliability of the audio recording and transcript as well as, crucially, (b) the putative authority of Mr McArthur to offer any opinions on this matter in light of his woefully inadequate qualifications and experience in this field [...] Mr McArthur is an audio engineer rather than a forensic expert and as such is wholly unqualified to provide an expert opinion on matters of speech and language.¹⁶

Mr Vaz therefore argued that the audio-recording and transcript are “wholly unreliable as evidence “.¹⁷

26. Dr Holmes’s report includes the following statements which are in accord with the findings of Mr McArthur:

The acoustic characteristics of the recording were consistent with what is typically found when a face-to-face conversation between several speakers is covertly recorded on a mobile phone. [...] The signal-to-noise ratio was reasonably good for most of the recorded speech, apart from the intermittent sections with high noise masking. In terms of the intelligibility of the recorded speech, the technical quality of the recording ranged from very good to poor [...] but overall was judged to be reasonable for a recording of this type.¹⁸

[The] principal section of conversation [running between recording timings 00:05:42 and 01:41:50, i.e. the whole of the tape apart from the very beginning and very end] appeared to involve an older male speaker with speech patterns suggesting a native speaker of British English, albeit with some distinctive accent features, and what appeared to be two younger speakers who were not native English speakers, and whose speech contained varying levels of L1 influence suggesting an Eastern European language background.¹⁹

[...] no evidence was found of significant signal discontinuities that might suggest unskilled editing. [...] no evidence was found of the kind of inconsistencies that might lead to the assumption that sections of speech had been removed, inserted or otherwise temporally dislocated.²⁰

27. Dr Holmes makes a number of specific criticisms of the transcript, including the following:

15 PCS memorandum, para 115; see also para 150.

16 Keith Vaz written evidence (submitted on 30 August 2019), paras 83, 85

17 Oral evidence, Q1

18 PCS memorandum, Appendix 4, section 4.1

19 PCS memorandum, Appendix 4, section 4.2

20 PCS memorandum, Appendix 4, section 4.4

A significant number of discrepancies was noted between the speech recording and the transcribed content, where the transcription did not represent the recorded speech fully and accurately. Some of these discrepancies were relatively minor, others potentially more significant. Because of the constraints placed on me in terms of time and working conditions, it was not possible to attempt a detailed schedule or a re-transcription of these discrepancies, but the transcript supplied to me cannot be regarded as an accurate record of the recorded conversation.²¹

28. The greater part of Dr Holmes' report consists of a critique of Mr McArthur's qualifications for the job at hand combined with general reflections on the potential unreliability of sound recordings and transcriptions. We note that, as the quotation cited in the previous paragraph makes clear, Dr Holmes does not provide specific instances where she considers there are errors in the transcription of comments attributed to Mr Vaz, and relied upon by the Commissioner in arriving at her findings.

29. In assessing the reliability of the audio-recording and the accuracy of the transcript, we note that Mr Vaz does not in any way explain the relevance of his and Dr Holmes' criticisms of these. Mr Vaz does not say that he definitely was not there when the recording was made, or that the content of the conversation was not as it appears on the recording. His one assertion on the point appears to be that he does not remember the events of that evening (for which, see paragraphs 44 to 46 below), which naturally provides no evidence as to the accuracy or otherwise of the recording and transcript. In the absence of any explanation of how or why he considers that the recording has been doctored, or that the transcript in any key particular misrepresents what he said, it is a matter of fact for the Committee to consider, on the balance of probabilities, whether it is reasonable to suppose that any such doctored or misrepresentation has taken place.

30. The Committee has considered carefully the arguments put forward by the Commissioner and Mr Vaz, and the reports of Dr Holmes and Mr McArthur. Members of the Committee have listened to the full audio-recording and read the unredacted transcript, both being kept under secure conditions in the Commissioner's office. They have reported back to the full Committee their conclusions, which are that they see no reason to doubt the genuineness of the audio-recording or to suppose it has been doctored or tampered with; and they consider that the transcript may be relied upon as a competent transcription of those parts of the conversation audible in the recording which are germane to the Commissioner's findings. While Dr Holmes has raised queries about some details of the transcript, these do not undermine its general credibility, and there can be no room for doubt about the import of the whole. We accept these conclusions, and therefore reject Mr Vaz's argument that the audio-recording and transcript are "wholly unreliable as evidence".

Purpose of the encounter and alleged 'steering' of the conversation

31. Mr Vaz denies that the purpose of his encounter with the two men on 27 August 2016 was to engage in paid-for sex. He asserts that the purpose was to discuss the redecoration of the flat in which the meeting took place. He claims that this was necessary because an ambitious programme of redecoration of his main residence, a detached house in north

21 PCS memorandum, Appendix 4, section 4.3 (i)

London, was about to begin; for the duration of those works Mr Vaz and his wife would need to relocate to the nearby flat which he also owned. They needed to move in there not later than Monday 5 September, on which date the House of Commons was due to return from its summer recess, requiring Mr Vaz's attendance at Westminster. The plan, he has argued, was for the flat to receive a quick, temporary redecoration in the week beginning Monday 29 August, to ready it for occupancy in the following week. Because this work had to be done at short notice, and because Mr Vaz had a crowded diary of engagements (which he has supplied us with),²² the only date and time at which he could see the prospective decorators of his flat was at 11.30 pm on Saturday 27 August. Mr Vaz argues that his busy schedule means that he often arranges working meetings during the evening and that there was nothing out of the ordinary in this arrangement. He also claims that he did not previously know the two men who called at his flat, and had no reason to think that they were "prostitutes" or had any wish to engage in sexual activity.

32. As we shall see in the following section of this report, Mr Vaz claims to have practically no recollection of what happened in the encounter with the two men. However, he has consistently maintained that the meeting was set up to discuss flat redecoration and that there is no evidence that the two men were "prostitutes".

33. The Commissioner concludes that none of the arguments deployed by Mr Vaz, nor the documentation supplied by him, establishes that the purpose of the meeting was as he claims. She states that:

I found Mr Vaz's account of the events that led to the media reports incredible [...].

– Mr Vaz told my predecessor that he had never knowingly met the two men who came to his flat on 27/28 August 2016. Yet, he allowed them into his flat at 11.30 on a Saturday evening without asking who they were.

– There was no discussion of the painting and decorating which Mr Vaz says was the reason for the men visiting during the hour-and-a-half they spent at his flat, and he showed prior knowledge of their personal lives. I find Mr Vaz's explanation for their visit incredible.²³

[...] My predecessor did not accept, and nor do I, Mr Vaz's explanation that the men concerned had come, at 11.30pm on a Saturday evening in connection with plans to decorate his flat.²⁴

[...] Mr Vaz has told me that he has never paid for sex. I do not believe that is true. I believe that any reasonable person listening to the unedited audio-recording would conclude that sexual activity took place. [...] I also believe that Mr Vaz paid for that activity. Although some of the references to payment are made by the two men, Mr Vaz himself asks "will they come for money" about other men; he says "I can't pay to send him back again" of the other man who had been expected that evening and says of himself—in

22 WE 7

23 PCS memorandum, Summary, pp 3–4; see also para 106

24 PCS memorandum, para 106; see also paras 144–45

relation to one of the two men present—“I feel as if I’m his bank manager ...”. These comments are not consistent with a conversation between a client and painters and decorators, whom the client has not met before.²⁵

34. The Commissioner notes that Mr Vaz has supplied various estimates for external work on his house and photographs of scaffolding around the property. However, these relate to his main property, not the flat where the events of 27 August 2016 took place, and are therefore irrelevant.²⁶

35. Mr Vaz argues that the two men were not prostitutes but conmen. He has produced material which purports to support this interpretation, including a statement apparently made by the mother of one of the men denying that her son is a prostitute, and allegations of various scams carried out by the men in Poland.²⁷ His conclusion is that “while the two individuals could accurately be described as conmen, it is quite wrong that they should ever have been described as prostitutes”.²⁸

36. Mr Vaz’s evidence also emphasises that the events of 27 August 2016 were a ‘sting’ operation, and claims that “there can be no doubt that Mr Vaz was the victim of subterfuge and entrapment”.²⁹ The implication is that the two men, acting as paid agents of a newspaper, “steered” the conversation in directions designed to support the story the newspaper wished to publish.

37. Mr Vaz himself argues that the conversations in the flat “were private *and highly sensitive*” (our italics)³⁰ - which appears to be an oblique admission that they involved matters more intimate than interior decoration, the latter being a topic which might be described as “private” but could hardly reasonably be called “highly sensitive”.

38. We do not propose to recite the numerous instances in the recording where Mr Vaz discusses or appears to engage in sexual activity. However, one example may be worth citing in order to indicate the nature of the relationship between Mr Vaz and his visitors, as well as the strong evidence for his having prior knowledge of them, both of which reflect on the credibility of his account. Mr Vaz compliments one of the men for being on time, and says “You’re always on time, actually. [...] Except for that other chap, what was his name, you brought me the first time? [...] He was OK. He forgot the condom though. I had to f*** him without a condom.”³¹

39. We began this Report by commenting that “the essential issues in this case are relatively simple”. The incident which took place in Mr Vaz’s flat in the evening of 27 August 2016 is a case in point. **Despite the many pages of material and multiple arguments produced by Mr Vaz, no reasonable person who has listened to the audio-recording of that incident or read the transcript could believe his claim that the purpose of the two men’s visit was to discuss interior decoration. Not only was that subject not mentioned at any point in the conversation, but Mr Vaz adopted an assumed name and claimed not to**

25 PCS memorandum, paras 148–49

26 PCS memorandum, paras 15, 61

27 WE 5, paras 43–56

28 WE 5, para 52

29 WE 5, paras 53–56

30 Keith Vaz written evidence (submitted on 30 August 2019), para 17.4

31 Evidence not reported.

be the owner of the flat but merely the friend of the owner. The supporting evidence from Mr Vaz in defence of the interior decoration claim (for instance, photographs of his main house, not the flat) is unconvincing or irrelevant.

40. The actual reason for Mr Vaz’s invitation to the two men is equally clear. We find the evidence to be compelling that Mr Vaz was previously acquainted with the men, that he had paid them money to engage in sexual activity with him, that he had paid money to procure the attendance of a third man also to engage in sexual activity, and that at the conclusion of the encounter (when those present had finally accepted that the third man was not going to arrive) he did engage in sexual activity for which he had paid. We support the conclusions of the Commissioner on this matter, and would add, on the basis of our own examination of the audio-recording and transcript, that as well as the evidence she brings forward in support of her interpretation of events, numerous other instances from the recording and the transcript could also be presented. Mr Vaz’s claims as to the purpose of the encounter are, frankly, ludicrous.

41. We also support the Commissioner’s conclusion that on the balance of probabilities it is likely that Mr Vaz had engaged in paid-for sex on previous occasions (though the details and timing of this probable activity cannot be determined on the basis of the available evidence).

42. With regard to Mr Vaz’s argument that he was the victim of entrapment, it is, strictly speaking, not relevant that the covert recording was made by individuals who were paid by a newspaper to be there. Mr Vaz has not produced cogent or convincing evidence to show that they coerced or induced him to behave in a way that was out of character or inconsistent with previous conduct. It is almost certainly true that the conversation was being “steered” by the two men, but there is no evidence to suggest that Mr Vaz was being steered in directions he was unwilling to go.

43. The Commissioner has not relied on any testimony from either of the two men, and therefore it is hard to see the relevance of Mr Vaz’s comments on their characters and backgrounds.

The claim of amnesia

44. Mr Vaz claims to have suffered memory loss as to the events of 27 August 2016. The Commissioner notes that Mr Vaz first mentioned his amnesia when interviewed by her predecessor Kathryn Hudson on 27 April 2017, eight months after the incident, and more than three months after he wrote a letter to Ms Hudson in which, to use his own words, he “respond[ed] in full to the allegations made against him”.³² The Commissioner cites comments made by Mr Vaz earlier in the investigation which implied that he did recollect what had happened: for instance, his comments to Ms Hudson that the media report “bore no relation to what actually occurred” and that it was “heavily embellished and largely inaccurate”.³³ She notes numerous occasions prior to April 2017 when he had had the opportunity to tell Kathryn Hudson that he could not recollect what had happened, but did not do so. She concludes that “I find it very surprising that he did not say from the start that he had no memory of the events in question.”³⁴

32 WE 14

33 PCS memorandum, paras 128, 173

34 PCS memorandum, paras 121–29 (the quotation is from para 129), para 173

45. Mr Vaz attributes his claimed amnesia to either stress arising from the events of 27 August, or a drink administered to him at the meeting (he stated, “the last thing I remember was being given a glass of water to drink”).³⁵ One expert concluded that the amnesia symptoms reported would be more consistent with a spiked drink than with a stress-related condition; however, other than possible sounds on the audio-recording that might be a drinks can being opened, there is no evidence for Mr Vaz being given a spiked drink (his claim in any case was that he had been given a glass of water not a canned drink). The Commissioner comments that:

despite his claim to have ingested a spiked drink, Mr Vaz can be heard participating in the conversation, and the activities taking place, throughout the whole of the recording. He is not incapacitated. The spiking of a drink would not explain Mr Vaz’s knowledge of the two men, which is evident throughout the recording. Mr Vaz has offered no explanation for that fore-knowledge, denying having knowingly met them on any other occasion.³⁶

46. We accept the Commissioner’s conclusion that there is no evidence of Mr Vaz’s having consumed a spiked drink during the events of 27 August 2016. Mr Vaz’s statement that he cannot recollect what happened meant that in our oral evidence session we were not able to discuss the incident with him in any detail. However, his claimed amnesia does not prevent us from reaching our own conclusions as to the nature of those events and the plausibility of Mr Vaz’s overall evidence.

Alleged willingness to buy drugs

47. One aspect of the recorded conversation is particularly significant for this case. That is the references made by Mr Vaz and the two men to drugs. The Commissioner argues that “the audio-recording contains evidence of Mr Vaz’s apparent willingness to purchase controlled drugs for others to use”.³⁷

48. The Commissioner states that:

On the audio-recording, the men can be heard discussing ‘poppers’, ‘weed’ and ‘coke’; references are to alkyl nitrates, marijuana and cocaine.

– In answer to a question about sourcing ‘weed’, he said he did not know where it could be obtained locally. Mr Vaz was the first to mention ‘coke’ that evening.

– When the men mention another man, whom they were thinking of bringing along, Mr Vaz raises the absence of any drugs (coke) as a potential problem, which would suggest that he knew that the man was a user of controlled drugs. Mr Vaz did not object when one of the men said that he would pay for someone to buy cocaine.

35 WE 2, transcript of meeting with Mr Vaz on 27 April 2017

36 PCS memorandum, para 147

37 PCS memorandum, Summary, conclusion (3)

–In answer to a question about whether he had used ‘poppers’ in the past, Mr Vaz said he had, he did not use them any longer and he said they were ‘nice’ to give to other people. Mr Vaz did not say when in the past he had used alkyl nitrates.³⁸

The men can also be heard discussing the purchase of cocaine for another man, not present, to use. The recording does not amount to evidence that Mr Vaz had purchased controlled substances for others to use on previous occasions.³⁹ [...]

In addition, the audio-recording contains evidence of Mr Vaz’s apparent willingness to buy controlled drugs for others to use. While that may not amount to a criminal offence, he showed a disregard for the law and this is disrespectful to the House and to fellow Members, who collectively are responsible for making those laws.⁴⁰

49. Our examination of the recording and transcript enables us to endorse the Commissioner’s conclusions as set out above. The following are relevant extracts from the transcript:

00:16:20–KV: “And we did bring him over [the ‘third man’] on the plane. I mean, we did pay for his ... “ [...]

00:18:15–Second man: “I was thinking [...] that we’re going to bring a Luton guy.”

KV: “Tonight?” [...]

KV: “But there’s no coke here ... There’s no coke.”

Second man: “What about any other drugs, maybe he would be happy with, I don’t know, something softer, like weed? That doesn’t - or does it have to be cocaine for him?” [...]

First man: But where are we going to get weed from ?

Second man: I don’t know. Do you ...

KV: “No. Not in the middle of [...].” [...]

00:25:49–KV: “Get your Romanian guy? Where is he?”

First man: “What, the Romanian?”

KV: “Yeah.”

First man: “No, he’s coming.”

KV: “But if you don’t have any coke - do you?”

First man: “Hmm?”

38 PCS memorandum, para 152

39 PCS memorandum, para 153

40 PCS memorandum, para 166

KV: “We don’t have any coke.”

First man: “He can arrange it.”

KV: [laughter] “I don’t want coke.”

First man: “But you said last time ...”

KV: “Yes, that was ages ago. We have to give notice, get it brought up, all this stuff.”

Second man: “What notice do you have to give?”

KV: “Well I’ve got to ask somebody else.” [...]

First man: “I can ask the Romanian if he could bring it.”

KV: “Oh right. How much is it going to be? Oh, he knows someone to go and give it to him?” [...]

00:29:20–Second man [on phone]: “Look, we can get that the cocaine. Can you get cocaine. He can’t tonight.”

KV: “Ask him how much it is – next time.”

