

**House of Lords Appointments
Commission**

Annual Report

October 2013 – October 2015

HOUSE OF LORDS APPOINTMENTS COMMISSION

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Rt Hon David Cameron MP
Prime Minister
10 Downing Street
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Dear Prime Minister,

I enclose the ninth report from the House of Lords Appointments Commission. It covers our work over two years, from 2013 to 2015.

During the reporting period the Commission has recommended four individuals for appointment as non-party-political peers, our first since December 2012, which is in line with your guidance for the Commission to make two recommendations each year.

In addition to making recommendations for appointment to the crossbenches, the Commission has continued to vet for propriety individuals nominated by the political parties and by you, as Prime Minister, for appointment to the House of Lords. During the reporting period, the Commission vetted 79 such nominees who were subsequently appointed to the House of Lords: 67 individuals nominated by the political parties, seven individuals who took up Ministerial Office and five individuals nominated by you for public service who sit on the crossbenches.

Yours sincerely,



Rt Hon Professor the Lord Kakkar
Chairman

Members:

Lord Hart of Chilton, Rt. Hon. Lord Howard of Lympne QC, Rt. Hon. Lord Kakkar (Chairman),
Lord Low of Dalston, Professor Gillian Peele, Sir Malcolm Ross, Baroness Scott of Needham Market

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The Appointments Commission

Our role and composition

1. The House of Lords Appointments Commission was established in May 2000 as an interim measure, pending Lords reform fifteen years ago by the then Prime Minister (Tony Blair) as an independent, advisory non-departmental public body.
2. Our role is to:
 - make recommendations for the appointment of non-party-political members of the House of Lords; and
 - vet for propriety all nominations to the House of Lords, including those put forward by the political parties and Prime Minister.
3. The Commission has seven members, including the Chairman, Lord (Ajay) Kakkar. Biographies of the members can be seen at Annex A.
4. Four members, including the Chairman, are independent of government and the political parties. They were appointed by open competition, in accordance with the Commissioner for Public Appointments' Code of Practice.¹ Lord Kakkar was appointed in October 2013 for a five-year non-renewable term of office. The other independent members – Lord (Colin) Low, Professor Gillian Peele and Sir Malcolm Ross – were appointed in December 2013 for a similar five-year non-renewable term.
5. The other three members – Lord (Garry) Hart, Lord (Michael) Howard and Baroness (Rosalind) Scott – were nominated by their respective party leaders, at the invitation of the Prime Minister. They were originally nominated in 2010 and renominated in November 2013 to serve a further three-year term of appointment.
6. The Commission is supported by a small shared secretariat, provided by the Civil Service Commission and based at 1 Horse Guards Road, London.
7. The newly reconstituted Commission first met in December 2013. Since then it has met seven times – in April, July and November 2014; and in January, February, April and July 2015. Copies of the minutes of Commission meetings are published on our website once approved by the Commission.²

¹ <http://publicappointmentscommissioner.independent.gov.uk/wp-content/uploads/2012/02/Code-of-Practice-20121.pdf>

² <http://lordsappointments.independent.gov.uk/>

Appointments to the House of Lords

8. Anyone who is over 21³ and a citizen of the UK, Ireland or a Commonwealth country⁴ can apply or be nominated to be a member of the House of Lords. It is also a requirement that individuals are resident in the UK for tax purposes.⁵
9. The Commission's role extends to:
 - nominations made to the cross-benches by either the Commission or the Prime Minister; and
 - nominations made to the political benches, including those nominated to serve as ministers.
10. The Commission has no role in relation to the appointment of Church of England Bishops and Archbishops to sit in the House of Lords (there are 26 places available for such appointments). The Commission also has no role in relation to the election of hereditary peers to fill vacancies occurring in the 92 places available for elected hereditary peers nor in the return to the House of Lords of the (twelve) Justices of the Supreme Court who, prior to the establishment of the Court, were Law Lords and who retain the right to return to the House of Lords.

