



House of Commons  
Committee on  
Standards and Privileges

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**Conduct of Mr David  
Cameron**

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**Second Report of Session 2006-07**

*Report and Appendices, together with formal  
minutes*

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## The 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.

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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/sandp](http://www.parliament.uk/sandp). 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), Dr Susan Griffiths (Second Clerk) and Miss Michelle Owens (Secretary).

### Contacts

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## Conduct of Mr David Cameron

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1. We have considered a memorandum by the Parliamentary Commissioner for Standards relating to a complaint against the Rt. Hon. David Cameron, Member for Witney, by Mr Norman Baker, Member for Lewes. The Commissioner's memorandum is reproduced at Appendix 1.

2. The essence of Mr Baker's complaint is that Mr Cameron's office in the House, provided at public expense, was being used as part of a party fund-raising strategy. A leaflet distributed at a meeting of the Conservative City Circle had described details of a number of party fund-raising clubs. The most senior of these, the Leader's Group, had as its stated aim "to support David Cameron, providing sustainable and renewable income for the Party". One of the advertised benefits of membership was "the opportunity to meet with the Leader ... in his office after Prime Minister's Question Time"<sup>1</sup>. Since Mr Cameron became Leader of the Opposition in December 2005, he has held seven such lunches in his Parliamentary office<sup>2</sup>.

3. The Commissioner has recommended that Mr Baker's complaint be upheld. While the Commissioner sees no reason in principle why Mr Cameron cannot meet, in his office or elsewhere on the Parliamentary Estate, those who donate to his party, he is of the opinion that what neither he nor his party (nor indeed any other Member or party) can properly do is employ their Parliamentary office as part of a party fund-raising stratagem. In the Commissioner's view, this is, on the facts, precisely what happened in this case<sup>3</sup>.

4. In accordance with our normal practice, we have shown Mr Cameron a copy of the Commissioner's memorandum. His comments are reproduced at Appendix 2<sup>4</sup>. Mr Cameron accepts the Commissioner's recommendation; offers his unreserved apologies for inadvertently contravening the Code of Conduct in respect of the use of his Parliamentary offices; and offers an assurance that this will not happen again. He also confirms that he will hold no more such lunches for members of the Leader's Group in his Parliamentary office, nor will his office be mentioned in any promotional literature.

5. Mr Cameron fairly makes the point, which the Commissioner accepts<sup>5</sup>, that the intertwining of Members' various capacities—as parliamentarians, party members, and private individuals—means that it would be impracticable to require that only business which is exclusively parliamentary in nature can ever be conducted by Members from their offices on the Parliamentary Estate. However, it is important that offices and

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1 Appendix 1, para. 14.

2 Ev.6, p18.

3 Appendix1, para. 42.

4 Page 21.

5 Appendix 1, para 36.

facilities provided at public expense to help Members carry out their Parliamentary duties effectively are not also used for unrelated party purposes. We consider that party fund-raising falls fairly and squarely into precisely this category. The promotional material that lies at the heart of this complaint explicitly linked the opportunity to meet Mr Cameron in his office after Prime Minister's Questions with membership of a fund-raising club, and such opportunities have arisen regularly for Leader's Group members over the last year or so.

**6. Mr Cameron was in our view ill-advised to link directly, in promoting the Leader's Group, the issues of access to his office and party fund-raising. We agree with the Commissioner that Mr Baker's complaint should be upheld.**

7. We are grateful to Mr Cameron for his speedy and full acceptance of the Commissioner's recommendation, and for his apology to the House. We consider that this, and the undertakings he has given in his written evidence to us that he will ensure there is no repetition, adequately dispose of this matter. We nonetheless take this opportunity to remind all Members of the importance of the fundamental principle that Parliamentary facilities, services, expenses and allowances are provided for Parliamentary purposes, and that it is incumbent on them to check regularly the relevant rules.

# Appendix 1: Memorandum from the Parliamentary Commissioner for Standards

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# Complaint against the Rt Hon David Cameron

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## Background

1. On 10 December 2006 the ‘Mail on Sunday’ carried on its inside front page an article headed “*Anger over Cameron’s pledge to bosses who pay £50,000 to meet him*”. The article claimed that a leaflet distributed to Conservative Party supporters included details of a “*Leader’s Group*”. In return for an annual membership subscription of £50,000, members of the Group were said to be promised “*the chance to chat with [the Party Leader,] Mr [David] Cameron in the Commons after Prime Minister’s Questions*”.

2. The article went on to quote Mr Norman Baker, the Member for Lewes, as questioning Mr Cameron’s use of his Parliamentary offices for this purpose. Mr Baker was quoted as saying that he would be asking the Serjeant at Arms to investigate, on the grounds that:

*“Mr Cameron’s office, like those of other MPs, is paid for by the taxpayer to perform a public function—not as a fundraising venue for the Conservative Party. If it isn’t against the letter of the law, then it is certainly against the spirit of it”.*

3. A spokesman for Mr Cameron was said to have insisted that no rules of the House of Commons were being broken:

*“David [Cameron] is not about to be influenced by someone coming into his office after Prime Minister’s Question Time.”*

*“Seeing and meeting the leader is simply one of the benefits of being a member of the Leader’s Group. We are being perfectly open about this.”*

The full text of the ‘Mail on Sunday’ article is at WE1.

