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Summary

5 I investigated an allegation that the Member had omitted to register one of his financial interests, having omitted from the Register of Members' Financial Interests between June 2017 and January 2018 his interest in a property in Derby which was used by a family friend and had a capital value of over £100,000.

I found that the property should have been registered sooner and that the failure to register it had put the Member in breach of paragraph 13 of the House of Commons' Code of Conduct for Members.

10 The Member said that he had misunderstood the rules and had, once the matter was brought to his attention, rectified his omission. He acknowledged and apologised for his breach of the rules, and I have asked the Registrar to arrange for the relevant part of the Member's entry in the Register to be placed in italics for a period of 12 months, in accordance with the usual practice.

15 I concluded the matter using the rectification procedure available to me under Standing Order No 150.

Mr Chris Williamson MP: Resolution letter

Letter from the Commissioner to Mr Andrew Bridgen MP, 14 March 2018

5 I wrote to you on 30 January 2018 to say that I had begun an inquiry into your allegation that Mr Chris Williamson MP had breached paragraph 13 of the Code of Conduct for Members.

10 I found that Mr Williamson should have registered sooner his financial interest in a property he jointly owns with his partner, which has a capital value over the registration threshold and is not used wholly for purposes of his own, his partner's or dependent children. His failure to do so put him in breach of paragraph 13 of the Code of Conduct.

15 Mr Williamson has told me that he misunderstood the relevant paragraph of the Guide to the Rules relating to the conduct of Members. He has, however, accepted my determination and apologised for his breach of the Code. I have, in accordance with usual practice, asked the Registrar to arrange for the relevant part of Mr Williamson's entry to be placed in italics for a period of 12 months in the Register of Members' Financial Interests.

The evidence I have considered, including the letters I have exchanged with Mr Williamson about this matter is enclosed. Item 10 explains in more detail the rationale for my decision.

20 I consider that to be an appropriate outcome and the matter is now concluded, by way of the rectification procedure available to me under Standing Order No 150. I will notify the Committee on Standards in due course of this outcome.

14 March 2018

Written evidence

1. Letter from Mr Andrew Bridgen MP to the Commissioner, 26 January 2018

5 Thank you for your reply concerning Labour MP Mr Chris Williamson's failure to register a second home.¹ Following your advice, I am now writing to you formally and copying Mr Williamson into the complaint.

Even though Mr Williamson has now himself registered a second home in Derby - see the latest updated edition of the MPs' Register - I still wish to make a formal complaint.²

10 Firstly, Mr Williamson's updated entry makes no reference to when he acquired this second property or that he should have been registering the said property since he was re-elected to the House in June last year.

Secondly, it cannot be right that a Member breaches the rules for registering outside interests for six months, only to abide by them when he is caught out - in this case, by the Mail on Sunday in its article of January 14, 2018.

15 I submit he must be asked formally by your office why he failed to declare this property since his re-election.

20 He must be asked why when he previously served as an MP in 2010-15, he did in fact declare a second property in the Derby area but following his re-election last June, he choose not to do so. Depending on his answer, Mr Williamson must be asked to apologise to the House for breaching the strict rules we should all respect.

I am attaching the copies of the Land Registry documents cited in the Mail on Sunday article showing Mr Williamson's relevant property interests.

26 January 2018

Extracts from Mail on Sunday article of 4 January 2018

25 "House in order? Chris Williamson has failed to declare his second home in Derby which he bought with his partner and is believed to rent out.

¹ Mr Bridgen had previously emailed the Commissioner making the same allegation. He was reminded of the criteria for an allegation to be accepted for investigation

² https://publications.parliament.uk/pa/cm/cmregmem/180205/williamson_chris.htm Mr Williamson had made a new register entry in category 6 "Land and property" on 15 January 2018

Mr Williamson was forced to quit the Labour front bench last week after he unveiled plans to hike council tax bills for the better off and freeze them for the poorest.

Mr Williamson is a close ally of Jeremy Corbyn but his council tax proposals are not Labour policy.

