

**HOUSE OF LORDS APPOINTMENTS
COMMISSION**

REPORT ON FIRST TERM 2000 - 2003

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Section 1: The Appointments Commission

1. In May 2000, the Prime Minister announced the establishment of the House of Lords Appointments Commission as set out in the Government's White Paper, *Modernising Parliament: Reforming the House of Lords*, published in January 1999.
2. The Commission is an independent, advisory, non-departmental public body.

The Commission's remit

3. The Commission's remit is to recommend people on merit who can make an independent contribution which will enhance and sustain the effectiveness of the House of Lords, and to do so using processes that are open, transparent and reflect best practice.

Members of the Commission

4. The House of Lords Appointments Commission has seven members, including the Chairman. Three members have been appointed to represent the main political parties and to ensure expert knowledge of the House of Lords. The others, including the Chairman, are independent of Government and political parties. They were appointed after an open recruitment competition run in accordance with the procedures set down by the Commissioner for Public Appointments.

5. The members of the Commission are:

- **Lord (Dennis) Stevenson of Coddendam CBE**, a crossbench peer, and Chairman of the Commission. He is Chairman of HBOS plc and Pearson plc. He is also Chairman of Aldeburgh Productions Ltd.

6. The three other non-party-political members are:

- **Dame Deirdre Hine DBE**, Chairman of the Commission for Health Improvement and former President of the Royal Society of Medicine 2000-2002. She is also a Vice-President of Marie Curie Cancer Care and a Non-Executive Director of Dŵr Cymru Welsh Water. She was Chief Medical Officer of Wales from 1990 to 1997.
- **Mrs Felicity Huston**, a tax consultant. She has held a number of positions in Northern Ireland and is currently Chairman of the Northern Ireland Consumer Committee for Electricity. She is Honorary Treasurer of the Belfast Charitable Society (est. 1752).
- **Mrs Angela Sarkis CBE**, an independent management consultant. She is a Governor of the BBC and Non-Executive Director of the Correctional Services Board at the Home Office. She was Chief Executive of the Church Urban Fund between 1996 and 2001, having previously worked in the Probation Service

and Family Service Units. She holds a range of trusteeships in the voluntary sector, is an adviser to the Department for Education and Skills and was an adviser to the Government's Social Exclusion Unit between 1997-2000.

7. The members nominated by the three main political parties are:

- **The Rt Hon Baroness (Brenda) Dean of Thornton-le-Fylde** (Labour), Chairman of the Housing Corporation, Chairman of the Armed Services Pay Review Body, President of the College of Occupational Therapists and a member of the General Insurance Standards Council. She is also a member of the Political Honours Scrutiny Committee and was a member of the Royal Commission on the Reform of the House of Lords.
- **Lord (Navnit) Dholakia OBE DL** (Liberal Democrat), Chairman of the National Association for the Care and Rehabilitation of Offenders, Vice-Chairman of the Policy Research Institute on Ageing and Ethnicity, Vice-Chairman of the Mental Health Foundation and a member of the Governing Body of the Commonwealth Institute.
- **The Rt Hon Lord (Douglas) Hurd of Westwell CH CBE** (Conservative), Deputy-Chairman of Coutts & Co and Honorary President of the Prison Reform Trust. He is a member of the Political Honours Scrutiny Committee and was a member of the Royal Commission on the Reform of the House of Lords. He was Foreign Secretary between 1989 and 1995 and also served as

Home Secretary and Northern Ireland Secretary.

8. The Commission is supported by a small secretariat at its office at 35 Great Smith Street, London, SW1P 3BQ. The Secretary to the Commission is Jim Barron.

Role of the House of Lords Appointments Commission

9. The Commission has two responsibilities:

- to make recommendations on the appointment of non-party-political independent members of the House of Lords; and
- to scrutinise all nominees, including those put forward by the political parties, to the House of Lords to ensure their propriety.

Recommendations

10. The Prime Minister decides the number of recommendations to be invited from the Commission. He passes these recommendations to Her Majesty The Queen. He has indicated that he will only decline to pass on a recommendation in the most exceptional circumstances, such as if a nominee posed a risk to national security.

11. The Prime Minister has reserved the right to nominate a limited number of holders of high public office directly to The Queen. The Appointments Commission will vet any such appointments.

Vetting

12. The Commission has taken on the role of the Political Honours Scrutiny Committee in relation to nominations for life peerages. The Commission has

decided, as did the Committee before it, to interpret its role as ensuring nominees have upheld the highest standards of propriety. As with the Committee, its remit does not extend to those individuals who are appointed to the House of Lords to take on ministerial responsibility.

13. The Commission's vetting role is discussed in more detail in section three of this report.

The Commission's Code of Practice

14. The Commission's Code of Practice is included at Appendix A. It is also included in the Commission's published Information Pack and on its website:
www.lordsappointments.gov.uk.

15. The Commission's Register of Interests is available on the website or may be obtained from the Commission's office.

The Commission's Expenditure

16. The Commission's expenditure amounted to £248,000 in the period May 2000 to March 2001. For the financial year 2001 – 2002 it was £143,000. For 2002 – 2003 it is likely to be around £120,000 although at the time of publication this figure has not been confirmed. Further details are at Appendix B.

Section 2: The Appointments Process

Introduction

17. On 13 September 2000, the Commission actively invited members of the public to nominate themselves for peerages. The aim was to take a process that had hitherto operated in secrecy in Downing Street and to turn it into an open and transparent application process.

18. The Commission drew on widely established recruitment procedures for high level appointments in the private, public and voluntary sectors. The Commission made it clear that it was seeking people with outstanding personal qualities from all parts of the country. It published the nomination and assessment process and the selection criteria it had drawn up. These were set out in an Information Pack and on the Commission's website.

19. At the same time the Commission contacted some 10,000 local and national organisations covering almost every sector of society asking them to help identify suitable nominees.

20. In line with its brief from the Prime Minister, the Commission made it plain that it wished to encourage nominations from groups who were under-represented in the Lords, such as women and ethnic minority communities. However, the Commission made it clear - in line with its brief - that all appointments would be made solely on the basis of merit.

21. In support of its work to open up the process of nominations, the Commission held a series of meetings around the country to share its approach and to encourage people to think seriously about putting themselves forward. In autumn 2000, the Commission visited Edinburgh, Cardiff, Manchester and Belfast.