## The Complaint

4. The day following publication of the article, Mr Baker wrote to the Serjeant at Arms referring to its contents and suggesting that Mr Cameron might have breached paragraph 14 of the Code of Conduct for Members, to which I refer in detail below.<sup>1</sup> Mr Baker copied this letter to Mr Cameron and to me, and the full text of his letter is at WE2. In it, Mr Baker said that he had been unable to locate rules specifically relating to the use of Members’ offices but presumed that, like the House’s private dining rooms, they could not be used for party political fundraising. He also questioned whether Mr Cameron’s activities in this respect should be governed by the provisions in the Guide to

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<sup>1</sup> “The Code of Conduct, together with the Guide to the Rules, relating to the Conduct of Members”, HC 351, Session 2005-06.

the Rules relating to the Conduct of Members which require Members providing services in their capacity as a Member to deposit an agreement with my office, conforming with the House's requirements, as to the terms on which those services will be provided.<sup>2</sup>

5. Mr Baker summarised his complaint against Mr Cameron as follows:

*“In essence, it appears to me that Mr Cameron is charging for access for himself in order to boost Conservative Party funds, and using a House of Commons facility, provided to him at public expense to facilitate parliamentary duties, to do so. I would therefore be grateful if you would look into this matter.”*

6. In discussion, the Serjeant and I agreed that, since Mr Baker had focused his concerns on the Code of Conduct and the Guide to the Rules, it would be more appropriate to regard his letter as a complaint under the Code and for me therefore to take the lead in conducting the investigation he had requested, consulting the Serjeant as necessary. The Serjeant wrote to Mr Baker and Mr Cameron on 18 December informing them of this decision.

### Relevant Provisions of the House's Code of Conduct and Rules

7. In his letter of 11 December, Mr Baker quoted paragraph 14 of the Code of Conduct. This reads:

*“Members shall at all times ensure that their use of expenses, allowances, facilities and services provided from the public purse is strictly in accordance with the rules laid down on these matters, and that they observe any limits placed by the House on the use of such expenses, allowances, facilities and services.”*

8. It is clear that an office or offices provided to a Member on the Parliamentary Estate constitutes a facility provided from the public purse. Paragraph 14 of the Code is therefore the most appropriate provision in relation to which to consider the issues raised by Mr Baker's complaint.

9. I am advised by the Serjeant at Arms that no rules relating to permitted uses of Members' offices have been promulgated. It is, however, a fundamental principle underpinning the provision of Parliamentary facilities, services, expenses and allowances to Members that they are provided to enable Members to carry out their responsibilities as Members of the House, that is they are provided for Parliamentary rather than for party purposes. The expressions 'Parliamentary duties' and 'Parliamentary purposes' are commonly used to cover Members' responsibilities as Members, although there is no comprehensive definition of what these terms encompass in all circumstances. Nonetheless there is general agreement that there is a proper distinction to be drawn between Members' activities in these respects, on the one

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<sup>2</sup> Ibid, paragraphs 49-54.

hand, and activities in other capacities, including activities in a purely party capacity, on the other.

10. This distinction, which lies at the heart of Mr Baker’s complaint, is reflected in a number of ways in, for example, the “Green Book”<sup>3</sup> which governs the uses to which Members may devote their Parliamentary allowances. Thus any expenditure claimed from these allowances must have been “*wholly, exclusively and necessarily incurred [by a Member] for the purpose of performing [their] Parliamentary duties*”.<sup>4</sup> Similarly the guidance on the use of Committee Rooms, Conference, Meeting and Interview Rooms issued by the Serjeant at Arms says that while such rooms are available for Members to book for private meetings or functions, they must be used for “*purposes connected to the Parliamentary duties of the Member booking the room, or relevant to the work of Parliament*”. This, the guide goes on, “*includes launching pamphlets or reports of a political or party political nature, but excludes events of a commercial nature or any other non-Parliamentary purpose*”.

11. Two other sets of regulations cast indirect light on the matter. First, paragraphs 5.5 and 5.1 of the Banqueting Regulations, when read together, make clear that the House’s private dining rooms may be used for “*political functions*” but not for “*direct financial or material gain by a ... political party*”.

12. Secondly, the financial assistance paid to Opposition parties (or Short Money as it is colloquially known)—which includes the assistance made available for costs necessarily incurred in running the office of the Leader of the Opposition—is made available specifically to assist such parties to carry out their Parliamentary business. Although no formal Resolution of the House defines what constitutes Parliamentary business for this purpose, informally the following definition has been observed for some time, following agreement between the Official Opposition, the House’s Accounting Officer and the National Audit Office:

*“Parliamentary business for the purpose of providing financial assistance to opposition parties may be defined as research associated with front bench duties, developing and communicating alternative policies to those of the Government of the day, and shadowing the Government’s front bench. It does not include political campaigning and similar partisan activities, political fundraising, membership campaigns or personal or private business of any kind.”*<sup>5</sup>

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3 The Green Book on Parliamentary Salaries, Allowances and Pensions, published annually by the House’s Department of Finance and Administration.