- 5 New Tory Party Deputy chairman James Cleverley said Chris Williamson had been sacked for letting the cat out of the bag about Labour's hopes for tax rises.

10 Asked why he made no such declaration since being re-elected as Derby North MP last year, Mr Williamson initially told The Mail on Sunday that his second home belonged to his partner, [name redacted]. After being told official Land Registry records show he is joint owner, he denied breaking Commons rules.

Questioned a third time, he said: "I will check with the parliamentary authorities on Monday. If I have made an inadvertent error I will correct it."

He did not explain why during his previous term as Derby North MP he did declare ownership of a house in the area."

- 15 "According to Land Registry records, Mr Williamson owns two properties in Derby; his main family home, purchased in 2006, worth approximately £250,000; and another property, jointly purchased by Mr Williamson and [his partner] in 2005, worth an estimated £215,000."

2. Letter from the Commissioner to Mr Chris Williamson MP, 30 January 2018

- 20 I would welcome your help with an allegation I have received from Mr Andrew Bridgen MP in respect of the registration of your financial interests. I understand Mr Bridgen has sent you a copy of the allegation but enclose a copy for completeness.

My Inquiry

- 25 In essence, my inquiry will consider whether the rules of the House required you to register in the Register of Members' Financial Interests your interest in a property in Derby before 15 January 2018.

The Code of Conduct³

- 30 I enclose a copy of the House of Commons' Code of Conduct for Members. Paragraph 13 says

³ <http://www.publications.parliament.uk/pa/cm201516/cmcode/1076/107601.htm>

5 *“Members shall fulfil conscientiously the requirements of the House in respect of registration of interests in the Register of Members’ Financial Interests. They shall always be open and frank in drawing attention to any relevant interest in any proceeding of the House or its Committees, and in any communication with Ministers, Members, public officials or public office holders.”*

The Guide to the Rules relating to the conduct of Members

10 Chapter 1 of the Guide to the Rules relating to the conduct of Members, a copy of which I also enclose, deals with the registration of Members’ interests. Paragraph 2 of that chapter states:

15 *“The House requires new Members, within one month of their election, to register all their current financial interests, and any registrable benefits (other than earnings) received in the 12 months before their election. After that, Members are required to register within 28 days any change in those registrable interests. Such a change includes both the acquisition of a new interest and the ceasing of any registered interest, for example because an employment has ceased or because a holding has reduced in value or been sold.”*

20 Paragraphs 47 to 50 of chapter 1 of the Guide to the rules deal with the registration of land and property.

“Threshold for registration

47. Members must register, subject to the paragraphs below, any land or property in the UK or elsewhere which:

25 i) has a value of more than £100,000; or forms part of a total property portfolio⁴ whose value exceeds £100,000; and/or

ii) alone or together with other properties owned by the Member, provides rental income of more than £10,000 in a calendar year.

Requirements for registration

48. Under this category Members must register:

30 a. Land or property which they own or hold, either by themselves or with or on behalf of their spouse, partner or dependent children.

4 Excluding property used wholly for the Member’s own personal residential purposes, or those of their spouse, partner or dependent children.

49. *Members should not register under this category:*

a. Any land or property which is used wholly for their own personal residential purposes, or those of their spouse, partner or dependent children.⁵

5 50. *Members are required to provide the following information:*

a. The type of property; e.g. whether business or residential, and if land, the type of use to which it is put; and

b. Its location, for example the relevant local authority area; and

10 *c. Whether the holding falls to be registered under (i) and/or (ii) of paragraph 47 above. If the rental income is paid to another person or organisation, this should be stated;*

d. The date on which the land or property was acquired, or when the value of the property (or the rental received) achieved registrable value.⁶

15 Next steps

I would welcome your response to this allegation, taking account of the requirements of the Code of Conduct and, in particular, this summary of the most relevant rules.

In particular, it would be helpful to know:

- 20
- whether you considered registering your interest in the property in the Register of Members' Financial Interests at any time between the General Election and 15 January 2018 and, if you did, what led you to the conclusion that it was not registrable
- 25
- whether there has been any material change in circumstances which would have a bearing on the requirement or otherwise to register your interest in the property during that period; and

5 This includes land and property of registrable value which is held in trust for the Member, for example as part of a self-invested personal pension.