Second man [on phone]: “How much is it, coke? He can pay for it.”

[...]

00:48:30–KV: “A Romanian will come. [...] What did he say about buying some–”

First man: “Yeah but–”

KV: He can buy and I’ll give him the money.

First man: “If you can’t get the drugs then obviously he won’t want to come.”

KV: Mmm. [murmur of assent]⁴¹

50. Mr Vaz, in addition to claiming that the audio-recording and transcript are not to be relied on (a claim we have dismissed),⁴² has asserted that he has never taken drugs and he has set out to us medical reasons why he cannot do so.⁴³ This latter claim is not, of course, a defence to the allegation that he expressed a willingness to procure drugs for the use of others.

51. We are satisfied from the evidence we have considered that Mr Vaz did on 27 August 2016 offer to procure and pay for illegal drugs for use by a third party.

41 Evidence not reported

42 See para 30 above.

43 WE 5, para 71

The events of 27 August 2016: conclusions

52. At the heart of this case is whether the Commissioner's conclusion that Mr Vaz's account of the events of 27 August 2016 is "incredible" can be accepted. In our view Mr Vaz has done himself no favours by his inability to provide a single, consistent, plausible account of those events. At various times he has claimed that (a) the media report bore no relation to what actually happened, (b) he has no recollection of what actually happened, (c) the meeting was set up to discuss interior decoration and no sexual activity took place, (d) a spiked drink was administered to him (with the implication that this affected his conversation and behaviour), and (e) even if sexual activity had taken place it would have been part of his private and personal life and therefore not subject to the Code of Conduct. It is difficult, to put it mildly, to see how all these separate defences could simultaneously be true.

53. There is no reason to doubt the genuineness of the audio-recording supplied by Trinity Mirror plc to the previous Commissioner, in other words to doubt that it is what it purports to be, a covert recording made at Mr Vaz's flat on the evening of 27 August 2016 by one of two men who visited the flat, and that one of the three voices audible throughout the recording is that of Mr Vaz. We have not been provided with any evidence of doctoring or manipulation of the recording. We further conclude that the transcript supplied by Trinity Mirror plc to the previous Commissioner has been produced to a reasonable standard, and that both the audio-recording and the transcript may be relied upon for the specific evidential purposes arising in our consideration of this case.

54. On the basis of the evidence supplied by the audio-recording and the transcript, we reach the following conclusions germane to the Commissioner's findings:

- that Mr Vaz's explanation of the incident on 27 August 2016 is not believable;
- that on this occasion Mr Vaz expressed a willingness to procure a Class A drug, cocaine, for the use of another person;
- that on this occasion Mr Vaz engaged in paid-for sex.

We consider that the evidence supporting these conclusions is compelling.

Other arguments adduced by Mr Vaz in his defence

55. Mr Vaz has set out a number of other arguments in order to challenge the Commissioner's findings that he had breached the Code of Conduct. In this section of our Report we consider in turn the following arguments by Mr Vaz:

- The claim that Paragraph 16 of the 2015 Code (relating to the reputation of the House) should not be invoked if there has not been a prior finding that another rule has been breached.
- The claim that the event on 27 August 2016 involved Mr Vaz's purely private and personal life and involved no parliamentary activity, and is therefore exempt under the Code.

- The claim that there has been no damage to public trust and confidence in Parliament.
- The claim that the incident involved entrapment which has previously been deprecated by the Standards and Privileges Committee.
- The claim that Mr Vaz has co-operated fully during the investigation and any delays have not been his responsibility

Interpretation of Paragraph 16 of the 2015 Code

56. The Commissioner finds that Mr Vaz breached Paragraph 16 of the 2015 Code of Conduct, which states that “Members shall never undertake any action which would cause significant damage to the reputation and integrity of the House of Commons as a whole, or of its Members generally.” Her grounds for so finding are that Mr Vaz expressed willingness to procure illegal drugs and so showed disregard for the law, and that his conduct during the inquiry was not co-operative and included “incredible” assertions which indicate disrespect for the standards system.⁴⁴

57. We discuss the Commissioner’s conclusions later in this Report, but an initial issue to be considered is the argument by Mr Vaz that Paragraph 16 is inapplicable and should be disregarded because it is contingent upon a prior finding that one or more other Rules have been broken.

58. Mr Vaz states that “paragraph [16]⁴⁵ should not be pursued where there are no other extant complaints under other paragraphs of the Code” and that “where the complaints about alleged conflicts of interest have not been upheld it must follow that the complaint under paragraph [16] should be rejected as well, as the two must stand or fall together”.⁴⁶

59. This assertion, that as the allegations of conflict of interest have not been upheld, the allegation that Mr Vaz had undertaken actions “which would cause significant damage to the reputation and integrity of the House of Commons as a whole” must also fall, makes a connection that is not present in the Code of Conduct. Paragraph [16] is completely separate from other, more specific, provisions of the Code and it is perfectly conceptually possible to have a finding that a Member has breached that paragraph but not any other paragraph of the Code. The Commissioner rightly sets a high bar for finding a breach of this rule, but we are in no doubt that Paragraph [16] is free-standing; there is nothing in the Code to indicate that it is contingent upon other rules.⁴⁷ **We reject the argument that Paragraph [16] should be invoked only if there has been a prior finding that another rule has been breached.** The Commissioner has reached a conclusion that was open to her to reach, namely that Mr Vaz’s conduct towards her and her predecessor was a breach of the rule that “Members shall never undertake any action which would cause significant damage to the reputation and integrity of the House of Commons as a whole, or of its Members generally”.

44 PCS memorandum, Summary, conclusion (3)

45 Mr Vaz’s evidence refers to Paragraph 17; that is the current numbering of the relevant paragraph, but in August 2016 it was paragraph 16, and is therefore so referred to in this Report.

46 WE 5, paras 7–8

47 See PCS memorandum, para 170.

“Purely private and personal life”

60. As we have seen, the Commissioner has upheld the allegation that Mr Vaz acted in breach of paragraph 16 of the 2015 Code of Conduct, in two respects, by expressing willingness to purchase controlled drugs for others to use, thereby showing disregard for the law; and by showing disrespect towards the House’s system of standards by his conduct during her and her predecessor’s inquiry.

61. Mr Vaz’s evidence argues that “there can be no finding against Mr Vaz under paragraph [16] where neither his public nor his Parliamentary role is engaged and where the events are purely private and personal within paragraph 2 of the Code”.⁴⁸ Paragraph 2 states that “The Code applies to Members in all aspects of their public life. It does not seek to regulate what Members do in their purely private and personal lives.”

62. Mr Vaz asserts that the events of 27 August 2016 were purely private and personal, and therefore there can have been no breach of the Code. There are two points that are relevant in relation to this. First, any allegation of disregard or disrespect for the law cannot be “purely private and personal”. As is spelled out in the Code of Conduct,⁴⁹ Members are under a duty to uphold the laws made by Parliament. Second, Mr Vaz’s responses to an investigation by the Parliamentary Commissioner for Standards cannot be private and personal: the Commissioner is carrying out a public function conferred upon her by the Standing Orders of the House and Members are obliged to treat the process with respect and comply with it.

63. We reject the argument that Mr Vaz cannot have breached the Code of Conduct because his words and actions on 27 August 2016 were “purely private and personal”. The exclusion in the Code does not cover disregard for the law or failure to co-operate with an inquiry by the Parliamentary Commissioner for Standards. However, we emphasise that in reaching this conclusion, we are not seeking to judge Mr Vaz’s private life or his personal morality. We note in this context that payment for sexual services, between consenting adults, is not a criminal offence.

Parliamentary role / public confidence and trust in Parliament

64. Mr Vaz also drew our attention to a comment by a previous Parliamentary Commissioner for Standards. In 2006 the then Commissioner stated that:

In an earlier case I set out the key tests (and some subsidiary considerations) which I suggested should be applied in deciding whether this provision [paragraph 16] has been breached:

- a) Was the action complained of taken in a parliamentary capacity, or in any other public capacity in relation to which his or her membership of the House is relevant to a material extent (i.e. not merely incidental)?

48 WE 5, para 8

49 Code of Conduct 2015, para 5

b) Was the conduct such as might reasonably be considered likely to damage public trust and confidence in the integrity of Parliament or to bring the House, or its Members generally, into disrepute?⁵⁰

65. Mr Vaz argues that “Both conditions of this test must be satisfied in order to engage paragraph [16] of the Code”. With regard to the first condition, Mr Vaz’s evidence adds that “there was no question that the alleged activity complained of was **not** undertaken in a parliamentary capacity”, because Mr Vaz did not mention his role as a Member of Parliament, the events took place in his private home and at a private time, and the private and highly sensitive conversations did not relate to any of Mr Vaz’s duties as a public official.⁵¹

66. With regard to the second condition, Mr Vaz argues that Paragraph [16] of the Code “does not deal with conduct which may impact solely on the reputation of the Member concerned”, but rather “is aimed at conduct which adversely affects the House as a whole”.⁵² He argues that his conduct on 27 August 2016 did not “adversely affect the House as a whole”.

67. We note that the test set out in the Fourteenth Report of 2005–06 is the interpretation of the provision by the then Commissioner for Standards, in the circumstances and in the context prevailing at the time. It should not be treated as binding on subsequent Commissioners, and the present Commissioner is entitled to take a different view. She explains her reasoning at paragraphs 164 to 168 of her memorandum: her conclusion is based on a combination of Mr Vaz’s apparent disregard for the law and his disrespect for the standards system. That is, in our judgement, a conclusion she was entitled to reach.

68. To the extent that Mr Vaz’s behaviour showed disregard for the law, it is not an excuse that the events took place in private and that his public and parliamentary role was not mentioned. The Commissioner’s conclusions are otherwise founded on his conduct during the inquiry. The inquiry is part of his public role. The lack of a precedent does not invalidate this approach.

69. With regard to whether a Member’s behaviour has been of a kind which would cause significant damage to the reputation of the House as a whole, this is a matter which the Commissioner and the Committee are entitled to judge. Members’ compliance with the Commissioner’s investigations and the House’s standards system is of great importance to defending the reputation of Parliament. Finally, we note that bad behaviour by the Chair of a prominent select committee such as Home Affairs is intrinsically more likely to impact on the reputation of the House than equivalent behaviour by a Member who does not hold such a prestigious and high-profile post.

Entrapment

70. As we have seen,⁵³ Mr Vaz’s evidence emphasises that the events of 27 August 2016 were a ‘sting’ operation conducted on behalf of a national newspaper, and asserts that

50 Committee on Standards and Privileges, Fourteenth Report of Session 2005–06, *Conduct of Mr Desmond Turner* (HC 1578), PCS memorandum, para 34

51 WE 5, para 17

52 WE 5, para 19

53 In para 36 above.

“there can be no doubt that Mr Vaz was the victim of subterfuge and entrapment”.⁵⁴ Mr Vaz draws attention to the fact that the Standards and Privileges Committee in 2010 deplored the use of ‘stings’ in certain circumstances.⁵⁵ He quotes the relevant paragraph from their report:

We understand that detecting or exposing serious impropriety is considered by the PCC [Press Complaints Commission] to provide a public interest justification both for clandestine recording and for subterfuge. We accept that some breaches of the Code of Conduct of the House of Commons are likely to amount to serious impropriety. But we consider that where subterfuge fosters rather than exposes such impropriety it can cross the line into entrapment, and when that is so the role of those setting the trap may be open to question.⁵⁶

71. We note that our predecessor Committee concluded in 2010 that evidence uncovered by sting operations may be admissible in conduct investigations. There is no prohibition on using material arrived at by such means. The Committee’s condemnation was directed at situations “where subterfuge fosters rather than exposes [...] impropriety”. Mr Vaz argues that what happened on 27 August 2016 “was plainly an exercise in entrapment which, to use the previous language of the Committee, ‘fosters’ events rather than exposes them”.⁵⁷

72. We reject Mr Vaz’s claim that the ‘sting’ operation in this case “fostered” misconduct rather than exposing it. The contents of the covert audio-recording contain nothing to suggest that Mr Vaz was being tricked or inveigled into doing anything he was reluctant to do, and as we have seen they strongly suggest that he had engaged in similar activities on previous occasions.

Mr Vaz’s conduct during the inquiry

73. The Commissioner concluded that Mr Vaz damaged the reputation of the House, and thus breached Paragraph 16 of the 2015 Code, by his conduct during her, and her predecessor’s, inquiry. She stated that:

Mr Vaz’s conduct has [...] been disrespectful of the House’s system of standards. He has not “co-operated at all stages” with the investigation process. He has failed, repeatedly, to answer direct questions; he has given incomplete answers and his account has, in parts, been incredible. I do not believe he has given me or my predecessor a full and accurate account of the relevant events.⁵⁸

74. Mr Vaz dissents from this conclusion. He argues that he “has co-operated at all stages of this process”. His evidence states that “none of the delay in the process could be attributed to Mr Vaz who has co-operated fully”.⁵⁹ He has submitted a table of key dates

54 WE 5, paras 53–56

55 WE 5, para 55

56 Committee on Standards and Privileges, Ninth Report of Session 2010–11, *Sir John Butterfill, Mr Stephen Byers, Ms Patricia Hewitt, Mr Geoff Hoon, Mr Richard Caborn and Mr Adam Ingram* (HC 654-I), para 9

57 WE 5, para 54

58 PCS memorandum, Summary, conclusion (3)

59 WE 5, paras 60–62

which, he maintains, demonstrates his co-operation and bears out his assertion that the various delays in the investigation were imposed on him rather than sought by him.⁶⁰ He states that:

In line with his determination to assist the Commissioner and co-operate with the process, Mr Vaz felt it necessary to provide the Commissioner with as much information as possible that would assist her. The Committee will no doubt appreciate that the gravity of the allegations levelled against Mr Vaz at the time had left him with little choice but to mount a vigorous and robust defence of his conduct.⁶¹

75. The Commissioner's specific charges against Mr Vaz are as follows:

Mr Vaz's responses to the inquiry have been to obfuscate and delay. His responses have sometimes been inaccurate (for example, the name of the 'professor' treating Mr Vaz; the timing of his hospital visit and how he travelled to hospital); incomplete (for example, the contact details of the person who offered to corroborate Mr Vaz's account of how he first met the two men); and irrelevant (for example, photographs of construction work on another property; evidence submitted about the driving offences of one of the men, a letter from a woman who Mr Vaz says is the mother of the other man).⁶²

76. The Commissioner further states that "there are many unexplained inconsistencies in the evidence Mr Vaz has given during this inquiry". In particular, as previously set out, she regards his account of the events of 27 August 2016 as "incredible". She concludes that "although superficially compliant, Mr Vaz's behaviour during this inquiry suggests to me that he has little or no respect for the complaints system".⁶³

77. We accept the Commissioner's view of Mr Vaz's conduct during her inquiry and that by her predecessor, on three grounds:

- a) **The specific evidence the Commissioner provides of Mr Vaz being evasive or unhelpful during the inquiry is convincing.**
- b) **Mr Vaz's elaborate timeline purporting to show that none of the delays to the inquiry are his fault misses the point, which is that if he had given a candid and co-operative account of the incident on 27 August 2016 from the outset, rather than an unbelievable one, the inquiry could have been resolved long ago. As it is, considerable staff resources in the Commissioner's office have been devoted to this which could have been directed to other tasks.**
- c) **Much of the welter of documentation and procedural challenges which has emanated from Mr Vaz has been designed, in our opinion, to "throw dust in the eyes" of the Commissioner and the Committee. As we mentioned at the start of our Report, the core issues in this inquiry are relatively simple; but Mr Vaz has done his best to complicate, obfuscate and confuse the inquiry through arguments of little merit and documentation of dubious relevance.**

60 WE 14

61 WE 5, para 62

62 PCS memorandum, Summary, p 4

63 PCS memorandum, paras 165, 167

Comments on the Commissioner's findings

78. We set out below the Commissioner's findings in this case, and add our comments beneath each of them.

79. The Commissioner upheld the allegation that Mr Vaz acted in breach of paragraph 16 of the 2015 House of Commons' Code of Conduct, by expressing willingness to purchase controlled drugs for others to use, thereby showing disregard for the law, and by failing to co-operate fully with the inquiry process, thereby showing disrespect for the House's standards system. For the reasons set out earlier in this Report, we agree with this finding.

80. One of the original allegations against Mr Vaz was that he had breached Paragraph 10 of the 2015 Code of Conduct, which stated that “Members shall base their conduct on a consideration of the public interest, avoid conflict between personal interest and the public interest and resolve any conflict between the two, at once, and in favour of the public interest.”