Closing Date for Nominations

22. The Commission wished to be in a position to make its first recommendations in the first few months of 2001. It therefore set a closing date of 17 November 2000 for nominations.

23. In the three months leading up to the closing date, the Commission received around 15,000 requests for Information Packs and its website recorded around 5,000 hits. By 17 November, the Commission had received 3,166 completed nomination forms, of which about 500 were sent electronically.

The Nomination Process

24. When launching its invitation for nominations in September 2000, the Commission made clear that a spirit of openness would characterise its work - subject only to the protection of the confidentiality of nominees.

25. In pursuit of greater openness the Commission made some fundamental changes to the process of identifying those who might be recommended for appointment.

26. First, the Commission made it possible for anyone to nominate

themselves. Any eligible person may apply to be considered for membership of the House of Lords. The Commission asked for self-nominations as it wanted to establish that the nomination process was similar to applying for any public appointment.

27. Second, the Commission published the criteria to be used in assessing nominees. The criteria are set out in full at Appendix C. In summary they were:

- a record of significant achievement within the nominee's chosen way of life that demonstrates a range of experience, skills and competencies;
- an ability to make an effective and significant contribution to the work of the House;
- the time available to make an effective contribution within the procedures and working practices of the House of Lords;
- some understanding of the constitutional framework, including the role of the House of Lords;
- outstanding personal qualities, in particular integrity and independence;
- a strong and personal commitment to the principles and highest standards of public life; and
- independence of any political party.

28. Third, the Commission stated its belief that those appointed should be available to make a contribution to the work of the House of Lords in their area of expertise. In the past, peers appointed in the Birthday and New Year's Honours lists were under no obligation to work in the House. It was made plain to nominees that the Commission hoped they would be able

to contribute to the work of the House, particularly when issues within their own area of expertise are the subject of legislation or debate.

29. Finally, as part of the shortlisting process, the Commission decided to interview those nominees that it might recommend for appointment.

Assessing the Nominations

30. The Commission made clear that its recommendations for appointment would be made on the basis of individual merit and the capacity to make an independent contribution.

31. The Information Pack provided an outline of the Commission's initial approach to assessing nominations. The Commission recognised that this might change in the light of its experience and welcomed any views from nominees and others on the nomination and assessment process, particularly the selection criteria. A summary of the feedback received is at Appendix D.

32. The assessment process included a number of checks to ensure that all nominations were looked at fairly and consistently. This is summarised below.

Stage 1

33. Before the assessment began, a number of objective eligibility checks were made on all nominations. For example, it is a statutory requirement that those considered for appointment are UK, Commonwealth or Irish nationals, aged over 21. As a result a small number of nominations were ineligible for consideration.

Stage 2

34. In a first sift, the Commission worked with six sifting teams to assess all the nominations. The sifting teams comprised members of the Commission's Secretariat and former civil servants with experience in the field of personnel management. Each team member made an initial assessment of a nomination against the published criteria. The team then discussed their separate assessments and agreed a final assessment. Where the team was unable to agree, it was referred to a committee of no fewer than two Commissioners to make the judgement.

35. During this stage, the Commission also made a series of random checks on the process to ensure that the assessments remained consistent with the selection criteria.

Stage 3

36. Nominations which had passed the first sift were looked at independently by at least two Commissioners, who agreed a joint assessment. Where the Commissioners wanted further views, the nomination was discussed with other Commissioners.

Stage 4

37. As a further check on the process, the Chairman personally reviewed the assessment of all 3,166 nominations.

Stage 5

38. The Commission interviewed the 51 nominees it judged the most outstanding against its published criteria. At least two Commissioners, including the Chairman, met each of these nominees. The same procedure

and format was used for every interview.

Stage 6

39. Following the interviews, the Commission reviewed all the information about the shortlisted nominees before drawing up the final list of 15.

Prior Knowledge of Nominees

40. The Commission's Code of Practice – see Appendix A – sets out its procedures for declaring all acquaintance or friendship with nominees. The Commission places great importance on declaring even the slightest acquaintance with a nominee and all members detailed every contact they could remember.

41. At the first sifting stage, Commissioners' acquaintance with any of the 3,166 nominees was recorded. At the later stages, individual Commissioners completed more detailed declarations and these were made available to all Commissioners.

Analysis of the First Round of Nominations

42. One of the Commission aims was to attract outstanding nominations from groups currently under-represented in the House of Lords (for example, women and ethnic minorities) subject always to recommendations being made on individual merit. A full breakdown of the nominations is at Appendix E.

Nominations from Women

43. 20% of nominations came from women. This fell short of what the Commission had hoped to receive, particularly in view of the current

under-representation of women in the House of Lords. While there were a number of outstanding nominations from women, the Commission would like to receive more.

Nominations from Ethnic Minority Groups

44. 15% of nominations came from members of ethnic minority groups. This is nearly three times the proportion of ethnic minority groups in the population as a wholeⁱ. There were a number of outstanding nominations and this was reflected in the recommendations made.

Nominations received from People Living Outside London and the South East

45. The Commission would have liked to receive a larger number of nominations from people living outside London and the South East – 45% of the nominations received were from people living within the area, which compares with 26% of the UK population as a whole.

46. The Commission would like to find more outstanding nominees from outside the South East and will continue to work towards this goal.

First Recommendations for Appointment to the House Of Lords

47. In March 2001, the Prime Minister asked the Commission to recommend 15 appointees.

48. Those put forward by the Commission wereⁱⁱ:

- **Mr Victor Adebowale CBE** the Chief Executive of Centre Point – the country’s leading youth exclusion charity. He is known for his work with the most disadvantaged young people in the areas of training, employment and homelessness. He is a member of the Government’s New Deal Task Force and the Social Exclusion Unit’s Policy Action Team.
- **Mr Richard Best OBE** the Director of the Joseph Rowntree Foundation, one of the United Kingdom’s leading charitable organisations supporting the development of policy and solutions to address social problems, particularly those of poverty and urban regeneration. He has previously been the Director of the National Federation of Housing Associations, a Rural Commissioner, Secretary to HRH The Duke of Edinburgh’s Inquiry into British Housing and was also the Chairman of the UK National Council for the UN Conference on Human Settlements (the City Summit).
- **Mr Amir Bhatia OBE** a successful businessman who is actively involved in a wide range

ⁱ Comparative figures in paragraphs 44 and 45 and at Appendix E are based on the results of the 1991 UK census.

