

## Freedom of Information Act 2000 (FOIA)

### Decision notice

**Date:** 19 November 2024

**Public Authority:** Cabinet Office  
**Address:** 70 Whitehall  
London  
SW1A 2AS

#### Decision (including any steps ordered)

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1. The complainant has requested information concerning the life peerage which was granted to former Prime Minister David Cameron in November 2023.
2. The Cabinet Office confirmed that they held information falling within scope of the request but they considered this information to be exempt in its entirety under section 37(1)(b)(information relating to the awarding of honours and dignities by the Crown). In addition to section 37(1)(b), the Cabinet Office advised that some of the withheld information was exempt under section 40(2)(third party personal data) and section 21 (information reasonably accessible to the applicant by other means).
3. The Commissioner's decision is that the Cabinet Office correctly applied section 37(1)(b) to the information held within scope of the request and that the balance of the public interest favours maintaining the exemption.
4. The Commissioner does not require the Cabinet Office to take any steps in this matter.

#### Request and response

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5. On 20 November 2023, the complainant wrote to the Cabinet Office and requested information in the following terms:

*'I am writing under the provisions of the Freedom of Information Act 2000 to request access to documents pertaining to the appointment of David Cameron as a Lord. Specifically, my request includes:*

- 1. Official Instruction Document: I seek a copy of the document or directive issued to the relevant authority concerning the appointment of David Cameron as a Lord. This may include details of the attributes and qualifications considered for this distinction.*
- 2. Timing of the Decision: I request any documents or correspondence that elucidates the timing of this decision, particularly since Mr Cameron had long resigned as an MP.*

*I understand that certain information within these documents may be of a personal nature and not pertinent for public release. I acknowledge and agree that such information can be redacted in compliance with the Act.*

#### *Public Interest Justifications*

- 1. Transparency in Political Appointments: Revealing the process underpinning such appointments enhances transparency.*
- 2. Public Accountability: This information ensures accountability for the decisions in bestowing honours.*
- 3. Democratic Processes: Accessibility to such information is crucial for democratic engagement and scrutiny.*
- 4. Public Trust: Insight into the criteria and timing bolsters public trust in the political appointment process.*
- 5. Historical Context: These details offer significant historical insights into governmental decision-making.*
- 6. Policy Understanding: Disclosure aids in understanding the policies and criteria for appointing Lords.*
- 7. Speculation and Rumour Prevention: It mitigates unfounded speculation or rumours.*
- 8. Scrutiny of Potential Political Favours: This information enables scrutiny of the basis for appointments – merit or political favour.*
- 9. Cabinet Composition: Understanding the reasons behind such appointments is critical, especially amidst discussions of Mr Cameron potentially being considered for Foreign Secretary by Prime Minister Rishi Sunak.*

10. *Public Engagement: The release of this information will foster public engagement and discourse regarding the political process.*

*I understand your obligation to respond within 20 working days. Should any part of this request be denied, I request a detailed justification for each exemption applied. I reserve the right to appeal against any refusal to disclose the requested information'.*

6. The Cabinet Office acknowledged receipt of the request on 21 November 2023 and wrote to the complainant on 19 December 2023 to advise that the information requested was exempt from disclosure under section 37(1)(b)(information relating to the awarding of honours and dignities by the Crown) of FOIA. The Cabinet Office advised that they were extending the time for a response under section 10(3) so as to consider the balance of the public interest test and that they hoped to provide the complainant with a substantive response by 22 January 2024.
7. The Cabinet Office duly provided the complainant with their substantive response on 22 January 2024. They confirmed that they held *'some of the information requested'* and that it was exempt under section 37(1)(b) of FOIA. The Cabinet Office stated that the specific information in scope of the request related to an appointment to the House of Lords.
8. In respect of the public interest test, the Cabinet Office stated that they appreciated the importance of transparency in government, *'which encourages public interest in and interaction with the work of government'*. The Cabinet Office also recognised that there is a public interest, *'in understanding how members of the House of Lords are appointed'*.
9. However, the Cabinet Office stated that these interests must be weighed against the importance of confidentiality with regard to individual appointments, and the role of the Sovereign in making such appointments, *'which is essential to protect the integrity of appointments to the House of Lords and without which the system could not function'*.
10. The Cabinet Office contended that:  
  
*'Withholding information relating to individual cases ensures that those appointed to the House of Lords can take part in the understanding that their confidence will be respected and that decisions about appointments are taken on the basis of full and honest information about the individual concerned. It would thus set an unhelpful precedent for such information to be released in terms of maintaining confidentiality about future appointments to the House of Lords'.*
11. Furthermore, the Cabinet Office contended that the public interest in transparency in this case was met by Hansard's record of proceedings in

the Lords Chamber on 20 November 2023 and they provided the complainant with a link to that information<sup>1</sup>.

12. The Cabinet Office confirmed that they had determined that in the circumstances of this case, the public interest in maintaining the exemption outweighed the public interest in disclosing the information requested.
13. In addition to section 37(1)(b), the Cabinet Office advised that some of the information was exempt under section 40(2)(third party personal data) and that some information was exempt under section 21(1)(information reasonably accessible to the applicant by other means). This latter information was a press release which was sent to the media by 10 Downing Street on 13 November 2023 at 10.00. The content of that press release was as follows:

*'The King has been pleased to approve the appointment of the Rt Hon David Cameron as Secretary of State for Foreign, Commonwealth and Development Affairs.*

*His Majesty has also been pleased to confer the dignity of a Barony of the United Kingdom for life upon David Cameron.*

*The Rt Hon Jeremy Hunt MP remains as Chancellor of the Exchequer'.*

14. On the same date as the Cabinet Office response, the complainant requested an internal review of the decision.
15. In respect of section 37(1)(b), the complainant acknowledged the necessity for confidentiality in certain aspects of the honours system, but contended that, *'the public interest in understanding the process and criteria for such appointments is paramount. Transparency in political appointments is essential for maintaining the public trust, democratic engagement and accountability'.*
16. The complainant stated that the, *'brief details provided in Hansard's record do not suffice for a meaningful understanding of the appointment process. The transparency interest here is not merely procedural but is substantive, seeking to understand the basis upon which such significant political honours are conferred'.*
17. With regard to section 40(2) the complainant clarified that her request did not seek personal information about individuals, and that she understood and accepted that such details would need to be redacted.

