

HOUSE OF LORDS APPOINTMENTS COMMISSION

MINUTES OF THE 37TH MEETING HELD ON 9TH MARCH 2006

Present: Lord Stevenson (Chairman)
Lord Hurd
Baroness Dean
Lord Dholakia
Mrs Felicity Huston
Ms Angela Sarkis

Mr Jim Barron – Secretariat
Ms Geraldine Alexander – Secretariat
Mrs Paula Adshead – Secretariat
Ms Louise Blundell – Secretariat
Mr Peter Fish – Treasury Solicitors
Ms Maggie O'Boyle – Press Adviser

Apologies

1. There were no apologies.

Chairman's update

2. The Chairman noted the reports [REDACTED]. No such loan had been declared to the Commission and it was therefore agreed that the Commission would write to the Labour Party to request further information. While the Commission had not specifically asked for details of loans between nominees and parties, it was agreed that non-disclosure of loans went against the spirit of the declaration.
3. The Commission considered the letter from the [REDACTED]. It was agreed that the Chairman would draft a reply to the letter. He would explain that the Commission's role was to come to a conclusion on the issue of propriety; while it had considered the arguments raised by [REDACTED], it had also taken into account other points of view; and had concluded that it would advise the Prime Minister not to appoint [REDACTED] now.
4. The Chairman reported that one of the party-political nominees, [REDACTED], had called the Secretariat on 6 March to air his distress about leaks to the press. On behalf of the Commission, the Secretariat had expressed sympathy for any distress he had suffered and had emphasised that the Commission was not the source of the leak. The Chairman had subsequently contacted [REDACTED] on the 7 March to express his personal sympathy.

Replacement names

5. It was expected that a further four names would be sent to the Commission for scrutiny in the near future: three from the Labour Party and one from the Conservative Party.

[REDACTED]

6. The Commission considered the letter from [REDACTED] and the letter (and enclosures) from [REDACTED]. It was noted that [REDACTED] letter was dated 8 February but it had been hand-delivered to the Commission's offices on 6 March. The Commission was aware that in the two days since the letter had been received, [REDACTED]
7. The Commission invited its legal adviser, Peter Fish, to advise on how it should respond to the letter. Mr Fish explained the issues and the options for a response were discussed. It was agreed that in replying to the letter the Commission should offer no comment on its advice because this had been provided in confidence to the Prime Minister. The decision as to whether or not a nominee was appointed was a decision for the Prime Minister not the Commission; therefore, it was not in a position to respond to the issues raised by [REDACTED]. The Commission would, however, take the opportunity to acknowledge with sympathy the unnecessary distress caused to him and others by the leak. A draft response, which had been seen by Counsel, was considered and the broad terms agreed.

[REDACTED]

Press Leaks

9. The Commission was concerned about the continuing leaks to the press. It agreed to write to Number 10 urging it to hold a leak enquiry.

Scrutiny process

10. Mr Fish noted that there was less public information about the Commission's criteria for vetting for propriety than about its criteria for the appointment of non-party-political peers. The Commission, having defined in more detail how it interpreted its role so that it could carry out the vetting of the current list, would look for an opportunity to publish this at an appropriate moment.
11. The Commission had advised the Prime Minister that it would suggest changes and enhancements to the scrutiny process. This would be done once the current list had been published. Once there was agreement on the way forward, the Commission would publish its process in full. The Secretariat was invited to draft a letter to the Prime Minister outlining the changes the Commission would wish to recommend.

Press handling

12. Given the levels of press interest in the scrutiny work of the Commission, the suggestion was made that if a suitable opportunity presented itself the Chairman could write an article to make clear a number of points about the Commission's vetting role: its role was advisory; it dealt with the issue of propriety, which was a matter of judgement; it was consistent in applying its criteria; and its advice was confidential.

13. The press officer confirmed that she had spoken to a number of journalists and briefed them on the role of Commission. A copy of the "lines to take" would be circulated to all members.

Commission Secretariat
March 2006