ⁱⁱ The biographies were written at the time of recommendation to the House of Lords, April 2001.

of voluntary and charitable work. Until recently he was a Trustee of OXFAM and the Community Development Forum and a member of the National Lotteries Board. He is a co-founder of the Ethnic Minority Foundation, which promotes and supports voluntary effort in ethnic minority communities across the UK. He is also involved in health and education as a Trustee of St. Christopher's Hospice and as a member of the London East Training and Enterprise Council. He is Chairman of Simpler Trades Procedures Board

- **Sir John Browne** the Group Chief Executive of BP Amoco plc and one of the leading businessmen in the world. In other areas of business, he is a non-executive director of the Intel Corporation and Goldman Sachs. He is a Trustee of the British Museum and a Board member of the Prince of Wales Business Leaders Forum. Amongst other awards, he has received the Prince Philip Gold Medal of the Royal Academy of Engineering and the Institute of Management Gold Medal.
- **Professor Michael Chan MBE** Chairman of the Chinese in Britain Forum since 1996. Between 1986 and 1990, he was a member of the Home Secretary's Standing Advisory Council on Race Relations and until 1995 he was a part-time Commissioner with the Commission for Racial Equality. He is a paediatrician and between 1994 and 1997 was Director of the NHS Executive Ethnic Health Unit. He is currently visiting Professor of Ethnic Health at the University of Liverpool and was awarded the

MBE for services to the Chinese community.

- **Sir Paul Condon QPM** Commissioner of the Metropolitan Police between 1993 and 2000. He was Assistant Commissioner from 1988 and between 1989 and 1993 was Chief Constable of Kent. He is Director of the Anti-Corruption Unit of the International Cricket Council. He received the Queen's Police Medal for distinguished service in 1989 and was knighted for services to policing in 1994.
- **Professor Ilora Finlay** a world expert in palliative medicine and Vice-Dean of the School of Medicine, University of Wales College of Medicine. Since 1987, she has developed palliative care in Wales and contributed to strategic developments in this field of medicine in the UK and internationally. She carries out her clinical work at the Velindre Cancer Centre, Cardiff and with Marie Curie Cancer Care. Between 1993 and 1997 she served on the Expert Advisory Group on Cancers and subsequently as a member of the National Cancer Forum. She is President-elect of the Medical Women's Federation.
- **Professor Susan Greenfield CBE** Director of the Royal Institution of Great Britain – the first woman Director. She holds this post jointly with her chair in pharmacology at the University of Oxford. As one of the most prominent scientists in the UK, she is known for her particular interest in the physical basis of the mind. Her latest book, *The Private Life of the Brain*, was published in June 2000 and in July that year she presented a major BBC2 series on the brain and the mind. In 1998,

she received the Royal Society's Michael Faraday Medal for her contribution to the public understanding of science.

- **Sir David Hannay GCMG** a former diplomat, who held two of the UK's most important overseas posts – first as Permanent Representative to the European Union and then as Permanent Representative to the United Nations. Between 1959 and 1995, he served in Her Majesty's Diplomatic Service in a number of postings, including the Middle East, Central Asia and North America, where he was No 2 in the Embassy at Washington. Since retiring from the Diplomatic Service, he has been British Special Representative in Cyprus. He has also been an adviser to the Executive Committee of the World Federation of UN Associations. He is a member of the Council of Britain in Europe and the Advisory Board of the Centre for European Reform. He is Pro-Chancellor of the University of Birmingham and is a non-executive director of Chime Communications and Aegis.
- **Ms Valerie Howarth OBE** Chief Executive of ChildLine, who has built it up from a small charitable project to a national body that has helped over one million children. As a former Director of Social Services with the London Borough of Brent, she was involved with child care and women's refuges. She subsequently set up the King's Cross Homeless Project and the London Homeless Forum. Linked to her work in establishing ChildLine, she co-founded the Telephone Helplines Association to ensure high standards for users. Since 1995 she has been Vice-Chairman of John Grooms – working with people with disabilities. In February 2000, she was appointed as a board member of the Food Standards Agency and in April 2001 was appointed as a board member of the new National Care Standards Commission. She was awarded the OBE in 1999.
- **Lady (Elsbeth) Howe of Aberavon CBE** who has made a strong contribution to public life in a number of areas, most notably equal opportunities, education and broadcasting standards. She has served as Deputy-Chairman of the Equal Opportunities Commission (between 1975 and 1979); as President of the Federation of Recruitment and Employment Services (1980 and 1994); as a member of the board of Business in the Community (1990 and 1998); and as a member of the Department of Employment's Working Group on Women's Issues (1992 and 1997). She also has an interest in criminal justice, particularly juvenile crime and for 20 years served as Chairman of the Inner London Juvenile Court. Since 1990, she has been Chairman of the BOC Foundation for the Environment and between 1993 and 1999 chaired the Broadcasting Standards Commission.
- **Sir Robert May** who was born in Australia. At the University of Sydney, he studied engineering but, at the age of 33, became the first professor of Theoretical Physics. He is President of the Royal Society (the UK National Academy of Science) and holds a joint professorship in zoology from the University of Oxford and Imperial College. Between 1992 and 2000, he was the Chief

Scientific Adviser to the Government and Head of the Government Office of Science and Technology. During his period as Chief Scientific Adviser, his most important contribution was the *Guidelines on Science Advice in Policy Making*, with its emphasis on wide consultation and openness. He is an Executive Trustee of the Nuffield Foundation, a Founder Trustee of the Gates Trust, a former Chairman of the Trustees of the Natural History Museum, a Trustee of the Royal Botanic Gardens, Kew and of the WWF (UK).