Openness and transparency

Accountability to Parliament

11. Lord Kakkar appeared before the House of Commons Political and Constitutional Reform Select Committee on 18 July 2013 for a pre-appointment scrutiny hearing. A transcript of the hearing is published on the Parliament website.⁶ The Committee asked him about his priorities for the Commission and his views on the future of its role; his familiarity with the internal workings of the House of Lords and with the seven principles of public life; his experience operating in the media spotlight; and the time he had available to fulfil the role. The Committee subsequently confirmed that it was satisfied that he had the professional competence and personal independence required for the role and that it supported his appointment.⁷
12. Lord Kakkar appeared before the House of Lords Constitution Committee on 26 February 2014.⁸ He answered questions on the Commission's role, including on numbers of cross-bench appointees, and the work of the Commission in

³ The Standing Orders of the House of Lords Relating to Public Business

⁴ Act of Settlement 1701 s.3 and British Nationality Act 1981 s.7

⁵ Constitutional Reform and Governance Act 2010, s.41

⁶ <http://www.publications.parliament.uk/pa/cm201314/cmselect/cmpolcon/600/130718.htm>

⁷ <http://www.publications.parliament.uk/pa/cm201314/cmselect/cmpolcon/600/60003.htm#a6>

⁸ <http://www.parliament.uk/documents/lords-committees/constitution/annual%20oral%20evidence%20sessions%202013-2014/cCONST260214ev1LordKakkar.pdf>

reviewing the balance of expertise within the House of Lords, and in vetting political and Prime Ministerial nominations for propriety.

Freedom of Information and Data Protection

13. As a public body, the Commission is subject to the provisions of the Freedom of Information Act 2000. During the reporting period, 24 requests for information were received and responded to in line with the provisions of the Act.
14. The Commission is committed to working as transparently as possible and proactively releases information about its work on its website. This includes regularly publishing any information released under the Freedom of Information Act and routinely publishing the minutes of its meetings.
15. However, to allow it to discharge the role given to it effectively, the Commission must – as it has always made clear – treat much of the information it is provided with in the strictest confidence. With this in mind, the Commission was reassured that it was able successfully to defend a claim brought against it under the Data Protection Act⁹ during the reporting period.

Expenditure

16. As with some of the Commission's previous reports, this report spans two financial reporting years. The Commission's expenditure figures are published annually in the Civil Service Commission's audited Accounts, reflecting the fact that the Civil Service Commission provides secretariat support for the Commission.¹⁰ The figures in the audited accounts include the cost of accommodation and other service charges paid to the Cabinet Office, the Commission's share of which was approximately £51,000 in each of 2013-14 and 2014-15 (these were not previously accounted for in the Commission's expenditure).
17. Excluding the service charges mentioned above, the Commission's total expenditure for the financial years 2013-14 and 2014-15 was, respectively, £154,000 and £167,000.
18. Commission members' fees for 2013-14 and 2014-15 were £8,000 for the Chairman and £3,000 for the other members. The total members' remuneration was £25,000 in 2013-14 and £26,000 in 2014-15.
19. Staff costs remain the largest element of our expenditure. The Commission's share of the joint secretariat cost, including press officer services, was £116,000 in both 2013-14 and 2014-15. This figure includes the work involved in conducting the research on current skills and expertise in the House of Lords (see page 7) and the work generated by the Data Protection Act claim mentioned above.

⁹ Case No: TLQ/14/0511

¹⁰ <http://civilservicecommission.independent.gov.uk/publications/annual-reports/>

20. The other major item of expenditure was the cost of legal fees associated with the Data Protection Act claim: £10,000 in 2013-14 and £18,000 in 2014-15. We have since recovered these costs through the courts in the normal way.
21. Other expenditure included the cost of stationery and other office supplies, other staff-related costs, such as training, and Commission members' expenses.

Triennial Review

22. It is Government policy that all non-departmental public bodies should undergo a substantial review at least every three years. The Commission's Triennial Review, which was undertaken by a senior official within the Cabinet Office, was announced by the Minister for the Cabinet Office in March 2013¹¹ and the report was submitted to Ministers in November 2013.

¹¹ House of Commons Official Record, 4 March 2013, Col 52WS

Our nominations for crossbench peerages

23. The Commission recommends individuals for crossbench (non-party-political) membership of the House of Lords based on merit and their ability to make a significant contribution to the work of the House. The Commission must ensure that the individuals it recommends are independent, have integrity and are committed to the highest standards in public life.
24. The Prime Minister decides on the number of recommendations to be invited from the Commission. In 2012, the Prime Minister asked the Commission to make a maximum of two recommendations a year for the time being. In line with his predecessors, the Prime Minister undertakes only to decline to pass on the Commission's recommendations to HM The Queen in exceptional circumstances.
25. The Commission has been asked by successive Prime Ministers to consider nominees who would broaden the expertise and experience of the House and reflect the diversity of the people of the United Kingdom. Because of this request, the current Commission undertook in early 2014 to update the research published on its website relating to the current expertise within the House of Lords. Although the Commission does not use this information specifically to target groups or individuals, it provides a helpful context within which to consider nominations.
26. From 1 October 2013 until 31 August 2015, the Commission received 202 nominations from individuals wishing to be considered for membership of the House of Lords. In addition, we had retained for further consideration 11 nominations received prior to the reporting period.
27. The Commission interviewed 13 nominees, and agreed four recommendations: John Bird, Julia King, Robert Mair and Mary Watkins. Their biographies are at Annex B.
28. This number reflected the fact that the Commission had not put forward any nominations during 2013 or 2014, pending the change in Commission membership.

