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## Summary

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5 I opened an inquiry on 19 July 2023, after receiving a complaint that the Rt Hon. Rachel Reeves MP had acted in breach of rule 5 of the House of Commons' Code of Conduct for Members ("the Code"). The complainant alleged that Ms Reeves had failed to register a flight to New York in May 2023, which was allegedly funded by a private donor.

I sought comments from Ms Reeves who advised me that the cost of the trip to New York was funded from an office account containing contributions from different donors, all of which had been declared on the Register in the proper way.

10 The Guide to the Rules sets out the requirements under Category 4 as, "*Members must register, subject to the paragraphs below, any visits to destinations outside the UK where the cost is over £300 if that cost is not wholly borne by the Member or by UK public funds*".

15 The Guide does not expressly state the relationship between Category 4 visits and Category 2 donations, but the advice I sought from the Registrar is clear that as the visit was covered by Ms Reeve's office account which "*contains pooled funds from a number of different donors, rather than being funded by a single organisation or donor*", it was not registrable under Category 4. The Registrar confirmed that had Ms Reeves sought advice about registration of this trip, he would have advised that  
20 Ms Reeves was not required to register it unless an identifiable donor had specified that their donation was to be used for overseas travel.

I am accordingly satisfied that there was no requirement for Ms Reeves to register the trip to New York.

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

25 *18 August 2023*

## Resolution letter: Rt Hon. Rachel Reeves MP

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### Letter from the Commissioner to the Complainant, 18 August 2023

5 I wrote to you on 19 July 2023 to tell you that I had started an inquiry into your allegation that Rt Hon. Rachel Reeves MP had breached rule 5 of the Code of Conduct for Members.

10 My investigation focused specifically on whether Ms Reeves was required and had failed to register her trip to New York in May 2023. I concluded that the evidence submitted did not demonstrate that a breach of the rules had occurred. Further information about my reasoning can be found in the written evidence pack once published.

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.

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

15 *18 August 2023*

## Written evidence

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### 1. Email from the Complainant to the Commissioner, 4 July 2023

5 You might remember on the 25th of May 2023 the MP took a trip to New York in her role as shadow chancellor and she advised that her £3,000 ticket for business class was funded by a party donor after seeking a donation to fund this trip to not burden the tax payer in these times of cost of living in the media.

10 I note in the latest publication of the register of interests by your office that no donation has been listed by Rachel Reeves to have been received, given under the code s3 a member must declare a donation directed at their political party to fund say a international trip etc by a particular member of that party within 28 days it seems confusing why no donation is listed some 40 days ago after the event on her register of interest.

Might I ask that you investigate this matter?

*4 July 2023*

### 15 2. Letter from the Commissioner to the Complainant, 19 July 2023

Thank you for your submissions of 4 and 5 July 2023, setting out your allegation of a breach of House of Commons rules by Ms Rachel Reeves MP. I have decided to begin a formal inquiry into whether Ms Reeves has breached paragraph 5 of the 2023 House of Commons' Code of Conduct for Members.

20 Please see this link for the Procedural Protocol in respect of the Code of Conduct ([parliament.uk](http://parliament.uk)), 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.

25 I am also writing to the Member to share your complaint and let them know I have opened this inquiry.

30 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 into this allegation. My office will not comment on any aspect of the inquiry to third parties. They will answer factual questions about the processes I follow and the standards system more generally. I must ask that you respect that confidentiality and the decision of the House.

35 All your correspondence with my office, including this letter, is now part of the evidence for this inquiry and is protected by parliamentary privilege. You must not discuss this matter, or share the contents of our correspondence, with any third party.

I will contact you again when the inquiry is finished. Please be aware I do not give progress reports during the course of an inquiry. When the matter has been concluded, my opinion on whether there has been a breach of the Code, the reasons for it and all the relevant evidence will be published on my webpages and put into the public domain.

*19 July 2023*

### **3. Letter from the Commissioner to Rt Hon. Rachel Reeves MP, 19 July 2023**

Following receipt of a complaint from [name redacted], regarding your compliance with the House of Commons Code of Conduct, I have decided to open a formal inquiry.

#### **The scope of my inquiry**

My inquiry will focus on whether you have acted in breach of paragraph 5 of the 2023 Code of Conduct for Members of Parliament (“the Code”), by failing to register a financial interest within the 28-day deadline set by the House. [Name redacted] has alleged that you have failed to register a flight to New York in May 2023, which was allegedly funded by a private donor.