4 Ibid, Introduction by the Director of Finance.

5 I had cause to quote this definition before in Annex 1 to my memorandum appended to the Committee’s Fourth Report of Session 2003-04 (HC46). The Committee’s subsequent call for greater clarity in this area (ibid, paragraphs 24-25) has not, so far as I am aware, yet been acted upon.

## My Inquiries

### 1. Conservative Party Leaflet

13. I have seen a copy of a leaflet circulated at the meeting of the Conservative City Circle mentioned in the ‘Mail on Sunday’ article. Headed “*Play a key role in the future of our Party*”, the leaflet listed a number of different clubs with varying levels of membership subscription aimed at different types of supporter of the Conservative Party. All of the clubs were based on the concept of special access to senior figures in the Party, often involving participation in social events, in return for a certain level of membership subscription. The fundraising nature of all of the clubs was clear.

14. The most senior club (with an annual membership fee of £50,000) was called the Leader’s Group. The leaflet described the Group in the following terms:

*“The most senior club, its aim is to support David Cameron, providing sustainable and renewable income for the Party. Members are kept close to policy developments and meet with the Leader several times a year at small dinners or lunches and in his office after Prime Minister’s Question Time”. (emphasis added)*

Mr Cameron was named as the President of the Group.

### 2. Mr Cameron’s Evidence

15. Following the Serjeant’s letter of 18 December to Mr Baker (see paragraph 6 above), I wrote immediately to Mr Cameron inviting him to respond to Mr Baker’s complaint. The text of my letter is at WE3. In the letter I made clear my view that the relevant provision of the Code, referred to by Mr Baker, was paragraph 14 (quoted in paragraph 7 above). Mr Baker had also mentioned the provisions in the Guide to the Rules relating to the Conduct of Members concerning agreements for the provision of services in the capacity of a Member.<sup>6</sup> I told Mr Cameron, however, that in my view those provisions were clearly intended to apply to remunerated employment by a Member, not to activities of the sort alleged in Mr Baker’s complaint.

16. My letter of 19 December<sup>7</sup> focussed on Mr Cameron’s alleged use of his office in the House in connection with party fundraising. On 9 January, I wrote further to say that it would be helpful if, in his reply, Mr Cameron could cover the related question whether members of the Leader’s Group, meeting in his office after Prime Minister’s Question Time, were given tickets to observe that Question Time from the Gallery of the Chamber beforehand or whether the practice was for them to watch it on the television monitor in his office before meeting him. A copy of that letter is at WE4.

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<sup>6</sup> The reference in Mr Baker’s letter of 11 December to Section 14 of the Guide should in fact be to paragraph 49 et seq of the Guide.

<sup>7</sup> WE3

17. Mr Cameron replied on 10 January. The text of his reply is at WE5. He confirmed that members of the Leader's Group watched Prime Minister's Question Time on the television in his office before meeting him, and were not given tickets to the Gallery. As to the use of his Parliamentary office in this way, Mr Cameron wrote:

*“As you note, there are no specific rules relating to the use of Members’ offices at the House, although they are provided primarily for use in connection with Parliamentary purposes. As a Leader of a political party, my office, while used primarily for Parliamentary purposes, is also used for a wide variety of other meetings. I, like my predecessors, have always thought it reasonable for me to use my office to meet all those it is necessary for me to meet in my role as a Party Leader, including those who give money to the Conservative Party.”*

He commented further on this point in his letter of 9 March (see paragraphs 21-23 below).

### 3. Evidence of the Serjeant at Arms

18. I have discussed the position with the Serjeant at Arms, who administers the provision of offices to Members. I understand from him that the Leader of the Opposition and those supporting him in his Parliamentary duties currently have the use of a suite of six rooms in the Norman Shaw South building with a total floor area of 266.1 square metres. Mr Cameron has indicated that his office, which is in the suite, is where the Leader's Group briefings, including the use of the television facilities, took place.

19. The Serjeant confirmed that all accommodation made available to Members on the Parliamentary estate is provided for Parliamentary purposes. However, there are no specific rules referring to the use of these rooms, or to the use by Members of their offices in general.

### 4. Further Observations by Mr Cameron

20. In accordance with the procedures approved by the House, I sent Mr Cameron on 5 March a draft of the factual sections of this report. I invited him to let me have any comments and in particular to let me know on how many occasions the Leader's Group had met in his Parliamentary office after Prime Minister's Questions.

