

## HOUSE OF LORDS APPOINTMENTS COMMISSION

### MINUTES OF THE 56th MEETING HELD ON 15 OCTOBER 2009

Present: Lord Jay (Chairman)  
Baroness Campbell  
Baroness Dean  
Lord Dholakia  
Prof Dame Joan Higgins  
Dr John Low

Geraldine Alexander (secretariat)  
Kate Campbell (secretariat)  
Matthew Carey (secretariat)  
Pam Cooke (secretariat)  
Richard Jarvis (secretariat)  
Maggie O'Boyle (secretariat)

#### Apologies

1. Apologies were received from Lord Hurd.

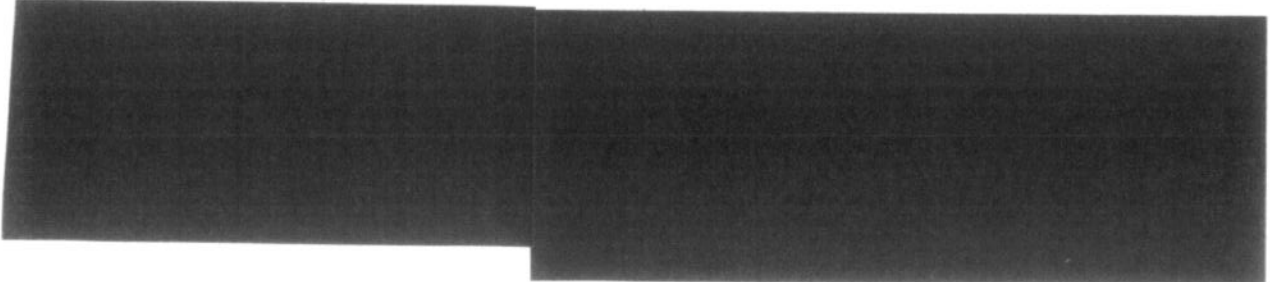
#### Research Project

2. Dr Meg Russell from the Constitution Unit, University College London, provided the Commission members with an update on her work to date, including commentary on some initial findings that had been circulated in advance of the meeting. Dr Russell outlined her methodology, including the obvious limitations, and judgments that had to be applied to any classification of people's skills and expertise. The data would be subject to further checking and further analysis by attendance and party grouping data.
3. The Commissioners noted Dr Russell's qualifications regarding the methodology but welcomed the work done so far. They felt that the final results would give them an additional evidence base that would, at the very least, cause them to ask further questions about the need for particular areas of expertise and help inform their decision making in the future. The Commission looked forward to seeing the final version of the research.

#### Minutes

4. The Minutes of the meeting held on 14 July 2009 were agreed.

#### Chairman's Update and matters arising



6. The Chairman had appeared before the Public Administration Select Committee in the Commons in July and their questioning had focussed on issues around the vetting process for party-political names and any future dissolution (and dissolution honours) lists and whether the recent expenses issue might have any influence on the vetting outcome. The Chairman had discussed with Baroness Royall how he might become accountable to the House of Lords as well as the House of Commons and, as a result, it was likely to be done through the Constitution Committee.
7. The Chairman had also met the Chair of the Senior Salaries Review Board (SSRB) (who were reviewing the system of allowances and expenses in the House of Lords) where he had stressed the need for a system of remuneration that did not discourage those without other significant sources of income.
8. Finally the Chair reminded Commission members that he was speaking at the UCL seminar on 22 October on the role and work of the Commission. He would circulate the text of his speech when finalised.

#### **Discussion of Names/Handling of Outstanding Nominations**

9. Since the last Commission meeting, sub-committee meetings had been held to interview those nominees identified at the last meeting. Lists and supporting papers on those interviewed and other outstanding nominations previously considered had been circulated to all members for their consideration in advance of the meeting.
10. The Commission considered the outcomes of the interview panels and reviewed other outstanding nominations, and the attached annex provides details of the decisions reached, as follows:
  - those nominees who should be put forward to the Prime Minister (following the satisfactory completion of the vetting process) – see annex 1, list A;
  - those nominees who had been interviewed and should continue to be held for future consideration – see annex 1, list B;
  - those nominees who should be held for possible future interview – see annex 1 list C; and
  - those nominees who were to be advised that their nomination would not be progressed further – see annex 1, list D.
11. The Commission had decided at its meeting on 7 May 2009 that the nomination from ██████████ should not be progressed any further. However, before the letter advising of this decision could be despatched ██████████ had written to the secretariat and updated ██████████ CV. The revised CV had now been evaluated and reviewed by a sub-committee but the Commission confirmed their earlier decision that the nomination should be not be progressed any further.

## **Vetting**

12. As agreed at the last meeting, an analysis of the vetting process had been provided by the secretariat with particular focus on ongoing civil court proceedings. The Commission endorsed the conclusion from the analysis that the current approach, recently enhanced in terms of searching publicly available information, was sufficient.
13. It was however agreed that, in future, all nominees at interview should also be reminded that they had previously signed a Declaration and Consent form as part of their application and that all nominees were under an obligation to draw to the Commission's attention anything of which they were aware which might be perceived as diminishing the reputation of the House of Lords or which might be likely to bring the House into disrepute.

## **Declarations of Interest/Handling of Prior Knowledge of Nominees**

14. As agreed at the last meeting, the secretariat had reviewed the current declaration of interests form and presented a note to the Commission setting out the approach for consideration prior to the meeting.

15

16. Minor drafting changes to the form would be made by the secretariat to ensure greater clarity and the modified form will be used in future for all declarations of interest.

## **Communications – Press Officer's Report**

17. The Press Officer gave a verbal report. Following a relatively quiet summer period, there had been some recent queries regarding the vetting process. In line with previous policy, all enquirers were advised that it was not possible to specify the time taken to complete any vetting process.
18. It was agreed that, in future, the secretariat will circulate copies of any key press cuttings to members of the Commission, particularly any referring to the Appointments Commission itself.

## **Freedom of Information – verbal update**

19. The secretariat advised that a few enquiries had been received since the last meeting and these were outlined for the members.

## Any other business

### 20. Website:

As part of a government-wide initiative to rationalise publicly-funded websites, a central portal has been created for all "independent" organisations, including the House of Lords Appointments Commission. In future, the address for the Commission would be: [www.lordsappointments.independent.gov.uk](http://www.lordsappointments.independent.gov.uk) but anyone inputting the old address would be automatically re-directed to the new area of the world-wide-web.

### 21. Peerages for members of the judiciary –

The secretariat had been made aware of a continuing presumption that operated before the creation of the Supreme Court; namely that in addition to the Law Lords, the following post-holders would automatically get peerages:

Master of the Rolls  
Lord Chief Justice for England and Wales  
Lord Chief Justice for Northern Ireland  
President of the Court of Sessions in Scotland

The Commission agreed that, in principle, there appeared little justification for this exception continuing in light of the removal of the judicial function of the House. The Government would need to consider the matter properly and set-out the case for such peerages if it wished to continue to grant peerages to these office-holders.

### 22. Annual Report –

It was agreed that consideration should be given at the next Commission meeting to the topics members would like to be covered in the next Annual Report (which would be published before the end of the parliamentary session).

Commission Secretariat  
October 2009