81. It was claimed that there was a conflict of interest between Mr Vaz's role as the Chair of the Home Affairs Select Committee (HASC), which had recently conducted inquiries into prostitution and psychoactive drugs, and his apparent relationships with sex workers and his offer to pay for drugs. Mr Vaz, it was argued, should have recused himself from both inquiries because of this conflict of interest.⁶⁴

82. The Commissioner did not uphold the allegation that Mr Vaz should have recused himself from the work of the Home Affairs Committee on its Report on Psychoactive drugs. Although she found that the audio-recording made on 27 August 2016 “contains evidence of Mr Vaz's apparent willingness to purchase controlled drugs for others to use”, however “the evidence I have seen does not demonstrate that Mr Vaz had any involvement in the use of drugs relevant to the Committee's inquiry regarding psychoactive substances at a time relevant to the Committee's work on that inquiry”. The Committee's report on psychoactive substances was published in October 2015 and the government reply was published in January 2016, more than six months before the events of 27 August 2016. The Committee's formal minutes contain no references to further work on this inquiry between January and August 2016, and it is reasonable to regard it as having concluded. **We agree with the Commissioner's finding.**

83. The Commissioner did not uphold the allegation that Mr Vaz should have recused himself from the work of the Home Affairs Committee in its inquiry into prostitution.

84. We have considered this matter in some detail. The Commissioner took the view that:

The evidence that I have seen and heard leads me to conclude that it is more likely than not that Mr Vaz has engaged in paid sexual activity. The evidence does not show that he did so while the Committee was conducting

⁶⁴ The Guide to the Rules, ch 2, para 7, states that “a Member who has a personal interest which may reflect upon the work of the [Select] Committee or its report should stand aside from the Committee proceedings relating to it”; see also PCS memorandum, para 94.

its inquiry into prostitution. I cannot, therefore, say with any certainty that Mr Vaz should have recused himself from any Committee discussions about criminalisation of prostitution.⁶⁵

85. The Commissioner based this conclusion on the evidence Mr Vaz submitted, in the form of the formal minutes of the Home Affairs Select Committee for 15 June 2016, which “show[ed] that work on the HASC Inquiry into Prostitution had ended on that date”.⁶⁶

86. It is, however, arguable that that inquiry should *not* be regarded as having been concluded in June 2016. There are two grounds for such an argument:

- a) Select committee inquiries culminate in the publication of a report, but a necessary follow-up to this is publication of the Government response, which is required to appear within two months. In this case there was a delay, and the response was published in December 2016. When a Government response turns out to be unsatisfactory, select committees have sometimes re-opened an inquiry, for instance by correspondence with Ministers or by seeking further oral evidence from them.
- b) The HASC report on prostitution in June 2016 actually describes itself as an “interim” report. In its introduction, the Committee states:

This is the first inquiry that the Home Affairs Committee has ever held into prostitution. It was originally intended to be a short inquiry. However, the evidence made clear to us that the views on the legal approach to prostitution are strongly held and highly polarised. The different viewpoints often arise from moral values and people’s reactions are frequently emotive. The challenge of making a rational assessment of the advantages and disadvantages of the range of models is compounded by the lack of robust evidence, which arises at least in part from the covert nature of prostitution and the understandable unwillingness of those involved to identify themselves as sellers or buyers of sex. It should also be borne in mind that sex work is often linked to criminality, including trafficking, coercion, and illegal drugs.

This report therefore represents our interim views on the different legislative approaches in other countries, the changes we believe need to be made now in England and Wales, and the options for legislative change which need further, closer and more thorough examination. We hope that this report will stimulate public debate about the important issues which prostitution raises. *We intend to follow this interim report with a final report later in the Session.*⁶⁷ [Our italics.]

65 PCS memorandum, Summary, p 5

66 PCS memorandum, para 61

67 Home Affairs Committee, Third Report of Session 2016–17, *Prostitution* (HC 26), published 1 July 2016, paras 10–11

87. There are other references in the report to the Committee's intention to produce a "final report" later.⁶⁸ In two places the report refers to "our continuing inquiry".⁶⁹ In the event, no further report appeared, but the Government response in December was clearly drafted on the assumption that it would do, stating that:

We appreciate the work of the Committee and welcome the *interim* report looking at this important issue. [...] *We will await the Committee's full report* before considering the alternative approaches to managing prostitution and sex work. The Committee's specific *interim* conclusions and recommendations are addressed in turn below.⁷⁰ [Our italics.]

88. On 27 August 2016, Mr Vaz cannot have known the contents of the Government response to HASC's prostitution report, and therefore cannot have been sure that the inquiry was definitively over; and in addition the Committee itself had stated that its report was merely interim, that more work on prostitution would be carried out and that there would be a further report later in the Session (implying that the further work would be carried out within the next 12 months at the latest). As we have seen, as late as December 2016 the Government was under the impression that the committee's work on prostitution was continuing and that its inquiry was therefore still 'live'.

89. When Mr Vaz gave oral evidence, we put to him the reasons for thinking that, contrary to his assertion to the Commissioner, HASC's prostitution inquiry was still live on 27 August 2016. Mr Vaz's defence to this charge was to state that whatever HASC may have said in public, in private it had decided to terminate the inquiry—and indeed the Committee's formal minutes show that no further evidence was taken and no further report appeared.

90. Mr Vaz made a number of points about the status of the inquiry:

The reason we said the word "interim" was because there was huge demand for us to continue our work, and the only way we could stop it happening was to publish a report, but that did not change the law at all. There were no proceedings that were ongoing.⁷¹

[...] we had taken a decision that we were not going to look at this subject again in the Parliament [...].⁷²

The inquiry was concluded; everyone knows that the inquiry was concluded. That is the first issue. The Committee knew it was concluded. Parliament knew it was concluded, the public knew it was concluded and the Commissioner said it was concluded.⁷³ [...]

68 E.g., at paras 59 and 102

69 In paras 80 and 101

70 Government Response to the Third Report from the Home Affairs Select Committee Session 2016–17 HC 26: Prostitution (Cm 9361), published 2 December 2016, Introduction, pp 1–2

71 Q32

72 Q34

73 Q37

The use of the word “interim” was to satisfy groups that we would look at it again in the future. It was a long, long way off. It would not have happened under my chairmanship in any event.⁷⁴

91. It is difficult to reconcile these responses by Mr Vaz with the fact that the Committee’s report published in June 2016 not only described itself as “interim” but twice referred to “our continuing inquiry”, and gave a specific undertaking to produce a final report within the parliamentary session. If the Committee subsequently, between June and August 2016, took a decision to abort this inquiry, it is not recorded in its formal minutes, nor was it communicated to the Government, which as late as December 2016 was still expecting a final report to follow from HASC. In terms of public perception, then, the inquiry can be regarded as having been “live” on 27 August 2016. It was certainly not the case, as Mr Vaz claims, that “everyone knows that the inquiry was concluded [...] the public knew it was concluded”.⁷⁵

92. It does not follow, however, that Mr Vaz was in breach of the rules of the House in this matter. The allegation was that he had breached Paragraph 10 of the 2015 Code by not recusing himself from HASC’s prostitution inquiry because he had engaged in paid-for sex. **We agree with the Commissioner that on the balance of probabilities it is likely that Mr Vaz engaged in paid-for sex on more than one occasion before 27 August 2016, but the exact dates for these activities cannot be known, and therefore it cannot be demonstrated that they took place during HASC’s inquiry. As for the event on 27 August 2016, the newspaper article appeared a matter of days later, before any scheduled meeting of HASC, and Mr Vaz shortly afterwards resigned as Chair of HASC. It is difficult to see how in the time available he could have recused himself from the Committee’s inquiry, even if it is accepted that the inquiry was after all still ‘live’. For this reason, though we regret that Mr Vaz was less than completely candid in his responses to us on this subject, we agree with the Commissioner’s decision not to uphold the allegation of a breach of Paragraph 10 of the Code.**

93. Mr Vaz’s written evidence states that:

The Commissioner’s decision to reject all the allegations of conflict of interest arising from Mr Vaz’s chairmanship of HASC rendered, with the benefit of hindsight, his resignation unnecessary. However he believes he did the right thing in resigning immediately.⁷⁶

94. **We do not agree with Mr Vaz’s claim that, with hindsight, his resignation as the Chair of HASC was “unnecessary”. Because of his breach of the rules, and in view of the need to maintain public confidence in the integrity of the select committee system, we believe that it was indeed necessary that he should have resigned.**

Recommended sanction

95. In accordance with our usual practice, in assessing the seriousness of, and the appropriate penalty for, Mr Vaz’s breach of the rules, we have taken into account what we consider to be mitigating and aggravating factors.

74 Q40

75 Q37

76 WE 5, para 100

Mitigating factors

96. We assess the following to be a mitigating factor:

- As we have seen, Mr Vaz resigned as Chair of the Home Affairs Select Committee within two weeks of the newspaper story breaking. Even if undertaken reluctantly, this was at least a prompt and decisive action. There is no doubt that the loss of his position on HASC, with its associated prestige and emoluments, would have been a severe personal blow to Mr Vaz, especially as his term as Chair could otherwise have continued till the end of the 2015 Parliament, which at that time it would have been reasonable to assume would be not until 2020.⁷⁷

Aggravating factors

97. We assess the following to be aggravating factors:

- Mr Vaz has previously been found to have been in serious breach of the Code and in contempt of the House. In 2002 the Standards and Privileges Committee found he had recklessly made a damaging and untrue allegation against another person, which could have intimidated them, and had wrongly interfered with the House's investigative process: in particular that "having set the Commissioner on a false line of inquiry Mr Vaz then accused her of interfering in a criminal investigation and threatened to report her to the Speaker".⁷⁸ He was also found to have provided misleading information to the Commissioner and the Committee about his family's financial relationship with the Hinduja brothers.⁷⁹ At the Committee's recommendation, the House suspended him for one month. Although 2002 is a long time ago, the breach of the Code that Mr Vaz was found to have committed, effectively that of perverting the course of justice, was a very serious one. Such behaviour, if treated with impunity, may strike at the heart of trust in any standards system.
- At the time to which the present complaint relates, Mr Vaz was the Chair of the Home Affairs Select Committee, one of the most senior positions in the House to which a backbencher can aspire. It would be reasonable to expect someone holding that post to be aware of the need to set a particularly good example to other Members by obeying the rules of the House – especially so as HASC is responsible for parliamentary oversight of important elements of the criminal justice system including the police and the criminal law.

77 Mr Vaz had become Chair of the Home Affairs Committee on 26 July 2007. The term limits for a select committee chair as at 2016 were fixed by Standing Order No. 122A, which provided that "unless the House otherwise order, no select committee may have as its chair any Member who has served as chair of that committee for the two previous Parliaments or a continuous period of eight years, whichever is the greater period". The Standing Order was interpreted to mean that a Member who took a committee chair part way through a Parliament, in succession to a departing chair, did not have service in that Parliament reckoned as part of the two terms provision: that is to say, "two Parliaments" was taken to mean service throughout two Parliaments. See Procedure Committee, Fourth Report of Session 2017–19, *Term limits for select committee chairs in the 2017 Parliament* (HC 816), paras 2 and 6.

78 Committee on Standards and Privileges, Fifth Report of Session 2001–02, *Complaints against Mr Keith Vaz* (HC 605-I), para 69

79 *Ibid.*, para 15

Sanction

98. We have found that Mr Vaz acted in breach of paragraph 16 of the 2015 House of Commons Code of Conduct. By expressing willingness to purchase a Class A drug, cocaine, for others to use, thereby showing disregard for the law, and by failing to co-operate fully with the inquiry process, thereby showing disrespect for the House's standards system, he has caused significant damage to the reputation and integrity of the House of Commons as a whole.

99. *This is a very serious breach of the Code. We recommend that the House should suspend Mr Vaz from its service for six months.*

100. We note that this suspension, if agreed by the House, will trigger the provisions of the Recall of MPs Act 2015 and require a recall petition to be opened in Mr Vaz's constituency.

101. *We further recommend that if Mr Vaz were to cease to be a Member of the House for whatever reason, he should not be eligible to be granted a former Member's pass.*

Appendix: Memorandum from the Parliamentary Commissioner for Standards—Rt Hon Keith Vaz MP

[Please note that this document contains redactions, authorised by the Committee, of material relating to medical and/or other confidential personal information.]

Summary

Mr Vaz has been a Member for many years. He has had senior roles in Government and in Opposition. This memorandum will be difficult reading for Mr Vaz, his family and others. It concerns serious and sensitive issues.

This inquiry was started following media reports that Mr Vaz had engaged in behaviour which might represent a personal interest which was in conflict with the public interest. The events on which the reports were based took place in private, in a property owned by Mr Vaz. The reported events had the potential - if proven - to reflect on the work of the Home Affairs Select Committee, of which Mr Vaz was then the Chair. It is important to emphasise that the potential for misconduct lay in the conflict between the personal and public interest, not in the activities alleged themselves.

The issue is not whether a Member's personal interest becomes known but whether a personal interest exists which may reflect on a Committee or on a Committee inquiry. My predecessor, Kathryn Hudson, told Mr Vaz, and I agree, that if such an interest exists, regardless of whether it becomes known, the Member should step aside from any proceedings on which that interest might reflect. For that not to be true would be to treat misconduct as acceptable provided it is kept secret.

It was also alleged that Mr Vaz's conduct had caused significant damage to the reputation and integrity of the House of Commons as a whole, or of its Members generally.

- I found no evidence that Mr Vaz had used illegal psychoactive drugs **before or during the period** when the Home Affairs Select Committee was conducting its inquiry into Psychoactive Drugs.
- I found no evidence that Mr Vaz had paid for sexual services **before or during the period** when the Home Affairs Select Committee was conducting its inquiry into Prostitution.
- I found Mr Vaz's account of the events that led to the media reports incredible and I found his reason for being unable to assist me fully with my inquiry implausible.
 - Mr Vaz told my predecessor that he had never knowingly met the two men who came to his flat on 27/28 August 2016. Yet, he allowed them into his flat at 11.30 on a Saturday evening without asking who they were.

- There was no discussion of the painting and decorating which Mr Vaz said was the reason for the men visiting during the hour-and-a-half they spent at his flat, and he showed prior knowledge of their personal lives. I find Mr Vaz's explanation for their visit incredible.
- Mr Vaz has told me that he has never paid for sexual services. I believe the evidence I have seen and heard shows that he paid the men, in advance, in the expectation of sexual activity and that on the evening of 27 August 2016 sexual activity took place.
- The first time Mr Vaz said that he had no memory of the events of 27/28 August 2016 was some four months after the inquiry began, after he had listened to the audiorecording made that evening. He has provided medical evidence concerning a medical condition which might explain his amnesia. Mr Vaz has offered no plausible explanation for why he did not say that he could not remember the relevant events sooner.
- An independent expert in the relevant condition told my predecessor that he "*was not convinced Mr Vaz's reported amnesia can be attributed to the symptoms of [that condition] ...*" He said that "*the gaps in memory which occur [in that condition] tend to be narrower and more specific.*"
- The same expert said "*What seems to me more likely is that the amnesia could have been a consequence of Mr Vaz's drink having been 'spiked' as was previously suggested by [one of the clinicians treating Mr Vaz]. That might also explain Mr Vaz's behavioural disinhibition, as also described by this other Consultant [clinician], and his feeling unwell the next day.*" Mr Vaz says he remembers nothing after drinking a glass of water that evening. He has offered no explanation of how he came to accept a drink, from visitors, in his own flat that evening.
- Mr Vaz's responses to the inquiry have been to obfuscate and delay. His responses have sometimes been inaccurate (for example, the name of the 'professor' treating Mr Vaz; the timing of his hospital visit and how he travelled to hospital); incomplete (for example, the contact details of the person who had offered to corroborate Mr Vaz's account of how he first met the two men; and irrelevant: (for example, photographs of construction work on another property; evidence submitted about the driving offences of one of the men, a letter from a woman who Mr Vaz says is the mother of the other man).

At the beginning of this inquiry there were many unanswered questions about what had happened and when. As the House requires, my predecessor and I have sought to establish answers on the balance of probabilities. The inquiry has sought to establish whether it is more likely than not that Mr Vaz broke the House's rules.

The Home Affairs Committee's Report on Prostitution begins with the words "*In England and Wales, the sale and purchase of sexual services between consenting adults is legal.*" The allegations are not of criminal conduct and - despite Mr Vaz's arguments to the contrary - the criminal standard of proof is not applicable.

Mr Vaz's inability to recall some of the relevant facts is unfortunate. Nonetheless, I have enough evidence to decide some of, but not all, the key facts on the balance of probabilities.

The allegations under investigation were that Mr Vaz had personal interests “... *which may reflect badly on the work of the [Home Affairs Select] Committee or its report[s]*”. Where such interests exist, a Member is required to recuse themselves from the work of the Committee. It was also alleged that Mr Vaz's activities had caused damage to the reputation of the House of Commons as a whole, or of its Members generally.

My conclusions are as follows.