- **Sir Claus Moser KCB CBE** who was born in Berlin and came to the UK in 1936. Sir Claus has made a contribution in the social sciences, education and the arts. A former Professor of Statistics at the LSE, he was Head of the Government Statistical Service. He was also a Director of N M Rothschild & Sons and *The Economist* and was Warden of Wadham College, Oxford. In 1990, his Presidential Address to the British Association for the Advancement of Science led to the establishment of the National Education Commission. Since 1997, he has been Chairman of the Basic Skills Agency and the Committee on Adult Literacy, which reported in 1999. He is Chancellor of Keele University and the Open University of Israel. He was a Board member and Chairman of the Royal Opera House and a Trustee of Glyndebourne; and is now on the Advisory Council of the LSO, Chairman of the Oxford Playhouse and of Askonas Holt, the music management agency. In the charitable world, he serves on the Paul Hamlyn and Rayne

Foundations. He was awarded the CBE in 1965 and knighted in 1973.

- **Sir Herman Ouseley** who has held a number of senior public service posts within local government in London, including as Chief Executive of the London Borough of Lambeth, as Director of Education with the Inner London Education Authority and as Principal Race Relations Adviser to the Greater London Council. Between 1993 and 2000, he was Executive Chairman and Chief Executive of the Commission for Racial Equality (CRE) and established it as a valuable source of advice, guidance and information on race relations in Britain. He is regarded as an outstanding Chairman and Chief Executive who established the national and international credibility of the CRE in tackling complex and diverse race relations issues. He is the Managing Director of Different Realities Partnerships, working with a range of organisations on diversity issues. He was knighted for his services to local government and race relations in 1997.
- **Sir Stewart Sutherland** Vice-chancellor of the University of Edinburgh since 1994 and a former Vice-Chancellor of the University of London. He is a member of the Higher Education Funding Council. He is a former HM Inspector of Schools and founder of OFSTED. In wider public life, Sir Stewart was Chairman of the Committee on Appeal Courts Procedure (Scotland), which reported in 1996, and he was also Chairman of the Royal Commission on the Long Term Care of the Elderly, which reported

in 1999. He is President of the Alzheimer's Society, Scotland and is also a Trustee of the Iona Abbey Trust, the Airey Neave Trust and the Ernest Cassell Trust. He has been Chairman of the Royal Institute of Philosophy since 1989.

Reactions to the work of the Commission

49. Following the announcement of its first 15 recommendations, there was criticism that the Commission had failed to nominate "People's Peers", that is, people who were representative of all walks of life in the UK. That was not the Commission's brief. At the outset of its work the Commission published - the first time this has been done - the criteria it would use in making its selection (see Appendix E).

Section 3: Vetting

50. The Commission has interpreted its role as ensuring that nominees for life peerages have upheld the highest standards of propriety. In doing this, it has built on the approach and practices of the Political Honours Scrutiny Committee.

51. The Commission wishes to be satisfied, among other things, that nominees are not and never have been a threat to the national security of the UK or any other country; that they have complied, in a straightforward way, with their obligations in relation to taxation and the receipt of benefits; and that there are no serious doubts about a nominee's integrity in relation to their working life. The Commission expects nominees to be resident in the UK for tax purposes.

52. The Commission believes in the rehabilitation of offenders. Past criminal convictions do not automatically disqualify a nominee and in that spirit the Commission has encouraged nominees to provide details of any convictions or other matters that they believe should be brought to its attention.

53. The Commission's scrutiny of nominations includes significant political donations made by nominees, using thresholds set by the Electoral Commission.

54. Since the Commission was set up it has considered two groups of people in carrying out its vetting role:

- the individuals it recommended for appointment as non-party-political independent peers; and

- other nominees for appointment to the House of Lords, the great majority of them being working peers.

55. In line with the long established practice of successive Prime Ministers, the Commission is not asked to undertake an independent scrutiny of individuals appointed to the House of Lords so that they can take up Ministerial responsibility. The Commission notes the considerable public debate as to the appropriateness of this; it is a matter that the Government may wish to review in the future.

Section 4: The Commission's work to date

56. Since the Commission announced its first list of recommendations in April 2001 it has continued to welcome nominations for future rounds. The timing of rounds remains a matter for the Prime Minister.

www.parliament.uk The Commission also provided written evidence, a copy of which is at Appendix H.

57. The Commission has also continued in its role of vetting nominations to the House of Lords. Details of members of the House of Lords who have been vetted by the Commission are set out in Appendix F.

Further Reform of the House of Lords

58. During the period covered by this report the Commission contributed to thinking on further reform of the House of Lords.

59. The Commission provided a written response to the Government's White Paper *The House of Lords: Completing the Reform* on areas where it was felt that its direct experience of operating the appointments process was relevant. A copy of the Commission's response is at Appendix G.

60. Furthermore, in January 2002, the Commission's Chairman was invited to give evidence to the House of Commons Select Committee on Public Administration's enquiry into the reform of the House of Lords. A transcript of Lord Stevenson's evidence, together with that of all witnesses, can be viewed on Parliament's website at

Appendix A: House of Lords Appointments Commission: Code of Practice

Public Service Values

1. Members of the House of Lords Appointments Commission will at all times observe the highest standards of impartiality, integrity and objectivity in their consideration of all those nominated for life peerages and in their recommendations for non-party-political independent peerages.

2. The Commission is committed to an open and transparent nomination and assessment process whilst treating information provided by nominees in confidence except where consent has been given for this to be released.

Standards in Public Life

3. All members will:

- follow the Seven Principles of Public Life set out by the Committee on Standards in Public Life (see attached);
- comply with the Commission's Code of Practice and ensure they understand their duties, rights and responsibilities, and are familiar with the functions and role of the Commission and any relevant statements of Government policy; and
- not misuse information gained in the course of their public service for personal gain or for political purpose, nor seek to use the opportunity of public service to promote their private interests or those of connected

- persons, firms, businesses or other organisations.

Role of Commission Members

4. Members have collective responsibility and will:

- engage fully in the collective discharge of their functions and responsibilities, taking into account all relevant factors and information;
- operate processes that are open and transparent, regularly placing in the public domain information about the Commission's activities, and agree an annual report, which will be published; and
- respond appropriately to complaints.

5. As the independent members of the Commission are required to be politically impartial in their role, they will declare any party-political activity they undertake whilst serving on the Commission. Such activity will be made public.

6. All members will discuss with the Chairman any offers of other appointments which they receive whilst serving on the Commission or shortly after stepping down which might raise a question about their independence or impartiality as a member of the Commission. The Chairman will consult with Commission members about any

similar offers of appointment he may receive.