21. Mr Cameron replied on 9 March.<sup>8</sup> He told me that since becoming Leader of the Opposition in December 2005, he had held 7 lunches in his Parliamentary office for the Group, at all of which other Members had also been present. Mr Cameron described the difficulty of distinguishing between the different types of meeting held in his office:

*“I believe that, as Leader of the Opposition, it would be almost impossible for me to carry out my duties properly if I had to distinguish in the use of my office between*

*Parliamentary business, matters to do with the wider functioning of the Opposition, and matters relating to the Conservative Party. The three activities are, in the case of the Leader of the Opposition, and on a lesser scale with all Members of Parliament, intertwined. It would be very difficult to operate any such distinction.”*

22. Mr Cameron accepted that in relation to the use of Short Money in support of his office (see paragraph 12 above) it was possible to distinguish between Parliamentary and Party business, and to apportion costs accordingly. However the business conducted in his office and at any particular meeting oscillated between Parliamentary, policy and political matters. From a practical point of view, he could not move back and forth between his Parliamentary office and offices outside Parliament as the business constantly shifted in this way. Nor would it be possible easily to distinguish between the different roles of donors to the Party, many of whom were also Party officers or held advisory positions.

23. Finally, Mr Cameron reiterated that, in the absence of any specific rule relating to the use of Members’ Parliamentary offices, he had always assumed it was allowable for him to use his office to meet all those he had to meet as Leader of the Opposition. He continued:

*“The Leader of the Opposition has a constitutional responsibility to organise the Opposition in all its forms. This includes meeting those who have made donations to the Conservative Party and to the functioning of the Opposition.*

*...I very much hope that in reaching your conclusions you will be ready to take account of the practical implications both for me, as Leader of the Opposition, and for other Members of Parliament, in carrying out our day-to-day work.”*

## Findings of Fact

24. A leaflet circulated towards the end of 2006 by the Conservative Party about various groups with a political and a fundraising purpose included reference to a Leader’s Group. Prospective members of the Group were told that in return for a membership fee of £50,000 they would be kept close to policy developments and have the opportunity to meet Mr Cameron several times a year, including “*in his office after Prime Minister’s Question Time*”.

25. Mr Cameron has confirmed that 7 meetings of the Group have taken place after Prime Minister’s Questions using rooms in the suite provided to him as Leader of the Opposition in Norman Shaw South. However, members of the Group have never been given tickets to observe Prime Minister’s Question Time from the Gallery of the Chamber.

26. Mr Cameron argues that, as a party leader, his office, while used primarily for Parliamentary purposes, is also necessarily used for a wide variety of other meetings. It is reasonable for him to meet there all whom it is necessary for him to meet in his role as Party Leader and Leader of the Opposition, including those who give money to the

Conservative Party. He asserts that it would be “almost impossible” for him to carry out his duties as Leader of the Opposition if he had to distinguish, in the use he made of his office between Parliamentary Business, matters to do with the wider functioning of the Opposition, and matters relating to the Conservative Party, and was required to transact all non-Parliamentary business elsewhere.

27. There are no specific rules which govern either the use by the Leader of the Opposition of the suite of rooms available to him or the use by Members in general of their Parliamentary offices. However, all accommodation on the Parliamentary estate provided to Members is provided from public funds for use for Parliamentary purposes. There is general agreement that there is a proper distinction to be drawn between Members’ activities in pursuit of these purposes, and other activities, including those in a purely party capacity.

## Conclusion

28. Despite their declining attraction as membership organizations, political parties perform a vital function in our representative democracy. It is through them that many political aspirations are channelled and different streams of opinion are articulated and refined into a manageable set of propositions to be put before the electorate. They also play a central role in the arrangements for conducting business within Parliament.

29. To undertake these functions, parties require resources, resources which—to the extent that they are not provided from the public purse—have to be raised privately. The resources of all political parties in the United Kingdom are under pressure. The review of the funding of political parties conducted by Sir Hayden Philips<sup>9</sup> provides an opportunity to address afresh the question how parties can best be funded.

30. So long as parties continue to be funded privately to any significant extent, there will be a need to view their fundraising activities with realism. Some may find objectionable the very notion of offering privileged or special access to a Party’s Leader to those who donate generously to that party. However, access to senior figures and the potential opportunity it presents to influence party policy is one of the few incentives parties can offer to encourage sympathisers to turn into financially active supporters. From the public interest point of view, what is important is that the sources from which donations come are properly regulated and made transparent. It is that which the statutory system of regulation administered by the Electoral Commission (and supplemented by the House’s own rules on the registration of donations to and sponsorship of Members) is intended to achieve.

31. I mention these points because it is, I think, important to see Mr Baker’s complaint about Mr Cameron in its wider context. It is also important to understand that the issue

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9 On 20 March 2006, the Prime Minister announced that he had asked Sir Hayden Phillips to review the funding of political parties. Sir Hayden’s report was published on 15 March 2007.

raised by the complaint is not the fundraising methods employed by the Conservative Party (and matched one way or another by every other political party) but the narrower issue of Mr Cameron's use of the offices made available to him from public resources on the Parliamentary estate in connection with his fundraising activity on behalf of the party he leads.

32. Political parties are, as I have noted, a vital ingredient in the life of Parliament. The boundary between what is Parliamentary and what is party activity is not always a clear one. It is, however, a boundary which it is important to try to 'delineate' and preserve if public confidence in the way Parliament functions as guardian of the national, rather than a narrow party interest, is to be maintained. It is my contention that the use of parliamentary facilities for or in connection with party fundraising falls conclusively on the side of party activity.

