

A summary of an inquiry into a Member deliberately misleading the House in the House of Commons in the United Kingdom

The House of Commons referred a matter of privilege to the Committee on Standards and Privileges on 19 October 2005 for an allegation that Stephen BYERS, a Member-cum-Secretary of State for Transport, Local Government and the Regions had misled the House in his evidence given to the Transport Subcommittee of the Select Committee on Transport, Local Government and the Regions in November 2001.

2. At the centre of dispute was a reply given by BYERS over whether a "discussion" had been held on the future of a near insolvent rail company. The railway matter subsequently turned into a legal dispute in 2005. In the court hearing in October 2005, BYERS told the court that his evidence given in the Transport Subcommittee in relation to the "discussion" was "not a truthful statement". In a personal statement made to the House after the court hearing, BYERS admitted that his evidence was "factually inaccurate" and he apologized for the "factual inaccuracy" to the House. He said that he "did not intend deliberately to mislead" the Transport Subcommittee and that he had done so "due to an inadvertent error".

3. During the inquiry by the Committee on Standards and Privileges, the Clerk of the House advised that for a complaint to be sustained that a witness had wilfully misled the House or a Select Committee, and thus had committed a contempt, it must be demonstrated that the statement or evidence was incorrect, and there was a deliberate intention to mislead. In this regard, the Committee was of the view that BYERS "appears to have had no obvious motive for deliberately misleading the Transport Subcommittee". It accepted BYERS' explanation that "an accurate reply at the time would have caused no problems either politically or legally" and did not consider that "the case has been made that Mr BYERS had a political agenda which he was anxious to conceal from the Transport Subcommittee".

4. As a result, the Committee on Standards and Privileges concluded that: "While Mr Byers now accepts his answer was untruthful, we do not find the charge of contempt, as defined by the Clerk of the House, is sustained. We do not believe, on evidence we have seen, that Mr Byers lied to the Transport Subcommittee as alleged". The Committee also believed that BYERS could not recall why he gave such answer to the Transport Subcommittee, but "he should have said so to the House in his personal statement" and "apologized unreservedly". The Committee on Standards and Privileges therefore recommended BYERS to apologize again. BYERS apologized to the House on 1 February 2006 in a personal statement.