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<sup>1</sup> [Introduction: Lord Cameron of Chipping Norton - Hansard - UK Parliament](#)

The complainant stated that, *'the information sought is about the process and criteria, not individuals' personal details'*.

18. The complainant also challenged the engagement of section 21(1), stating that, *'the reference to the press release and Hansard record provides only the outcome of the appointment process, not the insights into the process itself, which is the essence of my request. The public interest in understanding the criteria and policy behind such appointments goes beyond mere announcements of outcomes'*.
19. The complainant reiterated the public interest arguments for disclosure which she had made in her request of 20 November 2023 and concluded her request for a review by stating that she strongly believed that, *'the public interest in transparency, democratic scrutiny, and understanding the process of political appointments, significantly outweighs the interests served by withholding the information'*.
20. The Cabinet Office acknowledged receipt of the request for an internal review on 23 January 2024. They provided the complainant with the review on 16 February 2024.
21. The review upheld all the exemptions applied and the Cabinet Office stated that they had, *'fully answered your question about the timing of the decision through the document provided under Section 21(1) of the Act'*.
22. The Cabinet Office advised that, *'any documents relating to your request more broadly would clearly relate specifically to the appointment of Lord Cameron, rather than to broader processes, and therefore it is important that the exemptions at Section 37(1)(b), which protects information relating to an honour being conferred by the Crown, and Section 40(2) relating to personal data, are upheld'*.
23. Under their section 16 duty to provide advice and assistance, the Cabinet Office advised the complainant that her internal review request, *'appears to relate more to the process of Lords appointments than to the specific appointment of Lord Cameron to the House of Lords'*. The Cabinet Office therefore directed the complainant to two links, specifically:
  1. UK Parliament, How members are appointed:  
<https://www.parliament.uk/business/lords/whos-in-the-house-of-lords/members-and-their-roles/how-members-are-appointed/>
  2. UK Parliament, How do you become a Member of the House of Lords?  
<https://www.parliament.uk/about/mps-and-lords/about-lords/lords-appointment/>

24. The Cabinet Office explained that the information on the linked pages makes clear that it is possible for the Prime Minister of the day to appoint a new Minister to the House of Lords, e.g. the link at '1' above sets out that: *'One-off announcements can cover peerages for particular individuals such as someone appointed as a minister who is not a member of the House'*.
25. In addition, the Cabinet Office provided the complainant with a link to the Cabinet Manual (<https://assets.publishing.service.gov.uk/media/5a79d5d7e5274a18ba50f2b6/cabinet-manual.pdf>) which states that:  
*'3.8. There is a convention that an individual will be a minister only if they are a Member of the House of Commons or the House of Lords, with most being Members of the House of Commons. However, there are examples of individuals being appointed as a minister in anticipation of their becoming a Member of one of the Houses'*.
26. The Cabinet Office concluded the internal review by stating that:  
*'Appointments to the House of Lords are subject to scrutiny by the House of Lords Appointments Commission, which has the role of vetting for propriety all nominations to the House of Lords, including those put forward by the political parties and the Prime Minister'*.
27. The complainant wrote to the Cabinet Office on 16 February 2024 and advised them that she wished to share some observations and concerns prior to referring a complaint to the Commissioner about the Cabinet Office response to her request.
28. The complainant stated that she had not found evidence of a comprehensive public interest test having been conducted by the Cabinet Office, and maintained that transparency in the appointments processes, *'especially those involving significant public figures, is crucial for public trust and accountability'*.
29. The complainant stated that the details provided in Hansard and the press release, whilst informative, *'do not fulfil our request for specific information regarding the timing and rationale behind the appointment of David Cameron as a Lord'*. The complainant noted that the press release cited under section 21(1) *'merely announces the appointment of David Cameron as Secretary of State for Foreign, Commonwealth and Development Affairs and the conferment of a Barony'*, and, *'does not answer our question about the timing of the decision'*.
30. On the timing of the decision point, the complainant stated that her request was for *'any documents or correspondence that elucidate the timing of this decision, particularly since Mr Cameron had long resigned as an MP'*. The complainant stated that the information to which the Cabinet Office had directed her, *'does not include the detailed criteria,*



*processes, or considerations involved in the timing of his appointment as a Lord, which was the focus of our request. This announcement does not address the procedural transparency or the criteria for appointing Lords, which are central to our inquiry'.*

31. The complainant noted that the links provided offered general information about the appointments processes to the House of Lords, *'but do not specifically address our query about the detailed criteria, discussions, and considerations unique to David Cameron's appointment. This general information, while valuable, does not meet our request for transparency and insight into the specific process for his appointment'.*

32. The complainant advised the Cabinet Office that:

*'Our concern is further amplified by the broader context of appointments to the House of Lords, which has seen numerous appointments perceived by the public as politically motivated. The late Baroness Betty Boothroyd's criticisms echo the need for merit-based appointments, devoid of political patronage or financial contributions influence'.*

33. The complainant concluded by advising the Cabinet Office that:

*'Given the significant public interest in this matter, we believe a more transparent disclosure, subject to appropriate redactions for privacy, would serve the public interest better than the current level of disclosure. Such transparency would not only clarify the process but also potentially restore public faith in the integrity of the appointments system'.*

## **Scope of the case**

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34. The complainant contacted the Commissioner on 16 February 2024 to complain about the way their request for information had been handled.

