



HOUSE OF LORDS

Committee for Privileges

4th Report of Session 2007–08

The Code of Conduct: procedure for
considering complaints against Members

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The Committee for Privileges

The Committee for Privileges is appointed each session by the House to consider questions regarding its privileges and claims of peerage and precedence and to oversee the operation of the Register of Interests. Detailed consideration of matters relating to the Register of Interests is undertaken by the Sub-Committee on Lords' Interests.

Current Membership

The Members of the Committee for Privileges are:

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Lord Strabolgi
Lord Strathclyde
Lord Woolf

The Members of the Sub-Committee on Lords' Interests are:

Earl Ferrers
Baroness Lockwood
Lord Marsh
Lord Smith of Clifton
Lord Woolf (*Chairman*)

A full list of Members' interests can be found in the Register of Lords' Interests:

<http://www.publications.parliament.uk/pa/ld/ldreg/reg01.htm>.

General Information

General information about the House of Lords and its Committees is on the Internet at

<http://www.parliament.uk/lords/index.cfm>.

Contacts

General correspondence should be addressed to the Clerk of the Committee for Privileges, House of Lords, London, SW1A 0PW (telephone 020 7219 8796).

Correspondence relating to Members' interests, or the work of the Sub-Committee on Lords' Interests, should be addressed to the Registrar of Lords' Interests, House of Lords, London SW1A 0PW (telephone 020 7219 3120).

The Code of Conduct: procedure for considering complaints against Members

Background

1. The House of Lords Code of Conduct was agreed in July 2001, and came into effect on 31 March 2002. The Code sets out a number of rules for the conduct of Members, relating in particular to the registration and declaration of interests.
2. Section 19 of the Code covers enforcement, and describes how allegations of non-compliance with the Code should be dealt with. However, section 19 is couched in very broad terms. In outline, it states that the Sub-Committee on Lords' Interests is responsible for examining complaints; that Members complained against are entitled to certain safeguards; and that they also have, in certain circumstances, a right of appeal to the Committee for Privileges. The Code gives little guidance as to the procedures to be followed when assessing, investigating or reporting on complaints.
3. This lack of guidance has not, until recently, created particular difficulty. Complaints against Members of the House of Lords have always been rare; indeed, the first formal complaint was only received in 2004. However, in recent years both the number of complaints and the level of media interest in them have risen. As a result, we decided in July 2008 that the time had come for the general principles set out in the Code to be supplemented by more detailed guidance. This would for the first time give Members of the House, potential complainants, and the general public, a clear and accessible source of information on the procedures that will be followed in dealing with complaints, the rights of those most closely affected, and the range of possible outcomes.
4. We therefore appointed a Working Group, chaired by the Chairman of Committees, and including the Leaders of the main parties and the Convenor of the Crossbench peers, to look into the issues in more detail, and report back with recommendations. We considered the Working Group's report, which is annexed to this Report, on 25 November. **We endorse the Group's report and its conclusions, and recommend them to the House.**
5. In light of the Working Group's report, **we further recommend that the procedure described below be adopted for dealing with all complaints against Members of the House of breaches of the Code of Conduct.** If our Report is agreed, the procedure will come into force on 1 January 2009. It should also be reprinted in future editions of the *Companion to the Standing Orders*, and summaries should be published on the Internet and hard copies made available on request.
6. Finally, **we recommend that the new procedure should be kept under review by the Sub-Committee on Lords' Interests**, and in particular that the Sub-Committee should conduct a formal review not more than two years after its coming into force, and report its conclusions, and any proposals for change, to the Committee for Privileges.

Description of the procedure for considering complaints against Members

Making a complaint

7. Any complaint alleging that a Member of the House of Lords has breached the Code of Conduct, whether made by another Member of the House of Lords or by someone outside the House, should be sent in writing to:
 - The Chairman of the Sub-Committee on Lords' Interests
 - The Office of the Registrar of Lords' Interests
 - House of Lords
 - London SW1A 0PW
8. If the complainant is a Member of the House of Lords, as a courtesy the complaint should normally be raised in the first instance with the Member complained against, or in certain circumstances with that Member's party Leader or Chief Whip, or with the Convenor of the Crossbench Peers.
9. Non-Members wishing to make a complaint should also consider whether they have made their dissatisfaction known to the Member concerned, and given him or her an opportunity to respond. If they do choose to make a formal complaint to the Sub-Committee, they should do so:
 - In writing, giving an address and a contact telephone number and email for subsequent communication; complaints submitted by telephone or email will not be considered.
 - Making clear in what respect they think the Member may have breached the Code of Conduct.
 - Supplying as much evidence as they can in support of the complaint.