Role of the Chairman

7. The Chairman has a particular responsibility for providing effective leadership and is responsible for:

- ensuring that the Commission meets at appropriate intervals and that the minutes of meetings accurately record the decisions taken and, where appropriate, the views of individual members; and
- representing the views of the Commission to the general public and others.

Members' Interests

8. The Commission is aware that public scrutiny will rightly focus on members' direct or indirect interests that may or could be perceived to influence their judgement. It is committed to arrangements that will make clear such interests to the public and which set out how the Commission will ensure fairness in making its recommendations for life peers. The Commission will undertake to do this through two mechanisms, which may be amended in the light of the Commission's experience.

I: Register of Interests

9. Members will register relevant interests in the Commission's Register of Interests. These are

- remunerated interests;
- unremunerated interest;
- registered shareholdings (where these are 1% or more of a

company or have a value in excess of £25,000);

- ownership of land and property; and
- party-political activity

10. In addition, the Commission has judged it right to include in their Register of Interests those past interests that may be considered to be relevant, due to personal associations and friendships, and the remunerated and unremunerated interests of close members of their families. In this paragraph, a 'relevant' interest (whether direct or indirect, pecuniary or non-pecuniary) means any such interest that might influence the judgement of a member or might be perceived by others to influence his or her judgement in the exercise of his or her public duties.

11. A copy of the Register of Interests may be obtained from the Commission's office at 35 Great Smith Street, London SW1P 3BQ. Telephone: 020 7276 2315. The Register is also available on the Commission's website.

II: Declaration of Interests

12. In addition, any direct or indirect personal interest in relation to an individual nominee will be declared by the member concerned and formally recorded in the minutes. Direct or indirect personal interests in relation to nominees may include where a member knows a nominee

- as someone with whom the member has, or has had – or in his/her judgement could conceivably have - business or professional dealings;
- as a friend or relation; and/or

- as an acquaintance, whether through their personal, business or professional life. It will be for the member concerned to judge the degree of the relationship with the nominee. Where there is any doubt, the member will set out in his/her declaration the terms or circumstances of the relationship.

have acted honestly, reasonably, and in good faith and without negligence will not have to meet, out of their own personal resources, any personal civil liability which is incurred in execution or purported execution of the Commission's functions.

13. Where a member can reasonably be expected to be aware of similar relationships held by close family members, he or she will declare these.

14. A declaration will include a statement as to any gifts or hospitality received by the member concerned from the nominee.

15. Following the declaration of a personal interest in relation to a nominee, the Commission will decide, in the light of the nature of the relationship, if the member concerned is to be asked to withdraw from any decision about the nominee. Withdrawal of a member will be recorded in the minutes.

16. The Commission's secretariat and any agents acting on behalf of the Commission will follow the same practice.

Personal Liability of Commission Members

17. Legal proceedings against individual members of advisory bodies are very exceptional. However, a member may be personally liable if he or she makes a fraudulent or negligent statement that results in a loss to a third party or if he or she misuses information gained through their position. The Government has indicated that individual members who

The Seven Principles of Public Life

The following are the general principles of conduct which underpin public life. They come directly from the First Report of the Committee on Standards in Public Life (Nolan: First Report, May 1995)

Selflessness:

Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity:

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

Objectivity:

In carrying out public business, including making public appointments, awarding contracts, or recommending

individuals for awards and benefits, holders of public office should make choices on merit.

Accountability:

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness:

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty:

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership:

Holders of public office should promote and support these principles by leadership and example.

Appendix B: The Appointment Commission's expenditure

May 2000 to 31 March 2001

1. The Commission spent £248,000 in the period May 2000 to March 2001.
2. The major cost for the year was for staffing; the total expenditure for this was £140,000. There were four full-time Secretariat staff together with temporary members of staff who were taken on to cover very busy periods. The sum also includes the Commissioners' allowances. Each Commissioner received an annual fee of £3,000. The Chairman was entitled to a fee of £5,000 per year but chose to waive it.
3. A significant proportion of the budget was spent on the development and creation of the Commission's database. The database was created from scratch and required two stages of development. The first was to record the details of nominations, the further work was to develop the database to assist in the management of the sifting process.
4. The remainder of the expenditure was split equally between stationery and publications and conferences, publicity and communications. Most of the stationery and publications budget was spent on the production of the information pack. The expenditure on conferences, publicity & communications included the series of regional events, setting up the website and its maintenance, the distribution costs for the information pack and the mail shot to 10,000 organisations.

April 2001 to March 2002

5. The Commission's expenditure for the financial year 2001-2002 was £143,000. The main reason for the reduction in expenditure is that the previous year's budget contained some one off IT investment and other 'set-up' costs.
6. Over two-thirds of this expenditure, approximately £117,000, was on staff salaries, which included Commission members' fees. Once again the Chairman waived his fee for the financial year.
7. The remaining expenditure was divided between training, travel and subsistence and stationery and publications.

April 2002 to March 2003

8. Although the final figure is not available at the time of this report's publication, the Commission's expenditure for the financial year 2002 – 2003 was approximately £120,000. Around £104,000 of this expenditure was on staff salaries, which included Commission members' fees (the Chairman again waived his fee).
9. The remaining £16,000 was spent on stationery and publications, travel and subsistence, staff training, communications, and IT equipment and costs.

Appendix C: The House of Lords Appointments Commission's criteria for assessing nominations

The Commission seeks to recommend nominees:

- with a record of significant achievement within their chosen way of life that demonstrates a range of experience, skills and competencies;
- who are able to make an effective and significant contribution to the work of the House of Lords, not only in their areas of particular interest and expertise but the wide range of other issues coming before the House;
- with the time available to ensure they can make an effective contribution within the procedures and working practices of the House of Lords. This does not necessarily mean the same amount of time expected of 'working peers'. However, nominees should be prepared to spend the time necessary to become familiar and comfortable with the workings of the House and thereafter, when they have a contribution to make, to participate in its business. The Commission recognises that many active members continue with their professional and other working interests and this can help maintain expertise and experience;
- with some understanding of the constitutional framework, including the place of the House of Lords, and the skills and qualities needed to be an effective member of the House – for example, nominees should be able to speak with independence and authority;
- who are able to demonstrate outstanding personal qualities, in particular integrity and independence;
- with a strong and personal commitment to the highest standards of public life;
- who are independent of any political party. Both the nominee and the Commission will need to feel confident of their ability to be independent of any party-political considerations, whatever the nature of his or her past involvement with a political party.

