



House of Commons
Committee on
Standards and Privileges

**Conduct of
Mr George Galloway**

First Report of Session 2003–04

*Report and Appendix,
together with formal minutes*

*Ordered by The House of Commons
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Committee on Standards and Privileges

The Committee on Standards and Privileges is appointed by the House of Commons to oversee the work of the Parliamentary Commissioner for Standards; to examine the arrangements proposed by the Commissioner for the compilation, maintenance and accessibility of the Register of Members' Interests and any other registers of interest established by the House; to review from time to time the form and content of those registers; to consider any specific complaints made in relation to the registering or declaring of interests referred to it by the Commissioner; to consider any matter relating to the conduct of Members, including specific complaints in relation to alleged breaches in the Code of Conduct which have been drawn to the Committee's attention by the Commissioner; and to recommend any modifications to the Code of Conduct as may from time to time appear to be necessary.

Current membership

Rt Hon Sir George Young Bt MP (*Conservative, North West Hampshire*) (Chairman)
Ross Cranston QC MP (*Labour, Dudley North*)
Mr Andrew Dismore MP (*Labour, Hendon*)
Rt Hon Derek Foster MP (*Labour, Bishop Auckland*)
Mr Michael Jabez Foster MP (*Labour, Hastings and Rye*)
Mr David Heath CBE MP (*Liberal Democrat, Somerton and Frome*)
Rt Hon Andrew Mackay MP (*Conservative, Bracknell*)
Mr Kevin McNamara MP (*Labour, Hull North*)
Richard Ottaway MP (*Conservative, Croydon South*)
Mr Stephen Pound MP (*Labour, Ealing North*)

Powers

The constitution and powers of the Committee are set out in Standing Order No. 149. In particular, the Committee has power to order the attendance of any Member of Parliament before the committee and to require that specific documents or records in the possession of a Member relating to its inquiries, or to the inquiries of the Commissioner, be laid before the Committee. The Committee has power to refuse to allow its public proceedings to be broadcast. The Law Officers, if they are Members of Parliament, may attend and take part in the Committee's proceedings, but may not vote.

Publications

The Reports and evidence of the Committee are published by The Stationery Office by Order of the House. All publications of the Committee (including press notices) are on the Internet at: www.parliament.uk/parliamentary_committees/standards_and_privileges.cfm. A list of Reports of the Committee in the present Parliament is at the back of this volume.

Committee staff

The current staff of the Committee are Dr Christopher Ward (Clerk), Ms Charlotte Littleboy (Second Clerk) and Lisa Hasell (Secretary).

Contacts

All correspondence should be addressed to The Clerk of the Committee on Standards and Privileges, Journal Office, House of Commons, London SW1A 0AA. The telephone number for general enquiries is 020 7219 6615.

Contents

Report	<i>Page</i>
Conduct of Mr George Galloway	3
Appendix: Memorandum by the Parliamentary Commissioner for Standards	4
Formal minutes	8
Reports from the Committee on Standards and Privileges in the current Parliament	9

Conduct of Mr George Galloway

1. We have considered a memorandum by the Parliamentary Commissioner for Standards relating to his investigation of complaints made against Mr George Galloway, Member for Glasgow Kelvin. The Commissioner's memorandum is appended to this Report.
2. In view of the legal advice the Commissioner has received, that disposing of the complaints before Mr Galloway's libel action against the *Daily Telegraph* has been determined could, in some circumstances, be prejudicial, we agree with him that it would not be appropriate either to dispose of the complaints at this stage, or for him to pursue further his inquiries of Mr Galloway that refer to matters in dispute in the legal action. We also agree with the Commissioner that this does not inhibit him from pursuing other lines of inquiry.
3. This will mean some delay in reaching conclusions on the complaints against Mr Galloway. The House will expect him to pursue his legal action with all due urgency, in order to minimise this delay. We will keep the matter under constant review, and report further to the House as necessary.