35. The complainant stated:

*'Drawing on the ICO's history of championing transparency and considering the compelling public interest evident in this case, I respectfully request that the ICO mandate the release of the requested information. Doing so will not only uphold the principles of openness and accountability, which are fundamental to our governance, but will also reinforce the public's trust in the political appointment process'.*

36. The complainant also explained that:

*'Our pursuit of this information is not merely for procedural understanding but is rooted in a significant public interest to ensure that appointments to high ranking positions, such as the House of Lords, are*

*conducted with the highest standards of transparency and accountability'.*

37. The complainant explained that:

*'We are particularly concerned about why David Cameron was made a Lord, given that he stood down long ago as an MP, which leaves no obvious reason for his ennoblement. What we do know is that he was made a Lord around the same time as Rishi Sunak asked him to be Foreign Secretary. This timing raises significant concerns. Any member of the public might reasonably suspect that Cameron accepted the position on the condition that he was made a Lord. If this is what happened, it would be blatantly wrong.*

*We are not asserting that the requested documents will definitively reveal such a quid pro quo, but at least they would provide the public with some explanation as to why David Cameron was made a Lord so long after his tenure as an MP ended. This is the essence of our concern regarding "timing", which appears to have been misunderstood as simply the date and time of his ennoblement'.*

38. The complainant further contended that:

*'The decision in this case is not just about the specific circumstances surrounding David Cameron's appointment as a Lord. It has the potential to set a significant precedent that will influence the handling of similar requests in the future. We believe it is crucial for the ICO to consider the broader implications of their decision, particularly in the context of promoting transparency and accountability in high-profile political appointments'.*

39. During the course of his investigation the Commissioner received detailed submissions from both parties and had sight of the information held by the Cabinet Office within scope of the complainant's request.

40. In submissions to the Commissioner, the Cabinet Office noted that the House of Lords Appointments Commission (HOLAC) is a separate public authority for the purposes of FOIA. The Cabinet Office advised that:

*'Therefore, the role of the Cabinet Office in the appointment of Lord Cameron and the recorded information we hold relating to it are distinct from the role of HOLAC and any information they may hold on the matter. As stated in our internal review response, appointments to the House of Lords are subject to scrutiny by the HOLAC, which has the role of vetting for propriety all nominations to the House of Lords, including those put forward by the political parties and the Prime Minister'.*



41. The Cabinet Office stated that the distinction was important as the roles of the Cabinet Office and HOLAC seem to have been conflated by the complainant.
42. In addition to the general information concerning how members are appointed to the House of Lords (as provided to the complainant in the internal review), the Cabinet Office, in submissions to the Commissioner, noted that further information is available on the HOLAC website, including their page about their vetting process: <https://lordsappointments.independent.gov.uk/vetting>. The Cabinet Office advised that this page 'includes a considerable amount of information about the HOLAC process, including providing a copy of the consent form for nominees, as well as explaining the type of information provided by political parties to HOLAC.
43. The Cabinet Office explained that the process followed for nominations for candidates to take up ministerial roles '*is the same as that followed for other party-political nominations, albeit may necessarily follow a much shorter timeline, as was the case for Lord Cameron*'. The Cabinet Office provided the Commissioner with a summary of that process. The Cabinet Office involvement in the process was provided to the Commissioner in confidence, and this information is contained in a Confidential Annex attached to this notice. The summary of the process (i.e. outside of that provided in confidence) is as follows:
  - From time to time, the Cabinet Office facilitates sharing the nominee consent form and Party chair citation form with HOLAC.
  - HOLAC undertakes vetting according to its usual processes, and provides advice to the Prime Minister;
  - Following this, the Prime Minister recommends an individual to the monarch;
  - Following approval by the monarch, an announcement is made about the ministerial appointment and peerage;
  - After this, the process follows the steps set out on Parliament's website.
44. The Cabinet Office advised that, '*while the process for Lord Cameron was especially quick, it is not unusual for the nomination and vetting process to be truncated to a couple of days, end-to-end*'.
45. In submissions to the Commissioner the Cabinet Office advised that the wording of the complainant's request does not reflect the actual process whereby individuals are nominated, vetted and approved for peerages (as set out above) and so a degree of interpretation was required in order to draw the scope of information for the complainant's request.

46. The Cabinet Office advised that they had interpreted Question 1 of the complainant's request, *'as seeking a copy of a request from the Cabinet Office to HOLAC to begin its vetting process for David Cameron, in order that he could ascend to the House of Lords and take up a ministerial appointment'*. Under this interpretation, the Cabinet Office explained that the 'relevant authority' stated by the complainant is HOLAC, as the independent body which undertakes scrutiny of nominees for peerages. The Cabinet Office advised that, *'there is no other interpretation of 'relevant authority' that would appear to make sense in the context of the process set out above – neither the Cabinet Office nor the Palace fits that phrase used by the requester'*. The Cabinet Office confirmed that, *'the 'issuing' of documents under this interpretation would therefore come from the Cabinet Office'*.
47. The Cabinet Office advised that the information under Question 2 of the complainant's request, *'concerning the timing of the 'decision' to ask HOLAC to begin the vetting process for Lord Cameron, thus flows from this'*.
48. The Cabinet Office therefore advised the Commissioner that they believed that the reasonable interpretation of the request was that its scope was limited to the first part of the process only, and did not include anything that followed the Cabinet Office request to HOLAC.
49. The Commissioner considers that the Cabinet Office's interpretation of the complainant's request was a reasonable and correct one, based on its wording. The Commissioner would agree that the scope of the request does not include any information which the Cabinet Office may hold **after** their request to HOLAC to begin the vetting process.
50. The Commissioner notes that it is clear from the complainant's correspondence and submissions that she was seeking, for example, *'insights into the process itself, which is the essence of my request'*, and *'discussions and considerations unique to David Cameron's appointment'*.
51. Since it is HOLAC which undertook the vetting of David Cameron according to its usual processes, and which has the duty to have provided advice on the outcome of that to (the then) Prime Minister Rishi Sunak, it is HOLAC (a separate public authority to the Cabinet Office for the purposes of FOIA), which is likely to hold the type of information which the complainant is seeking and contending should be disclosed in this matter.
52. Although the Cabinet Office do hold some information within scope of the complainant's request relating to Lord Cameron's appointment, that information is limited.