Initial assessment

10. As a first step in the process, the Registrar screens out complaints which are manifestly frivolous or fall outside the scope of the Code. If the complaint is rejected at this stage the complainant will be notified and given a brief explanation of the reason. If a complaint does appear to fall within the scope of the Code, the Chairman will then undertake a more detailed assessment. He will consider both whether the complaint falls within the Sub-Committee's remit, and whether the evidence submitted along with the complaint establishes a *prima facie* case that the Member has breached the Code, so justifying formal investigation. He will report his findings to the Sub-Committee, which will then make the final decision on whether or not an investigation should be initiated.
11. The complaint will be assessed against the following criteria:
 - Complaints clearly falling within the Sub-Committee's remit relate to failures either to register relevant interests, to declare such interests in the course of parliamentary business (including committee proceedings), or to breaches of the "no paid advocacy" rule. Complaints relating to failure by Members' staff to declare relevant interests in the *Register of Interests of Lords Members' Staff* also fall within the Sub-Committee's remit.
 - Matters relating to the Members' Reimbursement Allowance Scheme are the responsibility of the Clerk of the Parliaments, as Accounting Officer for the House of Lords. In exceptional circumstances he may request the

Sub-Committee to assist him in investigating a complex or serious complaint.

- Matters not falling within the Sub-Committee's remit include:
 - policy matters or a Member's views or opinions;
 - the funding of political parties;
 - alleged breaches of the separate code governing the conduct of Government Ministers as Ministers;
 - Members' non-parliamentary activities.
 - The Sub-Committee will not accept for investigation a complaint against a Member going back more than four years. It will not consider anonymous complaints or those not supported by evidence sufficient to establish a *prima facie* case that the Code has been breached. Nor will it consider complaints which are clearly trivial or vexatious or which substantially repeat allegations which have already been the subject of inquiry (unless there is significant fresh evidence in their support).
 - The Sub-Committee will not investigate complaints where no useful purpose would be served by an investigation—for instance, if the Member complained against has already taken whatever remedial action is appropriate in the circumstances.
 - The Sub-Committee will not entertain complaints which appear to involve allegations of criminal misconduct and which would more appropriately be investigated by other agencies. Similarly, if the subject-matter of the complaint is subject to proceedings in a court of law (for instance, an action for libel), the Sub-Committee will not accept jurisdiction over the matter, and any investigation already underway will be terminated.
12. If the Sub-Committee decides, on the basis of the Chairman's recommendations, that the complaint does not merit investigation, the Registrar will advise the complainant accordingly, briefly summarising the reasons for dismissing the complaint. The Registrar will at the same time inform the Member complained against that a complaint has been received and dismissed.

Parliamentary privilege

13. If the Sub-Committee decides, on the basis of the Chairman's recommendation, that a complaint merits investigation, the Registrar will advise the complainant accordingly.
14. A complaint is not regarded as covered by parliamentary privilege, and complainants are not protected from legal action (for example, for defamation), unless and until the Sub-Committee, on the basis of the Chairman's recommendation, has decided to undertake an investigation.
15. However, from the point that the Sub-Committee decides to undertake an investigation all evidence and correspondence relating directly to the inquiry is covered by parliamentary privilege. It must remain confidential unless and until it is published by the Committee for Privileges. If such evidence or correspondence were to be published or disclosed to anyone else without the

Committee's agreement, this would be a contempt of the House. Any attempt to obstruct an investigation may also be treated as a contempt.

16. However, material that is made public or has previously been made public (for instance newspaper articles or statements made to the media) would not be covered by parliamentary privilege and would be unlikely to attract privilege at common law. The Committee for Privileges strongly deprecates the making of statements to the press by any of the parties to an investigation while that investigation is in progress, and will take any attempt to use an investigation to generate publicity into account when considering a complaint.

