



HOUSE OF COMMONS

7 September 2011

Kim Brudenell
Solicitor to the Leveson Inquiry
c/o Royal Courts of Justice
Strand
London WC2A 2LL

Dear Ms Brudenell,

Leveson Inquiry into the culture, practices and ethics of the press

Thank you for your letter of 8 August asking me to provide evidence to the Inquiry panel.

The information you requested is as follows:

1. My tenure as the Parliamentary Commissioner for Standards began on 1 January 2008. I was appointed on a resolution of the House of Commons, following open competition. I had been a civil servant from August 1969 until December 2007, serving in the Home Office, the Cabinet Office, the Northern Ireland Office and what finally became the Ministry of Justice. My last post in the civil service was as Director General for legal and judicial services in the Ministry of Justice. In that capacity, I was involved in working with the senior judiciary, including Lord Justice Leveson.
2. The Office of the Parliamentary Commissioner for Standards was established by the House of Commons in 1995 as a result of recommendations made by the Committee on Standards in Public Life. This recommended an officer to oversee parliamentary standards, drawing analogies with the role of the Comptroller and Auditor General and the Parliamentary Ombudsman.

The Parliamentary Commissioner for Standards is an independent Officer of the House of Commons, appointed by a Resolution of the House for a fixed and non-renewable term of 5 years. Further details on the Commissioner's role and remit can

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**Office of the Parliamentary Commissioner for Standards
House of Commons London SW1A 0AA**

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be found on my webpages at <http://www.parliament.uk/mps-lords-and-offices/standards-and-interests/pcfs/>.

The role of the Commissioner is not based on statute, but on the Standing Orders of the House of Commons. My Annual Report, webpages, Standing Orders of the House and Guide to the Rules give further details on the operation of my functions. In summary the duties of the Commissioner are as follows.

- to maintain the Register of Members' Financial Interests and other registers of interest established by the House, and to make such arrangements for the compilation, maintenance and accessibility of those registers as are approved by the Committee on Standards and Privileges;
- to provide advice confidentially to Members and other persons or bodies subject to registration on matters relating to the registration of individual interests;
- to advise the Committee on Standards and Privileges and individual Members on the interpretation of the Code of Conduct for Members of Parliament and on questions of propriety;
- to monitor the operation of the Code and Registers, and to make recommendations thereon to the Committee on Standards and Privileges; and
- to investigate, if the Commissioner thinks fit, specific matters which have come to his attention relating to the conduct of Members and to report to the Committee on Standards and Privileges or resolve these by rectification or dismissal.

These duties are set out in full in Standing Order No. 150, reproduced in my 2010-11 Annual Report, which is enclosed along with a copy of the Code of Conduct and Guide to the Rules.

3. In relation to registration, I discharge my functions by compiling and publishing on a regular basis Registers of Members' Financial Interests, of the interests of Members' Secretaries and Research Assistants, of Journalists, and of All-Party Groups. Members are required to register any financial interests or other material benefit which might reasonably be thought by others to influence their actions as an MP. This includes employment, gifts, benefits and hospitality and overseas visits, subject to the relevant thresholds.

In relation to complaints against Members, it is my responsibility under the Standing Order to decide whether the matter drawn to my attention is supported by sufficient evidence to justify me initiating an inquiry into whether there has been a breach of the rules of the House. Under the Code of Conduct Members are expected to co-operate at all stages with any investigation into their conduct which I carry out under the

authority of the House. I have no separate powers to require such co-operation, but the Committee itself has the power to send for persons, papers and records. The Committee publishes in full my memoranda and findings in respect of my inquiries, along with its conclusions and any recommendations to the House. I may at any time dismiss a complaint into which I have inquired, and, with the agreement of the Member in question, I may myself agree to rectify a breach of the rules where it is at the less serious end of the spectrum. Otherwise, it is for the Committee and the House to decide whether to accept my findings on any matter I submit to them and what, if any, action to take. I have no say in any action which the Committee recommends to the House.

4. I have no responsibility for, nor experience of, regulating the media, including in relation to phone hacking.
5. The role and remit of the Parliamentary Commissioner for Standards was last considered by the Committee on Standards in Public Life in its report of November 2009 on MPs' expenses and allowances (CM 7724).

I know the Inquiry will be well aware that this office has no responsibility for the conduct of the press or media in relation to Members of Parliament or anyone else. This office's only involvement with members of the press (other than to deal with press enquiries) is through the Register of Journalists' Interests. This Register requires journalists who hold House of Commons passes as lobby journalists accredited to the parliamentary press gallery or for parliamentary broadcasts, to register any occupation or employment for which they receive over £657 from the same source in the course of a calendar year if that occupation or employment is in any way advantaged by the privileged access to Parliament afforded by their pass. I may inquire into complaints about breaches of these rules on registration. But this office has no role or function in regulating or otherwise overseeing the activities or conduct of these or any other journalists, or in decisions about the issue of House of Commons passes to journalists or anyone else.

Yours sincerely,

[Redacted signature box]

John Lyon CB

Parliamentary Commissioner for Standards

Enc: Code of Conduct and Guide to the Rules
Annual Report 2010–11 of the Parliamentary Commissioner for Standards

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