6 If the value of the land or property is close to the threshold for registration, the Member should periodically check its value and, if it exceeds the threshold, should register it within 28 days of the date of that valuation.

- whether you sought advice about this matter from the House authorities on any occasion and, if so, details of the advice received.

Any other points you may wish to make and any supporting evidence you are able to provide, to help me with this inquiry, would be most welcome.

- 5 I enclose a copy of the *Commissioner's Information Note*,⁷ which sets out the procedure I follow. I am writing to Mr Bridgen to let him know that I have decided to begin an inquiry into his allegation.

10 I will shortly update my parliamentary web pages to show that I am conducting an inquiry into an allegation about the registration of your interests. My office will not comment further on any aspect of the inquiry. They will, however, confirm that I have begun an inquiry if asked before this information is posted on my webpages and they will answer factual questions about the processes I follow and the standards system more generally.

15 As you will be aware, my inquiries are conducted in private. This letter and any subsequent correspondence between us is protected by parliamentary privilege until such time as a final report is published. Any such report will include all the relevant evidence, including our correspondence. I would, therefore, ask that you respect that confidentiality.

20 As a matter of courtesy, I should say now that I may make enquiries of the Registrar and/or other of the House Authorities in due course. If I do so, I will share that correspondence with you. 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.

25 I would appreciate your help and co-operation and welcome your comments on the allegation, together with any evidence you feel may assist my investigation, as soon as possible and no later than 13 February 2018.

30 January 2018

3. Letter from Mr Chris Williamson MP to the Commissioner, 1 February 2018

30 Thank you for your letter and enclosures dated 30 January 2018 regarding Mr Bridgen's allegation.

The reason I did not register the property in question was down to a misunderstanding of the meaning of paragraph 47 of the guidelines. As Mr Bridgen himself concedes, I did register this property when I was previously a Member,

⁷ <http://www.parliament.uk/documents/pcfs/New%20Website%20Documents/PCS-Information-Note.pdf>

between 2010-2015. There was certainly no intention on my part to deliberately not declare the property after I was re-elected last year.

5 When the Mail on Sunday originally contacted me to ask why I had not declared the property, I told them I believed I had complied with the guidance to the Register of Members' Financial Interests. However, I said I would check with the Registrar and correct my entry if I had made an error.

10 On the next working day, I rang the Registrar to ask if the property should have been registered. I explained that my reading of paragraph 47 suggested that it wasn't registrable because I was not receiving any income from it. As you know, this paragraph states:

Members must register, subject to the paragraphs below, any land or property in the UK or elsewhere which:

ii) has a value of more than £100,000; or forms part of a total property portfolio⁸ whose value exceeds £100,000; and/or

15 *iii) alone or together with other properties owned by the Member, provides rental income of more than £10,000 in a calendar year.*

20 My reading of that paragraph indicated to me that property must be registered in the Register of Members' Financial Interests if it is valued at more than £100,000 **and** generates income of more than £10,000 per annum; or is worth less than £100,000 but generates income of more than £10,000.

My property is currently valued at around £220,000 but I am not receiving any income from it. I originally helped my partner to obtain a mortgage to buy the property back in 2005, and she lived there with her children for several years before moving in with me. It is now occupied by a friend.

25 When I spoke to the Registrar she said I should register it, which I did forthwith. However, she acknowledged my concern that the wording was ambiguous and undertook to consider changing it the next time the guidance is revised. I told her that there was no intention on my part to withhold this information and advised her that I had registered it when I was formerly a Member. She said the wording had
30 been changed from when I was elected in 2010.

35 In my view, given the Registrar's advice, the word "and" in paragraph 47 is superfluous and is responsible for my confusion. It would be clearer if it was deleted in any revised guidance. If it simply stated that property should be registered if it is valued at more than £100,000 **or** generates income of more than £10,000 per annum, the expectation on Members would be obvious. This is effectively the

8 Excluding property used wholly for the Member's own personal residential purposes, or those of their spouse, partner or dependent children.