Investigation

17. Once the decision is taken to undertake an investigation, the Registrar will inform the Member concerned of the nature of the complaint and will provide copies of the evidence offered in support of it. He will set out the particular provisions of the Code that are alleged to have been breached, at the same time inviting the Member to respond in writing with a full and accurate account of the matters in question.
18. The Sub-Committee will then consider the Member's response, along with the original complaint. In many cases, the information provided by the Member will be sufficient to enable the Sub-Committee either:
 - To dismiss the complaint; or
 - To agree remedial action with the Member.
19. If the Sub-Committee dismisses the complaint, the Registrar will inform the complainant and the Member concerned of his decision. The outcome will be reported to the Privileges Committee.
20. Remedial action may be agreed if the complaint, though justified, is minor and is acknowledged by the Member concerned. If the offence involves failure to register a relevant interest, remedial action will involve amending the up-to-date online Register, with the amended entry accompanied by an italic note explaining the circumstances. The italic note will be removed the next time the Register is printed. The Member concerned may also be invited to make a written apology to the Sub-Committee, which will report in turn to the Committee for Privileges, describing the remedial action taken and annexing any apology.
21. In the case of a failure to declare a relevant interest in the course of parliamentary proceedings, remedial action could involve a personal statement of apology to the House, particularly in the case of failures to declare financial interests under sections 12(a) to 12(f) of the Code. In minor cases, however, a written apology to the Chairman may be more appropriate, particularly if some time has elapsed since the offence took place. In either case, a report will be made to the Committee for Privileges.
22. If remedial action is agreed, the Committee for Privileges will not normally report the matter to the House. However, the complainant will be informed of the action taken in response to the complaint.
23. If the Member's written response is not sufficient to enable the Sub-Committee either to dismiss the complaint or agree remedial action, it is open to the Sub-Committee to pursue the investigation by seeking further

information, either from the Member concerned or others, including the original complainant, third parties, or public or private bodies. Such information will be requested in writing in the first instance, though in some circumstances the Sub-Committee may decide to interview one or more witnesses, either informally or by means of formal oral evidence. Meetings with witnesses will always be held in private. In the case of informal interviews, a note will be made of the meeting, and all parties will subsequently be asked to confirm its accuracy. Formal oral evidence will also be heard in private, but a full transcript will be taken, which may subsequently be published, at the discretion of the Sub-Committee and the Committee for Privileges.

24. The Sub-Committee, like all House of Lords Committees, possesses a power to send for persons and papers.

Procedural safeguards

25. The Code of Conduct states that “in the investigation and adjudication of complaints against them, Members of the House have the right to safeguards as rigorous as those applied in the courts and professional disciplinary bodies.” They may be accompanied to any meeting by a colleague, friend or legal adviser, but every effort is made to keep proceedings informal, and there is no expectation that they should be so accompanied. If they do choose to bring a friend or adviser, they will nevertheless be expected to answer for themselves (and not through their friend or adviser) any questions put to them.

Assessing the evidence

26. When its investigation is concluded, the Sub-Committee assesses the evidence. In order to find against a Member, the Sub-Committee requires at least that the allegation is proved on the balance of probabilities.
27. If the investigation has uncovered material evidence that is at variance with the Member’s version of events, this will be put to the Member, who will have a chance to challenge it. Before reaching its conclusions, the Sub-Committee will also share with the Member a draft of those parts of its report dealing with issues of fact, so that the Member has an opportunity to comment on them.
28. If there remain significant contested issues of fact, the Sub-Committee will agree its own account of the facts of the case, while drawing to the attention of the Committee for Privileges and the House any challenge to this account made by the Member concerned.

Report to the Committee for Privileges

29. The Sub-Committee’s report to the Committee for Privileges will be made in the following form:
 - A summary of the initial complaint, and of the relevant elements of the Code of Conduct.
 - A brief account of the key facts in the case, with references to evidence as appropriate, and with any contested points of fact highlighted.
 - A description of any remedial action that has already been taken.

- The Sub-Committee's conclusions, dismissing or upholding the complaint.
 - General recommendations for the guidance of Members of the House of Lords, where appropriate.
 - Any evidence, written or oral, that the Sub-Committee wishes to publish will be annexed.
30. If there is no appeal (see below), the Committee for Privileges will normally agree and publish the Sub-Committee's report without further delay; where it is not possible to schedule a timely meeting the Committee may agree the report by correspondence.
31. When the Committee for Privileges has reached its decision, the complainant will be informed of the outcome. If the complaint is upheld and a report made, the complainant will be sent a copy on publication; if it is dismissed and no report published, the complainant will be provided with a brief explanation of the decision.

