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Summary

5 I investigated an allegation that Mr Laurence Robertson MP had registered that he was a paid Parliamentary Advisor on Sport and Safer Gambling for the Betting and Gaming Council, and by acting in such a role, he had breached paragraph 9 of the Code of Code of Conduct for Members of Parliament.

10 During my investigation, Mr Robertson provided a copy of his consultancy agreement from October 2020 which described Mr Robertson as "*Parliamentary Advisor on Sport and Safer Gambling*" but added that the services provided by Mr Robertson "*shall not include lobbying Ministers, MPs or Parliament on behalf of gambling companies*". Mr Robertson said that the consultancy agreement was amended in October 2021 and his title was changed to "*Advisor on Sport and Safer Gambling*". Mr Robertson provided his signed and dated contract reflecting this change. Additionally, the amended contract states that Mr Robertson "*shall not lobby Ministers, Members of Parliament, or public officials on behalf of the Client or gambling companies*" and that he "*shall not provide advice to the client about how to lobby or influence Parliament*". Mr Robertson explained that, when updating his register entry, he failed to update his title and remove the word parliamentary.

20 Mr Robertson confirmed that he did not provide any Parliamentary or lobbying advice to the Betting and Gaming Council, and I have seen no evidence to the contrary.

In view of the above, I do not uphold the complaint.

Daniel Greenberg CB

5 May 2023

Mr Laurence Robertson MP: Resolution Letter

Letter from the Commissioner to the complainant, 5 May 2023

5 I wrote to you on 2 May 2023 to tell you that I had begun an inquiry into your allegation that Mr Laurence Robertson MP had breached rule 9 of the Code of Conduct for Members.

10 My investigation focused specifically on whether Mr Robertson had acted as a paid parliamentary advisor to the Betting and Gaming Council. I concluded that the evidence submitted did not demonstrate, on the balance of probabilities, that a breach of the rules had occurred.

I will publish my opinion and the written evidence pack shortly on my webpage and I will report the outcome to the Committee on Standards in due course.

15 Thank you for bringing this matter to my attention. I confirm that the matter is now closed.

5 May 2023

Written evidence

Email from the complainant to the Commissioner, 29 March 2023

5 I am writing about a suspected breach of the new Code of Conduct. Paragraph 9 states: “Members must not provide, or agree to provide, paid Parliamentary advice, including undertaking, or agreeing to undertake services as a Parliamentary strategist, advisor or consultant.”

10 In an [advice note](#) produced by the commissioner, it states that members “should ask themselves whether the potential payer is seeking to “buy” the services of an MP in their capacity as such (which is prohibited) or to take advantage of non-Parliamentary professional or other skills or expertise which the Member happens to have (which is permitted),” and that “there can be no objection to a Member acting for professional, trade or business undertakings in the provision of advice on matters on which the Members happen to have knowledge, expertise or experience”.

15 It also states: “Giving advice as to how an employer might achieve a particular objective in relation to a particular legislative provision or other matter departs from the general for the specific, and would be likely to amount to a breach of paragraph 9 of the Code.”

20 According to the register of members’ financial interests, as of 20 March 2023, Laurence Robertson is a Parliamentary Advisor on Sport and Safer Gambling to the Betting and Gaming Council. This is an existing role which Mr Robertson held prior to the introduction of the new Code of Conduct on 1 March 2023.

Mr Robertson was contacted by a journalist on 27 March 2023, asking him to confirm that the job is still active, and “whether the nature of the role has changed at all, particularly in light of the changes to the MPs’ code of conduct”.

25 He was contacted again on 28 March 2023, asking, if the role was still active, “how has the nature of the job changed to reflect the new code of conduct?”

A response from Mr Robertson states: “I didn’t provide any form of Parliamentary advice, so there is no change.”

30 This would suggest that any contract Mr Robertson had with the Betting and Gaming Council prior to the new code coming into force has not been amended to prohibit the provision of paid parliamentary advice.

There is no record of Mr Robertson having a professional background, or particular expertise, in sport or gambling prior to entering parliament.

35 I would therefore submit that Mr Robertson is potentially breaching the MPs’ Code of Conduct as it relates to paid employment and outside interests, as his role with

the Betting and Gaming Council as a “parliamentary advisor on sport and safer gambling” is likely to involve the provision of advice on how the employer might achieve a particular objective in relation to a particular legislative provision or other matter. It seems unlikely that Mr Robertson is being asked to deploy experience in some professional, business or other area and that he is instead being asked to deploy expertise and experience as a Member of Parliament.