Registrar's interpretation of the current guidance, so it would be helpful if it actually said that.

5 As you can see, this episode was an innocent error on my part. It was common knowledge within a large section of the community in Derby that I jointly own this second property and I have never tried to keep it a secret. Consequently, it would have been a fool's errand to deliberately ignore the guidance to the Register of Members' Financial Interests, given that so many people in Derby know I have a stake in the property with my partner, [name redacted].

10 I trust this fully answers the points raised in your letter, but I will of course be happy to answer any further queries you might have.

1 February 2018

4. Letter from the Commissioner to the Registrar of Members' Financial Interests, 6 February 2018

15 I am writing to seek your help with an allegation I am investigating concerning the conduct of Mr Chris Williamson MP. In essence, it is alleged that he has acted in breach of paragraph 13 of the Code of Conduct for Members by registering late his interest in a property in Derby. In this Parliament, the property was first registered on 15 January 2018.

20 I enclose a copy of my correspondence with Mr Williamson. You will see that he refers to advice he has sought from you/your team. I would be grateful to have a copy of any records your team holds concerning the telephone calls/meetings and emails you have exchanged with Mr Williamson about this matter. (In the absence of contemporaneous notes, I would appreciate a brief description of your recollection of any conversations.)

25 I am aware that you and a number of colleagues met those Members who were newly elected in June 2017 to assist them with their entries in the first Register of Members Financial Interest of the new Parliament. I would be grateful for a copy of any relevant information you hold arising from the meeting with Mr Williamson or from subsequent contacts between him and your team.

30 I would be happy to receive any other information you think might assist with this inquiry. It would be helpful to have your response by 20 February 2018.

6 February 2018

5. Letter from the Commissioner to Mr Chris Williamson MP, 6 February 2018

35 Thank you for your letter of 1 February 2018. The information you have provided is helpful.

When I wrote to you on 30 January, I said that I might seek the advice of the Registrar. I have written to her today, and a copy of my letter is enclosed for your information. I will give you the opportunity to comment on her response before I reach a final decision on the alleged breach of the rules.

- 5 In the meantime, I would be grateful for some further information from you. In my letter of 30 January, I asked if you had considered registering your interest in the property in the Register of Members' Financial Interests at any time between the General Election and 15 January 2018. The answer to that question is not clear from your response.
- 10 You refer to the Mail on Sunday asking you why you had not registered the property. I have seen the Mail on Sunday's report, in which they say you told them that the property "*belonged to [your] partner*". It would be helpful to have your comments on that report.

15 Please let me have the above information as soon as possible and no later than 20 February 2018.

6 February 2018

6. Letter from Mr Chris Williamson MP to the Commissioner, 12 February 2018

I refer to your further letter regarding the allegation by Andrew Bridgen relating to the registration of the house I helped my partner to purchase in 2005.

- 20 When I was first elected in 2017, after an absence from the House between 2015–2017, I checked the guidance on registering interests. I was convinced the guidance meant that the property in question should not be registered, for the reasons outlined in my previous letter.

25 I never thought anymore about it thereafter as I believed I was fully compliant with the Register of Interests. It was only when [a journalist], from the Mail on Sunday, telephoned me on a Friday evening to ask why I had not registered the property, that I wondered whether my registration was incomplete. I told him that I was sure my registration was up to date, but double-checked the guidance after his call. When
30 I looked at it again, I was positive my interpretation was correct. I therefore sent him a copy of the relevant paragraph from the guidelines, in which I highlighted the "and/or" reference. I did, however, advise him that I would seek clarification and update the register if my understanding was incorrect.

35 The reference in his article to my comment that the property belonged to my partner was a bit of Mail on Sunday journalese. I told him the property effectively belonged to her as I had only helped her to obtain a mortgage. I have never lived there myself, whereas she lived there for several years with her children before she eventually moved in with me.

