

**HOUSE OF LORDS  
APPOINTMENTS COMMISSION**

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**Ref: HOLAC FOI IR2025/02**

11 March 2025

By email: [REDACTED]

Dear [REDACTED]

Internal Review Reference: HOLAC FOI IR2025/02  
(Original Case Reference: HOLAC FOI FOI2025/02)

**REVIEW OF REQUEST UNDER THE FREEDOM OF INFORMATION ACT 2000**

Thank you for your email of 26 February 2025. You asked for an internal review of our response to your request for information also on 06 February 2025. In your original request you asked:

*This is an FOI request about the honours given to the following individuals:*

*a. Lord Michael Spencer 2020*

*b. Lord Peter Cruddas 2020*

*c. Lord Aamer Sarfraz 2020*

*d Lord James Lupton*

*1. I am writing to request a copy of the 'citations' - i.e. the written recommendations for an appointment - that were submitted to HOLAC for each of these individuals.*

*2. I also wish to request copies of all records of discussion of the meetings at which the appointments of the four individuals above were discussed.*

*3. Please also provide copies of official correspondence between the Prime Minister and HOLAC relating to the appointment of these individuals.*

*Kindly note where an individual was nominated on multiple occasions, such as Lord Spencer, I am requesting the information listed at 1-3 — to the extent that is held — in respect of each nomination.*

I have carefully reviewed the handling of your original request and I note that information was released with regards to part 1 of your request.

I consider that the exemptions at section 37(1)(b), 40(2) and 41(1)(b) of the Freedom of Information Act were properly applied with regards to the request for information in relation to the information requested in part 3 of your request, and some of the information in scope for part 2 of your request. In order for the House of Lords Appointments Commission (HOLAC) to discharge the role given to it effectively, the Commission must treat any information which may be provided, for any potential nominees, in the strictest confidence. It is unlikely that individuals would be willing to put their names forward to the Commission for consideration if they could not rely on the Commission's confidentiality or if they felt that their personal information would be put in the public domain.

The Information Commissioner's Office has provided clear direction that the interpretation of Section 37 includes the policies and procedures that underpin the process for conferring honours and dignities. The process by which peerage applications and nominations are considered needs to remain confidential in order to maintain the integrity of the system and to ensure that recommendations about peerages may continue to be offered on the basis of full and honest information; and that those who offer opinions may do so freely and honestly, in confidence, on the understanding that their confidence will be honoured. For the majority of information in scope, I believe that the balance of the public interest was fully considered for the reasons set out in the letter of 6 February 2025.

However, I note that in part 2 of your request, you ask for records of discussions of the meetings. After reviewing your request, I have found that some information held in scope of this part of your request is exempt from disclosure under section 21(1) of the Freedom of Information Act. Section 21 exempts information if this information is reasonably accessible to the applicant by other means. Section 21 is an absolute exemption and HOLAC is not required to consider whether the public interest favours disclosure of this information.

You will be able to view the minutes of HOLAC meeting on our website at: <https://lordsappointments.independent.gov.uk/commissionreports>

I have also reviewed the use of Section 37(2) of the Freedom of Information Act, which refers to the duty to neither confirm or deny whether information is held if it would otherwise be exempt (in this instance) under Section 37(1)(b), where the information refers to the conferral by the Crown of any honour or dignity. Again, I believe that the balance of the public interest was fully considered for the reasons set out in the letter of 6 February 2025.

I have further considered the points you made in your internal review request where you have noted:

*I am now writing to request an internal review. Specifically, could you please ensure this includes a review of your decision to neither confirm nor deny whether information is held in response to parts 2 and 3 of my request.*

*These four peerages were all awarded to donors to the Conservative Party and all the appointments had a degree of controversy about them due to concerns over 'cash for access'. In this context, there is a heightened public interest in understanding how due diligence and scrutiny was applied during the vetting process. This should extend at least as far as confirming what information is held in the scope of the request with respect to each peerage.*

*I also ask HOLAC to adopt a granular approach to withholding information and consider where some of this information can be disclosed given the need for transparency and considerable passage of time that has now elapsed between the request and the appointments themselves.*

I should make clear that the original response to your FOI (Ref: HOLAC FOI 2025/2) set out that information was held in relation to your request, and specifically noted that information was held for parts 2 and 3 of your request, but that this information was being withheld under the relevant sections of the FOI Act stated above. Section 37(2) of the Act, the duty to neither confirm or deny whether information is held if it would otherwise be exempt (in this instance) under Section 37(1)(b), is being applied to the entirety of your request, not just to parts 2 and 3 - specifically to your request for information regarding if any of the names individuals were nominated on multiple occasions. To reveal if an individual was nominated or considered by HOLAC on multiple occasions would in itself disclose information that we consider to be exempt from release under Section 37(1)(b) of the Act. I am satisfied that the reasoning behind this decision was fully considered and set out to you in the letter of 6 February 2025.

I have also considered what you have stated about there being a '*considerable passage of time that has now elapsed between the request and the appointments themselves*'. Under section 63(3) of the Freedom of Information Act, subject to the balance of public interest, honours information should remain exempt for sixty years. I note that it has been 4.5 years since Lord Michael Spencer, Lord Peter Cruddas and Lord Aamer Sarfraz were made peers, and 10 years since Lord James Lupton was made a peer. This falls considerably short of the 60 year mark and as such, we would not consider '*a considerable passage of time*' to have passed since the appointments were made. I would underline that we consider it essential that all those involved in the honours and dignities system are given the courtesy of confidentiality for a period of time after their case has closed.

If you are unhappy with the handling of your request for information you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Yours sincerely,

Elizabeth Stewart  
**Secretariat to the House of Lords Appointments Commission**