Appendix: Memorandum by the Parliamentary Commissioner for Standards

Contents

	<i>Page</i>
Complaints against Mr George Galloway	5
Introduction	5
Appendix	7
Statement to the Press 6 May 2003	7

Complaints against Mr George Galloway

Introduction

1. The Committee will recall that in late April of this year, I received complaints from Mr Andrew Robathan (the Member for Blaby) and Mr Andrew Yale (a member of the public) asking me to investigate allegations concerning Mr George Galloway, the Member for Glasgow Kelvin. These allegations were based on documents found by a *Daily Telegraph* reporter in Baghdad, the discovery of which that newspaper had reported earlier in that month. The documents purported to show that Mr Galloway had received some £375,000 from the former Iraqi regime, under the guise of the UN Oil for Food Programme, which he has not recorded in the Register of Members' Interests.

2. On 6 May I announced that, following discussion with the Committee, I was beginning preliminary inquiries into the allegations against Mr Galloway. A copy of my statement is appended.

3. In accordance with the procedure for handling complaints approved by the House, I immediately sought Mr Galloway's response to the complaints. Mr Galloway has consistently and vigorously denied the allegations against him.

4. Consistent with this denial, Mr Galloway began libel proceedings against both the *Daily Telegraph* and the *Christian Science Monitor*, which had published similar allegations based on a different set of documents. These latter documents were subsequently exposed as forgeries.

5. I am also aware that, following a complaint to the Attorney General, the Charity Commission began a fact-finding exercise in April 2003 into whether the Mariam Appeal—which Mr Galloway had launched in 1998 and from which he has registered the receipt of several payments for overseas travel—may have used charitable funds for non-charitable purposes. The Commission's initial findings indicated that the funds raised under the terms of the original appeal were indeed charitable, and it therefore opened, in June, an inquiry under section 8 of the Charities Act 1998 into whether funds raised for the Mariam Appeal between March 1998 and April 1999 had been applied for charitable purposes. The fact-finding exercise continued in parallel with the statutory inquiry and the Commission announced on 14 November that it had concluded that the Appeal continued to be charitable in law after April 1999. It has therefore extended the scope of its inquiry to cover the whole period of the Appeal and any charitable funds collected, held or applied in its name or on its behalf.

6. Since May, I have pursued a number of lines of inquiry into the complaint I have received against Mr Galloway. It would not be appropriate for me to describe the nature of these until I am able to report substantively to the Committee on the complaints.

7. I have also put a number of questions to Mr Galloway. These have been responded to in part but by no means fully. On 11 November, I received a letter from Mr Galloway's solicitor in which he expressed extreme concern that my continuing investigations would be prejudicial to Mr Galloway in light of his outstanding libel claims against the *Daily*

Telegraph and the *Christian Science Monitor*. This was because “the information and issues to which your enquiry relates will form a part of the libel actions”. Mr Galloway’s solicitor concluded that he had therefore advised his client that he should not supply any further information to me until after the determination of those proceedings.

8. On 19 November I received a letter from Mr Galloway himself in which he asked me “to stay, in the interests of natural justice, any further action on this matter until the result of my libel case against the *Daily Telegraph*”.

9. The future progress of Mr Galloway’s libel action against the *Daily Telegraph* is unclear. It is possible that court proceedings will not begin until the summer of next year.

10. It must be a shared concern of the Committee and of any Commissioner that a Member should not be able to block the investigation of a complaint under the processes approved by the House simply by threatening, or starting, a libel action. On the other hand, the House has always had a proper concern to avoid the appearance (or the fact) of proceedings in the House improperly influencing the judiciary or a jury. It also expects the procedures for investigating complaints to operate in a way that is fair to the accused Member.

11. I have had to consider whether seeking to insist on a full response from Mr Galloway at this stage to the questions I have put to him could prejudice the legal proceedings in which he is involved. I am advised that disposing of the complaints before those proceedings are determined could in certain circumstances be prejudicial and have therefore concluded that I should not seek to do so. In view of the advice Mr Galloway has received from his solicitor, it will also not be practicable for me to pursue inquiries addressed to him until the outcome of his libel action against the *Daily Telegraph* is known.