- (1) The evidence I have seen does not demonstrate that Mr Vaz had any involvement in the use of drugs relevant to the Committee's inquiry regarding psychoactive substances at a time relevant to the Committee's work on that inquiry. **I do not uphold the allegation that he should have recused himself from the work of the Home Affairs Select Committee on its Report on Psychoactive drugs.**
- (2) The evidence I have seen and heard leads me to conclude that it is more likely than not that Mr Vaz has engaged in paid sexual activity. The evidence does not show that he did so while the Committee was conducting its inquiry into prostitution. I cannot, therefore, say with any certainty that Mr Vaz should have recused himself from any Committee discussions about criminalisation of prostitution. **I do not uphold the allegation that he should have recused himself from the work of the Home Affairs Select Committee on its report on prostitution.**
- (3) **I uphold the allegation that Mr Vaz acted in breach of paragraph 16** of the 2015 House of Commons' Code of Conduct for Members. The audio-recording contains evidence of Mr Vaz's apparent willingness to purchase controlled drugs for others to use. While his comments concerning this may not amount to a criminal offence, he shows disregard for the law and that, in turn, is disrespectful to the House and fellow Members, who collectively are responsible for making those laws. Mr Vaz's conduct has also been disrespectful of the House's system of standards. He has not “*cooperated at all stages*” with the investigation process. He has failed, repeatedly, to answer direct questions; he has given incomplete answers and his account has, in parts, been incredible. I do not believe he has given me or my predecessor a full and accurate account of the relevant events.

Memorandum

Introduction: the reason for this Memorandum, its structure and content

1. I am submitting this Memorandum to the Committee on Standards because I have found Rt Hon Keith Vaz MP to have committed a serious breach of the rules of conduct set out in the House of Commons' Code of Conduct for Members. The purpose of the Memorandum is to explain the rationale for my findings to the Committee and to summarise the evidence on which I have relied.

2. I have decided, very exceptionally, that it is not necessary, appropriate or proportionate to publish all the evidence I have seen. In reaching that conclusion, I have been mindful

of the rights of Mr Vaz's wife and children to privacy. I have also taken into account the sensitive nature of some of the evidence, for example, about Mr Vaz's health. I am satisfied, however, that readers will have sufficient evidence available, through this memorandum, to be assured of the thoroughness of the process of investigation and to understand the basis for my decisions.

3. Members of the Committee will be able to see the written evidence and hear the audio-evidence in full and in an unredacted format.

The role of the Parliamentary Commissioner for Standards

4. The Committee on Standards are familiar with the Commissioner's role and remit. However, I think it may be helpful for other readers of this Memorandum to set out that context clearly here.

5. The Commissioner's role is to inquire into allegations that Members have breached the Code of Conduct and its associated rules. The House has set limitations on the allegations which the Commissioner can examine. For example, the Commissioner cannot consider matters that relate only to Members' conduct in their purely private and personal lives.

6. The Commissioner is required to recommend upholding an allegation only if they consider it more likely than not to be true. In serious cases the Commissioner must submit their findings to the Committee on Standards, together with the evidence they have considered. Once a formal memorandum is submitted to the Committee on Standards, it is for the Committee to decide whether it agrees with the Commissioner's conclusions and whether to recommend any sanctions to the House.

7. Before initiating any inquiry, the Commissioner must consider whether there is sufficient evidence to justify an investigation into whether the named Member may have breached the Code of Conduct as alleged.

8. In this case an encounter between Mr Vaz and two men had been reported in the media, and those accounts quoted from what was claimed to be an audiorecording of that encounter. Extracts from the audio-recording, with the voices of two of the participants disguised, were published by the *Sunday Mirror* on 4 September 2016. The media reports included what was claimed to be supporting photographic evidence. My predecessor began her inquiry based on the media reports and following an allegation submitted by a Member of Parliament, Mr Andrew Bridgen.

Background to the Inquiry

9. On 4 September 2016 the *Sunday Mirror* ran an article based on a recorded meeting between Mr Vaz and two "male escorts". The newspaper alleged that Mr Vaz had paid the men for sex and that he had offered to pay for cocaine to be bought for others to use.

10. On 5 September 2016 Mr Andrew Bridgen MP wrote to the Commissioner alleging Mr Vaz had breached the House of Commons' Code of Conduct for Members. On 23 October 2015 the Home Affairs Select Committee (HASC), which Mr Vaz chaired, had published the Report of its inquiry on Psychoactive Substances. On 1 July 2016 HASC had published its Report on an inquiry into Prostitution which considered, among other matters, the possibility of recommending that buying sexual services should become

a crime. The complainant alleged that there was a clear conflict of interest for Mr Vaz arising from a private interest in relationships with sex workers and the use of drugs, and his role as Chair of HASC.

11. My predecessor, Kathryn Hudson, began this inquiry on 12 September 2016. She told Mr Vaz then that she would consider whether he had breached paragraphs 10 and 16 of the 2015 House of Commons' Code of Conduct for Members.¹

12. The investigation of criminal allegations takes precedence over the House's disciplinary procedures and Kathryn Hudson immediately suspended the inquiry to allow the Metropolitan Police Service (MPS) to decide whether to begin a criminal investigation into complaints about the same events. MPS decided not to proceed with a criminal investigation in December 2016 and the Commissioner began her own investigation on 19 December 2016, within a few days of the MPS' decision.

Summary of key steps in the inquiry

13. This part of my memorandum explains the inquiry process; the time that has elapsed; and Mr Vaz's co-operation with the process. It does not discuss in any detail, nor does it evaluate, the evidence obtained during the inquiry. I deal with those matters in the following sections of this memorandum.

14. Having started her investigatory work on 19 December 2016, Kathryn Hudson had to suspend work during the Dissolution of Parliament in May and early June 2017. She interviewed Mr Vaz on 27 April 2017. On 3 October 2017, after approximately seven months of investigation, the Commissioner shared a draft memorandum with Mr Vaz, as required under the inquiry procedures approved by the House.

15. Kathryn Hudson met Mr Vaz and his solicitor on 24 October 2017. At that meeting, they provided a 48-page response to the draft memorandum which quoted extensively from the memorandum; and nine additional 'exhibits'.

- A medical report from a clinic Mr Vaz had attended
- A medical report from a private hospital
- Various estimates for external work on Mr Vaz's house and photographs of scaffolding around that property (this was not the property where the events of 27 August 2016 took place)
- A 'dossier' containing the 'results of investigations' into one of the men Mr Vaz met on 27 August 2016 and the name and date of birth of the second man
- Formal Minutes of the Home Affairs Select Committee for Wednesday 15 June 2016, showing that work on the HASC Inquiry into Prostitution had ended on that date
- An extract from *Erskine May* and an extract from the Joint Committee on Parliamentary Privilege, Session 1998–99 HL Paper 43, HC214 - both concerning 'procedural fairness'

¹ <https://publications.parliament.uk/pa/cm201516/cmcode/1076/107601.htm>

- An apology published in The Sun on-line, concerning three named individuals whom the Sun acknowledged had “*played no role whatsoever in Mr Vaz’s “downfall” nor the allegation being made against Mr Vaz or the activities referred to in the article ...*”
- A letter dated 5 September 2017, from the hospital Mr Vaz had attended on Thursday 22 September 2016
- An unsigned, undated ‘statement’ attributed to Mr Bridgen, the Member who had made the original allegation about Mr Vaz to the Commissioner. The statement concerned an apology Mr Bridgen had received from Trinity Mirror in respect of another matter

16. Among other things, one of the medical reports said that “*the 27th August provokes a range of emotions [list redacted] leading to an amnesic state for that period*” and that Mr Vaz had a recognised health condition.² On 7 November 2017 Mr Vaz submitted more evidence from his doctors.

17. In the meantime, Kathryn Hudson sought independent medical advice about Mr Vaz’s reported amnesia and about possible risks to Mr Vaz’s ongoing health. On 5 December 2017 the Parliamentary Health and Wellbeing Service advised my predecessor that there would [redacted] She notified Mr Vaz immediately that she would not send a memorandum to the Committee on Standards before 31 December 2017. On 19 December 2017 she told Mr Vaz that she would update her webpages to show that the inquiry had been suspended for medical reasons.

18. I took up post on 1 January 2018. In my first week in office, I reviewed the evidence so that I would be ready to progress the inquiry as soon as Mr Vaz’s health allowed him to participate in the process. I also sought advice about how long that recovery might take and was advised that it would perhaps be February or March before he had recovered sufficiently.

19. I decided, while waiting for Mr Vaz’s health to improve, to commission an independent forensic audio-analysis of the recording made on 27/28 August 2016. Mr Vaz had told Kathryn Hudson that he was likely to commission such an analysis but had not done so. I hoped to avoid the risk of further delay by commissioning the advice myself. I received that advice on 8 February 2018 and subsequently made another enquiry of *Trinity Mirror*. In view of Mr Vaz’s ongoing poor health, I did not send him a copy of that advice then. The text of that advice is set out in full at appendix 3.

20. On 27 February 2018 I was advised by the Parliamentary Health and Wellbeing Service that, from a medical perspective, it would be reasonable to resume the inquiry. Before taking that step, I asked for some additional medical advice.

21. On 28 February 2018 Mr Vaz’s solicitor wrote to me about Mr Vaz’s medical condition at that time and the advice I had received from the Professor from whom I had commissioned an independent report. The solicitor said that “*It remains Mr Vaz’s position that he wishes to commission a forensic analysis of the audio-tape.*” (Mr Vaz had suggested in February 2017 that he might do this. He had discussed doing so in October 2017 but had not done so.) Mr Vaz’s solicitor named the analyst Mr Vaz had commissioned and said

2 The Committee were advised in confidence of the nature of that condition

she would “*need to upload the audio to her system in order to carry out the analysis, and the analysis process will generate additional audio files. She can and will do this at the offices of the Commissioner. It is standard practice for [the analyst] to save these files to her hard drive and subsequently archive them, as they are effectively part of her working notes ...*”. The solicitor also sought to raise a complaint about Mr Bridgen, who had commented publicly on Mr Vaz’s health and his public appearances, suggesting that the Member had - in so doing - breached paragraph 16 of the Code of Conduct.

22. On 5 March 2018 Dr Holmes contacted my office to arrange to do an analysis of the audio-recording. My office advised the analyst that there was an outstanding issue which needed to be resolved first through Mr Vaz’s solicitor.

23. On 16 March 2018 Mr Vaz’s solicitor wrote to me again, saying that Mr Vaz continued to receive medical treatment, and that he was keen for the analyst he had commissioned to inspect the audio-recording. He also asked about the complaint they had made concerning Mr Bridgen’s conduct.

24. On 20 March 2018 I told Mr Vaz’s solicitor that I would not begin an investigation into the complaint about Mr Bridgen’s conduct. I also told Mr Vaz, via his solicitor, that I had resumed my inquiry and, having consulted the Committee on Standards, I was making a referral to MPS.³ To avoid the possibility of detriment to any criminal investigation which might ensue, and having taken advice on this point, I did not consider it appropriate to allow Mr Vaz’s solicitor access to the audio-recording, nor did I consider it appropriate to release the report I had obtained from the independent analyst.

25. In April 2018 Mr Bridgen emailed me. He said that he had been contacted by an individual who claimed to be one of the two men who had visited Mr Vaz’s flat on 27 August 2016. Mr Bridgen said he was satisfied of the man’s identity and that the man was willing to give me evidence that was not in the public domain. Mr Bridgen asked if I would be prepared to accept that evidence once the individual had proved his identity to me. My office told Mr Bridgen how the man could contact me direct, providing an email and telephone number for Mr Bridgen to forward to the man. I have not, at any point during my inquiry, heard direct from either of the two men who visited Mr Vaz’s flat on 27 August 2016.

26. On 24 October 2018 MPS told me that they had decided not to begin a criminal investigation because the current evidence did not “*pass the threshold for a criminal investigation*”. On 25 October 2018 I resumed work on the inquiry. I sent Mr Vaz a copy of the evidence I had obtained from the independent expert I had commissioned, and asked Mr Vaz if he wished to commission his own analysis.

27. On 19 November 2018 Mr Vaz’s expert adviser, attended my office to undertake her analysis. On 30 November 2018 Mr Vaz’s solicitor wrote to me, enclosing a report from Dr Holmes of *Forensic Speech and Voice Analysis Ltd* and a statement he had obtained from someone whom he said had introduced Mr Vaz to the ‘painters and decorators’ in 2016. The substance of Dr Holmes’ report is reproduced in appendix 4. The full report will be made available to the Committee on Standards.

3 I spoke to MPS the same day and on 27 March 2018 made a formal referral to MPS

28. On 19 December 2018 I invited Mr McArthur to comment on the report Mr Vaz had commissioned from Dr Holmes. Mr McArthur replied on 22 January 2019. The text of that reply is reproduced as the second item in appendix 3. I sent Mr Vaz a copy of that reply, for information, on 23 January 2019. At the same time, I invited Mr Vaz to meet me to give him a final opportunity to submit any fresh evidence he considered relevant to the inquiry.

29. On 6 February 2019 I met Mr Vaz. He was accompanied by his solicitor. The Solicitor gave me a copy of another report written by Mr Vaz's audio-analyst. The substance of that report is reproduced, as item 2 in appendix 4. The full report will be made available to the Committee on Standards.

30. I sent a draft of the transcript of our meeting to Mr Vaz on 20 February 2019 and, having considered the comments sent on his behalf by his solicitor, I sent Mr Vaz the agreed copy on 14 March 2019.

31. On 22 May 2019, seven months after resuming the inquiry on 24 October 2018, I sent Mr Vaz a draft of this memorandum as required under the procedures approved by the House for such inquiries. Before preparing that draft, I reviewed all the evidence collated during this inquiry. I considered very carefully the requirements of natural justice. I also thought carefully about how I should balance transparency with the protection of sensitive personal data. I concluded that, in the very unusual circumstances of this case, I should make the relevant evidence available to the Committee on Standards without redaction and I should publish only a limited amount of material.

32. Almost three years have elapsed since the inquiry began in September 2016. For the reasons explained above, work has been formally suspended or significantly curtailed four times: twice, and for a total of 10 months, to allow MPS to conduct initial inquiries; once for three months because of Mr Vaz's ill-health; and once because of the Dissolution of Parliament.

Evidence - arranged in chronological order of events since 27 August 2016

33. I summarise below the evidence of events in the order in which they occurred.

34. **27 August 2016** - At around 11.30pm on the evening of 27 August 2016 two men visited Mr Vaz at a flat he owns, not far from his family home. An audio-recording of those events was made covertly by one of the two men. The Committee will have the opportunity to listen to the full unedited audio-recording and to read the un-redacted transcript.

35. **2 September 2016** - The *Sunday Mirror* contacted Mr Vaz on Friday 2 September 2016 about their intention to publish a story concerning those events. They told him that the article concerned his role as chair of the Home Affairs Select Committee (HASC); that it related to prostitution and drugs; to meetings he had at his flat with two "*prostitutes*", whom they named; that sexual activity was alleged to have taken place; and that they had "*photographic evidence*".

36. **4 September 2016** - The article appeared in the *Sunday Mirror*. Alongside the text, they published a short extract from the audio-recording. That recording was digitally altered to protect the identities of the two men.

37. **10 September 2016** - The *Mail online* carried an article about an interview with Mr Vaz's wife. The article said that Mr Vaz had told his wife on Friday 2 September 2016 about the call he had taken from the *Sunday Mirror*. She was quoted as saying "*He said something was going to break [in a newspaper], that it was bad*" "*He said it was going to be hard; he said it was going to be of a sexual nature*". The article continued "*While Vaz did not go into detail, he did concede - to his wife's incredulity - that his infidelity involved men, not women.*"

38. **12 September 2016** - The Commissioner, Kathryn Hudson, notified Mr Vaz on 12 September that she would investigate Mr Bridgen's allegations of breaches of paragraphs 10 and 16 of the 2015 Code of Conduct for Members. However, she did not begin work immediately; she suspended the inquiry while the Metropolitan Police Service (MPS) considered beginning a criminal investigation into allegations they had received about the events of 27/28 August 2016.

39. **19 December 2016** - The Commissioner began her investigative work on the inquiry after MPS decided not to pursue a criminal investigation. She wrote to the *Sunday Mirror*, asking them to provide her with the material on which their reports had been based.

40. **22 December 2016** - In a letter to the Commissioner, *Trinity Mirror* expressed some initial concern about releasing the unedited material and said "*As you will have noted from the recordings put into the public domain, the voices of the sources were deliberately distorted to conceal their identities.*" They told the Commissioner that for a recording lasting a couple of minutes, this editing technique had taken several hours and had been completed at considerable expense.

41. **12 January 2017** - In response to the invitation to comment on the allegations, Mr Vaz said in an eight-page letter to the Commissioner; "*The matters complained of are purely personal. The event described by the newspaper took place in premises owned and used exclusively by the Member and were not paid for by the taxpayer, and no part of the reported conversation, distorted or otherwise, related to any parliamentary or public issues*". In respect of the HASC inquiries, Mr Vaz said "*I had no interest to declare in either of these Inquiries. I had no personal views on either subject at the start of the inquiries [...] The events described by the Mirror took place after the Committee had concluded both reports.*" Referring to the media coverage of September 2016, Mr Vaz said "*the reporting at this time was heavily embellished and largely inaccurate.*"

42. Mr Vaz did not explain what he meant by the words 'heavily embellished and largely inaccurate'. He did not describe the events of 27/28 August 2016 nor did he say that he did not remember them. Mr Vaz said he had "*commissioned two independent reports into the recordings and the transcriptions.*" He said the reports discredited the recordings and the media articles and offered to send those reports to the Commissioner.