53. Whilst the Commissioner agrees with the Cabinet Office on their interpretation as to the timing of the decision, he would note that this correct interpretation differs from the interpretation which the Cabinet Office originally took, when they found that the timing of the decision was not that relating to when the Cabinet Office asked HOLAC to begin the vetting process, but rather it was the press release sent to the media by 10 Downing Street on 13 November in which it was announced that The King had approved the appointment of Lord Cameron as Secretary of State for Foreign, Commonwealth and Development Affairs (that information, according to the Cabinet Office, being exempt under section 21(1)).
54. The Commissioner considers that the scope of his investigation is to determine whether the Cabinet Office were correct to withhold the requested information under the exemptions applied.

## **Reasons for decision**

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### **Section 37(1)(b) – the conferring by the Crown of any honour or dignity**

55. Section 37(1)(b) of FOIA states that information is exempt if it relates to the conferring by the Crown of any honour or dignity.
56. The exemption preserves the integrity and robustness of the honours system in order to ensure that awards are conferred solely on merit. The exemption is also important in protecting the confidentiality of individuals who have participated in the honours process. The wording of the exemption, 'relates to', means that it covers every aspect of the honours process, including the policies and procedures that underpin the process.
57. The information itself does not need to be sensitive or its disclosure prejudicial to any party to engage the exemption; it simply needs to be within the class of information set out in the exemption. As the complainant's request seeks information concerning former prime minister David Cameron's appointment as a Lord, the Commissioner is satisfied that the withheld information clearly falls within the scope of the exemption at section 37(1)(b).
58. However, section 37(1)(b) is a qualified exemption and therefore subject to the public interest test set out in section 2(2)(b) of FOIA. The Commissioner will therefore consider whether in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the withheld information.

### **Public interest test**

*Public interest in disclosure*

59. In submissions to the Commissioner the Cabinet Office stated that they recognised that *'there is a general public interest in disclosure of information relating to the honour conferred on David Cameron and the circumstances in which it was given'*. The Cabinet Office stated that *'the public will of course be interested in the reasons and justifications for the conferral of this specific honour'* but that they remained of the view that *'at least some public interest is met by the information in the public domain'*.
60. The Cabinet Office stated that they fully appreciated the importance of transparency wherever possible and the public interest in understanding the workings of the honours system *'both generally and in specific cases such as this one'*. Yet the Cabinet Office also stated that:
- 'We acknowledge the complainant's stated reasons for requesting the information, but feel these are close to being private interests that should be set aside when considering if the public would benefit from disclosure of the withheld information'*.
61. The Cabinet Office submitted that some of the complainant's arguments appeared to misunderstand the UK's political system. With regard to the complainant's suggestion that a *'member of the public might reasonably suspect that Cameron accepted the position on the condition that he was made a Lord. If this is what happened, it would be blatantly wrong'*, the Cabinet Office noted that as they had explained in the internal review by way of providing a link to the Cabinet Manual, *'Lord Cameron's peerage and ascension to the House of Lords was a constitutional necessity to him taking a ministerial role (because by convention ministers must come from either House) and certainly cannot be presented as some kind of improper quid pro quo'*.
62. The Cabinet Office noted that the new current (i.e. post July 2024) government contains ministers who were previously MPs and who were ennobled to take up their role with government, specifically Baroness (Jacqui) Smith and Baron (David) Hanson of Flint. The Cabinet Office contended that, *'there is therefore nothing particularly unusual about Lord Cameron's ennoblement that it took place in order to take up a ministerial role, or that it took place several years after standing down as a Member of Parliament'*.
63. The complainant provided the Commissioner with detailed and lengthy submissions explaining why she considered that the public interest in the information requested favoured disclosure of the same. The complainant cited a number of previous decisions by the Commissioner which she considered supported her position. Whilst it is not necessary or proportionate to detail these in their entirety within this notice, the

Commissioner wishes to make it clear that all of the submissions were considered and noted when reaching his decision in this matter.

64. In submissions to the Commissioner, the complainant contended that:

*'While the Prime Minister has the power to recommend peerages, the public has a right to understand the legal and procedural basis for such decisions. It is essential to clarify whether the appointment was made in line with the usual standards for life peerages or if it was done for strategic purposes, bypassing traditional criteria'.*

65. The complainant further contended that:

*'The public's right to know about the processes behind high-profile political appointments is not just a matter of legal and procedural significance; it is also deeply rooted in the broader societal context. The appointment of David Cameron as a Lord, particularly in the unique circumstances surrounding it, has generated significant public interest, media coverage, and concern. This widespread attention underscores the need for transparency and strengthens the argument that the requested information should be disclosed'.*

66. The complainant provided the Commissioner with a number of examples of the referenced media coverage, including an article in Byline Times, from 13 November 2023<sup>2</sup>. The article noted that, *'there is no constitutional requirement for a cabinet minister to be an elected MP, but it is very rare that senior offices of state are held by unelected politicians. Lobbyist Cameron has been handed a seat in the 800 odd member House of Lords for life to take up the role'* (of Secretary of State for Foreign, Commonwealth and Development Affairs).

67. The article quoted the Chief Executive of Republic, Graham Smith, stating that:

*'This appointment joins a string of recent outrages that remind us of the urgent need to ditch the Lords in favour of an elected upper house. The whole point of a parliamentary system is that the Government is drawn from those we've elected to parliament. Cabinet ministers must come from the Commons, where they can be held accountable by our elected representatives'.*

68. Darren Hughes, Chief Executive of The Electoral Reform Society, stated that Lord Cameron's House of Lords pass would give him, *'potentially*

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<sup>2</sup> [David Cameron's Appointment to Cabinet 'Another Reminder Why the House of Lords Must Go' – Byline Times](#)

*unfettered access to our politicians' for life after he leaves his role of Foreign Secretary. 'A seat in the House of Lords is a lobbyist's dream'.*