Appendix D: Feedback received by the House of Lords Appointments Commission on the nomination process

1. The Commission's Information Pack invited feedback on the process. It also stated that the Commission would consider all views received and that any changes would be made public.

2. The Commission received a response from 40 people. The Commission is grateful to all those who took the time and trouble to set out their views on a new, untried and unprecedented process. These are summarised below.

The Commission's Selection Criteria

3. About half of respondents commented on the Commission's criteria. Of these, two felt that the criterion of "outstanding personal success/significant achievement in their chosen way of life" might be too high a standard and thus might deter a number of people from coming forward. Several respondents made the point that achievement in one sphere of life may not carry with it the promise of success in another. Therefore, someone's abilities and experience should not be assessed against a successful career alone. Five respondents commenting on the criteria also suggested that additional qualities should be taken into consideration, including:

- leadership
- a knowledge of contemporary, religious and Parliamentary history
- numeracy
- industrial experience
- robustness of character

- a knowledge of multi-cultural/racial issues and equal opportunities
- evidence of previous contribution to the community, particularly unpaid.

Nomination/Self Nomination:

4. Five people commented on the issue of nomination and self-nomination. It was felt that nomination by others should be given more emphasis to encourage people to come forward, particularly in the light of the British quality of "self-deprecation". One respondent felt that there should be no self-nomination, with all nominees put forward by others.

Peers' Allowances:

5. There was concern about the adequacy of allowances and expenses payable to members of the House of Lords. Some respondents, commenting before the recent increase in peers' allowances stated that members of the House should be paid and there should also be adequate pension arrangements. It was felt that the current arrangements deterred people from coming forward and actively discriminated against those without a private income and those living outside the South East of the country. These are not strictly matters for the Appointments Commission. However, the Commission passed on these strongly felt concerns to the Senior Salaries Review Body, which included the payments of peers' expenses and

allowances in its review of the salaries payable to ministers and MPs.

Term of Appointment:

6. The question of terms of appointment for members of the House is not within the Commission's remit. However, several nominees raised this issue with the Commission at interview. In addition, four of those providing feedback considered that there should be a time limit on appointments. The majority cited five years, with the option of re-appointment if the member had attended and made a contribution.

Age

7. The Information Pack states the statutory age for members of the House of Lords. A number of respondents commented on the question of age with views ranging from allowing those under the age of 21 to be appointed to the introduction of a retirement age (not specified) for members of the House.

Diversity

8. A small number of respondents commented on diversity issues. Overall, it was felt that, while the Commission should seek to achieve a House of Lords that was more representative of the UK population, it should base its recommendations on merit.

Political Independence

9. Two respondents felt that past political activity or membership of a political party was unacceptable and that the House should retain places for genuinely independent peers.

The Future

10. Six respondents felt that there was a need for greater awareness and publicity for the new arrangements, that closing dates for nominations should be avoided and that if some nominees are thought suitable for consideration for future recommendations that they should not be asked to resubmit their nominations.

Appendix E: Breakdown of the 3,166 nominations received by 17 November 2000

	Nominees	House of Lords	UK Population
	3,166	713	58,789,194
Gender			
Men	81%	80%	49%
Women	19%	20%	51%
Ethnic Origin			
White	85%	97%	94.5%
Non-White	15%	3%	5.5%
Disability			
Considered themselves disabled	15%	*	15%
Nationality			
British	98%	*	*
Irish	0.6%	*	*
Commonwealth	1.4%	*	*
Age			
60 or under	61%	22%	80%
Over 60	39%	78%	20%
Regional Background			
South West	9%	*	8%
South East	18%	*	14%
East Anglia	6%	*	9%
London	27%	*	12%
East Midlands	6%	*	7%
West Midlands	6%	*	9%
Wales	4%	*	5%
North West	9%	*	11%
Yorkshire & Humber	4%	*	9%
North East	3%	*	4%
Scotland	5%	*	9%
Northern Ireland	2%	*	3%
Other	1%	*	*

Notes:

1. The regional background of nominees is taken from the address in the nomination form. We believe that the figure for London could be substantially overstated since many people living in London regard their regional background as being from elsewhere in the United Kingdom.
2. The House of Lords figures are based on our analysis of the biographies of current peers. The analysis was carried out in December 2000.
3. * indicates that either the figures are unavailable or the comparison is invalid.

Appendix F: Members of the House of Lords who were vetted by the Commission

October 2000

The Rt Hon the Baroness Boothroyd

April 2001

General the Lord Guthrie of
Craigiebank GCB LVO OBE
The Lord Adebawale CBE
The Lord Best OBE
The Lord Bhatia OBE
The Lord Browne of Madingley
Professor the Lord Chan MBE
The Lord Condon QPM
The Baroness Finlay of Llandaff
Professor the Baroness Greenfield
CBE
The Lord Hannay of Chiswick GCMG
The Baroness Howarth of Breckland
OBE
The Baroness Howe of Idlicote CBE
The Lord May of Oxford OM
The Lord Moser KCB CBE
The Lord Ouseley
The Lord Sutherland of Houndwood

June 2001

The Rt Hon the Lord Ashdown of
Norton-sub-Hamdon KBE
The Rt Hon the Lord Brooke of Sutton
Mandeville CH
The Lord Campbell-Savours
The Rt Hon the Lord Clark of
Windermere
The Lord Corbett of Castle Vale

June 2001 cont.