Appeal to the Committee for Privileges

32. Paragraph 19(e) of the Code of Conduct states that "If after investigation the Sub-Committee finds the allegation proved, the Member complained against has a right of appeal to the Committee for Privileges". To give the Member an opportunity to make such an appeal, at the same time as the Sub-Committee's report is forwarded to the Chairman of the Committee for Privileges, the Registrar will give the Member concerned a copy, indicating at the same time the deadline by which an appeal should be made.
33. This right of appeal applies only to the Member who is the subject of any report; there is no right of appeal for complainants, who will be informed of the outcome once the Committee for Privileges has agreed its conclusions.
34. If the Member decides to make an appeal, he or she should do so in writing, setting out the grounds for the appeal, and enclosing such supporting material as the Member thinks appropriate. The Committee will then meet to hear the appeal, and in so doing it will have before it the Sub-Committee's report, along with any annexes, and the Member's written appeal. As a courtesy, the Member will be given an opportunity to appear in person, if he or she so wishes.
35. The Committee will not normally reopen the Sub-Committee's investigation. Rather the Members of the Committee will use their judgment to decide whether, on the balance of probabilities, they endorse the conclusions of the Sub-Committee.
36. If an appeal is upheld, the Committee will be formally invited to agree a report explaining its reasons for dissenting from the Sub-Committee. The original Sub-Committee report will be published as an annex, in accordance with paragraph 19(f) of the Code.
37. If an appeal is rejected, the Sub-Committee report will be published without further delay, along with a formal record of the Select Committee's proceedings.
38. Once the Committee for Privileges has agreed its report, the Member concerned will be informed by the Committee Clerk of the time of publication, and will also be provided with a copy shortly before publication.

A copy will also be sent upon publication to the complainant. Until the time set for publication the contents of the report, any evidence or correspondence, will remain privileged and embargoed.

APPENDIX: REPORT BY THE WORKING GROUP ON THE SUB-COMMITTEE ON LORDS' INTERESTS

Introduction

1. At its meeting on 7 July the Committee for Privileges agreed that a small Working Group should be established, chaired by the Chairman of Committees, and including the Leader of the House, the Leaders of the Opposition and the Liberal Democrats, and the Convenor of the Crossbench Peers, to consider further the working methods of the Sub-Committee on Lords' Interests and the handling of complaints.

2. We have been supported in our work by the Clerk of the Parliaments, and are grateful for the comments on our emerging proposals made by the Chairman of the Sub-Committee, Lord Woolf. We have at all times borne in mind the views expressed by Members of the Committee for Privileges, when they considered these matters in July.

3. In this report we summarise our proposals, and the general principles underlying them.

4. We also attach three draft guidance notes¹:

- Annex 1, Description of the procedure for considering complaints against Members;
- Annex 2, Guidance for Members of the House of Lords against whom a complaint is made;
- Annex 3, Guidance for those wishing to make a complaint against a Member of the House of Lords.

5. If our proposals are approved by the Committee, we suggest that a report by made to the House outlining the new procedure, and annexing this report, for agreement early in the new Session. Once the procedure is agreed by the House, the guidance notes will be published on the Sub-Committee's website, and made available in printed form, via the Registrar of Lords' Interests, to Members of the House or the general public as necessary. They collectively summarise the working methods that we recommend should be followed by the Sub-Committee.

6. We recommend that the new procedures should be kept under regular review, in light of experience. A more formal review should be conducted by the Sub-Committee itself not more than two years after the procedures have been introduced. The Sub-Committee should then report its conclusions, along with any proposals for change, to the Committee for Privileges for final agreement.

7. We do not believe that amendments to the Code of Conduct itself will be required as a result of these new procedures. However, it will be essential that those reading the Code either online or in the *Companion* are made aware of the guidance notes on the complaints process.

¹ The substance of the first note is reproduced in the main text of this Report, under the heading "Description of the procedure for considering complaints against Members". The other two notes contain the same material, but adapted to meet the needs of Members complained against and complainants respectively.

The Code of Conduct: self-regulation and sanctions

8. The House of Lords adopted a Code of Conduct on 2 July 2001. The Code comprises both general principles applying to Members' conduct as parliamentarians, which replicate the general principles of conduct identified by the Committee on Standards in Public Life (the "Nolan principles"), and also specific rules governing certain relevant interests (financial or non-financial) which Members are required to register in the Register of Lords' Interests or to declare in the course of parliamentary proceedings.