69. On 20 November 2023 (the date of the complainant's request), The Independent reported that the Liberal Democrats had written to the then Prime Minister's ethics adviser, Sir Laurie Magnus, urging him to launch an investigation into the new Foreign Secretary's appointment<sup>3</sup>. *'Among her reasons for urging the investigation, Lib Dem Chief Whip Wendy Chamberlain cited Lord Cameron's past lobbying work for investment firm Greensill Capital, for which he privately lobbied ministers in an attempt to win access to an emergency coronavirus loan scheme'. Ms Chamberlain stated that, 'we need urgent clarity over David Cameron's financial interests, which could lead to serious conflicts of interest while he represents the UK on the world stage'.*
70. Similarly, the Guardian reported on 20 December 2023 that Nick Smith, then Labour's shadow deputy leader of the House of Commons, had called on both Lord Cameron and Sir Laurie to provide greater transparency about Lord Cameron's pay and involvement with the Greensill-linked company, the Gupta Family Group Alliance<sup>4</sup>.
71. In submissions to the Commissioner the complainant contended that:
- 'This scrutiny has sparked broader debates about the integrity of the honours system and raised questions about whether political considerations unduly influenced the decision to grant Cameron a peerage. The public discourse reflects widespread concerns about the transparency of the process, with calls for greater scrutiny and reforms to ensure that such appointments are made in the public interest rather than for political expediency'.*
72. The complainant also stated that:
- 'Public discourse, fuelled by media coverage, has a direct impact on democratic accountability. When the public is informed about government actions, particularly those that involve high-profile figures like David Cameron, it empowers citizens to hold their leaders accountable. The discourse surrounding this appointment has clearly indicated that there is a strong public interest in understanding how and why the decision was made'.*

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<sup>3</sup> [David Cameron takes seat in House of Lords after Foreign Secretary appointment | The Independent](#)

<sup>4</sup> [David Cameron must detail all involvement with Greensill, urges Labour | Greensill | The Guardian](#)



73. The complainant acknowledged that confidentiality of the honours system is important, but stated that it should not be used as a blanket justification to withhold information that serves the public interest. *'The appointment of a high-profile figure like David Cameron, raises legitimate questions about the criteria and timing of the decision, which transparency can address. The public has a right to scrutinise such processes to ensure that honours are conferred appropriately and without conflicts of interest'*.

74. The complainant explained that:

*'While we acknowledge that there is no explicit rule against granting a peerage to an individual without genuine merit, it is precisely this loophole that has sparked widespread public outrage. The fact that such honours can be bestowed without regard to true merit is seen as a profound betrayal of the values the honours system is supposed to uphold. We also recognise that David Cameron is not the first individual to receive a peerage under questionable circumstances. Historically, peerages have been awarded for a range of reasons, including political loyalty, financial contributions, or simply to enable an individual to take on a governmental role.*

*However, the absence of a legal barrier to granting peerages without merit makes transparency even more critical. The public has a rightful expectation to scrutinise the reasons behind such appointments, especially when the individual involved has been embroiled in significant controversies that raise serious doubts about their suitability for such an honour'.*

75. The complainant provided further details of what she considered to be significant controversies that had *'emerged both during and after'* Lord Cameron's tenure as Prime Minister (2010 -2016), including Greensill, the Brexit Referendum, austerity policies and the Libya intervention. The complainant contended that these *'have called into question his suitability for such an honour'*.

76. The complainant also highlighted the significant powers and privileges which Lord Cameron would gain through his life peerage, reproduced below as follows:

- **"Membership of the House of Lords:** A life peerage allows the individual to sit in the House of Lords, where they can participate in debates, propose and amend legislation, and vote on laws. This position gives them a role in shaping UK legislation and scrutinising the actions of the government. Granting such a role to David Cameron, who has been embroiled in multiple controversies, raises serious concerns about the appropriateness of allowing him to influence laws and hold the government

accountable, given the questions surrounding his own ethical judgement. This underscores the need for transparency about the motivations behind his peerage, as the public must be assured that such significant powers are not being granted without proper merit.

- **Influence on National Policy:** As member of the House of Lords, peers have the opportunity to influence national policy. They can use their position to advocate for specific issues, propose changes to legislation, and hold the government accountable through debates and committee work. Considering Cameron's involvement in the Greensill scandal and other questionable decisions, it is troubling to think of him wielding such influence, particularly if his positions are shaped by interests that do not align with the public good. This further supports our request for information to clarify whether his peerage was truly based on merit or if other motivations were at play.
  - **Long-term Impact:** Unlike elected MPs who must seek re-election, life peers hold their positions for life, allowing them to have a long-term impact on the legislative process. This can be particularly influential in shaping policies over an extended period, regardless of changes in the elected government. The prospect of Cameron having a lasting impact on UK policy, despite the controversies that have tainted his career, raises serious concerns about the integrity of the legislative process. It is crucial for the public to know the reasons behind his peerage to ensure that such an appointment is justified and not merely a means to secure political influence.
  - **Access to Information and Networks:** Peers often have access to high-level information and networks within the government and other institutions, which can enhance their ability to influence policy and decision-making. Given Cameron's history, including the ethical lapses highlighted by his lobbying activities, granting him such access could lead to further conflicts of interest and misuse of privileged information. This possibility highlights the importance of our request for information – to ensure that the decision to grant Cameron a peerage was made transparently and in the public interest."
77. In submissions the complainant cited a number of previous decisions by the Commissioner to support her contention that the public interest in this case favoured disclosure of the information requested. Some of the more recent of these cases included IC-147020-T7H4 (25 July 2023), IC-259838-W8R0 (28 February 2024), IC-230048-D1V9 (19 March

2024) with some of the older decisions including FS50676797 (10 April 2018).<sup>5</sup>

*Public interest in maintaining the exemption*

78. In response to the Commissioner, and in relation to some of the complainant's representations, the Cabinet Office observed that, *'Lord Cameron's role with Greensill has been the subject of sustained and intense public scrutiny, including detailed investigations commissioned by the Cabinet Office and Parliament, the findings of which were in the public domain at the time of Lord Cameron's appointment'*.
79. The Cabinet Office considered that there is a strong public interest in protecting the requested information, advising that, *'it relates to an honour conferred on an individual, and regardless of whether that person is a former or current public figure, or not a public figure at all, we consider the confidentiality inherent in the honours system needs to be maintained in this case'*.
80. The Cabinet Office noted that to date, *'despite several requests and decisions, there has never been any disclosure under the Act of discussions about whether to award a living person an honour'*. Therefore, at present, the Cabinet Office submitted, those involved in such discussions can have a reasonable expectation that if there were a request for their discussions, the balance of the public interest factors would very likely come down in favour of maintaining the exemption.
81. The Cabinet Office advised that, *'although the information in scope of this request is limited, those involved would still have been working upon an evidence-based assumption that the information would not be disclosed – confidentiality is stressed throughout the entirety of the honours process'*.
82. Stating that they were *'strongly of the view that such advice needs to remain confidential in order to maintain the integrity of the system and retain the confidence of the House of Lords'*, the Cabinet Office contended that decisions taken about appointments must continue to be taken on the basis of full and honest information and that those who offer opinions must be able to do so freely and honestly, on the understanding that their advice will remain confidential.
83. They stated that:

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<sup>5</sup> [Database of the Commissioner's decisions](#)

*'We further believe that it is essential to the integrity of the honours system that the means by which nominations are assessed is kept confidential. It has always been the case that those involved in the system require the freedom to be able to discuss and deliberate individual honours nominations in a safe space. The Commissioner has recognised that for the honours system to operate efficiently and effectively there needs to be a level of confidentiality which allows those involved in the system to do so in a safe space away from external influence'.*

84. As noted in paragraph 61, the Cabinet Office considered that some of the arguments put forward by the complainant were based on a misunderstanding of the UK's political system.
85. The Cabinet Office noted that Parliament had recognised the particular sensitivity of releasing information about honours by expressly providing that the exemption relating to honours information does not expire after 20 years but instead remains applicable for 60 years after the date of its creation. The Cabinet Office stated that they understood that section 37(1)(b) is not absolute exemption and they do not seek to engage the exemption without considering the merits of each case. However, for the reasons set out above, they considered that the public interest, *'continues to favour withholding the information and that the confidentiality of this information is ongoing'.*
86. The Cabinet Office confirmed to the Commissioner that they had concluded that the public interest strongly favoured the protection of the processes and safe space for considering individual honours cases, and avoiding any chilling effect for those being considered or those nominating candidates.

#### *Commissioner's assessment*

87. As explained earlier in this notice, the scope of the complainant's request is limited in terms of the information which the Cabinet Office holds in relation to Lord Cameron's nomination and appointment as a life peer.
88. It is clear from the complainant's correspondence with the Cabinet Office, particularly her communication of 16 February 2024, that she is, in essence, wanting to know why a decision was made to grant David Cameron a life peerage **at the time that it was** (13 November 2023), especially given that he had not been an MP for several years at that point. The complainant has stated that the fact that David Cameron was made a Lord around the same time as he was asked to be Foreign Secretary by Prime Minister Rishi Sunak raises significant concerns, and that *'any member of the public might reasonably suspect that Cameron accepted the position on the condition that he was made a Lord'.*

89. In fact, the Commissioner notes that in order to take up the position of Foreign Secretary, David Cameron would have needed to have had a seat in either the House of Commons or the House of Lords. Since he was no longer an MP in 2023, the only way to facilitate David Cameron's swift return to government and appointment as Foreign Secretary was to nominate him for a life peerage, thereby enabling him to sit in the House of Lords. That is to say, the Commissioner understands that the objective was to enable David Cameron to become Foreign Secretary, with the nomination for a life peerage being the requirement to enable the former Prime Minister to take up that role.
90. Although very rare, appointments of unelected individuals to the most senior offices of state are not without precedent. For example, Lord Carrington served as Foreign Secretary in Prime Minister Margaret Thatcher's cabinet between 1979 and 1982.
91. The Commissioner recognises why a serving Prime Minister might wish to appoint a former Prime Minister to the role of Foreign Secretary, given the considerable diplomatic experience and international high profile which a former Prime Minister is likely to have. The Commissioner also notes that Lord Cameron's appointment as Foreign Secretary came at the time of a particularly challenging foreign policy backdrop and context.
92. On the timing of the decision point therefore, the Commissioner would agree with the Cabinet Office that the complainant has misunderstood the process here. Prime Minister Sunak clearly wanted to bring into government David Cameron as Foreign Secretary. As David Cameron was no longer an MP and was therefore unelected, the only way whereby he could be appointed Foreign Secretary within such a short timescale was by nominating him for a life peerage and by Lord Cameron taking up a seat in the House of Lords. Lord Cameron's peerage coincided with his appointment as Foreign Secretary because the former was an essential prerequisite for the latter in the circumstances outlined.
93. As noted, within the scope of the complainant's request as worded, and with reference to the information actually held by the Cabinet Office, the 'timing' of the decision relates to the Cabinet Office requesting that HOLAC commence its vetting processes, and the information which they hold relates to that part of the nomination process.
94. However, whilst the complainant's public interest arguments on the 'timing' point are misconceived, the Commissioner considers that the complainant has advanced strong and important public interest arguments in respect of the public interest in transparency and accountability of information which would help show what considerations

and factors went into the process of nominating and granting Lord Cameron his life peerage.

95. The Commissioner therefore disagrees with the suggestion by the Cabinet Office that the complainant's stated reasons for requesting the information *'are close to being private interests that should be set aside when considering if the public would benefit from disclosure of the withheld information'*.
96. As the complainant has correctly noted, the granting of a life peerage to Lord Cameron attracted a considerable amount of interest and criticism from both the media and groups such as the Electoral Reform Society. Lord Cameron's return to government, in one of the highest offices of state as Foreign Secretary, was widely considered to be a surprise appointment by Prime Minister Rishi Sunak, with David Cameron not having been involved in frontline politics for the previous seven years. Prior to his appointment, David Cameron had most prominently been in the media spotlight in 2020 because of his association with the Greensill lobbying controversy, when, as a paid adviser for the financial services company, he lobbied government ministers to provide financing for the company through the Covid Corporate Financing Facility, a government backed Covid loan scheme.
97. Although he was unsuccessful in his lobbying, and cleared of any wrongdoing by each of the inquiries which looked into the Greensill controversy, the House of Commons Select Committee found that Mr Cameron had displayed, *'a significant lack of judgement'* in his informal lobbying, *'especially as his ability to use an informal approach was aided by his previous position of Prime Minister'*<sup>6</sup>. The Commissioner notes that Greensill Capital subsequently collapsed in March 2021 and its failure was estimated to have cost UK taxpayers up to £5bn. A BBC *Panorama* report in August 2021 suggested that Mr Cameron had made some £7.2m from Greensill Capital prior to it folding (David Cameron having declined to disclose his earnings whilst working as an advisor to the company).
98. The Commissioner considers that it could therefore be argued that Lord Cameron's public profile and reputation was benefitted through his appointment as Foreign Secretary, and whilst he held that role for a short period of time (13 November 2023 – 5 July 2024), it has a lasting personal benefit for Lord Cameron, in the form of the life peerage that was required in order for him to take up the role of Foreign Secretary.