33. The lack of a specific rule saying that Members' offices, provided at public expense for Parliamentary purposes, cannot be used for party political fundraising needs to be seen in the context of the overarching principle that offices and facilities on the Parliamentary estate are provided to enable Members to carry out their Parliamentary duties, that is, to facilitate the discharge by them of the duties and functions of the office of Member of Parliament. This principle is, I submit, clear, and is reflected in the various rules relating to the provision of allowances and facilities other than offices to Members which I have set out in paragraphs 10 to 12 above. These rules also reflect the corollary of that principle, viz. that the allowances and facilities provided to Members are not to be used for party political campaigning or party fundraising purposes. Indeed this is made explicit in the definition of Parliamentary business, agreed with the Official Opposition, which underpins the expenditure of Short Money, out of which public resources necessary to run the Office of the Leader of the Opposition are provided.<sup>10</sup>

34. In his letters of 10 January and 9 March, Mr Cameron says that, as a leader of a political party, his office, while primarily used for Parliamentary purposes, is also used for a wide variety of other meetings. Like his predecessors, he has always thought it reasonable to use his office to meet all those it is necessary for him to meet in his role as a party leader and as Leader of the Opposition, including those who give money to the Conservative Party, many of whom are also party officers or advisers. It would be almost impossible for him to carry out his duties in practice if he had to distinguish in the use of his office between Parliamentary business, matters to do with the wider functioning of the Opposition and matters relating to his party.

35. I accept the argument that, all other things being equal, there is no problem in principle with Members meeting donors to their parties in their offices in the House. This is as true for Mr Cameron as it is for any other Member. To argue to the contrary would have the perverse consequence that Members would be severely restricted in where they could meet at Westminster those likely to be most active in their

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<sup>10</sup> See paragraph 12 above.

constituency associations or parties, or their supporters in the trade unions and industry, etc.

36. Mr Cameron also argues that, given the intertwining of the various capacities in which he acts, it would be very difficult, from a practical point of view, if he, or indeed Members generally, had to move back and forth between a Parliamentary office and an office outside Parliament as the business they were conducting oscillated between Parliamentary, policy or political matters. I accept this; such an artificial arrangement would in practice be unworkable and detrimental to the efficiency with which Members discharged their Parliamentary functions, thus negating the very purpose for which their offices on the Parliamentary Estate were provided in the first place.

37. In my view, the House is therefore sensible not to seek to spell out detailed rules relating to the use made by Members of accommodation made available to them on the Parliamentary Estate. Within the overarching understanding that this is provided for Parliamentary purposes, this must be left to the good sense and judgement of individual Members in the light of their personal circumstances.

38. However, as I have implied, the fact that there is no specific rule in relation to the use of Members' offices does not mean that any use is permissible. The principle that accommodation is provided for Parliamentary purposes sets the context in which Members' specific use of the accommodation is to be judged.

39. The key issue in the present case is not the fact that Mr Cameron met donors to his party in his office in the House, but whether this office was used as part of a fundraising arrangement or activity on behalf of his party. The fundraising purpose of the Leader's Group is clear from the promotional literature circulated at the Conservative City Circle, and the incentives offered to prospective members specifically include the opportunity to meet the Leader "*in his office after Prime Minister's Questions*". Furthermore, it is clear that this benefit has been taken up by Group members on a number of occasions. In my submission the Parliamentary estate is not provided out of the public purse to be used as part of a device to attract party fundraising and the suggestion that it is so being used is not one likely to enhance the public reputation of the House.

40. It could be argued that Mr Cameron's Parliamentary office is not being used for fundraising because this element is simply one part of an overall package of benefits from membership of the Leader's Group, and prospective members will form their judgment on the basis of the Group's overall aims and objectives, and not on the basis of individual privileges it confers. I do not accept this argument. The terms of the invitation issued to prospective members of the Group make clear that regular access to Mr Cameron is a core benefit; meetings in his office after Prime Minister's Questions constitute a central element in this access; and the primary aim of the Group is to raise "sustainable and renewable income for the Party".

41. It could also be argued that the literature did not refer in terms to the meetings after Prime Minister's Questions taking place in Mr Cameron's office in the House; they could in theory have taken place elsewhere. However, my view is that, on a plain reading of the words, this is nonetheless implied, and seven such meetings have to date taken place in his Parliamentary office.

42. While there is no reason in principle, I submit, why Mr Cameron cannot meet, in his office or elsewhere in the Parliamentary estate, those who donate to his party, what neither he nor his Party (nor indeed any other Member or party) can properly do is employ their Parliamentary office as part of a party fundraising stratagem. In my view, that is, on the facts, precisely what happened in this case. **I therefore recommend that Mr Baker's complaint be upheld.**

*19 March 2007*

*Sir Philip Mawer*

# Written evidence received by the Parliamentary Commissioner for Standards

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## 1. Article in Mail on Sunday, 10 December 2006

### ANGER OVER CAMERON'S PLEDGE TO BOSSES WHO PAY £50K TO MEET HIM

David Cameron is at the centre of a damaging 'cash-for-access' row over £50,000 invitations to businessmen to meet him in his House of Commons offices—and be kept up-to-date with policy developments.