43. **6 February 2017** - Kathryn Hudson wrote to Mr Vaz, asking him to give an account of:

- the circumstances which led up to the events reported by the *Sunday Mirror* on 4 September 2016; and
- the events of 27 August 2016.

44. Also on 6 February 2017, *Trinity Mirror* couriered to the Commissioner the audio-recording of the meeting on 27 August 2016. They told Kathryn Hudson that this was “*an unedited recording*”. They enclosed a transcript and copies of some text messages. They said that the text messages were in the format they had received them, and the only redaction was of the telephone number of one of the men.

45. **17 February 2017** - Mr Vaz wrote to the Commissioner. He told her again that her questions concerned a private matter. He said that his family home had been due to undergo substantial work and in advance of that some decorating was to be done, as well as the assembly of some furniture, at his flat. Mr Vaz told the Commissioner that “*it was for that purpose that [the men] were at [his] flat over the weekend in question*”. He did not say that he had no memory of the events. He said, “*The conversation I had on the day in question, which lasted about one hour, was led by one individual and with hindsight it was apparent why these questions were being asked of me.*” Mr Vaz sent the Commissioner two reports on the audio-clips *Trinity Mirror* had published. (These were the recordings which the Commissioner knew to have been digitally altered to protect the identities of the two other men.) According to Mr Vaz, the reports raised a series of doubts about the reliability of those audio-clips. He said “*Should unedited recordings or better recordings become available, I would be most grateful if I could also be sent copies, because I will want to have these forensically examined.*”

46. **16 March 2017** - Mr Vaz attended the Commissioner’s office, where he listened to the approximately one and three-quarter hour audio-recording *Trinity Mirror* had provided and was given a copy of the transcript of that recording as well as copies of the text messages.

47. **4 April 2017** - The Commissioner invited Mr Vaz to attend a formal interview with her. She said that she wished to “*reconcile some of the information [...] in [his] letter of 17 February with the audio-recording*”, giving as an example, his reference to the men having been at his flat in connection with decorating work.

48. **27 April 2017** - Kathryn Hudson interviewed Mr Vaz on 27 April 2017.⁴ In answer to her first question (an invitation to add to, or amend, the information given in his letters after having heard the audio-recording), Mr Vaz said “*No, because you know my views on the recording ...*” Mr Vaz referred to the reports he had that showed the audio-clips released by the *Sunday Mirror* were ‘doctored’. Kathryn Hudson told him that she was not relying on the audio-clips as evidence. She said she was “*going back to the original transcript and the original recording that was made on 27 August.*” Later in that interview, Kathryn Hudson said “*Yes, but it’s quite clear and your experts say that those [audio-clips] were doctored in various ways and I accept the advice of the experts on those. I am relying on what I have been given by the newspaper as being the full transcript, which has not been altered.*”

49. Mr Vaz first talked about:

- a short omission from the end of the transcript provided by *Trinity Mirror* of the full audio-recording (which occurred after the two men had left Mr Vaz’s flat);

- the cost of having a forensic audio-analysis of the recording and whether Mr Vaz still wished to commission such an analysis (Mr Vaz said that the recording would need to be given to the experts for forensic examination. Kathryn Hudson said that she “*thought [he] had said [he] did not want this to happen*” and Mr Vaz replied “*Because you did not want it to leave your office.*” When Mrs Hudson said that she might have to arrange for an expert to come to her office, Mr Vaz referred to the cost of this. He did not say clearly whether or not he still wished to commission a forensic analysis.)
- Select Committee procedures;
- his contention that the events of 27 August were purely personal and private; and
- whether the two men had been to Mr Vaz’s flat before the evening of 27 August 2016 (Mr Vaz said “*I don’t know because I don’t know what arrangements had been made. They may have visited before in order to look at dimensions. They had dealings with the other individuals who were going to do the flat. It was their contact, they had known them through their work in the Polish community.*”).

50. Mr Vaz then told my predecessor for the first time that he “*did not know*” what had happened on the night of 27/28 August 2016. He said, “*I can’t remember, because the last thing I remember was being given a glass of water to drink*”.

51. Mr Vaz offered no explanation for either of the two men giving him a glass of water in his own flat that night, nor has he since offered an explanation for this.

52. When Kathryn Hudson asked why Mr Vaz had not said sooner that he did not recall any of “*this incident*”, he did not respond. Instead, he referred to the telephone call from the Editor of the Sunday Mirror, on 2 September 2016. He said, “*I didn’t know what on earth a newspaper could write*”.

53. Kathryn Hudson asked Mr Vaz about the media report of an interview with his wife in which she had recounted information which coincided with the content of the audio-recording. She asked, “*How can that have happened if you can’t remember any of these events?*” Mr Vaz said that he had “*had no conversation with my wife about this, about the detail.*”

54. During that interview Mr Vaz said that he had been rushed to hospital “*three days later*”. He did not give a date for that visit but said he was taken to hospital “*in an ambulance because of a reaction to whatever was around, whatever happened that night*”.

55. **29 June 2017** - Kathryn Hudson sent Mr Vaz a copy of the transcript of the interview. Among other questions, she asked Mr Vaz again about his recollection of the events before drinking the glass of water on 27 August 2016. She also asked him to explain exactly what he meant when he had said during the interview “*It happened. Unfortunately, it did*”. She also asked whether he had sought medical attention between 27 August and 2 September 2016; and when exactly he had been taken to hospital by ambulance. (At interview he had referred to being rushed to hospital “*three days later*”).

56. **20 July 2017** - Mr Vaz replied. He said he could not add anything to his account about 27 August 2016 beyond what he had said on 27 April 2017. He could not say when

he drank the glass of water, only that the “*next thing* [he remembered] *was waking up with a [hypoglycaemic] condition*”. In answer to the question about what it was that he agreed had happened, he said “*If I had missed my train or come back by car, I would not have been there at that time. That is what I described as “unfortunate”*.” He said he had had a hypoglycaemic episode on 28 August 2016 and called a local doctor, who had given him some advice. In answer to the Commissioner’s questions about when he had been taken to hospital by ambulance, Mr Vaz said he had waited for four hours before being seen by doctors; he was not admitted; and he was accompanied by his wife. He did not answer Kathryn Hudson’s question about the date of his visit to the hospital.

57. **5 September 2017** - Kathryn Hudson shared with Mr Vaz the note the Editor of the *Sunday Mirror* had made of his telephone call with Mr Vaz on 2 September 2016. She drew to Mr Vaz’s attention the fact that the notes suggested a rather more detailed conversation than the one Mr Vaz had recounted at his interview on 27 April 2017.

58. **15 September 2017** - Mr Vaz replied that his “*responses to [the Editor] appears fully consistent with my recollection*”.

59. **3 October 2017** - Kathryn Hudson told Mr Vaz that it had been reasonably clear on 2 September 2016 that the story the *Sunday Mirror* intended to run concerned allegations that he had engaged in sexual activity with men who were said to have been paid for their services and that controlled drugs were discussed, if not used. She said she did not consider Mr Vaz had given an accurate account on that point on 27 April 2017. She enclosed with her letter a copy of her draft memorandum, setting out her decisions on the allegations under investigation. Kathryn Hudson said explicitly that she had not relied on the audio-clips released in the media but on the unedited recording and the transcript - to both of which he had access. She offered to make arrangements for Mr Vaz to listen to the audio-recording again if he wished.

60. **16 October 2017** - Mr Vaz wrote to Kathryn Hudson, saying that his solicitors had advised him to obtain an analysis of the audio-recording and adding “*Please rest assured that I do not intend to allow this analysis to delay my response to your memorandum*”. Three days later the Commissioner replied, suggesting that it would be best to discuss this when they met (at Mr Vaz’s request) on 24 October 2017.

61. **24 October 2017** - Kathryn Hudson met Mr Vaz, who was accompanied by his solicitor. Mr Vaz hand-delivered his response to the draft memorandum, and a bundle of evidence of almost 50 pages, comprising

- The formal minutes of the HASC meeting of 15 June 2016 at which the Committee’s Report on Prostitution was formally agreed
- A medical report from a clinic Mr Vaz had attended
- A medical report from a private hospital Mr Vaz had attended
- Various estimates for external work on Mr Vaz’s house and photographs of scaffolding around the property (this was not the property where the events of 27 August 2016 took place)

- A ‘dossier’ containing the ‘results of investigations’ into one of the men Mr Vaz met on 27 August 2016 and the name and date of birth of the second man.⁵ The ‘dossier’ provided the following analysis “*There is no suggestion that any of his employers knew what kind of person he was. There is absolutely no reference whatsoever anywhere to him being a prostitute or offering to be a prostitute. All this demonstrates the activities of a con man seeking to make a fast buck and this is exactly what has happened.*” It included:
 - A history of one of the men, based on third party reports, which was said to have been ‘independently verified’. The documents referred to the man’s previous employment by the police in a civilian role; his conviction for ‘littering from a vehicle’; a report from a former employer concerning his activities during and after his employment as a trainee solicitor; information about companies in which he had been involved; reference to charity fund-raising in which he had been involved; an allegation that he had provided, as his home address, the address of a shopping centre; a media report of a police inquiry concerning a burglary - in connection with which he was not charged; his reported association with a major retailer; reference to a property in Poland, which he is alleged to have purchased with the proceeds of ‘*the entrapment*’; and reports of his attempts to sell his car (with registration number) to co-workers. The source of this material was not explained.
- Formal Minutes of the Home Affairs Select Committee for Wednesday 15 June 2016, showing that work on the HASC Inquiry into Prostitution had ended on that date
- An extract from *Erskine May* and an extract from the Joint Committee on Parliamentary Privilege, Session 1998–99 HL Paper 43, HC214 - both concerning ‘procedural fairness’
- An apology published in *The Sun on-line*, concerning three named individuals whom the Sun acknowledged had “*played no role whatsoever in Mr Vaz’s “downfall” nor the allegation being made against Mr Vaz or the activities referred to in the article*” (the article did not otherwise concern the newspaper’s allegations concerning Mr Vaz)
- A letter dated 5 September 2017, from the hospital Mr Vaz had attended on Thursday 22 September 2016. (This was not three days after 27 August 2016, nor three days after 4 September 2016.)
- An unsigned, undated ‘statement’ attributed to Mr Bridgen. In his covering submission, Mr Vaz said that Mr Bridgen was a ‘serial complainer’. A screen-print from another media outlet was also enclosed. This included a quote, attributed to Mr Bridgen, that said “*I am rapidly losing confidence in the parliamentary standards system. It is often said that justice delayed is justice denied.*”

5 I am unable to verify that the information relates to either of the two men who met Mr Vaz that night. Neither Trinity Mirror, nor Mr Bridgen have disclosed any information which might enable me to triangulate the information

62. **7 November 2017** - Kathryn Hudson received additional representations from Mr Vaz's solicitor concerning Mr Vaz's health. She immediately commissioned independent medical advice about the possibility that proceeding with her Memorandum at that time might be detrimental to Mr Vaz's health. She commissioned independent expert advice about his health and about his reported amnesia.

63. **9 November 2017** - In an email to Mr Vaz's solicitor about the arrangements for Mr Vaz to see the independent medical adviser, Kathryn Hudson reminded Mr Vaz that he had previously told her that he had been advised to obtain a forensic analysis of the full audio-recording. She reminded him that she had explained that she did not consider that to be necessary for the purposes of her inquiry. She asked Mr Vaz if he intended to commission such advice.

64. Pending receipt of the medical advice, Kathryn Hudson reviewed Mr Vaz's response to the draft report and the contents of a 'supplemental response' sent by his solicitor on 10 November 2017. That response included:

- *“a description of the activities of [one of the men] in relation to a property in Poland. [The man] rented this property from a Polish woman who lives in [another EU country]. The woman concerned has commenced legal proceedings in Poland against [the man] for nonpayment of rent and for perpetuating a fraud against her in trying to sell a property he did not own”*
- *“... DVLA details concerning a vehicle used by [the two men]*
- *The application of [one of the men] for a provisional UK driving licence endorsed by the [other man] who falsely describes himself as “Police Legal Representative”.*
- *“It should be noted that this is a criminal complaint filed by [name] in which she alleges [one of the men] has committed “persistent harassment” against her, that he used multiple mobile phones for sending text messages and that [he] has remained in “informal partnering with [her son] since December 2014.” [She] confirms that she “had the impression that [the other man] wrote with me from my son’s account”. [She] informed the police about the harmfulness of [the man’s] behaviour and the threat to her son’s life and health. She also alleges that her son is “blackmailed” by [the man] leading her to the state in which “I was forced to seek help from a psychologist”.*

65. Mr Vaz's solicitor said that *“in light of the pivotal role played by [the first man] in the entrapment of Mr Vaz, and the very serious conduct evidenced by the enclosed, it is Mr Vaz's submission that this evidence goes to the credibility of [the man] upon whose evidence the Commissioner entirely relies.”*

66. **14 November 2017** - Mr Vaz's solicitor emailed the Commissioner. In addition to submitting a signed witness statement, which he said was from the mother of one of the two men⁶ he also provided a translation of the statement, which stated that she did not believe her son had worked as a prostitute. The solicitor said that Mr Vaz did wish to commission a forensic analysis of the audio-recording. Shortly after, he sent the Commissioner another witness statement, from a third party who was said to have known one of the two men

6 I have no way of verifying the source of the statement, nor her relationship with the two men

some years earlier. The third party, a solicitor, described her own experiences of the man whom she said had employed as a trainee. Mr Vaz's solicitor, suggested that the man might have committed an offence under the Solicitors Act 1974 by falsely claiming to be a lawyer.

67. **11 December 2017** - Mr Vaz's solicitor wrote to Kathryn Hudson again. As well as commenting on the independent medical advice, which had been shared with him, the solicitor asked for "*her position with regard to [the] forensic analysis*".

68. **19 December 2017** - Kathryn Hudson wrote to Mr Vaz's solicitor about some amendments to her draft memorandum. She told the solicitor that most of the additional evidence he had sent was irrelevant because it did not concern Mr Vaz's compliance or otherwise with the Code of Conduct for Members. She said if Mr Vaz believed otherwise, it was open to him to submit the material to the Committee on Standards in due course. She said that she had told Mr Vaz in April that any analysis of the audio-recording would have to take place in her office. Her position on that had not changed and, if Mr Vaz wished to commission an expert to undertake such an analysis, the nominated person should contact Commissioner's Complaints Manager to make the arrangements.

69. **29 December 2017** - Kathryn Hudson wrote to Mr Vaz's solicitor again on 29 December 2017 to record formally the circumstances of her inquiry at the end of her term of office. She said that, if Mr Vaz wished to submit fresh evidence, it would be for me, as her successor, to decide whether it should be added to the Memorandum to the Committee.

70. **1 January 2018** - I took up post on 1 January and, during my first week in office, I reviewed the evidence so that I would be ready to progress the inquiry as soon as Mr Vaz had recovered his health sufficiently to participate again in the process. I decided, while waiting for Mr Vaz's health to improve, to commission an independent forensic audio-analysis of the recording made on 27/28 August 2016. Mr Vaz had said that he was likely to commission such an analysis but had not done so. I hoped to avoid the risk of further delay by commissioning the advice myself.

71. **8 February 2018** - I received the following advice from Iain McArthur of Audio-Video Forensic Ltd, the independent expert I had commissioned.

"From my preliminary work I found no discontinuities or anything unusual in the recording indicating anything that would lead me to believe any tampering has taken place. The background ambience appears consistent throughout. I found no drop outs, unusual gaps or audio spikes that could be obvious of editing.

Generally, the conversation between the three men flows naturally without any unusual contextual errors as detailed in the table below.

In a hypothetical situation, given an unlimited budget, the necessary editing skills and suitable matched audio material (all from the same environment with the same level and type of background ambience) to create an edited recording of this length [one hour 46 minutes and 15 seconds] would, in my opinion be multiple days (if not weeks) of complex work to create a composite/edited recording.

There is no aural evidence I can hear of a glass of water being poured, drunk or a glass being placed on a surface within the first 30 minutes, by which point there has been a large number of historically familiar points referred to in the conversation illustrating previous contact between the men and a degree of knowledge of each other's lives."

I did not share the report immediately with Mr Vaz because he was still unwell.

72. **13 February 2018** - I wrote to Trinity Mirror to ask when, as precisely as possible, the audio recording had been handed over to the Sunday Mirror. Trinity Mirror responded on 27 February 2018. The Head of Editorial and Legal Compliance told me:

"The recording was made on a mobile telephone of one of the sources. Immediately after the two sources left the flat where they had met Mr Vaz they gave a micro SD card which had been taken from the phone to the Sunday Mirror's photographer who was present with our reporter. All parties then went back to a hotel where the photographer transferred the recording of the meeting onto his laptop computer. This recording was then subsequently sent to the legal department."

73. **27 February 2018** - I received advice that, from a medical perspective, I might resume work on my inquiry. Before taking that step, I asked for some additional medical advice.