12. Pending the outcome of the legal proceedings, I intend to monitor the course of those proceedings and any other developments. I shall also pursue such other lines of inquiry as may be open to me which do not appear likely to impact on the proceedings. I shall conclude my inquiries of Mr Galloway as soon as possible after the proceedings are over and will report to the Committee on the substance of the complaints against him as soon as possible thereafter.

13. If there appears to be any delay by Mr Galloway in pursuing the legal proceedings, I shall seek further direction from the Committee.

2 December 2003

Sir Philip Mawer

Appendix

Statement to the Press 6 May 2003

Following the receipt of complaints and after discussion with the Committee on Standards and Privileges, the Parliamentary Commissioner for Standards, Sir Philip Mawer, is beginning preliminary inquiries into the allegation reported by the Daily Telegraph that Mr George Galloway MP received some £375,000 from the former Iraqi Government and had not declared this in the Register of Members' Interests.

Commenting on this decision, Sir Philip said:

“I am beginning a preliminary inquiry into the allegations made against Mr Galloway, in accordance with the normal procedure for considering complaints against Members. This will include seeking Mr Galloway’s formal response to the allegations. I will report to the Standards and Privileges Committee on that response and on developments in relation both to the libel actions and to other inquiries (for example, by the Charity Commission) into relevant matters concerning Mr Galloway, before deciding whether and, if appropriate, when to proceed to a full investigation”.

“I am conscious of the need to avoid prejudicing the libel actions which Mr Galloway has said he is bringing against the Daily Telegraph and the Christian Science Monitor. On the other hand, I understand that these actions are still at a very preliminary stage. The allegations against Mr Galloway are serious and it would not be in the public interest for an investigation of them to be unreasonably delayed”.

Note for Editors

The Commissioner has nothing to add to this statement and is not therefore available for interview.

6 May 2003

Sir Philip Mawer

Formal minutes

Tuesday 2 December 2003

Members present:

Sir George Young, in the Chair

Ross Cranston

Mr Derek Foster

Mr Michael Jabez Foster

Mr David Heath

Mr Andrew Mackay

Mr Kevin McNamara

Richard Ottaway

The Committee deliberated.

Draft Report [Conduct of Mr George Galloway], proposed by the Chairman, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 3 read and agreed to.

Resolved, That the Report be the First Report of the Committee to the House.

Ordered, That the Chairman do make the Report to the House.

Ordered, That the Memorandum from the Parliamentary Commissioner for Standards be appended to the Report.

Ordered, That the Appendix to the Report be reported to the House.—(*The Chairman.*)

* * *

[Adjourned till Tuesday 16 December at 9.30 am.]

Reports from the Committee on Standards and Privileges in the current Parliament

Session 2003–04

First Report	Conduct of Mr George Galloway	HC 73
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Session 2002–03

First Special Report	Standards of Conduct: Letters from the Committee on Standards in Public Life	HC 516
First Report	Complaint against Mr Nigel Griffiths	HC 195
Second Report	Eighth Report of the Committee on Standards in Public Life: "Standards of Conduct in the House of Commons"	HC 403
Third Report	Complaints against Mr Michael Trend	HC 435
Fourth Report	Complaints against Mr Henry McLeish	HC 946
Fifth Report	Complaints against Mr Clive Betts	HC 947
Sixth Report	Pay for Select Committee Chairmen	HC 1150
Seventh Report	Guidance for Chairmen and Members of Select Committees	HC 1292

Session 2001–02

First Report	Complaint against Mr Geoffrey Robinson: Supplementary Report	HC 297
Second Report	Complaint against Mr Roy Beggs	HC 319
Third Report	Complaint against Mr John Maxton	HC 320
Fourth Report	Restrictions on the Initiation of Parliamentary Proceedings: A Consultation Paper	HC 478
Fifth Report	Complaints against Mr Keith Vaz	HC 605–I&II
Sixth Report	Registration of Interests by Members who have not taken their seat	HC 624
Seventh Report	Complaints against Mr Nigel Griffiths	HC 625
Eighth Report	Complaints against Mr Archy Kirkwood	HC 755
Ninth Report	A new Code of Conduct and Guide to the Rules	HC 763
Tenth Report	Complaint against Mr Peter Brooke	HC 1147