MPs last night accused the Tory leader of abusing his position over an offer of regular meetings with him, contained in a Conservative leaflet being sent out to well-heeled supporters.

The leaflet was also distributed at a meeting last week of the City Circle, a group of financiers who help to bankroll the Tories. It promises benefactors who join the 'Leader's Group'—for an annual membership fee of £50,000—that they will even have the chance to chat with Mr Cameron in the Commons after Prime Minister's Questions.

Last night Liberal Democrat Norman Baker said he would be asking the Serjeant at Arms to investigate.

He said 'Mr Cameron's office, like those of other MPs, is paid for by the taxpayer to perform a public function—not as a fundraising venue for the Conservative Party. If it isn't against the letter of the law, then it is certainly against the spirit of it. Selling access to Mr Cameron's office is an abuse of the House of Commons and represents a return to the Tory years of sleaze'.

MPs are banned from using the Commons' private dining rooms 'for direct financial or material gain by a sponsor, political party, or any other person or outside organisation'.

But a spokesman for the Serjeant at Arms, who is charged with ensuring that MPs observe the rules and traditions of the House, admitted he was 'unsure' if there was any guidance that banned the use of offices there for party fundraising.

And a senior civil servant admitted that a ban on MPs using their offices for fundraising would be a nightmare to police.

He said 'How would the authorities decide whether people are there simply as a voter or supporter or someone buying access to the House, as you say?

'Until now we have relied on the MPs to observe the traditions of the House and do their party political fundraising elsewhere—but perhaps after this complaint is investigated that will have to change.'

The leaflet describes Mr Cameron as the president of the group and fashion tycoon Andrew Feldman, who was at Oxford with him, as the Chairman. Of the Leader's Group itself, which has already attracted 50 high-rolling donors as members, it states: 'The most senior club, its aim is to support David Cameron, providing sustainable and renewable income for the party'.

The pamphlet adds: 'Members are kept close to policy developments and meet with the leader several times a year at small dinners or lunches and in his office after Prime Minister's Question Time.'

A spokesman for Mr Cameron insisted no Commons rules were being broken. He said: 'David is not about to be influenced by someone coming into his office after Prime Minister's Question Time.'

'Seeing and meeting the leader is simply one of the benefits of being a member of the Leader's Group. We are being perfectly open about this.'

The Conservatives received more than £18 million in loans from wealthy supporters before the last Election. But like Labour, they are now being forced to look at new ways of raising revenue in the wake of the ‘cash-for-peerages’ affair.

Last month the Leader’s Group held a black-tie fundraising evening at London’s Dorchester Hotel, at which Mr Cameron addressed 400 invited guests.

*10 December 2006*

## **2. Letter to the Serjeant at Arms from Mr Norman Baker, 11 December 2006**

I am writing following an article in the Mail on Sunday yesterday which reported that David Cameron is offering membership of a ‘Leader’s Group’, entailing special parliamentary access, in exchange for a £50,000 annual donation to the Conservative Party. I enclose a copy of the article for ease of reference.

In light of these reports, I have looked at the Code of Conduct which applies to all Members of Parliament and it seems to me that Mr Cameron may have breached a number of regulations.

Specifically, paragraph 14 of the Code of Conduct states that:

*“Members shall at all times ensure that their use of expenses, allowances, facilities and services provided from the public purse is strictly in accordance with the rules laid down on these matters, and that they observe any limits placed by the House on the use of such expenses, allowances, facilities and services.”*

I have been unable to locate rules specifically relating to the use of Members’ offices but I presume that they are governed similarly to the banqueting facilities which are not permitted to be used for party political fundraising activities.

Section 14 of the Guide to the Rules Relating to the Conduct of Members also provides very clear rules for Members entering into agreements involving the provision of services in one’s capacity as an MP. This clause refers to services for which MPs are personally financially remunerated but it is unclear whether this also applies to MPs offering services in exchange for large party political donations.

In essence, it appears to me that Mr Cameron is charging for access for himself in order to boost Conservative Party funds, and using a House of Commons facility, provided to him at public expense to facilitate parliamentary duties, to do so. I would therefore be grateful if you would look into this matter.

I look forward to hearing from you shortly and am copying this letter to both Sir Philip Mawer, the Parliamentary Commissioner for Standards, and David Cameron MP for his information.