Vetting nominations for propriety

29. When the Prime Minister invites the political parties to make nominations for appointment to the House of Lords, it is a matter for the political parties to decide whom to nominate. The Commission is asked to vet these nominees for propriety.
30. We take the view that ‘propriety’ in this context means that the nominee is in good standing in the community in general and with the regulatory authorities in particular; and that the past conduct of the nominee would not reasonably be regarded as bringing the House of Lords into disrepute.
31. Similarly, since 2010, the Prime Minister has asked the Commission to vet individuals who were to be appointed to the House of Lords as Ministers. With the potential time constraints surrounding Ministerial appointments – during a government reshuffle, for example – the extent to which the Commission is able to gather a wider range of evidence may vary from one occasion to another. As a minimum, it will consult its main vetting agencies and the Electoral Commission register of loans and donations before giving its advice.
32. In addition, the Prime Minister reserves the right, each Parliament, to nominate up to ten individuals directly to The Queen. The Commission is asked to vet such nominations for propriety. Until 2014, the practice of successive Prime Ministers has been to nominate up to ten distinguished public servants on their retirement. In 2014, the Prime Minister announced that, in future, he intended to broaden this to include a range of individuals with a proven track record of public service, not solely public servants on retirement.¹²
33. In the case of major donors to political parties, or those who have made a loan or credit arrangement to or with a party or political cause, there is an additional consideration, as the making of a donation or loan cannot of itself be a reason for a peerage. In addition to our normal vetting checks, this requires a consideration of whether the individual would have been a credible party-political nominee if he or she had made no financial contribution to the party.

¹² House of Commons Official Report 26 June 2014, Column 37WS

Individuals vetted since the last report

34. During the reporting period, the Commission vetted 83 individuals who were subsequently appointed to the House of Lords following nomination by a political party, the Prime Minister, or the Commission itself. A full list is at Annex C. This included:
- 22 individuals nominated by four of the political parties, announced in August 2014;
 - 45 individuals nominated by three of the political parties, announced in August 2015;
 - seven individuals nominated by the Prime Minister to be appointed as Ministers, announced in May 2015;
 - five individuals nominated by the Prime Minister for appointment to the cross-benches, four of whom were announced in December 2014 and the fifth announced in February 2015; and
 - four individuals recommended by the Commission for appointment to the crossbenches, who were announced in October 2015.
35. Since 2013, the Commission's policy has been that, if it is unable to support a nominee, the relevant political party will be given one more opportunity, before the Commission advises the Prime Minister, to substitute another nominee for vetting. This is done in order to maintain the total numbers of nominations from each political party as determined by the Prime Minister.
36. During the reporting period, in the course of its vetting the nominations subsequently announced in August 2015, the Commission alerted the leaders of the relevant parties in seven cases that it would not be able to support their nominations. These comprised five individuals nominated by the Conservative Party and one each by the Democratic Unionist Party and the Liberal Democrat Party. However, only two alternative nominations were submitted to the Commission (one by the Conservative Party and one by the Liberal Democrat Party) and these two are included in the list of names at Annex C.
37. The Commission's advice to the Prime Minister and the leaders of political parties is confidential. The Commission does not disclose its vetting advice and does not comment on the identity of individuals whose nominations it has been unable to support.

Annex A: Biographies of Commission Members

The Rt. Hon. Lord (Ajay) Kakkar (Chairman, independent)

Ajay is Professor of Surgery at University College London and Consultant Surgeon University College London Hospitals NHS Foundation Trust. His research interests focus on the prevention and treatment of venous and arterial thromboembolic disease and cancer-associated thrombosis. He is Chair of the Health Honours Committee, a member of the General Medical Council and he is a Commissioner of the Royal Hospital in Chelsea. Ajay was appointed to the House of Lords in 2010, following nomination by the Commission. He was appointed as chairman of the Commission from October 2013.

Lord (Colin) Low of Dalston, CBE (independent)

Colin is the former Chair, now Vice President of RNIB, and President of ICEVI (International Council for Education of People with Visual Impairment). He taught Law and Criminology at Leeds University, before becoming Director of the GLC's Disability Resource Team. He then carried out research into theories of disability as Senior Research Fellow at City University. Colin was appointed to the House of Lords in 2006, following nomination by the Commission. He was appointed as a member of the Commission from December 2013.