#### **The relevant rules of the House**

The overarching rules are found in the House of Commons’ 2023 Code of Conduct for Members. Paragraph 5 of the Code states:

*“Members must fulfil conscientiously the requirements of the House in respect of the registration of interests in the Register of Members’ Financial Interests. New Members must register all their current financial interests, and any registrable benefits (other than earnings) received in the 12 months before their election within one month of their election, and Members must register any change in those registrable interests within 28 days.”*

The Guide to the Rules relating to the conduct of Members, which is appended to the Code, states the following in Chapter 1: Registration of Members’ Financial Interests:

#### **Category 4: Visits outside the UK**

“30. Members must register, subject to the paragraphs below, any visits to destinations outside the UK where the cost is over £300 if that cost is not wholly borne by the Member or by UK public funds. They must also register multiple visits funded by the same source if taken together these have a value of more than £300 in a calendar year.”

**Next steps**

I would be grateful for your answers to the following questions:

- 5 1. Please explain why you have not registered the flight to New York in May 2023, allegedly funded by a private donor as required by the code.
2. After carefully checking all your records, are you satisfied that your entry in the Register of Members' Financial Interests is complete and accurate in all other respects, and in line with Chapter 1 of the Guide to the Rules?
- 10 a) If it is not, please contact the Registrar now to bring it up to date.
- b) If it is, please describe the steps that you have taken to satisfy yourself of this.

15 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**

20 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.

25 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].

30 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**

35 Please see the Procedural Protocol in respect of the Code of Conduct (parliament.uk), 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.

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.

- 5 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.

10 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.

- 15 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.
- 20 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.

25 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
  - 30 • 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

35 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.

5 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

10 I would be grateful to have your response to this letter as soon as possible and no later than **4pm on 26 July 2023**. Please let me know before that date if you require more time to respond.

15 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.

Thank you for your cooperation with this matter.

*19 July 2023*

### 4. Letter from Rt Hon. Rachel Reeves MP to the Commissioner, 26 July 2023

20 Thank you for your letter of 19th July.

To directly address the questions you posed:

1. The cost of my trip to the USA, including my flight, was borne from my office account. This account contains contributions from different donors, all of which have been declared on the Register in the proper way.
- 25 2. I am satisfied that my entry in the Register is complete and accurate in all other respects. In order to satisfy myself of this, I have checked the incomings to the bank account mentioned above, which I use to receive donations, against my entry in the Register. I have also checked my diary against the declarations of hospitality and gifts that I have made.
- 30 Should you require any further information to carry out your duties in investigating this matter, I would be happy to provide it.

*26 July 2023*



## 5. Letter from the Commissioner to Rt Hon. Rachel Reeves MP, 27 July 2023

I am writing further to your response letter dated 26 July 2023.

The rules attached to the Code of Conduct in relation to trips states as follows:

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### Category 4: Visits outside the UK

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*“30. Members must register, subject to the paragraphs below, any visits to destinations outside the UK where the cost is over £300 if that cost is not wholly borne by the Member or by UK public funds. They must also register multiple visits funded by the same source if taken together these have a value of more than £300 in a calendar year.”*

15

1. Please explain why the trip to the USA was not registered under Category 4, as required by the rules.
2. Please confirm whether you accept the failure to register this trip was a breach of paragraph 5 of the Code of Conduct.

### Action

20

I would be grateful to have your response to this letter as soon as possible and no later than **4pm on 2 August 2023**. Please let me know before that date if you require more time to respond.

*27 July 2023*

## 6. Letter from Rt Hon. Rachel Reeves MP to the Commissioner, 1 August 2023

Thank you for your letter of 27 July 2023. In response to your points:

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1. As set out in my letter of 26 July, I did not register my visit to the USA under Category 4 because the trip was funded from my office account, which contains pooled funds from a number of different donors, rather than being funded by a single organisation or donor. All of these donations have been declared in the usual way, and in accordance with the rules.

30

2. Having looked at the rules again, I now recognise that this course of action could have been in breach of paragraph 5 of the Code of Conduct if it is the case that trips overseas must still be registered under Category 4 if they are not funded by a single, specific donation.

35

If that is the case, I would like to take this opportunity to apologise for this mistake, and stress that I understand the importance of making transparent declarations in full accordance with the rules – something I always endeavour to achieve. I have put

in place new processes in my office to ensure we follow the rules at all times, which includes seeking training for key members of staff.