Given the Gambling Act Review white paper is imminent, I look forward to your prompt response.

29 March 2023¹

10 Letter from the Commissioner to Mr Laurence Robertson MP, 2 May 2023

Following receipt of an allegation I have received from [name redacted] about your compliance with paragraph 9 of the House of Commons Code of Conduct for Members, I have decided to open a formal inquiry. I enclose a copy of [name redacted] submission.

15 The scope of my inquiry

My inquiry will focus on whether by acting as a parliamentary advisor on Sport and Safer Gambling to the Betting and Gaming Council,² you have acted in breach of rule 9 of the House of Commons’ Code of Conduct for Members.

If the scope of my inquiry changes, I will update you in writing.

20 The relevant rules of the House

The overarching rules are found in the House of Commons’ Code of Conduct for Members. Rule 9 of the Code states:

25 *Members must not provide, or agree to provide, paid parliamentary advice, including undertaking, or agreeing to undertake services as a Parliamentary strategist, advisor or consultant.*

The Guide to the rules relating to the conduct of Members, which is appended to the Code, contains more detail about this matter. Chapter 4, paragraphs 1-4 state:

¹ In response to the complaint, the Commissioner sought confirmation from the Registrar of Members’ Financial Interests on whether Mr Robertson had sought advice on the rules relating to paid parliamentary work. The Registrar confirmed that Mr Robertson did not seek advice on this matter. However, on 4 April 2023 Mr Robertson’s office sought to change the title of the position from “Parliamentary Advisor” to “Advisor”.

² Mr Laurence Robertson MP Register entry 20 March 2023

(1) *Paragraph 9 of the Code provides that: Members must not provide, or agree to provide, paid parliamentary advice, or agree to undertake services as a Parliamentary strategist, advisor or consultant.*

5 (2) *This prohibits Members from advising outside organisations or persons on process, for example, how they may lobby or otherwise influence the work of Parliament, in return for payment. The following is not parliamentary advice:*

a) advice on public policy and current affairs;

b) advice in general terms about how Parliament works; and

10 *c) media appearances, journalism, books, public lectures and speeches*

Members' outside employment

15 (3) *A Member who takes on any formal paid employment with an outside body must obtain a written contract or written statement of particulars detailing their duties. This contract must be made available to the Parliamentary Commissioner for Standards on request (but Members do not need to lodge a copy of the contract with the Registrar when registering employment).*

20 (4) *Any such contract, or letter of undertaking from the employer, must specify that the Member's duties will not include lobbying Ministers, Members of Parliament or public officials on behalf of that employer, nor providing paid parliamentary advice, and that the employer may not ask them to do so.*

Next steps

25 Thank you for your email received on 18 April 2023,³ however I would welcome your further comments on the allegation that your alleged actions have amounted to a breach of paragraph 9 of the Code of Conduct for Members. I would also be grateful for your answers to the following specific questions:

1. Are you aware of the rule regarding acting as a paid parliamentary advisor and the accompanying guidance?

³ On 18 April 2023 Mr Robertson MP wrote to the Commissioner stating that he had been informed that a complaint had been made to the Parliamentary Commissioner for Standards and asking if that was correct. The same day, the Commissioner confirmed a complaint had been received and was being assessed. Mr Robertson responded on 18 April 2023 asking if he could provide some additional information. He subsequently explained that the word Parliamentary had been erroneously left on his register entry and he provided the relevant clauses from his contract.

2. What are the terms and conditions of your role as a parliamentary advisor to the Betting and Gaming Council?

3. Please provide a copy of your contract for your role as parliamentary advisor to the Betting and Gaming Council.

5 4. Please provide the full details of any advice you have provided in your role as a parliamentary advisor to the Betting and Gaming Council since 1 March 2023.

10 5. I note that on 4 April 2023 you contact the Registrar of Members' Financial Interests and asked that your register entry be amended from parliamentary advisor to the Betting and Gaming Council to advisor to the Betting and Gaming Council.

(i) Please explain the reason for the amendment.

(ii) Has your role changed, if so, please outline in full the changes.

15 *(iii)* If your contract has been amended, please provide a copy of your previous contract.