9. This is a self-regulating House, and oversight and enforcement of the Code are the responsibility ultimately of the House as a whole, though the House has delegated this task to the Committee for Privileges, and through it to the Sub-Committee on Lords' Interests. In 1995 the Committee chaired by Lord Griffiths² concluded that the independent expertise available within the House, including the Lords of Appeal, was such that there was no need to appoint an independent Commissioner to investigate complaints. This decision was endorsed by the Committee on Standards in Public Life in 2000, and we see no need to revisit it now.

10. It is generally accepted that the House has no power to suspend or expel a Member. Nor does the House possess an effective power to fine its Members, who are unpaid. If a complaint is upheld, therefore, the only sanction currently available to the Committee for Privileges is to bring the conduct of the Member concerned to the attention of the House. In the case of a particularly serious complaint a motion could then be tabled inviting the House to agree the findings of the Committee. Reaching such a conclusion is a time-consuming process, and in most cases, if a Member is willing to apologise for any breach of the Code and put the record straight, no purpose is served by continuing an investigation that can ultimately lead only to the same result. **We therefore propose that arrangements for "remedial action"—allowing the Member concerned to put the record straight by apologising and, where appropriate, correcting their Register entry, thereby removing the need for further investigation—be built into the process.**

11. Remedial action could take place at any stage of the process. Indeed, the earlier the better. In the case of a failure to register a relevant interest it would normally take the form of a correction to the published Register, along with a written apology to the Sub-Committee Chairman; the Committee could publish the apology by means of a report to the House if it thought this appropriate. In the event of a failure to declare a relevant interest in debate, remedial action could involve a personal statement of apology to the House, particularly in the case of failures to declare financial interests under sections 12(a) to 12(f) of the Code. In minor cases, however, a written apology to the Chairman may be more appropriate, particularly if some time has elapsed since the offence took place.

12. In some serious cases, for instance those involving breaches of the "no paid advocacy" rule, remedial action may not be appropriate, and a full investigation may be the only option.

² See the 3rd Report of the Procedure Committee, Session 1994-95, *Declaration and Registration of Interests* (HL Paper 90).

The Sub-Committee on Lords' Interests

13. Complaints clearly falling within the remit of the Sub-Committee on Lords' Interests relate to failures either to register relevant interests, to declare such interests in the course of parliamentary business (including committee proceedings), or to breaches of the "no paid advocacy" rule. **In addition, we recommend that complaints relating to failure by Members' staff to declare relevant interests in the Register of Interests of Lords Members' Staff should also fall within the Sub-Committee's remit.**

14. Matters relating to the Members' Reimbursement Allowance (Members' expenses) Scheme are the responsibility of the Clerk of the Parliaments, as Accounting Officer for the House of Lords. We believe that this responsibility should continue and that the Clerk should accordingly deal with any complaints that may be submitted about expenses. However, **we also propose that the Clerk of the Parliaments should in exceptional circumstances be entitled to request the assistance of the Sub-Committee on Lords' Interests in investigating a complex or serious complaint.**

15. The Sub-Committee is currently composed of five Members: the Chairman and one Member from each of the main parties and the Crossbenchers. The Sub-Committee, along with other Committees that, in the words of the *Companion*, "meet only rarely", is exempt from the rotation rule. It is too early to say whether the recent increase in the frequency of the Sub-Committee's meetings will be sustained—if it is, there may be a need to review the application of the rotation rule. However, at this time we believe that a small Sub-Committee, with Members who are given time to build up experience, is best suited to the task in hand. **We therefore see no need at this time either to change the size of the Sub-Committee, or to apply the rotation rule. However, we shall invite the Select Committee in due course to reappoint the Sub-Committee with a new membership.**

Making complaints

16. There is a public interest in ensuring that Members abide by the Code of Conduct, and that relevant interests are properly registered or declared, as appropriate. We therefore believe that all complaints, whether from Members or others, should be assessed on their merits, against agreed criteria. Proposed criteria are given in the accompanying guidance notes, and we draw the Committee's attention to our summary of those matters that do not fall within the remit of the Sub-Committee, including allegations going back more than four years, and allegations that might more appropriately be investigated by the police or other agencies.