The Lord Fearn OBE
The Rt Hon the Lord Fowler
The Baroness Golding
The Rt Hon the Lord Grocott
The Rt Hon the Lord Heseltine CH
The Rt Hon the Lord Jones
The Lord Kilclooney
The Rt Hon the Lord King of
Bridgwater CH
The Lord Livsey of Talgarth CBE
The Rt Hon the Lord MacGregor of
Pulham Market OBE
The Rt Hon Lord Maclellan of Rogart
The Lord Maginnis of Drumglass
The Baroness Michie of Gallanach
The Rt Hon the Lord Morris of
Aberavon QC
The Rt Hon the Lord Pendry
The Rt Hon the Lord Radice
The Rt Hon the Lord Rooker
The Rt Hon the Lord Sheldon
The Lord Temple-Morris

September 2001

The Lord Black of Crossharbour OC
PC (Canada)

May 2002

The Rt Rev and Rt Hon the Lord Carey
of Clifton

September 2002

The Lord Wilson of Dinton GCB

Appendix G: Response to the Government's White Paper, *The House of Lords – Completing the Reform*

1. The House of Lords Appointments Commission notes that the White Paper, *The House of Lords - Completing the Reform*, specifically asks for comments on six areas:

- the balance between elected, nominated and ex-officio members and the balance between political and independent members;
- the timing of elections;
- the terms for elected members;
- the terms for appointed members;
- the grounds that should lead to statutory expulsion; and
- changes in expenses.

2. Although individual members of the Commission may have their own opinions on the policy issues upon which the Government is consulting, the Commission itself does not have a view on them.

3. It may be helpful if the Commission responds to the consultation by commenting on areas where it feels it can offer advice based upon its practical experience.

Membership of the Statutory Appointments Commission

4. The White Paper suggests that the membership of the Statutory Commission should comprise of a mixture of representatives of the main political parties and independent members. Based on its experience, the current Commission believes that such a mix can work very effectively. The political and the independent members

share the same aim of appointing nominees on an entirely merit-based system and bring different knowledge, skills and approaches to the work of the Commission.

Under-represented groups

5. The Appointments Commission notes that the Statutory Commission will be asked to balance new appointments to ensure a minimum percentage of men and women, as well as having regard for the fair overall representation for both the nations and regions of the UK and ethnic minority communities. The Commission feels it may be useful to share its experience in this area.

Operating a meritocracy

6. The Appointments Commission selected its nominees on an entirely merit-based system. It follows that there can be no guarantee of achieving a balance in a particular round of appointments or over a limited period of time. It is noted that the White Paper suggests that the Statutory Commission should ensure that at least 30% of new appointments are men and 30% women and that there are no numerical targets set for ethnic or regional representation. The Commission agrees with the Government's conclusion that it will take time to achieve a balance and that targets for representation of different groups should be realistic.

7. The Commission did not recommend individuals on the basis of

gender or ethnicity but on merit alone. The outcome of this was that of the fifteen nominees, four were women and four were of non-white ethnic background. This does not reflect the balance of the UK population – the proportion of non-white appointments being larger and that of women smaller than the respective proportions in the population as a whole. This illustrates the need to consider achieving a balance over an extended period of time if the appointments process is to be entirely merit based.

Nominations from under-represented groups

8. The Commission's experience confirms that in a merit-based system there is a need to receive high quality nominations from all sections of society if a balance is to be achieved.

9. For example, in the Commission's first round about 80% of nominees were men and, all things being equal, this would suggest that the same proportion of appointees would be men. It is difficult to achieve a gender balance when the nominations are weighed heavily in the direction of one gender.

10. Further, the Commission's experience in its first round was that just under half of all nominees were based in London and the South East, which nationally has about 26% of the population. This was despite the fact that the Commission ran regional events to attract nominees from a wider regional background and wrote directly to organisations based throughout the country. The tendency for people to migrate from other regions of the United Kingdom to London and the South East is well known and has no doubt played a part in the concentration of nominations

from this region. In this context, it is interesting to note that while nine of the fifteen nominees had their main address in the London and South East region, only four may truly be said to have their origins in the area. Again, it is difficult to achieve a regional balance if high-calibre nominations are not received from all parts of the nation.

11. The Commission will continue its work to attract high quality nominations from under-represented groups in the United Kingdom.

Appointing independent members

12. The White Paper suggests that the Statutory Commission will continue to appoint independent members along the same lines that the current Commission has employed. The Commission notes the Government's endorsement of its process.

Time Commitment:

13. The Commission's experience of running an open, fair and transparent procedure is that it requires an enormous amount of time and dedication from both the Commissioners and their staff. The time commitment needed – particularly at certain periods in the appointments process – should not be underestimated.

Understanding of work of the Lords:

14. The Commission found that there was a fundamental misunderstanding of the role and the work of the Lords among both nominees and the media. The Commission was dismayed by this ignorance, particularly of the Lord's prime function, the revision and scrutiny of legislation. Although the

Commission can try to correct these misconceptions in its information pack and when talking to nominees, this is not its primary role; responsibility lies elsewhere, with the Government and the House of Lords itself.

Honours:

15. The Commission's experience shows that many nominees regarded themselves as applying for an honour, rather than applying to contribute to the work of the House. A significant amount of the Commission's time was spent considering nominations which did not address the criteria for appointment but rather set out why an individual was worthy of such an honour. Severing the connection between the peerage and membership of the Lords would emphasise the difference, and the Commission would welcome this.

Vetting

16. The White Paper suggests that the Statutory Commission will carry out propriety checks on those nominated by political parties. The job description of the members of the interim Appointments Commission asked the Commission to vet all nominations for suitability. In doing so it took over the role of the Political Honours Scrutiny Committee and has interpreted "suitability", as the PHSC did, as vetting for propriety.

17. The Commission's experience of vetting shows that it is dependent upon the co-operation of government departments and agencies – which it approaches as part of its vetting process – in achieving a fast turn-around. While a single nomination can be vetted relatively quickly, the Commission has concerns about the system's capacity to vet large numbers

of nominees in a very short time. Should the Statutory Commission be required to vet significant numbers of appointees simultaneously, there may be some time between the proposal of an individual and the completion of the vetting process.

Age of nominees

18. The White Paper suggests that there should continue to be no upper age limit for appointment to the Lords. The Commission agrees that introducing any upper age limit could rule out very credible appointees who may have much to offer the House.

Payment to members of the House

19. Feedback the Commission received, which was later passed to Senior Salaries Review Body which was undertaking a review of parliamentary salaries, indicated that a number of people did not feel able to apply because of the low level of payment. It is noted that there has been a significant improvement in the level of allowances following the review. However, in the Commission's view this remains a very real issue for many people, in particular those who are resident outside London and the South East and for people in mid-career who cannot afford to lose a proportion of their salary or pension provision for the time they spend at the House. Having said that, the Commission was still able to attract high quality people – 15 nominees on the first list plus a number of nominations which the Commission has decided to keep for further consideration in future rounds alongside any new nominations – under the current payment system.