6. Why did you register your role as parliamentary advisor to the Betting and Gaming Council?

20 It would be helpful to receive any evidence to support your responses when you reply to this letter. Any other points you wish to make to help me with this inquiry would also be welcome.

Important information

25 My inquiries are conducted in private. However, following the decision taken by the House on 21 April 2021, I will shortly publish on my webpages the fact that I am conducting an inquiry about your alleged breach of the Code of Conduct. If contacted, my office will not comment on any aspect of this specific inquiry to third parties. They will answer direct factual questions about the processes I follow, and the standards system more generally, but will not provide any comment or details about the particulars of this inquiry.

30 This letter and any subsequent correspondence between us in connection with this inquiry is protected by parliamentary privilege. It should be kept confidential until the outcome of my inquiry is published. The same requirement extends to [Name redacted].

The Members' Services Team (MST) can support and signpost you and/or your staff to appropriate support services. You can contact them confidentially on [details

redacted] for a range of issues, including support with handling the impact of media attention.

Procedure

5 Please see the Procedural Protocol in relation to the Code of Conduct, which was approved by the House on 18 October 2022. This sets out detailed information about the House’s standards procedures, including the procedure I follow.

10 While I do not, at this stage, know whether it will be necessary to interview you about this matter, it would be open to you to be accompanied at any such interview. I am, of course, very happy to meet with you at any stage if you would find that helpful.

I should say now, as a matter of courtesy, that I may seek the advice of the House authorities and others as part of this inquiry. If I do so, I will share that correspondence with you.

15 Information provided to me during the course of my inquiry will be retained, and disposed of, in accordance with the House of Commons’ Authorised Records Disposal Policy.

Potential outcomes

Inquiries are generally concluded in one of three ways.

20 (1) If the evidence does not substantiate the allegation, I will report that I consider there has been no breach of the Code. If the allegation is particularly serious or the investigation raises matters of wider interest or relevance, I may decide nevertheless to submit a memorandum to the Committee on Standards, which the Committee will consider and then submit its own report to the House.

25 (2) If the evidence demonstrates a breach of the rules, I may, in circumstances defined by Standing Order No. 150, report that I consider there has been a breach of the Code, and conclude the inquiry using the rectification procedure, without making a referral to the Committee on Standards.

30 For inquiries that either result in a not upheld outcome or a rectification of the breach of the Rules, the investigation material, including our correspondence, will be published on the Parliament website, and the Committee will be notified.

(3) If I consider there has been a breach of the Code, and

- it is either unsuitable for the rectification procedure; or

- you do not accept my opinion that there has been a breach of the Code; or
- you do not take (or do not agree to take) any remedial action required; or

the investigation raises issues of wider importance.

- 5 I must make a referral to the Committee on Standards. The Committee will then decide whether there has been a breach of the Code. My memorandum to the Committee will be published as an appendix to the Committee’s own Report.

- 10 Regardless of the outcome of my inquiry, I must emphasise that all the relevant evidence, including our correspondence, will be published when this inquiry is concluded. I routinely redact the personal data of third parties unless it is relevant to my decision(s) and/or opinion(s). Please tell me if you provide sensitive material that you think I should redact. I will consider carefully any such request.

Action

- 15 I would be grateful to have your response to this letter as soon as possible and no later than 17 May 2023. Please let me know before that date if you require more time to respond.

- 20 If you would prefer me to communicate with you by email, or via a different postal address, please give the details when you reply to this letter. It would also be helpful if you were willing to provide a telephone number through which I might contact you.

I would be grateful if you could send your response electronically to: standardscommissioner@parliament.uk

Thank you for your cooperation with this matter.

2 May 2023

- 25 **Email from Mr Laurence Robertson MP to the Commissioner, 2 May 2023**

Thank you for your letter via email dated 2nd May 2023. I am happy to provide the information you require.

- 30 I was first employed by the Betting & Gaming Council from 1st October 2020. At that point, I was registered as a Parliamentary Advisor on Sport & Safer Gambling. However, the contract at the time stated “The parties agree that the Services shall not include lobbying Ministers, MPs or Parliament on behalf of gambling companies”. I attach a copy of that contract.

The contract was renewed on 1st October 2021, but amended to “Advisor of Sport and Safer Gambling”. The word “Parliamentary” was dropped and the following words were added at this point: “The Consultant shall not lobby Ministers, Members of Parliament, or public officials on behalf of the Client or gambling companies. And
5 “The Consultant shall not provide advice to the client about how to lobby or influence Parliament”. I attach a copy of this contract.