As I said in my previous letter, this was an innocent error that was brought about by misleading guidelines. When I read them shortly after being elected there was no doubt in my mind that the property should not be registered. If I'd had the slightest doubt about it, I would have sought clarification.

5 *12 February 2018*

7. Letter from the Registrar of Members' Financial Interests to the Commissioner, 14 February 2018

Thank you for your letter of 6 February. You ask for our records of any advice given to Chris Williamson MP about the registration of his second home.

10 **2010**

Mr Williamson was first elected in 2010. We have no record of discussions with Mr Williamson about his homes during the 2010 Parliament. But our records show that he made the following entry in the Register of 6 September 2010, the first Register of that Parliament:

15 **2. Remunerated employment, office, profession etc**

Councillor on Derby City Council, Corporation Street, Derby.

8. Land and Property

Two houses; one in Derby area and one in Castle Donnington.

20 The item under the heading of Land and Property remained, unchanged, until the 2015 Election, when Mr Williamson lost his seat.

2017

Mr Williamson was re-elected in 2017. In common with all new Members, we sent him the following information about registering his interests:

- 25
- A hard copy letter, together with a registration form which summarised the rules and a ring-binder containing the Code of Conduct and the Guide to the Rules, including the rules on registration.
 - An email drawing his attention to the Code of Conduct and Guide to the Rules, and the need to register interests. This contained links to these documents and to the registration form.

30 We gave Mr Williamson and other new Members a personal face-to-face briefing on the Code and the rules, including the registration requirements. I attach a copy of

the note of his briefing, which took place on 28 June 2017. You will see that Mr Williamson said at the meeting that he had not yet received a ring-binder. I would expect that we sent him one after that meeting, although the record is not annotated to say that we had done this.

- 5 Mr Williamson submitted a registration form on 7 July 2018. He registered three donations, received by his local party, and nothing else. He had left blank the page relating to land and property.

2018

10 On 15 January 2018 Mr Williamson rang this office. He said that the Mail on Sunday had contacted him asking why he had not registered his second home. He explained the circumstances and asked whether he needed to register the home. I said that he did. I emailed him to confirming my advice and seeking his approval for a draft Register entry. That entry appeared in the Register of 22 January.

15 During my conversation with him Mr Williamson said that the rules, as they exist in this Parliament, are “unclear” and that he had not understood the words “and/or”. I replied to him as I do to any other MP who says the rules are unclear, saying that we would look at the wording to see if the rules could be made clearer when they were next revised.

I enclose

- 20
- An extract from the Code of Conduct and Guide to the Rules relating to the Conduct of Members, as approved by the House on 9 February 2009 (HC 735), together with the corresponding extract from the Guide as approved on 17 March 2015 (HC 1076). The first extract sets out the rules on registering land and property as they were in the 2010 Parliament, and
- 25
- the second sets out the rules as they are now.
 - A copy of Mr Williamson’s initial registration form of the 2017 Parliament, as submitted to this office on 7 July 2017.
 - Our records of the email exchanges with Mr Williamson on 15 January 2018.

30 Please let me know if you need anything further.

12 February 2018

Extract from enclosure 1:

General Election 2017: Office of Parliamentary Commissioner for Standards

Record of conversation with new Members (please tick final column when topic covered)

Extract	
6. Explain rules on registering land and property (value of £100,000 or rental income of over £10,000). Register land and property held with or on behalf of family etc. or manage by a trust. Register land and property unless used only for personal residential purposes of the Member, his/her partner or dependent children	√

Enclosure 2

Extract from the Guide to the Rules as approved by the House on 9 February 2009:

Category 8

Land and property: **Any land or property—**

(a) which has a substantial value. (unless used for the personal residential purposes of the Member or the Member's spouse or partner), or

(b) from which a substantial income is derived.

The nature of the property should be indicated.