*11 December 2006*

## **3. Letter to the Rt Hon David Cameron from the Commissioner, 19 December 2006**

Mr Baker copied to you his letter of 11 December drawing attention to an article which appeared in the ‘Mail on Sunday’ on 10 December, in which it was alleged that you are using your offices at the House of Commons to raise funds for the Conservative Party. Specifically it was suggested that a leaflet circulated by the Party inviting membership of a ‘Leader’s Group’ at an annual fee of £50,000 included the statement that:

*“Members are kept close to policy developments and meet with the Leader several times a year at small dinners or lunches and in his office after Prime Minister’s Question Time.” (emphasis added)*

As the Serjeant at Arms has indicated in his reply of 18 December to Mr Baker, he and I have agreed that, in view of the references Mr Baker makes in his letter to paragraph 14 of the Code of Conduct for Members and related matters, I should take the lead in looking into this complaint. I will, of course, be consulting the Serjeant closely as I do so.

Mr Baker sums up the complaint he is making against you thus:

*“In essence, it appears to me that Mr Cameron is charging for access for himself in order to boost Conservative Party funds, and using a House of Commons facility, provided to him at public expense to facilitate parliamentary duties, to do so.”*

In accordance with the procedures for investigating complaints laid down by the House (a note on which I enclose), I should be grateful if you will now give me your response to Mr Baker’s complaint. Among the factors which will be relevant to its determination are:

1. paragraph 14 of the Code of Conduct, quoted by Mr Baker in his letter.
2. the fact that, although, as he notes, and as far as I am aware, there is no specific rule relating to the use of Members’ offices at the House, they are provided primarily for use in connection with Parliamentary purposes and not for purposes of Party fundraising.

Mr Baker also mentions the provisions in the Guide to the Rules relating to the Conduct of Members concerning agreements for the provision of services in the capacity of a Member. (The reference in his letter to Section 14 of the Guide is incorrect: it should be to paragraph 49 et seq of the Guide.) As I see it those provisions are intended to apply to remunerated employment by a Member, not activities of the sort alleged in respect of the particular complaint by Mr Baker.

In view of his interest, I am copying this letter to the Serjeant at Arms.

**19 December 2006**

#### **4. Letter to the Rt Hon David Cameron from the Commissioner, 9 January 2007**

Thank you for your letter of 20 December acknowledging mine of 19 December about this complaint.

I look forward to receiving your response to the complaint. I thought you might find it helpful in preparing that if I were to say now that one point it would be useful for you to cover in your reply would be whether members of the Leader’s Group who meet you in your office after Prime Minister’s Question Time are given tickets to observe that Question Time from the Gallery of the Chamber beforehand or whether the practice is for them to watch it on the television monitor in your office before meeting you.

This is a point—allied to the main one about the use of your Parliamentary office for this purpose—which I expect some will raise in the context of the complaint and it would be helpful if you could address it when you write to me.

**9 January 2007**

#### **5. Letter to the Commissioner from the Rt Hon David Cameron, 10 January 2007**

Thank you for your letter of 19th December, regarding your inquiry into the complaint by Norman Baker MP about the use of my House of Commons office.

You have helpfully set out the factors relevant to Mr Baker’s complaint.

First, I am glad that you take the view that the provisions of paragraph 49 of the Guide to the Rules relating to the Conduct of Members (incorrectly referred to by Mr Baker as ‘Section 14’) are not relevant to Mr Baker’s complaint. As you say, paragraph 49 (and subsequent paragraphs) deal with paid outside employment by a Member. That is not the subject of his complaint against me.

Secondly, paragraph 14 of the Code of Conduct for Members, quoted by Mr Baker, states that: *‘Members shall at all times ensure that the use of their expenses, allowances and services provided from the public purse is strictly in accordance with the rules laid down on these matters...’*. As you note, there are no specific rules

relating to the use of Members' offices at the House, although they are provided primarily for use in connection with Parliamentary purposes. As a Leader of a political party, my office, while used primarily for Parliamentary purposes, is also used for a wide variety of other meetings. I, like my predecessors, have always thought it reasonable for me to use my office to meet all those it is necessary for me to meet in my role as a Party Leader, including those who give money to the Conservative Party. However, I can confirm, in response to your question in your further letter to me of 9 January, that members of the Leader's Group who see me in my office after Prime Minister's Question Time watch it on the television in my office beforehand, and are not given tickets to observe PMQs from the Gallery of the Chamber.

If you require any more information, I would be happy to assist in any way I can.

*10 January 2007*

## **6. Letter to the Commissioner from the Rt Hon David Cameron, 9 March 2007**

Thank you for your further letter of 5 March, regarding your inquiry into the complaint by Norman Baker MP about the use of my House of Commons office, and for enclosing a copy of the factual sections of your draft report. I welcome this further opportunity to put across my views.

In response to your specific question about the number of lunches of this kind I have held in my office, I can let you know that since I became Leader of the Opposition in December 2005, I have held 7 such lunches. I enclose a full list of when these lunches took place. I must also stress that, in addition to myself there are always other Members of Parliament present at these meetings.

I believe that, as Leader of the Opposition, it would be almost impossible for me to carry out my duties properly if I had to distinguish in the use of my office between Parliamentary business, matters to do with the wider functioning of the Opposition, and matters relating to the Conservative Party. The three activities are, in the case of the Leader of the Opposition, and on a lesser scale with all Members of Parliament, intertwined. It would be very difficult to operate any such distinction.