5 I would also appreciate any advice you might have about how to best make the correct declaration for the visit under Category 4, given all contributions to my office account have already been declared under Category 2.

*1 August 2023*

### **7. Letter from the Commissioner to the Registrar, 1 August 2023**

10 I would like to ask your advice on a complaint I have recently received about Rt Hon. Rachel Reeves MP. In essence, the complaint is that Ms Reeves acted in breach of paragraph 5 of the Code of Conduct for Members, by failing to register a flight to the USA in May 2023, which was allegedly funded by a private donor.

15 I enclose a copy of my letters to the Member, dated 19 and 27 July 2023, and their replies, of 26 July and 1 August 2023. I have also enclosed copies of the correspondence and supporting evidence which led to me initiating this inquiry for your information.

If Ms Reeves had sought advice in relation to registration of this trip, it would be helpful to know what advice you would have given. It would also be helpful to know what factors you would have taken into account when giving that advice.

20 Please also advise how Ms Reeves should have managed this registration and future relevant registrations bearing in mind all donations are placed in one office account, with no differentiation as to source of funds.

It would be very helpful to have your reply by **4pm on 9 August 2023**.

*1 August 2023*

### **8. Letter from the Registrar to the Commissioner, 9 August 2023**

Thank you for your letter dated 2 August in relation to the investigation into Rachel Reeves MP.

I have checked our records and Ms Reeves did not seek advice on registering this visit.

In her letter to you (1 August 2023), Ms Reeves explained that the costs of the visit were funded out of her office account into which donations are placed. Having looked at Ms Reeves' Register entry, I assume that this relates to her Register entries under Category 2(b), an example of which is set out below:

Name of donor: [name redacted]

Address of donor: private

Amount of donation or nature and value if donation in kind: £7,500 to support the  
Shadow Chancellor's office

Date received: 20 July 2022

Date accepted: 20 July 2022

Donor status: individual

(Registered 22 July 2022)

Had an individual donor registered under Category 2 specified that part of the donation should be used for the specific activity of funding overseas visits, then the visit would need be registered under Category 4, with the name and address of that donor. In the Register entry we would include an explanation that the funding came from the donation registered under Category 2.

If a donor made a specific monetary donation to cover the costs of a visit outside the UK, then this monetary donation would only have been registered under Category 4. There would have been no corresponding entry under Category 2.

Because the cost of the visit was covered by her office account which “contains pooled funds from a number of different donors, rather than being funded by a single organisation or donor”, there is no identifiable donor. It would therefore not be possible to create a register entry for this visit. In the absence of an identifiable donor (or in the case of several donors the amount allocated by each of them to the visit) an additional entry could be seen as a duplicate entry.

For that reason, we would have advised that Ms Reeves was not required to register the visit unless an identifiable donor has specified that the donation was to be used, in part, for overseas travel.

I hope this is helpful.

*9 August 2023*

## **9. Letter from the Commissioner to Rt Hon. Rachel Reeves MP, 17 August 2023**

I have received a response from the Registrar, a copy of which is attached. I now have sufficient evidence to reach an opinion on the allegation that you breached

paragraph 5 of the Code of Conduct 2023 by failing to register a flight to New York in May 2023, which was allegedly funded by a private donor.

### Decision

Having reviewed all the evidence available, I have concluded that it does not demonstrate that there has been a breach of the Code of Conduct.

In your responses to me dated 26 July and 1 August 2023, you explained that the trip to New York was funded from an office account containing pooled funds from different donors. You also confirmed that all these donations were declared in accordance with the rules.

The Guide to the Rules sets out the requirements under Category 4 as, *“Members must register, subject to the paragraphs below, any visits to destinations outside the UK where the cost is over £300 if that cost is not wholly borne by the Member or by UK public funds”*.

The Guide does not expressly state the relationship between Category 4 visits and Category 2 donations, but the Registrar’s advice is clear that as the visit was covered by your office account which *“contains pooled funds from a number of different donors, rather than being funded by a single organisation or donor”*, it was not registrable under Category 4. The Registrar confirmed that had you sought advice about registration of this trip, he would have advised that you were not required to register it unless an identifiable donor had specified that their donation was to be used for overseas travel.

I am accordingly satisfied that there was no requirement for you to register the trip to New York.

I enclose a copy of the written evidence pack which 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 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 **24 August 2023**.

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 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.

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

*17 August 2023*