74. **20 March 2018** - I consulted the Committee on Standards about making a referral to MPS. Having received their assent, I referred my concern to the police. I notified Mr Vaz that I had done so. I did not share with him my expert witness's advice in order not to prejudice any potential criminal investigation and I took no other substantive action while the police considered the matter.

75. **24 October 2018** - MPS notified me that they had concluded that they had decided not to begin a criminal investigation.

76. **25 October 2018** - I wrote to Mr Vaz to tell him that I had resumed my work. I enclosed a copy of the advice I had obtained from Mr McArthur. I told Mr Vaz that, if he wished to commission his own analysis, I would require confirmation that his analyst would adhere to the terms previously given. I also offered to meet Mr Vaz.

77. **14 November 2018** - I sent Mr Vaz a copy of my letter of 13 February and Trinity Mirror's letter of 27 February 2018.

78. **19 November 2018** - Mr Vaz's expert witness and his solicitor attended my office to listen to the audio-recording. I received the witness's report on the audio-recording on 30 November 2018. The substance of that report is reproduced in appendix 4. Concerning the integrity of the audio-recording, she said:

"As part of my analysis I was asked to comment on the likely integrity of the recording, in particular to consider any evidence that it had been edited or manipulated in any way, including the possibility of sections being excised or inserted."

It is important to note that it is possible for a digital recording to be edited and saved in a way that does not leave a trace, although this would require

a degree of technical skill and access to appropriate equipment. I also note that the recording contains some instances of very loud masking noise, which might obscure the kinds of discontinuities which could indicate editing had taken place.

Notwithstanding the above, no evidence was found of significant signal discontinuities that might suggest unskilled editing. The observed fluctuations in environmental noise and in the acoustic characteristics of the recording environment appear to be consistent with the conversational context (e.g. footsteps and traffic noise when the speakers appeared to be walking to/from the venue, automated announcements and clanking sounds as the conversation and context suggested they were travelling up/down in a lift).

The integrity of the conversation is more difficult to assess reliably because of the fluctuation in intelligibility and the need to avoid making assumptions about unclear speech content and the relationships between various speakers. Nonetheless, although it was not always clear from the speech content exactly what was taking place in the recording environment, no evidence was found of inconsistencies that might lead to the assumption that sections of speech had been removed, inserted or otherwise temporarily displaced.”

79. After seeing the draft report, Mr Vaz requested that I add the following extracts from Dr Holmes’ report.

“... the attribution of even brief unclear utterances to specific speakers where intelligibility was very poor is not supported by the evidence”

“the use of RB1 and RB2 would appear to imply that an a priori judgment has been made in respect of the older male speaker and the two younger non-native speakers”

“a significant number of discrepancies was noted between the speech recording and the transcribed content”

“overall the transcript fell significantly short of what is expected in terms of a transcript intended for use in legal disciplinary or similar proceedings”

“additionally it is important to be aware that a written version of a complex audio-recording is likely to have a strong priming/biasing effect on what the listener hears... This means that listening to the audio while simultaneously referring to the transcript should be avoided.”

He also added that it is vital to include Dr Holmes’ reservations about the lack of linguistic or phonetic qualifications on the part of Mr McArthur and her “*conclusions about two drinks containers being opened.*” The Committee will have the details of each expert’s qualifications. The substance of Dr Holmes’ reports are reproduced in appendix 4.

80. On 30 November 2018 Mr Vaz’s solicitor also sent to me a statement from a third party; a Polish national who said he had until September 2016 lived and worked in London, doing painting, decorating and house refurbishment. In the statement, this man said he had known Mr Vaz for approximately ten years. He had been unable to take on the work Mr Vaz wanted done on his flat himself and had recommended another builder, painter

and decorator. (He provided the builder's first name only (B).) The man said that he had later learned from 'B' that he had, in turn, recommended two other men whom he knew to be professional painters and decorators who would do a good job for Mr Vaz. The man said in his statement

"I am sure given my long-term business relationship with Mr Vaz, my then ongoing business relationship with [B] and my knowledge of him that [B] would not have recommended men who were prostitutes to carry out the work for Mr Vaz. [B] stopped working for me when I returned to Poland in September 2016 and I have had no contact with [B] since September 2016."

81. In his covering letter, Mr Vaz's solicitor said that *"In light of Dr Holmes' report, there is no satisfactory basis for continuing with this investigation against Mr Vaz where it is based on the transcript and the audio."* Among other issues, the solicitor raised again the applicable burden of proof, saying that Mr Vaz submitted that the appropriate standard of proof is the criminal one of beyond all reasonable doubt.

82. **13 December 2018** - I wrote to Mr Vaz to acknowledge receipt of his solicitor's letter and to explain the steps I was taking. I said then that I should be absolutely clear that I would make my findings on the balance of probabilities.

83. **18 December 2018** - Mr Vaz's solicitor wrote to me again about the appropriate standard of proof. He also referred to the evidence I had already received about Mr Vaz's health, saying that the delay concluding the inquiry would have serious consequences for his recovery.

84. **22 January 2019** - I received the following advice from, Iain McArthur of Audio Video Forensic Ltd.

"I read the report of Dr Holmes with interest. As stated, the work I undertook was a preliminary piece of work broadly looking at its reliability as audio evidence. As such, using the same waveform editor (Soundforge) my conclusions were generally in agreement with Dr Holmes in that we both did not find any signs of editing (I did not see any qualifications in Dr Holmes' report relating to audio engineering).

Regarding transcript evidence, as is often the case, a transcript (or partial transcript) is supplied by the prosecution or defence. Generally, in my 25 years of working with covert audio evidence, a common-sense approach to transcripts of speech evidence is required in that this type of evidence can be understood by anyone as it is spoken language we all speak. Whilst a transcript (unless high quality clear 'Queens English') is never usually finished as utterances may still be gained from further listening and enhancement, the main thrust of a conversation can often be gained in the initial few listenings. As such, in this case, whilst there are a number of inaudible utterances, it is generally clear what is occurring between the parties.

Of interest was that no mention was made in Dr Holmes' report about the historical familiarity of the parties (from their conversations) I noted towards the end of my preliminary report however, I still stand by the conclusions I drew."

85. **6 February 2019** - I interviewed Mr Vaz. I was accompanied by a parliamentary lawyer and my Complaints Manager. Mr Vaz was accompanied by his solicitor. Mr Vaz's solicitor handed to me a supplemental report from Dr Holmes, rejecting the advice I had received from Mr McArthur.

86. **4 March 2019** - I received a letter from Mr Vaz's solicitor. The solicitor summarised the credentials of Professor whose advice I had sought and his interpretation of the medical evidence I have received. The solicitor restated Mr Vaz's submission that he had

“no evidence to prove definitively that his drink was spiked on 27 August 2016 but he believes that it was spiked as he was tricked into the meeting on 27 August 2016 and he was the victim of entrapment on the evening of 27 August 2016.”

The solicitor also restated his view that the transcript and audio-recording should be entirely disregarded.

87. In addition to commenting on a draft of the transcript of the meeting on 6 February 2019, the solicitor sent more copies of the medical reports I already had; material relating to a defamation case involving Mr Bridgen and another Member; and a letter dated 28 February 2019 from Mr Vaz's GP, which suggests that it is likely that Mr Vaz's physical capacity to engage in the events alleged to have taken place on 27 August 2016 would have been impaired as a side-effect of one of his long-diagnosed health conditions. Having seen the draft of this Memorandum, Mr Vaz said that the file of medical evidence he had submitted in February 2019 was intended to inform one of my legal advisers, not to duplicate information I held already.

88. The solicitor argued that the *“propensity of Mr Bridgen to make false allegations about another MP is highly material to Mr Vaz's case where he is the complainant against Mr Vaz. It is a critically important factor for the Commissioner to take into account.”*

Analysis

89. Before turning to issues of remit, I will quote again the Home Affairs Committee's Report on Prostitution which begins with the words *“In England and Wales, the sale and purchase of sexual services between consenting adults is legal.”* Neither I nor my predecessor suggest that, if Mr Vaz has paid for sexual services this would be a criminal offence.

90. I should also underline that it is not for me to comment on Mr Vaz's purely private and personal life. My concern is solely the impact of his private and personal activities on his parliamentary responsibilities and, in particular, whether Mr Vaz's actions have reflected on the work of the Home Affairs Select Committee, or on the reputation of the House of Commons as a whole or of its Members generally.

The Commissioner's remit

91. In his letter to my predecessor of 12 January 2017, Mr Vaz raised issues concerning the Commissioner's remit to investigate. He said that *“[he] would like to draw [her] attention to the section of the Code of Conduct for Members relating to privacy which states:*

“2. The Code applies to Members in all aspects of their public life. It does not seek to regulate what Members do in their purely private and personal lives.”

92. Mr Vaz then referred to my predecessor’s review of the Code of Conduct. That was not relevant given that her report of that review had not (and still has not) been published, and it would be for the Committee on Standards to decide what to recommend to the House in due course. He then said. *“The matters complained of are purely personal. The event described by the newspaper took place in premises that were owned by and used exclusively by the Member and were not paid for by the taxpayer, and no part of the reported conversation, distorted or otherwise, related to any parliamentary or public issues”.*

93. If the events which led to this inquiry had no bearing on his responsibilities as an MP and could not reflect on the work of a Select Committee, it would not have fallen within the Commissioner’s remit. However, paragraph 10 of the 2015 Code says:

“Members shall base their conduct on a consideration of the public interest, avoid conflict between personal interest and the public interest and resolve any conflict between the two, at once, and in favour of the public interest.”

That rule brings within the Commissioner’s remit consideration of whether a personal matter is in conflict with the public interest.

94. Kathryn Hudson drew to Mr Vaz’s attention that the Guide to the Rules also says, at paragraph 7 of chapter 2:

“... a Member who has a personal interest which may reflect upon the work of the [Select] Committee or its report should stand aside from the Committee proceedings relating to it.”

This paragraph allows that the Commissioner might investigate whether a personal interest does or does not reflect on the work of a Committee.

95. In his interview with Kathryn Hudson, Mr Vaz suggested that this rule applied to financial matters and not to other personal interests. That is not what the rule says. The rule derives from the First Report of the Select Committee on Members’ Interests. That Committee made the following recommendation.

*“We feel that it is right that when a member of a committee, particularly the Chairman, has a pecuniary interest which is directly affected by a particular inquiry **or** [my emphasis] when he or she considers that a personal interest may reflect upon the work of the Committee or its subsequent report, the Member should stand aside from the committee proceedings relating to it. This convention is so fundamental to the proper conduct of select committee business that we recommend that it should be reinforced by an appropriate resolution of the House.”⁷ [My added emphasis of ‘or’.]*

The Committee made a clear distinction between financial and personal interests and emphasised that both are relevant to a decision about standing aside from particular proceedings.

96. On several occasions since I took office on 1 January 2018, most recently when commenting on the draft of this Memorandum, Mr Vaz and his solicitor have repeated the argument that the matters under investigation were *‘purely private and personal’*. Like my predecessor, I have considered very carefully the arguments that Mr Vaz has made about the privacy of the events that led to the allegations against him. As he has pointed out, the events in question took place in his private residence, he did not make his role as a Member of Parliament known to the two men and he did not discuss parliamentary matters. Most people expect, and are entitled to expect, that their sexual activities will remain a purely private matter between themselves and their partner(s). They trust that their partner(s) will respect their privacy. Members are no different from other people in that respect, and the Commissioner’s interest in such personal matters is limited to alleged breaches of the Code of Conduct for Members.

97. Paragraph 7 (c)(iv) of chapter 2 of the Guide to the Rules requires Committee Members to step aside if they have a personal interest which would reflect on a Committee or its report. Mr Vaz clearly did not expect that his personal activities on the evening of 27 August 2016 would become known and that the potential for them to reflect on the Committee’s work would become apparent.

98. High profile politicians are perhaps more vulnerable than most people to unwelcome public disclosures about aspects of their private and personal lives. A Member may attempt to conceal their identity but, if paying for sex, I suspect they run a greater than average risk of recognition and, in some cases, of blackmail as a result of such behaviour. However, the issue is not whether their personal interest becomes known but whether a personal interest exists which may reflect on the Committee or a Committee inquiry. In my view, if such an interest exists, regardless of whether it becomes known, the Member should step aside from any proceedings on which that interest might reflect.

99. When we met on 6 February 2019 Mr Vaz’s solicitor restated that the events of 27 August 2016 were *“private events that should not be subject of this kind of investigation”*. I appreciate that it is painful for Mr Vaz and for his family for these events to be aired in public, but I agree with my predecessor’s analysis. The possibility of a conflict of interest and of a personal interest reflecting on the work of a Committee brought this matter within the Commissioner’s remit. While some disclosure of highly sensitive and embarrassing detail has been unavoidable, I have sought to keep that to a minimum in this Memorandum.

100. Committee Members, who are the final decision-makers, will have access to the entirety of the relevant evidence unredacted so that they may make a fully informed judgment.

Advice given by the House Authorities

101. Mr Vaz told Kathryn Hudson that he had consulted “the Clerks” after the allegation was made against him and he was told that this was a ‘paragraph 2’ matter, i.e. that it was a purely private and personal matter. By implication, Mr Vaz suggested that a Clerk had supported his contention that the matter under inquiry is outside the Commissioner’s remit.

102. The relevance of any advice given by a Clerk would be dependent on Mr Vaz's full disclosure of the events of 27 August 2018. Given Mr Vaz's reported amnesia and that he has since told me categorically that he has never paid for sexual services, I cannot see how he could have disclosed all the potentially relevant information. Any advice a Clerk might have given about my remit and the interpretation of the rules of conduct would not be binding on me, even if it had been based on a full disclosure of all the relevant facts.

Newspaper stings

103. At the beginning of the inquiry, Mr Vaz referred to comments, which he said my predecessor had made, implying disapproval of 'stings'. Mr Vaz drew comparisons to suggest that Kathryn Hudson should not have begun an investigation because he had been the victim of a sting. The Commissioner has never been barred from investigating allegations arising out of stings and a blanket restriction would be wrong.

104. Prior to beginning this inquiry, Kathryn Hudson had expressed concern about journalists having set up meetings with Members to discuss possible future employment which did not in reality exist. I think those comments were directed at rather different circumstances from those in which Mr Vaz found himself in 2016.

105. The Standards and Privileges Committee commented on the use of the sting in the following terms in its Report on six Members who attended interviews which they thought were about future employment, but which had been organised by undercover reporters, shortly before the 2010 Election.⁸ That report was published in December 2010. It said,

"We understand that detecting or exposing serious impropriety is considered by the PCC⁹ to provide a public interest justification both for clandestine recording and for subterfuge. We accept that some breaches of the Code of Conduct of the House of Commons are likely to amount to serious impropriety. But we consider that where subterfuge fosters rather than exposes such impropriety it can cross the line into entrapment, and when that is so the role of those setting the trap may be open to question."

106. The newspaper's evidence that the meeting was set up after the men had recognised their client as Mr Vaz is plausible and consistent with the evidence Trinity Mirror have provided. My predecessor did not accept, and nor do I, Mr Vaz's explanation that the men concerned had come, at 11.30pm on a Saturday evening in connection with plans to decorate his flat. It is likely that the men concerned did set up the meeting at Mr Vaz's flat on that particular evening in order to obtain an audio-recording. It also seems likely that they deliberately steered parts of the conversation to topics which might show Mr Vaz in a poor light. That does not mean, however, that the full audio-recording should be completely disregarded, and it is inconceivable that he could have been trapped in this way unless he had prior experience of such activity. The two men may have steered the conversation to certain topics but they did not speak for Mr Vaz. He can be heard on the audio-recording speaking about, for example,

8 Committee on Standards and Privileges, Ninth Report of 2010–12, HC 654 <https://publications.parliament.uk/pa/cm201011/cmselect/cmstnprv/654/65402.htm>

9 The then Press Complaints Commission

- why he had deleted texts he had received from one, if not both, of the men;
- how he felt like the ‘mother’ or ‘bank manager’ of one of the two men;
- whether one of men had yet cleared his overdraft
- what was said “the last time” they met; and
- it was Mr Vaz who first mentioned ‘coke’ (cocaine) and who suggested that the lack of the drug might be a hindrance.

The Evidence provided by Trinity Mirror plc

The value of the audio-recording made on 27 August 2016

107. When the *Sunday Mirror* first published their article about Mr Vaz’s meeting with the two men, their on-line coverage included a short audio-clip, as well as selected quotations from the conversation. Unsurprisingly, the *Sunday Mirror* distorted some of the images accompanying the article and they distorted the voices of the two men in the published material.

108. On beginning her investigative work, my predecessor asked the *Sunday Mirror* to provide the “*full and unedited footage which formed the basis of the Sunday Mirror’s coverage of this matter, including any un-broadcast and unpublished footage, together with any transcripts of all the recorded conversations.*” (At that stage, it was not clear whether there was audio-visual material, or just audio-recordings.) Neither the Commissioner nor Mr Vaz had listened to the unedited recording when he wrote to her on 12 January 2017, referring to two reports he had in his possession concerning the evidential value of the published audio-clips. The analyses both concluded that the audio-clips which had been published in the media had been edited and distorted. My predecessor accepted that and so do I.