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<sup>6</sup> [David Cameron showed 'significant lack of judgment' on Greensill, inquiry finds | David Cameron | The Guardian](#)



99. As the complainant has correctly noted in her submissions, a life peerage is an honour and privilege which allows an individual to sit in the House of Lords, where they can participate in debates about proposed legislation and vote on the same. It is a position which permits the individual to have a role in shaping UK legislation and scrutinising the legislative proposals of the government. Given Lord Cameron's involvement in the Greensill lobbying controversy, the Commissioner considers that there is clearly a strong and legitimate public interest in knowing whether and/or to what extent that history was taken into account and considered during the nomination process.
100. In addition, the Commissioner considers that the public interest in transparency and accountability of this particular nomination is further bolstered, given that it concerns a former Prime Minister, and the fact that the life peerage enabled David Cameron, an unelected individual, to return to government after a seven years' absence from politics, as Foreign Secretary, one of the highest offices of state.
101. The Commissioner acknowledges the previous decision notices which the complainant has cited in support of her case. However, he considers that the information in those cases can be differentiated from that in the present case, which concerns a specific living individual, Lord Cameron.
102. In FS50676797 (April 2018) the requested information was minutes of the Honours and Decorations Committee concerning discussions and decisions regarding their 'Medals Review'. In that case the Cabinet Office withheld the information under section 37(1)(b) (and section 35(1)(a)) and the Commissioner accepted that for the honours system to operate efficiently and effectively there needs to be confidentiality to allow those involved to hold free and frank discussions. However, in the circumstances of that case the Commissioner considered that the redaction of any specific names with comments attributed served to sufficiently protect confidentiality without inhibiting any future frank discussions. The Commissioner consequently ordered disclosure of the information subject to redactions for personal information.
103. More recently, in IC-147020-T7H4 (July 2023) a case which concerned minutes of a meeting concerning the awarding of the Arctic Star military campaign medal, the Cabinet Office withheld this information under section 37(1)(b). The Commissioner found that the disclosure of the information would not undermine the future confidentiality of the Independent Advisory Military Sub-Committee (AMSC) and ordered disclosure of the same. Central to his finding was the fact that the information had been generated some nine years before the request for information and the issue to which the information related, had been resolved and laid to rest by the government announcing the awarding of the Arctic Star in December 2012.

104. IC-259838-W8R0 (February 2024) concerned a request to the House of Lords Appointments Committee (HOLAC) for guidelines and standard operating procedures for vetting and assessing nominees for life peerages. HOLAC withheld the information under section 37(1)(b) and whilst the Commissioner found that the information was exempt under this exemption, for the majority of the information the public interest favoured disclosure.
105. The complainant has contended that this case *'is directly relevant'* to the request for information in the current case. However, in the HOLAC case the Commissioner noted that, *'the information in scope here is clearly only restricted to information about processes and procedures and not individual nominations'*. Importantly, the Commissioner also did not accept that the disclosure of information, *'simply about procedures would suggest or imply to third parties that their contributions about individual nominations'* (Commissioner's emphasis) *would be likely to be disclosed'*. Consequently, the Commissioner does not consider IC-259838-W8R0 to be closely analogous to the circumstances of the current case.
106. IC-230048-D1V9 (19 March 2024) concerned a request to the Cabinet Office for information concerning the Resignation Honours List of Prime Minister Theresa May in 2019, particularly that pertaining to the nomination of Damehood for (then serving) Commissioner of the Metropolitan Police, Cressida Dick. That information was withheld under section 37(1)(b) and whilst the Commissioner did order disclosure of *some* of the information within scope of that request, that information concerned the standard procedures of oversight in the selection of Prime Minister's Resignation Honours List, including procedural processes and guidelines or similar on considerations to be conducted in assessing suitability of applicants under this particular scheme. That is to say, the Commissioner did not find that the public interest balance in that case favoured the disclosure of other information concerning Ms Dick's specific nomination.
107. The complainant has made strong arguments for disclosure of the requested information so as to meet due transparency and ensure that there are no conflicts of interest between Lord Cameron's position as a life peer and his business interests. The Commissioner considers that these arguments are supported by a number of factors in Lord Cameron's specific case. As well as his lobbying for Greensill, the Guardian reported on 15 November 2023 that Mr Cameron had also *'worked for a gene-sequencing company, Illumina, which won a £123m*

*government contract during the pandemic, and an AI firm, Afiniti, from which he resigned in 2021*<sup>7</sup>.

108. The newspaper noted that, *'because he (Lord Cameron) is entering the government without being an MP or an existing peer, there is no record of his current financial interests. He will have to declare his interests as a member of the House of Lords, but will not have to reveal any former employment up to the point he entered parliament as a peer'*. The newspaper further stated, *'there is also a lack of transparency around Cameron's financial dealings because his company, the Office of David Cameron, became an unlimited company several years ago, meaning it no longer has to file company accounts'*.

109. The Guardian noted that Lord Cameron had earlier that week confirmed that he was resigning from, *'all of the businesses I've been helping and all the other things I've been doing, including being a professor at New York University'*. The newspaper noted that as Foreign Secretary, Lord Cameron would have to declare relevant interests to the list of ministerial interests, but whether that would be made public would be at the discretion of Prime Minister Sunak's ethics adviser, Sir Laurie Magnus.