I fully accept, that for purposes such as the use of Short Money (as you mention in paragraph 13), it is possible to apportion costs in a way which reasonably reflects the use of my staff and other costs. But it would be very difficult, from a practical point of view, if I had to move back and forth between my Parliamentary office and offices outside Parliament as the business conducted in any particular meeting—or during the day—oscillates between Parliamentary, policy or political matters.

Any such ruling would mean that I, and other Members of Parliament, would be prevented from discussing such matters as, for example, Local Elections, Party Conference speeches and meetings, By-Election results, selection of candidates etc in our Parliamentary offices.

Many donors to the Party are also Party Officers and hold advisory positions. Distinguishing between their different roles when organising meetings would be very difficult.

As you note in both your letter of 19 December, and in your draft report (paragraphs 9, 20, and 25), and as Mr Baker also notes in his original letter of complaint, there is no specific rule relating to the use of Parliamentary offices. I, like my predecessors, have always assumed it is allowable for me to use my office to meet all those it is necessary for me to meet as Leader of the Opposition. The Leader of the Opposition has a constitutional responsibility to organise the Opposition in all its forms. This includes meeting those who have made donations to the Conservative Party and to the functioning of the Opposition.

I am grateful for having this further opportunity to respond. I very much hope that in reaching your conclusions you will be ready to take account of the practical implications both for me, as Leader of the Opposition, and for other Members of Parliament, in carrying out our day-to-day work

### **Lunches held in David Cameron's Private Office**

Please find below a list of lunches held in my Private Office, Norman Shaw South, with donors to the Conservative Party, since I became Leader of the Opposition in December 2005:

Wednesday, 8 March 2006

Wednesday, 26 April 2006

Wednesday, 24 May 2006

Wednesday, 11 October 2006

Wednesday, 1 November 2006

Wednesday, 22 November 2006

Wednesday, 17 January 2007

**9 March 2007**

## Appendix 2: Letter to the Clerk of the Committee from Mr David Cameron, 22 March 2007

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Thank you for your letter of 22<sup>nd</sup> March, enclosing a copy of Sir Philip Mawer's report to the Committee on Standards and Privileges about the complaint from Norman Baker in which Sir Philip recommends to the Committee that the complaint be upheld.

I have read Sir Philip's report carefully. It sets out the issues very clearly and fairly. I accept Sir Philip's recommendation and am grateful to him for clarifying the interpretation of the Code.

Before the Committee considers the Commissioner's report at its meeting on Tuesday, I want to take this opportunity to apologise unreservedly for inadvertently contravening the Code in respect of the use of my Parliamentary Offices. I would like to assure the Committee that this will not happen again. I will not hold lunches for members of the Leader's Group in my Parliamentary office in the future, nor will my office be mentioned in any promotional literature.

## Formal minutes

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**Tuesday 27 March 2007**

[MORNING SITTING]

Members present:

Sir George Young, in the Chair

Mr Kevin Barron

Mr David Curry

Mr Andrew Dismore

Nick Harvey

Mr Elfyn Llwyd

Mr Chris Mullin

The Hon Nicholas Soames

Dr Alan Whitehead

\* \* \*

The Committee deliberated.

Draft Report [Complaint against Mr David Cameron], proposed by the Chairman, brought up and read.

*Ordered*, That the Chairman's draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 3 read and agreed to.

Paragraph 4 read, amended and agreed to.

Paragraphs 5 and 6 read and agreed to.

Paragraph 7 read, amended and agreed to.

*Resolved*, That the Report, as amended, be the Second Report of the Committee to the House.

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

Several Papers were ordered to be appended to the Report.

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

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[Adjourned till this day at 9.00 pm]

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

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## Session 2006–07

First Report	Evidence to the SSRB Review of Parliamentary pay, pensions and allowances	HC 330
Second Report	Conduct of Mr David Cameron	HC 429

## Session 2005–06

First Report	Conduct of Mr Jonathan Sayeed	HC 419
Second Report	Conduct of Mr John Horam	HC 420
Third Report	Conduct of Mr Tony Baldry	HC 421
Fourth Report	Pay for Standing Committee Chairmen	HC 568
Fifth Report	Electoral Administration Bill: Simplification of Reporting Requirements	HC 807
Sixth Report	Mr Stephen Byers (Matter referred on 19 October 2005)	HC 854
Seventh Report	Conduct of Mr George Galloway	HC 1067
Eighth Report	Conduct of Mr Mark Lancaster	HC 1144
Ninth Report	Lobbying and All Party Groups	HC 1145
Tenth	Conduct of Mr Michael Foster (Worcester)	HC 1223
Eleventh	Conduct of Ms Emily Thornberry	HC 1367
Twelfth	Conduct of Nadine Dorries	HC 1368
Thirteenth	Conduct of Mr John Prescott	HC 1553
Fourteenth	Conduct of Dr Desmond Turner	HC 1578
Fifteenth	Conduct of Mr Eric Illsley	HC 1579
Sixteenth	Review of the Guide to the Rules Relating to the Conduct of Members: Consultation Document	HC 1580