109. When Kathryn Hudson interviewed Mr Vaz on 27 April 2017, she asked him whether he wished to add anything to his previous accounts, having listened to the full audio-recording. Mr Vaz said he did not, because the Commissioner already knew his views. Kathryn Hudson told Mr Vaz then that “[she knew] *his views on the small video recordings ...*”. She referred to the witness reports Mr Vaz had provided saying “*... but the experts have so far looked at the video recording which was put together for publication*” and said “*I’ve seen the report on that. I am not intending to use that as evidence. I am going back to the original transcript and the original recording that was made on 27 August.*” She made clear that she was not treating the audio-clips published by the *Sunday Mirror* as reliable evidence for her inquiry.

110. I have not placed any reliance on the content of those audio-clips published by the *Sunday Mirror*. Further discussion of the first report Mr Vaz commissioned (dated 23 November 2016) is, therefore, unnecessary and irrelevant.

111. The inquiry has focused on the full audio-recording, lasting a little over one and three-quarter hours, provided by *Trinity Mirror*, on 6 February 2017, which *Trinity Mirror* have given an assurance was “*unedited*”. They told me that a journalist met the two men

after they left Mr Vaz's flat in the early hours of 28 August 2016, and that the full audio-recording was immediately downloaded from the mobile-phone of one of the men. That is consistent with the evidence I have obtained from Mr McArthur.

112. Mr Vaz has never denied that his is one of the three voices audible on the audiorecording made in his flat on 27 August 2016. He tacitly acknowledged that from the start of the inquiry. On 6 February 2019, in answer to a direct question, he confirmed that he was not arguing that it was not his voice on the recording. I am satisfied that Mr Vaz is one of the three men who can be heard speaking on the recording.

113. Mr Vaz asked that I reproduce Dr Holmes' key findings in the body of this Memorandum, saying this is vital because Dr Holmes vigorously disputes certain conclusions reached by Mr McArthur. The full reports of both experts are reproduced in appendices 3 and 4 respectively. However, neither expert has identified evidence of the full unpublished audio-recording having been manipulated. Dr Holmes, the expert Mr Vaz commissioned, has referred to several loud noises on the recording which she said might obscure edits, but she does not argue that there is evidence of such manipulation.

114. I find Mr McArthur's advice about the time and skill required to edit an audiorecording of such length without any apparent discontinuity persuasive. Some parts of the recording are difficult to follow, particularly when the men speak over each other. Having listened to the recording several times, I am satisfied that the transcript provided by *Trinity Mirror* is sufficiently accurate for me to draw conclusions on the balance of probability about the nature of the activity that took place, and about the meaning of what was said that evening. The Committee will also have an opportunity to hear the full unedited audio-recording and to read the transcript themselves, and to reach their own conclusions.

115. Mr Vaz asserts that the reports of his expert witness, 'demolishes' the evidential value of the transcript and the audio-recording. I do not agree. Mr Vaz does not deny that his is one of the three voices heard on the audio-recording. He participated coherently throughout the whole of that recording. He spoke about different topics and referred to previous meetings with the two men, as well as to details about their personal circumstances which demonstrated foreknowledge of their personal circumstances. This included knowledge of a pet dog and of the study plans of one of the men. I am not persuaded that the recording could have been manipulated to achieve that effect.

116. Mr Vaz has introduced various items of evidence which appear to seek to undermine the credibility of the men who visited his flat on 27 August 2016. However, I have not relied on accounts by those men as to what happened that evening. I have relied on the recorded evidence, which Mr Vaz has confirmed includes his voice. I have already acknowledged that they may have led the conversation in ways intended to show Mr Vaz in a poor light. I am satisfied that Mr Vaz's words and responses were his own.

The value of the screen-prints of text messages

117. The screen prints of text messages provided by *Trinity Mirror* are consistent with the audiorecording. Neither my predecessor nor I have relied on the content of those screen prints because they do not clearly indicate the dates or senders/recipient of various messages.

118. Mr Vaz told Kathryn Hudson that he did not send any of these text messages to the men. However, during the audio-recording Mr Vaz refers to texts from the men that he says he has deleted. Mr Vaz was not aware he was being recorded that evening and, on the basis of the audio-recording alone, I am persuaded that it is far more likely than not that he had exchanged some text messages with the men before that evening.

The medical evidence

119. Mr Vaz has provided numerous pieces of medical evidence from his own doctors. Much of that evidence relates to his ongoing health conditions, several of which he had before August 2016. The reports described the impact of the inquiry on Mr Vaz's health and make clear that he has not, at the time of writing, fully regained his health.

120. An inquiry by the Commissioner can often be stressful for the Member whose conduct is under examination, even where the alleged breach of the rules might be considered relatively minor. I am acutely aware, and I know that Kathryn Hudson was too, that an inquiry of this nature - involving such sensitive matters and with potential serious outcomes - is likely to be the cause of commensurately greater stress. We have both been mindful of the impact of our work on Mr Vaz, trying to progress the investigation as quickly as possible while ensuring that he has proper opportunity to consider and respond to the evidence. We have both, more than once, encouraged him to follow the clinical advice he has received, and my predecessor suspended her work for a period in recognition of Mr Vaz's ill-health at that time.

121. Mr Vaz first mentioned his amnesia when interviewed by Kathryn Hudson on 27 April 2017. On 26 July 2017 he provided a note from his General Practitioner (GP) which gave details about his diabetes and other underlying health conditions. His GP said that diabetes can result in negative impact on mental/cognitive function as well as causing unpredictable/uncharacteristic behaviours. In a report dated 11 October 2017 one of Mr Vaz's other medical advisers described the effects of rohypnol, as a possible explanation for his reported amnesia. The adviser acknowledged that the only way to confirm that Mr Vaz had consumed a spiked drink would have been to test the liquid he drank or to test Mr Vaz's blood or urine) soon after the incident. He described the possible effects of rohypnol on an individual as follows.

“ it is well known that a person who is high on (Flunitrazepam) Rohypnol experiences euphoria, reduced inhibitions and reduced ability to make judgements. They may also get aggressive and excited, confused, sleepy or sedated. They may not be able to think clearly. They may slur their speech, feel weak and have breathing difficulty. They may develop headaches and weakness.”

122. Mr Vaz also provided a medical report, from a specialist consultant, dated 16 October 2017. The consultant identified a named condition affecting Mr Vaz and said “... 27 August provokes a range of emotions [redacted] and [redacted] behaviour leading to an amnestic state for that period ... ”.

123. Kathryn Hudson commissioned independent clinical advice from a renowned expert on the condition Mr Vaz's consultant had identified as the likely cause of his amnesia. The independent expert said:

“I am not convinced that the reported amnesia can be attributed to the symptoms of [that condition]. [...] the gaps in memory which occur in [that condition] tend to be narrower and more specific. [...] What seems to me more likely is that the amnesia could have been a consequence of Mr Vaz’s drink having been ‘spiked’, as was previously suggested by another Consultant [specialism redacted]. That might also explain Mr Vaz’s behavioural disinhibition, as also described by this other [Consultant] and his feeling unwell the next day. However, as this Consultant also described, we do not have the evidence available to prove this. I think it is very unlikely that Mr Vaz’s amnesia will recover.”

124. The independent expert’s advice was not inconsistent with Mr Vaz’s own clinical advisers’ opinions. However, he was not persuaded of the cause of Mr Vaz’s amnesia and, in the absence of contemporaneous evidence, Mr Vaz’s suggestion that he consumed a spiked drink (a glass of water) on the evening of 27 August 2016 is unproven.

125. Addressing the question of evidence of a glass of water being provided, poured or drunk, Dr Holmes referred to the possibility that some sections of the recording being *“affected by significant levels of noise contamination which might have masked non-voice sounds”* and at approximately 12 minutes and 15 seconds into the recording *“instances in quick succession of sound consistent with a pressurised can or bottle (such as a can of fizzy drink) being opened.”*

126. Mr Vaz’s recollection is of a glass of water, not of a fizzy drink from a can. And the two men had been conversing with Mr Vaz for more than ten minutes without mention of either painting or decorating. Mr Vaz’s participation in the conversation throughout the time the men spent at his flat - with the possible exception of - reduced inhibition - is not consistent with the described effects of rohypnol. Evidence discussed elsewhere in my memorandum leads me to the conclusion that that is an implausible explanation for Mr Vaz’s amnesia.

127. Mr Vaz has submitted evidence from his GP which suggests that it is likely Mr Vaz’s physical capacity to engage in the events alleged to have taken place on 27 August 2016 would have been impaired as a side-effect of one of his long-diagnosed health conditions. While I have no reason to doubt that testimony, that evidence does not mean that Mr Vaz could not have taken part in any form of sexual activity that evening.

Mr Vaz’s account

Mr Vaz’s recollection of 27 August 2016

128. Mr Vaz initially told Kathryn Hudson that the media report *“bore no relation to what actually occurred”*. That implies that he had some, if not a full recollection, of the evening of 27 August 2016. After listening to the full audio-recording, he said that he did not remember anything after drinking a glass of water. That was a significant change in Mr Vaz’s response to the allegations under investigation.

129. On 12 January 2017, in his eight-page response to the first invitation to respond to the allegation that he had acted in breach of the Code of Conduct, Mr Vaz did not mention that he had no memory of the events of 27 August 2016. I appreciate that Mr Vaz did not

accept that the reported events fell within the scope of the code of conduct. Nonetheless, I find it very surprising that he did not say from the start that he had no memory of the events in question.

130. Mr Vaz did not mention his amnesia when he wrote to Kathryn Hudson on 17 February 2017, nor did he mention it on 1 March 2017 when he told her that he could not accept the accuracy of the transcript prepared by the *Sunday Mirror*. Mr Vaz listened to the full audio-recording on 16 March 2017 and did not say then that he had amnesia. Nor did Mr Vaz mention his amnesia in the following month, before his interview on 27 April 2017. When interviewed, Mr Vaz still did not raise this key point immediately. It was only after exploring several other interview topics that Mr Vaz said that he could not remember what had happened the previous August. I find that extremely puzzling.

131. Mr Vaz did not explain during the course of my inquiry why he had not said sooner that he was unable to co-operate fully with the inquiry because he had no recollection of the events in question. Having seen the draft of this Memorandum, Mr Vaz submitted evidence from one of his doctors that *“he wouldn’t have known about his amnesia until it was brought to his attention.”*

132. Mr Vaz’s wife gave an interview to the *Mail* on 10 September 2016. By that time, the allegations in the *Sunday Mirror* article of 4 September 2016 had been widely reproduced. According to the report of the interview, Mr Vaz’s wife said that: Mr Vaz had begged her forgiveness; she said she had had no inkling that her husband enjoyed sex with men; and that Mr Vaz had agreed to undergo a course of tests for sexually transmitted diseases after admitting having unprotected sex with gay escorts. The report of the interview with Mr Vaz’s wife described how Mr Vaz had broken this news to her on 2 September 2016. The report of the interview with Mr Vaz’s wife is not consistent with Mr Vaz’s account to Kathryn Hudson that he could not have told his wife what the *Sunday Mirror* might say because he did not know the details himself.

Mr Vaz’s hospital visits

133. On 27 April 2017, when my predecessor asked Mr Vaz about his conversation with his wife on 2 September 2016, he said:

“... she didn’t have the facts available to her because I didn’t have the facts available to give her. I was rushed into hospital three days later, to [the hospital]. I don’t know whether it is in the transcript or not, I have [medical condition], I am a type 2 diabetic. I was taken to hospital in an ambulance because of a reaction to whatever was around, whatever happened that night. It was a medical condition. There’s medical evidence. Medical evidence is disputed as to why I suffered this but the worst aspect of all this is, you know, when you are in these kinds of positions, you could easily be given something where you could die.”

134. Following the interview, Kathryn Hudson asked Mr Vaz to clarify the date and time of this visit to hospital. In his reply on 20 July 2017 Mr Vaz told her *“I went to [the hospital] and waited for 4 hours in A&E before I was seen by doctors. My wife was with me. I was not admitted as an inpatient.”*

135. On 24 October 2017, after she had shared her draft memorandum with him, Mr Vaz provided a copy of a letter from the hospital, dated 5 September 2017, giving the date of his visit as 22 September 2016 at 1.30am. This was not three days after 27 August 2016, as Mr Vaz's reference to being taken to hospital "*because of whatever was around, whatever happened that night*" suggested. Nor was it three days after 2 September 2016 when he spoke to his wife about the *Sunday Mirror* having alerted him to their story.

136. Although Mr Vaz has referred to conflicting advice he has received concerning the substance he suggests he might have ingested, he has provided no evidence to support the proposition of having been drugged. Although Mr Vaz has referred to taking advice about suffering his first ever hypoglycaemic attack the next day, he had not taken clinical advice at the time about his loss of memory or about the possibility of having ingested unknown substances on 27 August 2016.

137. There is no evidence in the audio-recording that Mr Vaz had anything to drink while the men were in his flat. Dr Holmes referred to sounds that might have been fizzy drinks cans being opened, but the audio recording contains no evidence of such a beverage being passed to Mr Vaz, and Mr Vaz's own evidence is that he drank "*a glass of water*". In the absence of some contemporaneous clinical evidence, the existence of a drug with the effects described would not demonstrate that he had been given it. Nor would it wholly explain the evidence of the audio-recording. For example, a spiked drink would not explain Mr Vaz's knowledge about the history of the two men, their travels, studies and pet dog.

138. The independent expert medical adviser Kathryn Hudson consulted advised that he was "*not convinced [Mr Vaz's] reported amnesia can be attributed to the symptoms of [the medical condition Mr Vaz had suggested].*" and that "*What seems to me more likely is that the amnesia could have been a consequence of Mr Vaz's drink having been 'spiked' as was previously suggested by another Consultant ...*" I have taken that advice into account but, as discussed above, there is no contemporaneous evidence to suggest that Mr Vaz was given a glass of water, spiked or otherwise; and his account, i.e. that he was given this drink by two men whom he did not know, who were visiting his flat in connection with painting and decorating, at 11.30pm on a Saturday evening, is incredible.

Mr Vaz's account of why the men visited his flat on 27 August 2016

139. I do not find Mr Vaz's account of his contact with the two men sufficiently consistent to be relied upon - even on the balance of probabilities - in the absence of some corroborating evidence. Although Mr Vaz has provided material which he says shows the two men were not prostitutes and that they are not reliable witnesses, he has not provided evidence that corroborates his account of why the men visited his flat that evening.

140. Mr Vaz has said several times that the two men visited his flat in connection with painting and decorating work that needed to be done urgently. He has said that they visited by appointment, and that this was arranged through the contractor responsible for the work. When interviewed by Kathryn Hudson, he said:

"All I was aware of is that, we were planning to refurbish this flat and the contractors, who have asked that-if you wish to know who they are I will tell you - but they don't want to be named. Ok? Through their own contacts, had contacted these individuals who were going to do the work."

141. Mr Vaz said that “*the contractors have said they are happy to confirm everything*”. Initially, Mr Vaz provided the name of a firm and an email address only. Given the nature of the enquiries Kathryn Hudson needed to make, it is surprising that Mr Vaz thought that might be enough. He later provided the name of the individual concerned. And, over a year later, on 30 November 2018, he sent me a statement made by that individual. This introduced another intermediary; a former employee of the firm, who had, it is stated, recommended the two men to paint and decorate Mr Vaz’s flat.

142. Given the inherent implausibility of Mr Vaz’s account in this respect, I have not pursued this line of enquiry.

What happened on 27 August 2016?

143. My predecessor did not find Mr Vaz’s partial recollections and conjecture about what might have happened on 27 August 2016 plausible. Nor do I.

144. The first account Mr Vaz gave to my predecessor was that the two men had come to his flat at 11.30pm in connection with work he had commissioned to have decorating work done before he and his wife moved in temporarily. I have no reason to doubt that work was to be carried out on Mr Vaz’s family home; he has provided photographs and estimates to support that element of his account. Mr Vaz has not provided any evidence to support the assertion that the men went to his flat in connection with painting and decorating. Mr Vaz’s explanation that the only time he could find time in his schedule to discuss interior décor was 11.30pm on a Saturday night is implausible.

145. The notion that the men were at Mr Vaz’s flat in connection with painting and decorating is incredible. Although Mr Vaz has provided evidence that one of the men had, in the past, offered to carry out some internal decorating work for someone else, the audio-recording made on 27 August 2016 contains no evidence of any conversation whatsoever about painting and decorating.

146. What were the men doing in Mr Vaz’s flat on 27 August 2016? Mr Vaz disputes the evidential value of the audiorecording provided by *Trinity Mirror* but he does not deny that it is his voice that can be heard on the recording. I am persuaded that the time and skill required to edit that audio-recording without obvious discontinuities simply was not available between the early hours of 28 August 2016 and publication of the story on 4 September 2016. *Trinity Mirror* have assured me that they downloaded the recording immediately after the men left Mr Vaz’s flat. The conversation between the men and the reporter which can be heard at the end of the recording and is not included in the transcript, supports that assurance. While Mr Vaz makes much of the exclusion of the conversation with the journalist, I do not believe it is significant; the *Sunday Mirror* do not deny that a covert recording was made and that one of their reporters was instrumental in arranging that.