21 January 2002

Appendix H: Written evidence to the Public Administration Select Committee

The Role of The House of Lords Appointments Commission and its approach to the First Round of Appointments

Introduction

1. In January 1999 the Government published a White Paper, *Modernising Parliament: Reforming the House of Lords*. This proposed:

- the creation of Royal Commission to examine and make recommendations about the future composition of the House of Lords; and
- as part of the interim arrangements for a transitional House the establishment of an independent non-statutory House of Lords Appointments Commission.

2. The Appointments Commissionⁱ was set up in May 2000 as an advisory non-departmental public body, with the following remit:

- to recommend to Her Majesty non-party-political persons for

cross-bench life peerages, a role previously undertaken by the Prime Minister; and

- to vet the suitability of all nominations to life peerages, until then the function of the Political Honours Scrutiny Committee.

Recommendations of cross-bench life peers

3. In assessing nominations the Commission was asked to take account of:

- the merits of the individual and their capacity to make an independent contribution which will enhance and sustain the effectiveness of the House within the constitutional framework; and
- the impact of an individual's nomination on the composition and balance of the House as a whole, in relation to the range of expertise, experience and outlook and the spread of gender, age, ethnic background and geographical representation.

4. The Commission was further asked:

- to publicise the general qualities being sought and the information required to support a nomination;

ⁱ The Commission has a limited remit compared with that proposed for statutory Appointments Commission by both the Royal Commission and the Government. As well as the role given to the current Commission, a statutory Commission would be responsible for maintaining the proportion of independents at 20% of the House, ensuring the balance of the political parties matched the votes cast at the previous general election and making sure the House was broadly representative of British society.

- to actively invite the public and suitable organisations to submit names; and
- to establish processes for attracting and assessing potential nominees which were open, transparent and reflect best practice.

5. In September 2000, the Commission launched its search for nominees. The Commission:

- set out its processes and the selection criteria against which nominees would be assessed in an information pack and on its website;
- invited members of the public to nominate themselves;
- briefed the national and regional media, wrote to some 10,000 organisations and organised four seminars, in Belfast, Edinburgh, Cardiff and Manchester; and
- set a closing date of 17 November for the first round of nominations.

6. The selection criteria, which were drawn directly from the Commission's remit, are:

- a record of significant achievement within the nominee's chosen way of life that demonstrates a range of experience, skills and competencies;
- an ability to make an effective and significant contribution to the work of the House;

- the time available to make an effective contribution within the procedures and working practices of the House;
- some understanding of the constitutional framework, including the place of the House of Lords;
- outstanding personal qualities, in particular integrity and independence;
- a strong and personal commitment to the highest standards of public life; and
- independence of any political party.

7. By 17 November the Commission had received 3,166 nominations, by post, fax or the Internet. Between November and March these were subject to a rigorous six-stage sifting process.ⁱⁱ In response to an invitation from the Prime Minister – who has reserved to himself the timing of any announcement and the number of peers to be appointed – the Commission announced its first list of 15 nominees on 26 April.

8. The Commission's recommendations, which were made on merit, include:

- a wide range of experience and expertise (eg a world authority on palliative care, an expert on youth and social exclusion, a top British businessman, a former Trustee of Oxfam, an eminent member of the Chinese community, two prominent

ⁱⁱ The Commission published a detailed report on its assessment process when it announced its first recommendations in April 2001.

scientists and a leading educationalist); and

- four women, four individuals from an ethnic minority background and four individuals working outside London and the South East, in Scotland, Wales, Liverpool and Yorkshire.

Vetting of nominations of peerages

9. The Commission was asked to vet all nominations to life peerages, including political nominations, for suitability. This would include a scrutiny of any political donations (as had been endorsed by the Committee on Standards in Public Life in its report on the funding of political parties).

10. The Commission interpreted its role, as had the Political Honours Scrutiny Committee, to vet nominations for peerages for propriety. While it was clearly the task of the Commission to take a view of the suitability of nominees for the cross-benches, it decided that such a role would be inappropriate in relation to those nominees put forward by the political parties to represent them in the House. In line with convention, the Commission's remit does not extend to those individuals who are appointed to the House of Lords to take on ministerial responsibility.

11. Since the Commission was established in May 2000 it has considered two groups of people in carrying out its vetting role:

- the individuals it recommended for appointment as non-party-political independent peers; and
- other nominees for appointment to the House of Lords, the great

majority of them being working peers.

The future

12. The Commission has fulfilled the remit given to it by Government, and in doing so has devised an open, transparent and meritocratic appointments system. In a PQ the Prime Minister endorsed the approach taken by the Appointments Commission (attached below). He also confirmed that the Commission would continue its role pending the establishment of a statutory Commission.

13. In continuing its role, the Commission will:

- welcome nominations at any time so as to be ready to make recommendations when the Prime Minister requests them. This means that the Commission is unlikely to run again a major recruitment exercise – as it did for the first round of nominations – with a fixed closing date and the expectation of a large number of nominations;
- encourage more women, people from an ethnic minority background and those outside London and the South East to make nominations;
- accept nominations of individuals by other people as well as self-nominations; and
- continue to run a meritocratic assessment process, using the same selection criteria as in its first round of appointments.

Gareth Thomas: To ask the Prime Minister if he will make a statement on the future of the House of Lords Appointments Commission. [26093]

The Prime Minister:

The Appointments Commission brought new standards of transparency, professionalism and rigour into the selection of independent peers. The Commission have, as required, published criteria for appointing peers on the basis that individuals should have a record of outstanding achievement, political independence, integrity and the ability to contribute to the House.

The 15 new independent peers were appointed because they have skills and qualities that will benefit the legislative scrutiny and revising work of the second Chamber. They included a

world authority on palliative care, an expert on youth and social exclusion, a top British businessman and a leading educationalist. Their expertise is already contributing to debates in the House.

As the Honourable Member knows, the White Paper on Lords Reform published last year proposes a statutory Appointments Commission to appoint independent members and to continue an open and transparent process of appointing independent members to the House of Lords. In the meantime the Appointments Commission will continue its role.

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