Sir Malcolm Ross, GCVO, OBE (independent)

After 25 years in the Regular Army (Scots Guards) Malcolm joined The Queen's Household where, for the majority of the next 20 years he served as Comptroller of The Lord Chamberlain's Office. He was then Master of the Household of The Prince of Wales and The Duchess of Cornwall before retiring in 2008. Since then he has been Lord-Lieutenant of The Stewartry of Kirkcudbrightshire, Prior of Scotland (Chairman of the Order of St John), and Chairman of the Westminster Group plc. He was appointed as a member of the Commission from December 2013.

Professor Gillian Peele (independent)

Gillian is a Fellow and Tutor in Politics at Lady Margaret Hall, Oxford. She has published widely on British, American and comparative government. Her current research interests are focussed on the problems associated with the regulation of public ethics in modern states. She was appointed as a member of the Commission from December 2013.

Lord (Garry) Hart of Chilton (Labour)

Garry is a former Chancellor of the University of Greenwich and a member of the Development and Strategy Committee of the Victoria and Albert Museum. Before entering public service, he was a partner in the city law firm Herbert Smith, specialising in planning and administrative law. Other past appointments include terms as Chairman of the Almeida Theatre and Deputy Chairman of the Architecture Foundation. He has served as a trustee of the British Architectural Library Trust and is an Honorary Fellow of the Royal Institute of British Architects and a Fellow and former Lay Member of Council at University College London. Garry was appointed

as a Labour peer in 2004 and became a member of the Commission in 2010. He is a member of the House of Lords Select Committee on Communications, a former member of the Merits of Secondary Legislation Committee, the Select Committee on the Constitution, and the Select Committee on Extradition.

The Rt. Hon. Lord (Michael) Howard of Lympne QC (Conservative)

Michael is a former leader of the Conservative Party, having served as a Member of Parliament in the House of Commons for nearly three decades. He served as Secretary of State for Employment, Secretary of State for the Environment and Home Secretary and as Shadow Chancellor and Shadow Foreign Secretary. Prior to his career in government, he practised as a barrister for over 20 years, achieving the rank of Queen's Counsel in 1982. Since leaving politics, he has pursued a variety of international business interests. He is Non-Executive of Entrée Gold Inc. and of Soma Oil and Gas Holdings Ltd and Senior Independent Director of Quindell PLC. He also serves on the advisory boards of Orca Exploration Inc. and Tetronics International Ltd and is Chairman of Hospice UK. Michael was appointed as a Conservative peer in 2010, and became a member of the Commission later the same year.

Baroness (Rosalind) Scott of Needham Market (Liberal Democrat)

Rosalind was created a Lib Dem peer in 2000 after a career in local government in Suffolk. In addition to holding significant positions within Suffolk County Council, she has been a senior member of the Local Government Association, Member of the Board of the Audit Commission, and a UK delegate to the European Union Committee of the Regions. Since becoming a Member of the House of Lords, she has held front bench positions as the Liberal Democrat spokesman for Local Government and Communities, and for Transport. Between 2008 and 2010 she held office as President of the Liberal Democrats. She became a member of the Commission in 2010.

Annex B: Commission recommendations for appointment to the House of Lords

The Commission has made four recommendations for non-party-political peerages during the reporting period, whose appointments were announced in October 2015.

John Bird is a social entrepreneur. In 1991 he launched the Big Issue, the street newspaper written by professional journalists and sold by people who are homeless. Starting as a local venture in London, it has since expanded to other cities in the UK and internationally. In 1995 he launched the Big Issue Foundation, a charity that supports Big Issue vendors in dealing with the issues that have caused their homelessness or have developed as a result of their living on the street. He continues to serve on the Board of Directors for the Big Issue. In 2001 he launched Big Issue Invest, the social investment arm of the Big Issue, which provides finance to help develop social enterprises and charities. He has first-hand experience of the issues facing homeless people, having become homeless at the age of five, resided in an orphanage as a child, spent time in detention as a teenager, and having himself slept rough in London.

Julia King has spent her working life in Engineering and Academia, in a range of highly influential roles. After 16 years as an academic researcher and university lecturer at Cambridge and Nottingham universities, she joined Rolls-Royce plc in 1994. At Rolls-Royce she held a number of senior executive appointments, including Director of Advanced Engineering for the Industrial Power Group, Managing Director of the Fan Systems Business, and Engineering Director for the Marine Business. In 2002 she became Chief Executive of the Institute of Physics, and in 2004 she returned to academia as Principal of the Engineering Faculty at Imperial College, London. She has been Vice-Chancellor of Aston University since 2006. Professor King has been involved, as Chair or delegate, in numerous advisory groups, boards and committees in the fields of engineering, technology, energy and education (including the Royal Academy of Engineering, the Committee on Climate Change and the Cabinet Office National Security Forum). She has lectured and published widely; and has won numerous awards and distinctions for her work.