147. Despite his claim to have ingested a spiked drink, Mr Vaz can be heard participating in the conversation, and the activities taking place, throughout the whole of the recording. He is not incapacitated. The spiking of a drink would not explain Mr Vaz’s knowledge of the two men, which is evident throughout the recording. Mr Vaz has offered no explanation for that foreknowledge, denying having knowingly met them on any other occasion.

148. Mr Vaz has told me that he has never paid for sex. I do not believe that is true. I believe that any reasonable person listening to the unedited audio- recording would conclude that sexual activity took place. [redacted]

149. I also believe that Mr Vaz paid for that activity. Although some of the references to payment are made by the two men, Mr Vaz himself asks “*will they come for money*” about other men; he says “*I can’t pay to send him back again*” of the other man who had been expected that evening and says of himself - in relation to one of the two men present - “*I feel as if I’m his bank manager ...*” These comments are not consistent with a conversation between a client and painters and decorators, whom the client has not met before. The two men made references to payment including “*I would never ask you from now for any money up front*” and feeling “*so bad that, you know, you’ve paid for all this*”. While I accept the men may have contrived parts of the conversation, Mr Vaz did not question what they said, which might have been expected if it were not true. The recording does not, however, contain evidence about when precisely such payments were made.

150. The recording reveals Mr Vaz has prior knowledge of the personal circumstances of the two men, as well as references to the “*last time*” they met and to having met “*ages ago*”. He knew about their pet dog; the study plans of one of the men; and their overdraft. These are not the details most people would know about their painters and decorators. Mr Vaz can be heard asking about a trip to Romania the following week. One of the two men says in relation to ‘poppers’ “*Why did you tell us to bring them?*” All of this leads me to conclude that Mr Vaz had met the men before and that he had paid them or others for similar activities.

151. The Committee’s Report on Prostitution was published on 1 July 2016, having been approved by the Committee on 15 June. The audio-recording was made on 27 August 2018, approximately two and a half months after the Committee completed its work on their report. I do not know when Mr Vaz first paid for sexual services. I cannot, therefore, say it was more likely than not that he had a personal interest reflecting badly on the work of the Committee during the period it was inquiring into the topic of prostitution.

152. On the audio-recording, the men can be heard discussing ‘poppers’, ‘weed’ and ‘coke’; references are to alkyl nitrates, marijuana and cocaine.

- In answer to a question about sourcing ‘weed’, he said he did not know where it could be obtained locally. Mr Vaz was the first to mention ‘coke’ that evening.
- When the men mention another man, whom they were thinking of bringing along, Mr Vaz raises the absence of any drugs (coke) as a potential problem, which would suggest that he knew that the man was a user of controlled drugs. Mr Vaz did not object when one of the men said that he would pay for someone to buy cocaine.
- In answer to a question about whether he had used ‘poppers’ in the past, Mr Vaz said he had, he did not use them any longer and he said they were ‘nice’ to give to other people. Mr Vaz did not say when in the past he had used alkyl nitrates.

153. The men can also be heard discussing the purchase of cocaine for another man, not present, to use. The recording does not amount to evidence that Mr Vaz had purchased controlled substances for others to use on previous occasions.

154. The Committee's Report on Psychoactive Substances, which included reference to alkyl nitrates, was published on 23 October 2015, about ten months before the recording was made. In the absence of evidence dating Mr Vaz's interest in the use of that drug, I cannot say it was more likely than not that he had a relevant personal interest in drugs during 2015 when the Committee was inquiring into the topic.

Mr Vaz's conduct during this inquiry

155. Although Mr Vaz has generally responded in a timely manner and has given many assurances of his commitment to co-operate with this inquiry, his behaviour has not always been consistent with those assurances.

156. His initial response, that the media reports did not accurately reflect what had happened on 27 August 2016 implied that he recalled what happened that evening. A month after listening to the full unedited recording, Mr Vaz first told the Commissioner that he could not remember what had happened.

157. Mr Vaz has provided an implausible account of the reason for the men visiting his flat on the evening of 27 August 2016. He has submitted significant quantities of material which I have found, to say the least, unhelpful, which could be construed as attempts to divert and confuse the investigation - for example:

- the suggestion that the Commissioner obtain a copy of the contract between Trinity Mirror and the two men;
- witness statements from third parties who played no part in the events of 27 August 2016, including the mother of one of the men;
- the claim that "*individuals who were dragged into the initial story have succeeded in their libel actions against newspapers, winning substantial damages in costs*" was irrelevant to the matter under investigation. The apology issued by the newspaper concerned three other men, not those who had gone to his flat on 27 August 2016 and had no bearing on the allegations concerning Mr Vaz's conduct.

158. As outlined above (paragraphs 130 to 132) Mr Vaz's account of his hospital visits following 27 August 2016 have been incomplete and inconsistent. He led my predecessor to believe that he had been "*rushed to hospital by ambulance*" because of what happened "*that night*" but the supporting evidence he later provided showed he had visited the hospital on 22 September 2016, almost a month later.

159. Mr Vaz has repeatedly drawn attention to Dr Holmes' comments on the audioclips published by the newspaper despite Kathryn Hudson having told him in April 2017 that, in her view she was relying on the unedited material provided direct to her by *Trinity Mirror* and not the audio-clips that were published.

160. Mr Vaz told Kathryn Hudson that the newspaper editor did not tell him about the detail of the allegations ahead of publication. The newspaper editor has provided notes of the telephone call that demonstrate that to be untrue. He has raised on several occasions the suggestion that others have taken successful libel action against *Trinity Mirror* in connection with their coverage of the story. I have seen evidence of an apology to third parties but those apologies have no bearing on the matters under investigation here.

161. Mr Vaz has not provided any coherent account of what did happen. He does not deny that he was present nor that he participated in the events that were recorded that evening. He has offered no alternative interpretation of the contents of the audio recording. And he has failed to supply any substantive evidence to support a contention that he was tricked into a compromising situation involving activities in which he had never previously engaged.

162. It has been suggested, by Mr Vaz's solicitor, that it is critically important that I take into account the "*propensity of Mr Bridgen to make false allegations about another MP ...*". I do not agree. Before beginning any inquiry, a Commissioner must be satisfied that they have sufficient evidence to justify beginning an inquiry. That test must be satisfied when an allegation is put to the Commissioner by an individual and when the Commissioner is considering beginning an inquiry on their own initiative. I cannot say whether my predecessor would have begun an own initiative inquiry had she not received the allegation from Mr Bridgen. However, the evidence he submitted was all in the public domain and so it was available to Kathryn Hudson to consider. I can also say now, with the benefit of hindsight, that my findings rest on evidence obtained since December 2017 and not on the evidence submitted by the complainant. The proposition that Mr Bridgen's allegation about another Member is relevant to my consideration of Mr Vaz's conduct is further evidence of the way in which he has sought to distract attention from his own behaviour.

163. I have considered very carefully the implications of all of this for Mr Vaz, for his family and for the House of Commons and I uphold the allegation that Mr Vaz breached paragraph 16 of the Code of Conduct for Members, which states that

"Members shall never undertake any action which would cause significant damage to the reputation and integrity of the House of Commons as a whole, or of its Members generally."

For the reasons explained below, I have concluded that Mr Vaz's conduct has caused such damage.

164. Mr Vaz has not "*cooperated at all stages*" with the inquiry into his conduct. His failure to mention at the outset that he could not recall anything about the events on which the allegations were based, despite having disputed the accuracy of the initial media reports at the time, was - at best - unhelpful. The fact that he did not mention it for four months, coupled with the various irrelevant matters he has raised since, has delayed the completion of this inquiry, attracting further adverse comment and undermining the standards system of the House.

165. There are many unexplained inconsistencies in the evidence Mr Vaz has given during this inquiry. I will not repeat them here as they are extensively evidenced in the preceding paragraphs.

166. In addition, the audio-recording contains evidence of Mr Vaz's apparent willingness to buy controlled drugs for others to use. While that may not amount to a criminal offence, he showed a disregard for the law and this is, disrespectful to the House and to fellow Members, who collectively are responsible for making those laws.

167. This is not the first occasion on which Mr Vaz has been subject to investigation by the Commissioner for Standards. Some years ago, he was suspended from the service of the House for a month. Although superficially compliant, Mr Vaz's behaviour during this inquiry suggest to me that he has little or no respect for the standards system.

168. The public expect Members to fulfil their duties, and to adhere to the general principles and rules of conduct described in the House's own Code of Conduct. The public expects Members to "*act on all occasions in accordance with the public trust placed in them. They should always behave with probity and integrity ...*" The public also expect Members to demonstrate selflessness, integrity, objectivity, accountability, openness, honesty and leadership. Mr Vaz has not lived up to those expectations.

Mr Vaz's comments on the draft Memorandum

169. When invited to comment on the factual accuracy of the draft of this Memorandum Mr Vaz sent me a detailed critique of my report and my conclusions. It is not necessary or proportionate for me to address every one of Mr Vaz's comments on the draft Memorandum here. A substantial part of his commentary concerned Mr Vaz's opinions on my remit and on the value I should attach to the evidence collated during my inquiry, not to the factual accuracy of my Memorandum. Mr Vaz had had ample opportunity to put forward his views during my inquiry. The Committee on Standards will have access to an unredacted copy of Mr Vaz's response to my draft Memorandum.

170. I do, however, think it is appropriate to discuss some of Mr Vaz's comments on the draft Memorandum here. The first concerns my remit. Having seen my conclusions, Mr Vaz argued that, in the absence of a breach of paragraph 10 of the Code, I should not have considered paragraph 16. He said "*there is no basis under the Code for a standalone complaint, especially where paragraph 2 is also engaged*". Mr Vaz also said that, in the three cases where a Member has been found to have breached paragraph 16 or its equivalent paragraph since 2005, each has also involved allegations of misconduct under another paragraph of the Code. The Code of Conduct did not, and still does not, make consideration of paragraph 16 (now 17) of the Code contingent on a breach of one of the other rules of conduct. And, the absence of a recent precedent for finding a breach of only paragraph 16 does not, in itself, mean that I cannot make such a finding.

171. Mr Vaz asked me to remove all references to his wife from this Memorandum. I considered that request very carefully and decided it would not be appropriate to do as he asked. The media article reporting the interview she gave is in the public domain. I have referred it only insofar as is relevant to my assessment of Mr Vaz's own behaviour.

172. Mr Vaz submitted one new piece of evidence on 14 June 2019 (reproduced at appendix 5).¹⁰ He provided another report from one of his medical advisers, which he said showed there was a "*perfectly innocent explanation* [for Mr Vaz not having mentioned his amnesia until April 2017] *which should be reflected in the Memorandum.*" The doctor said that he had

"noticed that people who are high functioning with good insight, often suffer the most distress as they are unaware of the impact of the disability due to the disorder and have a low distress tolerance. However, those with [this

condition] *can present with a level of confusion and distress often triggered by a request/attempt to recall events which lead to the psychological trauma which make it impossible to recall accurately the details. Mr Vaz wouldn't have known the medical reason for such difficulty in remembering the event and the associated distress. Mr Vaz's lack of insight into [his health] would have meant he wouldn't have known about his amnesia until it was brought to his attention.*"

173. However, this does not explain why Mr Vaz initially told Kathryn Hudson that the media account was "*heavily embellished and largely inaccurate*". Nor does it explain why he told her, before hearing the unedited audio-recording and receiving the transcript of the full recording, that "*The conversation I had on the day in question, which lasted about one hour, was led by one individual and with hindsight it was apparent why these questions were being asked of me.*" I am not, therefore, persuaded that the new material submitted at this late stage of the inquiry undermines the conclusions I had reached.

174. Mr Vaz referred to a copy of his diary for the 25 to 28 August 2016, which he had previously sent to Kathryn Hudson. Mr Vaz said that "*In the circumstances 11.30pm was the only opportunity [he] had to meet the men at his flat.*" The page for Saturday 27 August 2016 showed Mr Vaz leaving his London home at 10.00am to travel to Leicester. After that his diary included the following appointments:

- lunch and a football match;
- a birthday party at 7.00pm,
- a Residents' meeting at 8.00pm,
- a private dinner at 8.30pm; and
- a train back to Luton at 9.33pm,

The last diary entry for the day was his arrival at home at 11.15pm. The diary did not include an appointment with the painters and decorators at 11.30pm. I do not think Mr Vaz's diary evidence makes any more credible his account of an appointment that night in connection with painting and decorating.

175. Mr Vaz asserted repeatedly that he had made every effort to assist the inquiry as far as his health had allowed; that he had engaged a solicitor to assist my inquiry, and that the material he had provided which I had found unhelpful had been relevant. He said the relationship between the two men and the newspaper was 'vital' to understanding the 'entrapment' issue; the witness evidence of the mother of one of the men is directly relevant to the "*factual question of whether one of the men is a prostitute or not*", and the solicitor's evidence is "*critical to the profession and activities of the men*". Mr Vaz said that three individuals referred to in paragraph 157 above had been "*alleged to be prostitutes and succeeded in their claims against the newspaper.*"

Conclusion

176. I do not know when Mr Vaz first engaged in the activities which made it possible for two men to visit his flat on 27 August 2016 and to make the audiorecording which led to

the media reports of 4 September 2016. I cannot, therefore uphold the allegation that Mr Vaz should have recused himself from HASC's inquiries concerning psychoactive drugs and prostitution. I do uphold the allegation that he has caused significant damage to the reputation and integrity of the House of Commons and of its Members generally.

Kathryn Stone OBE

Parliamentary Commissioner for Standards

17 July 2019

Formal minutes

Tuesday 22 October 2019

Members present:

Kate Green, in the Chair

Tammy Banks	Dr Arun Midha
Jane Burgess	Bridget Phillipson
Charmaine Burton	John Stevenson
Sir Christopher Chope	Sir Gary Streeter
Mrs Rita Dexter	Paul Thorogood

Draft Report (*Keith Vaz*), proposed by the Chair, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 101 read and agreed to.

A paper was appended to the Report.

Resolved, That the Report be the First Report of the Committee to the House.

None of the lay members present wished to submit an opinion on the Report (Standing Order No. 149 (8)).

Ordered, That the Chair make the Report to the House.

Ordered, That part of the transcript of the oral evidence taken by the Committee on 9 September be reported to the House.

Written evidence was ordered to be reported to the House for publishing with the Report.

[The Committee adjourned.]

Published oral and written evidence

The evidence listed below will be published on the Committee's website:
www.parliament.uk/standards

Oral evidence

Rt Hon Keith Vaz MP, 9 September 2019

Written evidence

- 1) Appendix 1 to PCS memorandum: The relevant rules
- 2) Appendix 2 to PCS memorandum: Interviews with Mr Vaz
- 3) Appendix 3 to PCS memorandum: Evidence commissioned by the Commissioner
- 4) Appendix 4 to PCS memorandum: Evidence commissioned by Mr Vaz
- 5) Written evidence from Mr Vaz dated 29 August 2019
- 6) Annex to Mr Vaz's evidence (KV 16): Resignation statement dated 6 September 2016
- 7) Annex to Mr Vaz's evidence (KV 17): Extracts from Mr Vaz's diary, 25–28 August 2016
- 8) Annex to Mr Vaz's evidence (KV 24): complete reports of Dr Holmes
- 9) Supplementary written evidence from Mr Vaz in letter from Carter-Ruck dated 24 September 2019
- 10) Annex to Mr Vaz's supplementary written evidence (KV 29), letter dated 12 September 2016 from the previous PCS, Kathryn Hudson
- 11) Annex to Mr Vaz's supplementary written evidence (KV 31); Prostitution inquiry page from HAC website, screenshot
- 12) Commentary by PCS on Mr Vaz's written and oral evidence, dated 26 September 2019
- 13) Further supplementary written evidence from Mr Vaz in letter from Carter-Ruck dated 7 October 2019
- 14) Appendix 1 to Carter-Ruck letter of 7 October 2019: Summary of key dates commencing September 2016
- 15) Appendix 3 to Carter-Ruck letter of 7 October 2019: Response of Rt Hon Keith Vaz MP to PCS commentary
- 16) Unnumbered annex to Carter-Ruck letter of 7 October 2019: letter dated 29 December 2017 from the previous PCS, Kathryn Hudson

List of Reports from the Committee during the current Parliament

All publications from the Committee are available on the publications page of the Committee's website.

Session 2017–19

First Report	Dame Margaret Hodge	HC 591
Second Report	Independent Complaints and Grievance Policy: Implementation	HC 1396
Third Report	Ian Paisley	HC 1397
Fourth Report	Boris Johnson	HC 1797
Fifth Report	Implications of the Dame Laura Cox report for the House's standards system: Initial proposals	HC 1726
Sixth Report	The Committee's role in ICGS appeals	HC 1976
Seventh Report	Boris Johnson: Further Report	HC 2113
Eighth Report	Mr Geoffrey Cox	HC 2591