However, when this change was made, and when I re-registered the interest on 1st October 2021, I omitted to remove the word “Parliamentary” from my title. This was an error on my part, for which I apologise. As soon as I became aware on this
10 inadvertent error, I contacted the Registrar on 4th April 2023 and asked that it be corrected.

However, as my contract makes clear, I did not provide any Parliamentary advice from that point, 1st October 2021, (and almost certainly did not before that date anyway), and therefore none from 1st March 2023. I do not, therefore, accept that I
15 have been in any breach of Parliamentary Code of Conduct.

The Betting & Gaming Council’s Chief Executive, [name redacted] is a former MP. He also employs people who have worked in Parliament. The organisation therefore has no need of any Parliamentary or lobbying advice. Rather, I was employed because of my long-standing interest in betting and gaming, and of horse racing, of
20 40+ years standing. The connection with horseracing is relevant and very important because the sport relies heavily on betting for much of its income, so they are inextricably linked. I am also very well connected in horseracing, and take wider interest in sport and in ensuring that gambling is made as safe as possible.

This situation has arisen because I omitted to register the change in my contract title
25 when I should have done, that being on 1st October 2021, and again I apologise for this oversight. However, as I say, no Parliamentary advice was given from that point and therefore none from 1st March 2023.

I hope this provides the information you require, but please do not hesitate to contact me if you require anything further.

30 **Enclosure 1: Extract from Consultancy Agreement dated October 2020⁴**

Term of Engagement

2.1 The Client shall engage the Consultant as Parliamentary Advisor on Sport and Safer Gambling and the Consultant shall provide the Services on the terms of this Agreement.

⁴ This is a confidential document. I have therefore not reproduced it in full, and only quoted the relevant sections

...

Schedule 1

Services

5 *The parties agree that the Services shall not include lobbying Ministers, MPs or Parliament on behalf of gambling companies.*

Enclosure 2: Extract from Consultancy Agreement dated October 2021⁵

Term Of Engagement

10 *2.1 The Client shall engage the Consultant as an Advisor on Sport and Safer Gambling and the Consultant shall provide the Services on the terms of this Agreement.*

...

Schedule 1

Services

- 15
- *The Consultant shall not lobby Ministers, Members of Parliament, or public officials on behalf of the client or gambling companies.*
 - *The Consultant shall not provide advice to the client about how to lobby or influence Parliament.*
 - *2 May 2023*

20 **Letter from the Commissioner to Mr Laurence Robertson MP, 4 May 2023**

Thank you for your email of 2 May 2023 and the enclosed documents. I now have sufficient evidence to reach an opinion on the allegation that you had breached paragraph 9 of the Code of Conduct by acting as a paid parliamentary advisor on Sports and Safer Gambling to the Betting and Gaming Council.

25

⁵ This is a confidential document. I have therefore not reproduced it in full, and only quoted the relevant sections

Decision

Having reviewed all of the evidence available, I have concluded that the evidence submitted does not demonstrate on the balance of probabilities that there has
5 been a breach of the Code of Conduct. Whilst I note the provisions that you have in your current contract with the Betting and Gaming Council, I would like to take this opportunity to draw your attention to the suggested contract provisions outlined in my Advice Note on [Paid Parliamentary Advice](#) which you may wish to incorporate into your contract.

10

A full explanation of my reasoning is set out in the draft written evidence pack, which is enclosed.

15

The written evidence pack also includes the correspondence exchanged during the investigation. In this pack you will find a draft copy of the letter I plan to send to the complainant; it is the first item in the pack, after the summary. While the content of the letter is a matter for me alone, I would welcome any comments on the factual accuracy of this and the written evidence pack. The complainant's name will be redacted from the published pack; please let me know if there are any
20 further redactions you think should be made, and I will consider your request. I would be pleased to receive any comments you wish to make on these items as soon as possible, and no later than 12 May 2023.

25

Once I have any comments you wish to make, I will finalise the pack, which will then be published on my webpages. I will notify you of the publication of the pack. I will
25 also notify the Committee on Standards of the outcome of my inquiry in due course.

In the meantime, our correspondence continues to be protected by parliamentary privilege. Until I send you and the complainant letters concluding the inquiry, this matter should remain confidential.

30

I would also like to thank you for your prompt and full co-operation with my inquiry.

Thank you for your co-operation.

4 May 2023

35