Robert Mair is a world-renowned civil engineer with extensive practical and academic experience. A Fellow of both the Royal Academy of Engineering and the Royal Society, he is Head of Civil and Environmental Engineering at Cambridge University and was Master of Jesus College from 2001 to 2011. Earlier in his career, he spent almost 30 years in industry, founding the Geotechnical Consulting Group, an international consulting company based in London. At Cambridge he heads a major research group and recently established the Centre for Smart Infrastructure and Construction, funded by both Government and Industry, which is pioneering the innovative use of the latest sensor technology in construction. Specialising principally in tunnels and underground construction, he is known for the introduction of new techniques and has acted as consultant on many high profile engineering projects all over the world. In the UK he was closely involved with the design and construction of the Jubilee Line Extension for London Underground and with the Channel Tunnel Rail Link (now HS1). He is a member of the Engineering Expert Panel on Crossrail, currently Europe's largest civil engineering project. In 2012 he chaired the joint Royal Society and Royal Academy of Engineering report on shale gas extraction,

commissioned by the Government's Chief Scientific Adviser. He is Chairman of the Science Advisory Council of the Department for Transport, Vice-President of the Institution of Civil Engineers and engineering adviser to the Laing O'Rourke Group.

Mary Jane Watkins is a Professor of Nursing, who is currently Emeritus Professor of Healthcare Leadership at the University of Plymouth. She qualified as a general nurse in 1976, a mental health nurse in 1979, and was a Nightingale Scholar in 1985. She has worked in community, in-patient mental health and acute settings, providing non-emergency and emergency healthcare. She was appointed Dean of the Faculty of Health and Social Work at Plymouth in 2003, Pro Vice-Chancellor Health in 2005 and Deputy Vice-Chancellor in January 2007. She has published widely in the field of nursing education and leadership, and was inaugural editor of the Journal of Clinical Nursing. She has consistently been invited to represent the views of the nursing profession on a range of Department of Health working parties and is Nurse Adviser to the BUPA Medical Advisory Panel. Her interests and activities in the South West of England extend beyond nursing and higher education to include involvement in secondary education, mental health charities, social enterprise and housing.

Annex C: Individuals vetted by the Commission and subsequently appointed to the House of Lords

Conservative

August 2014

Karren Brady
Martin Callanan
Carlyn Chisholm
Andrew Cooper
Natalie Evans
Michael Farmer
Dido Harding
Arminka Helic
Nosheena Mobarik
Stuart Rose
Joanna Shields
Ranbir Suri

May 2015

Rosalind Altmann
George Bridges
Andrew Dunlop
Richard Keen
Francis Maude
Terence (Jim) O'Neill
David Prior

August 2015

James Arbuthnot
Gregory Barker
Catherine Fall
Simone Finn
Stephen Gilbert
William Hague
Robert Hayward
Douglas Hogg
Andrew Lansley
James Lupton
Ruby McGregor-Smith
Anne McIntosh
Michelle Mone
James O'Shaughnessy
Emma Pidding

Stuart Polak
Gary Porter
Elizabeth Redfern
Andrew Robathan
Kate Rock
Jane Scott
Kevin Shinkwin
Philip Smith
Philippa Stroud
David Willetts
George Young

DUP

August 2014

William Hay (*who elected to sit on the cross benches*)

Labour

August 2014

Michael Cashman
Chris Lennie
Gail Rebuck

August 2015

David Blunkett
Alistair Darling
Peter Hain
Tessa Jowell
Spencer Livermore
Paul Murphy
Dawn Primarolo
Dave Watts

Liberal Democrat

August 2014

Chris Fox
David Goddard

Barbara Janke
Kath Pinnock
Paul Scriven
Julie Smith

August 2015

Alan Beith
Sharon Bowles
Malcolm Bruce
Lorley Burt
Menzies Campbell
Lynne Featherstone
Don Foster
Jonny Oates
Shas Sheehan
Andrew Stunell
Dorothy Thornhill

Non-party-political peers nominated by the Prime Minister

October 2014

Jonathan Evans
Andrew Green
Robert Rogers
Alison Wolf

February 2015

Bob Kerslake

Non-party-political peers recommended by the Appointments Commission

October 2015

John Bird
Julia King
Robert Mair
Mary Watkins