- 5 50. Property used for the personal residential purposes of the Member or the Member's spouse or partner and dependent children (that is, their main and any other homes) does not need to be registered under Category 8(a). It may need to be registered under Category 8(b), but only if the Member derives an income from it and derives a substantial income from his or her total property portfolio (see paragraph 51). A property, such as a farm, on which the Member has a residence should be registered if it has a substantial value aside from the residential use.
- 10

- 15 51. "Substantial value" means a value greater than the current parliamentary salary. If a Member's total property portfolio (excluding main and other homes) has a substantial value, it should be registered.

52. "Substantial income" means an income greater than 10 per cent of the current parliamentary salary. If the income from a Member's total property portfolio (*including* main and any other homes) is substantial, all the properties from which any income is derived should be registered.

- 20 53. Entries should be reasonably specific as to the nature of the property and its general location, for example:—

"Woodland in Perthshire"

"Dairy farm in Wiltshire"

"3 residential/commercial rented properties in Manchester".

Enclosure 3

Extract from Guide to the Rules as approved by the House on 17 March 2015:

5 Category 6: Land and property

THRESHOLD FOR REGISTRATION

47. Members must register, subject to the paragraphs below, any land or property in the UK or elsewhere which:

- 10 i) has a value of more than £100,000; or forms part of a total property portfolio⁹ whose value exceeds £100,000; and/or
- ii) alone or together with other properties owned by the Member, provides rental income of more than £10,000 in a calendar year.

REQUIREMENTS FOR REGISTRATION

48. Under this category Members must register:

- 15 a) Land or property which they own or hold, either by themselves or with or on behalf of their spouse, partner or dependent children.

49. Members should not register under this category:

- a) Any land or property which is used wholly for their own personal residential purposes, or those of their spouse, partner or dependent children.¹⁰

20 50. Members are required to provide the following information:

- a) The type of property; e.g. whether business or residential, and if land, the type of use to which it is put; and
- b) Its location, for example the relevant local authority area; and

⁹ Excluding property used wholly for the Member's own personal residential purposes, or those of their spouse, partner or dependent children.

¹⁰ This includes land and property of registrable value which is held in trust for the Member, for example as part of a self-invested personal pension.

c) Whether the holding falls to be registered under (i) and/or (ii) of paragraph 47 above. If the rental income is paid to another person or organisation, this should be stated;

5 d) The date on which the land or property was acquired, or when the value of the property (or the rental received) achieved registrable value.¹¹

8. Letter from the Commissioner to Mr Chris Williamson MP, 19 February 2018

Thank you for your letter of 12 January 2018. I have since received the Registrar's reply to my letter of 6 February and a copy of her letter is enclosed.

10 I think I now have sufficient information to make a decision but, before doing so, I would like to give you the opportunity to comment on the information provided by the Registrar.

I would be grateful to receive your comments as soon as possible and no later than **6 March 2018**.

19 February 2018

15 9. Email from Mr Chris Williamson MP to the Commissioner, 22 February 2018

Thank you for your most recent letter of 19 February 2018 together with the Registrar's response to your enquiries. Her letter confirms what I have previously told you in terms of my earlier entries in the Register of Interests and my confusion about the guidance.

20 I note that you only referenced my letter of 12 January, but I also wrote to you on 12 February, (the text of which I have included below but I will send a hard copy too.) Can you confirm whether you previously received it?

25 My comment about the enclosures from the Registrar, is that the copy of the tick box form, referring to the face-to-face briefing, includes a tick in the box relating to the rules on registering property. However, I must stress that the interpretation of the guidance was *not* made clear in that briefing session. If it had been, I would have registered the property.

30 She also helpfully included the guidance that was in place when I was elected in 2010. As you will see, this leaves no room for ambiguity because it does not include an "*and/or*" provision relating to the value of, and income from land or property. It

¹¹ If the value of the land or property is close to the threshold for registration, the Member should periodically check its value and, if it exceeds the threshold, should register it within 28 days of the date of that valuation.

merely stated that it had to be registered if it had a substantial value “or” a substantial income was derived.

5 The amended guidance introduced in March 2015 removed uncertainty about what constituted a substantial value or income by inserting a monetary value on both. But in removing one ambiguity, they replaced it with another when they inserted “and/or”, which misled me into thinking I was fully compliant with my registration obligations.