17. It is also essential, in order to avoid abuse of the complaints system, that frivolous, vexatious or politically motivated complaints should be weeded out at an early stage. **We therefore propose a two-stage pre-investigation assessment of all complaints:**

- **First, the Registrar should weed out complaints which are manifestly frivolous or outside the scope of the Code.**
- **Next, a more formal assessment should be undertaken by the Chairman, who will consider both whether the complaint establishes a *prima facie* case that the Code has been breached, and whether or not an investigation would serve any useful purpose.**

18. The Chairman will then make his recommendations to the Sub-Committee, and the Sub-Committee will meet to decide either to dismiss the complaint or to initiate a formal investigation.

19. If an investigation is launched, from this point all correspondence concerning the investigation, and all evidence submitted, will become subject to parliamentary privilege, remaining confidential unless and until it is published by the Committee for Privileges. If such evidence or correspondence were to be published or disclosed to anyone else without the Committee's agreement, this would be a contempt of the House.

20. We are conscious of the risk that complainants could seek to use the complaints process in order to generate additional publicity for media allegations against Members. Although we cannot wholly prevent this, we would regard it as an abuse of the process. **We recommend that in view of the provisions on parliamentary privilege and contempt, any attempt to use an investigation to generate publicity should be taken into account when considering a complaint.**

The conduct of investigations

21. Once the Sub-Committee has decided to undertake a formal investigation, it must of course have discretion to conduct the investigation as it sees fit. Most are likely to be short and informal, though in the event of a serious and complex complaint a longer and more formal investigation may be appropriate.

22. Section 19(e) of the Code provides that "in the investigation and adjudication of complaints against them, Members of the House have the right to safeguards as rigorous as those applied in the courts and professional disciplinary bodies". The interpretation of this provision has led to some uncertainty. **We invite the Committee to confirm that this safeguard is intended to apply only to Members complained against, and not to complainants or non-Members, over whom the Sub-Committee has no jurisdiction.**

23. Moreover, given the limited sanctions available to the Sub-Committee, we believe that it should, wherever possible, operate informally. There should be no expectation that Members complained against need to take professional legal advice. If they choose to consult a friend, colleague, or legal adviser, and bring him or her with them to any meeting, that is their right. But **the Sub-Committee's proceedings should not acquire the formality of a court of law.**

24. In conducting any investigation, the Sub-Committee's first job must be to establish the facts. To this end it should seek a written response from the Member concerned, and may if it chooses seek further evidence from the complainant or others. Once the facts are clearly established, it will in most cases become clear either that the complaint can be dismissed, or that simple remedial action can be taken, and this may turn out to be the stage at which the remedial action described in paragraphs 10 and 11 above occurs most frequently.

25. However, there may be occasions, if the complaint is more serious or more complex, or if it is impossible to agree on the facts of the case, when a fuller investigation is needed. In such cases the Member complained against should be kept regularly informed of the progress of the investigation. **At the end of the investigation, if it is to uphold a complaint against a Member, the Sub-Committee must be satisfied that it is proved at least on the balance of probabilities.**

Report to the Committee for Privileges

26. We believe that the present Sub-Committee/Select Committee relationship is the right one, and that the Committee for Privileges should remain responsible for agreeing and publishing reports from the Sub-Committee. In most cases this should be straightforward. However, the Code provides that Members against whom a finding has been made have a right of appeal to the Committee for Privileges. To allow them to exercise this right, at the same time as the Sub-Committee's report is forwarded to the Chairman of the Committee for Privileges the Registrar should give the Member concerned a copy, indicating the deadline by which an appeal should be made.

27. In the event of an appeal, the Select Committee would not normally reopen the Sub-Committee's investigation, nor, unless there was disagreement over the facts of the case, would it consider matters of fact. Rather the Members of the Committee should use their judgment to decide whether, on the balance of probabilities, they endorse the conclusions of the Sub-Committee.

28. We propose that reports by the Sub-Committee should follow a standard template, which is described in Annex 1. It is essential that the terms of any complaint, the facts of the case, and the conclusions of the Sub-Committee, be clearly set out.

29. In addition, sometimes an investigation may highlight uncertainties in the Code itself, and on such occasions the Sub-Committee should be encouraged to recommend guidance on the interpretation of the Code. If agreed by the Committee for Privileges and the House as a whole, such guidance should be incorporated in future editions of the *Companion to the Standing Orders*, creating over time a readily accessible and authoritative source of guidance for Members on the conduct expected of them.

18 November 2008

BRABAZON OF TARA

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