



News Release

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REVIEW OF CONFLICTS OF INTEREST

The Chairman of the Competition Commission (CC) has asked an independent panel of three experienced and knowledgeable people to examine the CC's rules and practices in relation to possible conflicts of interest of its members.

The panel consists of Dr Brian Woods-Scawen (Chairman), Dame Barbara Mills and Professor Sir Francis Jacobs (short biographies for each follow the *Notes to Editors* below). The panel has been chosen with a view to providing a rigorous examination of the subject in full knowledge of the context of the CC's activities but from an independent point of view.

The panel has been asked specifically to:

1. consider the CC's rules and guidance governing its members' conflicts of interest;
2. examine the CC's procedures and practice in dealing with conflicts of interest on:
 - (a) the appointment of members to the CC;
 - (b) the appointment of members to inquiry groups; and
 - (c) the monitoring, managing and reviewing of inquiry group members' conflicts of interest during the course of inquiries;
3. review the CC's practice on disclosure of interests;
4. include in its examination any matters reasonably ancillary to the above, and consider how the CC's rules and practices are communicated to members, staff, parties to inquiries and the general public; and
5. prepare a report to the CC Council containing its findings and recommendations for such changes to the CC's current rules and practices as it considers appropriate.

Notes to editors

1. The CC is an independent public body, which carries out investigations into mergers, markets and the regulated industries.
2. In December 2009, the Competition Appeal Tribunal [upheld](#) an appeal against the CC's final report into BAA. BAA's appeal was upheld on the grounds of 'apparent bias' due to what was viewed as a potential conflict of interest involving one of the inquiry group members.
3. The CC has a pool of around 50 part-time members (in addition to the Chairman and Deputy Chairs) from which it chooses those to sit on particular inquiry groups. Members are appointed for their individual experience, ability, and diversity of background and many have active career interests. The appointment of members enables the CC to benefit from their relevant and current expertise in particular sectors or professions and support a robust and fair decision-making process.
4. The CC has extensive [guidance](#) on conflicts of interest, which was last reviewed following the introduction of the Enterprise Act 2002, which governs most of the CC's current responsibilities and powers. The guidance and related procedures are subject to occasional review at appropriate times.
5. Enquiries should be directed to [Rory Taylor](#) and [John Park](#) on 020 7271 0242

Biographies

Dr Brian Woods-Scawen DL CBE FCA is a chartered accountant. He is a non-executive board member of a number of organizations in the public and private sectors, including the Department of Business and the Legal Services Ombudsman. He is a member of Council and Treasurer of Warwick University. Brian was formerly a partner in PricewaterhouseCoopers and Chairman of the Supervisory Board. He will become a non-executive CC Council member on 1 July 2010.

Sir Francis Jacobs KCMG QC is Professor of Law at King's College London and Jean Monnet Professor. From October 1988 to January 2006 he was an Advocate General at the European Court of Justice. In November 2005 he was appointed to the Privy Council. He is President of Missing Children Europe.

Dame Barbara Mills DBE QC is a barrister who was in practice at the Bar for over 25 years. She was Director of the Serious Fraud Office from 1990 to 1992, Director of Public Prosecutions and Head of the Crown Prosecution Service from 1992 to 1997, and The Adjudicator for Her Majesty's Revenue & Customs and two other government departments from 1998 to 2009. She served as a member of the CC from September 2001 to September 2009.