

Mr. K Barron, M.P.
Chairman,
Committee of Standards and Privileges,

Dear Mr. Barron,

12.12.10

As we agreed, after I had consulted your Clerk, I should write to you to express my concern about your Committee's decision to withdraw my Parliamentary photo pass and through your Committee to apologise to the House.

I find this decision to be totally at odds with the conclusion your Committee have drawn "Like the Commissioner we accept there is no evidence to suggest that any of these breaches were intentional. Mr. Caborn did not bring the House or it's Members arguably into disrepute".

I have two major concerns that flow from this decision.

1. That your Committee can make a sanction on a past Member and that ex Member has no right of appeal. When I asked your Clerk for guidance he said there was no right of appeal and that as the report and it's recommendations were to be debated in the House on Wednesday next, I could request a Member to speak on my behalf.

Whilst I accept the withdrawal of the photo pass is a new sanction it's public consequences are considerable and is classed in the public eye as the same as a suspension from the House I would like to know what advice your Committee received for it to go against the convention of the House. As I understand it when a Member is investigated there are three categories, the findings and sanctions imposed.

- a. No rules breached – no action.
- b. Rules breached – but not intentionally and did not bring the House into disrepute – written or oral apology to the House.
- c. Found to have deliberately broke the rules and brought the House into disrepute – an apology to the House and suspension from the House.

Could you let me know, why I was found guilty of 'b' and given the punishment of 'c'.

Turning now to my second point which refers to the interpretation to the Guide to the Rules, the Commissioner states, in para. 711:

"I recognize that the strict interpretation of the Guide to the Rules appears only to require the declaration of an interest to Ministers or Crown Servants, including executive agencies. The Chairmen of Health Authorities do not come into either of these categories. Nevertheless, the Guide to the Rules is not a legal document and Members are expected to abide by both the spirit as well as the letter of the Rules and I note that the requirement to declare a relevant interest extends to meetings with public officials".

What is also important to this case is the full sentence to the Rules that the Commissioner refers to which read “ the requirement to declare a relevant interest AT THE APPROPRIATE TIME covers almost every aspect o a Member of Parliament’s duties extending to correspondence and meetings with Ministers and Public Officials”.

I also note your Committee’s report – section – The need for a Wider Review -para 74 Meeting with Officials
“the terms in which the present advocacy rule is expressed have caused us concern – and goes on – We feel it would be helpful if the rule and associated guideline were clarified and in due course amended”.

Clearly from both the Commissioner and your Committee’s recommendations the interpretation of the difference between the Guide and the Guide to the Rules needs to be clarified.

Could I request that the definition of “AT THE APPROPRIATE TIME” and “PUBLIC OFFICIALS” are made clear as this is where I, and Members of Parliament, I have spoken to, genuinely have a difference with the Commissioner’s interpretation.

My submission to your Committee is to clear up the purpose of the meeting with Mr. David Stone the Chairman of the Health Trust. The Commissioner places importance on this Meeting, as does your Committee. I have spoken to Mr. Stone to make sure I am reflecting his reasons for inviting me to meet him. Reasons he is prepared to put down in writing to the Committee.

The meeting at his invitation was to discuss two issues.

1. Did I believe it was worth setting up a discussion group, within the City of Sheffield, to look at how the wellness of the population could be enhanced if certain actions were taken.
2. Would I be prepared to be involved and possibly Chair a Working Group, after a had left Parliament, which I had already announced. This was because of my knowledge of Sheffield and my experience of being a former Sports Minister.

It was against that background and for that purpose, that I sort out the views of a number of organizations local & national to find out if the idea had merit.

I believe this was a constituency issue and a proposition that I may have taken up after leaving Parliament. These were preliminary discussions held approximately eight to ten weeks prior to the General Election.

I hope this gives more detail into the meeting with the Chairman of the Health Trust.



Advanced Manufacturing Research Centre

The Rt Hon Richard Caborn (Strategic Advisor)

Your Committee have recommended that I apologise to the House for the breach of the Code of Conduct. I do that unreservedly for my failure to declare fully my interest when arranging functions on the Parliamentary Estate. I do not believe that I breached the Code of Advocacy in not declaring an interest when meeting the Chairman of the Sheffield Health Trust.

In light of the above, and the severity of the punishment, I request a meeting with your Committee which will give me the opportunity to explain fully, as this is difficult to do in correspondence.

Yours sincerely

Richard Caborn