110. Again, the importance and legitimacy of the complainant's **public interest** arguments can be seen by the changes which Sir Laurie Magnus introduced in the wake of Lord Cameron's appointment as Foreign Secretary. On 15 December 2023, the i reported that the Prime Minister's ethics adviser had created a 'Cameron clause' after the concerns raised about lobbying<sup>8</sup>. The newspaper stated that:

*'In the first register of ministerial interests since July, Sir Laurie Magnus introduced a new clause stating that ministers should "provide additional information in a number of areas", including, "recent previous employment that may be perceived to have a bearing on their ministerial portfolio".'*

111. Sir Laurie stated that the requirement for ministers to provide details of recent paid and unpaid work was important for *"assessing the experience and connections of ministers which may have relevance to their roles"*. He said that this was, *"particularly pertinent"* for ministers whose appointment to the Cabinet, *"occurs simultaneously with their elevation to the House of Lords"*.

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<sup>7</sup> [David Cameron urged to disclose the jobs he gave up to make cabinet return | David Cameron | The Guardian](#)

<sup>8</sup> [Sunak's ethics adviser creates 'Cameron clause' after lobbying claims \(inews.co.uk\)](#)

112. The Commissioner also considers that any information which would help show what considerations and factors went into the process of nominating and granting Lord Cameron his life peerage, including to what extent Lord Cameron's current and recent interests were taken into account and considered during the nomination process, would carry a strong and important public interest in transparency and accountability.
113. However, the Commissioner recognises and accepts that, in order for the honours system to operate effectively efficiently, it is important that there is a degree of confidentiality and a safe space for those involved in the process to freely and frankly discuss nominations. The Commissioner also accepts that if views, opinions and commentary about nominations that are provided in confidence, were later disclosed into the public domain, it would be likely to result in individuals in the future being less willing to make similar contributions and/or provide less candid comments and input. The Commissioner considers that disclosure of information that may adversely impact on this confidentiality, and in turn harm the effectiveness of the honours system, would not be in the public interest.
114. The Cabinet Office have stated that to date, despite several requests and decisions, there has 'never' been any disclosure under FOIA of discussions about whether to award a living person an honour. However, the Commissioner would note that this is not entirely correct. In FS50830858 (7 January 2020)<sup>9</sup>, a case which concerned a request for information relating to the awarding of an honour to Vijay Patel, the CEO of Waymade Healthcare, the Commissioner accepted that there was real concern, and a lack of understanding, as to why that particular honour had been awarded, given his company's pricing policies when supplying medicines to the NHS<sup>10</sup>.
115. In that case the Commissioner found that the public interest did not favour the disclosure of all of the withheld information, as that would result in too great an infringement into the safe space needed in respect of that particular honours case and too great a chilling effect risk in respect of discussions in future cases. However, the Commissioner found that the public interest balance did favour disclosure of one piece of the withheld information which related to this award, as the Commissioner considered that disclosure of that piece of information would go some considerable way to meeting the public interests

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<sup>9</sup> <https://ico.org.uk/media/action-weve-taken/decision-notices/2020/2616921/fs50830858.pdf>

<sup>10</sup> [Official failings in vetting of businessman for OBE revealed - BBC News](#)

identified in favour of disclosure, whilst at the same time largely maintaining the confidential space needed for the honours process.

116. The Commissioner's decision in the Vijay Patel case was upheld at appeal by the First-tier Tribunal<sup>11</sup>, who directed the Cabinet Office to disclose the relevant information (albeit a reduced amount than that ordered by the Commissioner) to achieve the public interest in transparency. In reaching its decision the Tribunal stated that:

*'Under normal circumstances the importance of maintaining the confidentiality of the (honours) process far outweighs the value of disclosure in one particular case. The tribunal must be alert to ensure that its actions do not undermine public confidence in a process which is generally well-regarded as performing a useful function of recognising the myriad various contributions individuals make to the well-being of our society or humanity at large.'*

117. The Commissioner recognises and accepts that *'under normal circumstances'* the public interest in maintaining the confidentiality of the honours process will outweigh the public interest in disclosure of a particular case. The Commissioner would agree with the Cabinet Office that those involved in discussions concerning the awarding of an honour can have a reasonable expectation that, if there were a request for their discussions, the balance of the public interest factors would very likely come down in favour of maintaining the exemption.

118. However, section 37(1)(b) is not an absolute exemption and there is always the possibility that the facts and circumstances of an individual case (such as the Vijay Patel case) might carry a sufficiently strong and compelling public interest in disclosure of the information concerned so as to outweigh the strong public interest in maintaining the exemption.

119. Having had sight of the withheld information in this case however, the Commissioner considers that whilst it carries a significant and definite public interest in transparency as it would provide some insight into the way in which this specific and high profile individual nomination was handled and processed, the information is limited, reflecting the Cabinet Office's limited role in the nomination process.

120. As the Cabinet Office advised the complainant in their internal review, appointments to the House of Lords are subject to scrutiny by HOLAC, which has the role of vetting for propriety all nominations to the House of Lords, including those put forward by the political parties and the

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<sup>11</sup> [Martin Rosenbaum v Information Commissioner \(Dismissed\) \[2021\] UKFTT 2020\\_0050 \(GRC\) \(11 January 2021\) \(bailii.org\)](#)

Prime Minister. The Commissioner has therefore also taken account of this when considering the weight to give to the various public interest arguments he considers to favour disclosure, given that the request was not submitted to the body which formally has that role in the nomination process.

121. The Commissioner is therefore satisfied that the public interest in maintaining section 37(1)(b) outweighs the public interest in the disclosure of the withheld information in this particular case.
122. Having found that all of the information within scope of the complainant's request is exempt under section 37(1)(b), the Commissioner has not gone on to consider the application of the other exemptions applied by the Cabinet Office.



## **Right of appeal**

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123. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)  
GRC & GRP Tribunals,  
PO Box 9300,  
LEICESTER,  
LE1 8DJ

Tel: 0203 936 8963

Fax: 0870 739 5836

Email: [grc@justice.gov.uk](mailto:grc@justice.gov.uk)

Website: [www.justice.gov.uk/tribunals/general-regulatory-chamber](http://www.justice.gov.uk/tribunals/general-regulatory-chamber)

124. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.

125. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

**Alexander Ganotis**  
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