

HOUSE OF LORDS

House Committee

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2nd Report of Session 2010–12

**Recovery of money  
wrongly claimed  
by Members**

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### *The House Committee*

The House Committee is appointed each session to set the policy framework for the administration of the House and to provide non-executive guidance to the Management Board; to approve the House's strategic, business and financial plans; to agree the annual Estimates and Supplementary Estimates; to supervise the arrangements relating to Members' expenses; and to approve the House of Lords Annual Report.

### *Current membership*

The members of the House Committee are:

Lord Alderdice  
Lord Baker of Dorking  
Lord Brabazon of Tara  
Lord Craig of Radley  
Baroness D'Souza (*Chairman*)  
Baroness Hollis of Heigham  
Lord Laming  
Baroness McIntosh of Hudnall  
Lord McNally  
Baroness Royall of Blaisdon  
Lord Strathclyde  
Lord Wakeham

### *General information*

General information about the House of Lords and its committees is on the internet at <http://www.parliament.uk/business/committees>

### *Contacts for the House Committee*

All correspondence should be addressed to the Clerk of the House Committee, House of Lords, London SW1A 0PW.

The telephone number for enquiries regarding the Committee's work is 020 7219 6644.

**2nd REPORT OF SESSION 2010–12  
FROM THE HOUSE COMMITTEE**

**RECOVERY OF MONEY WRONGLY CLAIMED BY MEMBERS**

1. We have considered what action should be taken when a Member is found by the House (in the form of agreement to a finding to this effect by the Committee for Privileges and Conduct) to have wrongly claimed money under the system of financial support for Members and has not already repaid that money to the House.
2. It is the responsibility of the Clerk of the Parliaments (as Accounting Officer) to secure repayment of money wrongly claimed by Members under the system of financial support, consulting this Committee as necessary.<sup>1</sup>
3. Debt recovery through the courts is not practical in relation to such repayments. The court might well decline jurisdiction on the grounds that the debt arises from the proceedings of a Parliamentary committee. But if it did not, and the debt were not admitted, the Member could in effect obtain a rehearing of the whole issue already investigated by the Committee for Privileges and Conduct.
4. We have considered three possible courses of action in relation to helping the Clerk of the Parliaments to fulfil his responsibility:
  - Requiring a Member who has not repaid money wrongly claimed to forgo part or all of his or her attendance allowances to pay off the debt.
  - Denying entitlement to allowances and expenses to any such Member.
  - Suspending any such Member while the debt remains unpaid.
5. We have rejected the first and second of these options as we consider that it would be inappropriate for a Member to return to the House while still owing money.
6. We therefore propose the following arrangement where a Member is found by the House (in the form of agreement to a finding to this effect by the Committee for Privileges and Conduct) to have wrongly claimed money under the system of financial support for Members and has not repaid that money to the House by one month before the end of any period of suspension agreed by the House. In such circumstances the Chairman of Committees, on behalf of the House Committee, should move a motion to suspend that Member until the debt has been repaid or the end of the current Parliament, whichever is sooner (as the power of the House to suspend a Member is limited to a defined period not extending beyond the end of the current Parliament).<sup>2</sup> If money remains outstanding at the start of the following Parliament, the Chairman of Committees should move a further motion to initiate a further suspension.

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<sup>1</sup> Committee for Privileges and Conduct, 6th Report of Session 2010–11, paragraph 57.

<sup>2</sup> Committee for Privileges, 1st Report of Session 2008–09, paragraph 8.

7. Where a Member is suspended under the provision in paragraph 6, the Clerk of the Parliaments would inform the House (by “silent” Minute entry) when the money has been fully repaid, and on the following day the suspension would come to an end. Part payment, or an arrangement to pay instalments, would not be sufficient to bring the suspension to an end.
8. **The House is invited to agree to the proposals set out in paragraph 6 above.**