10 In conclusion, I must say, I feel rather let-down by the lack of clarity in the current guidance. It has put me in this embarrassing position, caused adverse publicity and prompted Mr Bridgen to make this complaint. I do therefore hope that my innocent mistake will lead to the guidance being appropriately amended to eliminate any confusion for members in the future.

22 February 2018

15 **10. Letter from the Commissioner to Mr Chris Williamson MP,
27 February 2018**

Thank you for your letter of 22 February 2018. Please accept my apologies for the typographical error in the first sentence [of mine of 19 February]; it should have referred to your letter of 12 February rather than January.

20 Having considered very carefully all the information I have collated, I am now able to make a decision on the allegation under inquiry.

The decision

In omitting to register your interest in a property, owned jointly with your partner, which has a value of more than £100,000 you were acting in breach of paragraph 13 of the Code of Conduct for Members, between June 2017 and 15 January 2018.

25 **Reasons**

As I believe you now accept, the fact that the property was valued at over £100,000 and is used by someone other than you, your partner or dependent children means that you should have made a category 6 registration on your return to Parliament in June 2017. You did not do so until prompted by a media enquiry, in January 2018.

30 You said that you feel “let down by the lack of clarity in the current guidance”. I appreciate that you are in an embarrassing position as a result of late registration but I do not think that can reasonably be attributed to a lack of clarity in the rules approved by the House of Commons. You said that you did not register the property sooner because you believed that paragraph 47 of the Guide to the Rules relating to
35 the conduct of Members required the registration of relevant property if

- The property was valued at more than £100,000 and generated income of more than £10,000 **or**
- The property was valued at less than £100,000 but generated income of more than £10,000.

5 Your interpretation of the rules would require Members to register relevant property generating a rental income of over £10,000 per annum, *regardless of its capital value*. That reading of the rule, should surely have led to a question about why the rules refer to the value of the property at all, particularly as the rules had
10 between 2010 and 2015 required the registration of both property of “substantial value” and property from which “substantial income” was derived.

Having considered the wording of the rules very carefully, I can see that the insertion of the “and” in the “and/or” formulation between the two criteria for registration might be considered superfluous but I do not think it is fundamentally misleading. It requires the registration of land and property which:

- 15 — Exceeds the capital threshold; or
- Exceeds the annual income threshold; or
- Exceeds both the capital and income threshold.

I think this should have been clear, had you given the matter a little more consideration, especially as you had registered ownership of the property between
20 2010 and 2015.

You said that the correct interpretation of the guidance was not made clear during the face-to-face briefing you had after the 2017 election. As verbatim notes were not kept, I obviously cannot say for certain precisely what you were told then. However, the team member whom you met had considerable experience in the
25 application of the rules (being a former Registrar) and the check list itself would have prompted her to ask if you had property which either exceeded the capital threshold or generated income over the income threshold.

I am also puzzled by your account of the conversation with the journalist about the shared ownership of the property, given that jointly-owned properties meeting the
30 other criteria for registration were registrable under the 2009 rules and remained so under the 2015 rules. By your account, you told the journalist that you had “helped [your partner] to obtain a mortgage”. That would not have explained to the journalist why you had not registered it in the Register of Members Financial Interests.

35 Paragraph 13 says that Members “*shall fulfil conscientiously the requirements of the House in respect of registration of interests....*” In the circumstances, your late

5 registration of your financial interest was a failure to act conscientiously to fulfil that duty. However, I do recognise that a deliberate omission of this interest from the Register of Members' Financial Interests would have been "a fool's errand", given its previous inclusion, the evidence in the Land Register of your continuing interest and the fact that others in the locality were also conscious of it. Taking that into account, I am persuaded that your omission was not a deliberate attempt to conceal your interests.

Next steps

10 Under Standing Order No 150 I may conclude an inquiry without making a referral to the Committee on Standards in certain circumstances, using the "rectification" procedure.

15 If you accept my decision and accept that you have breached paragraph 13 of the Code of Conduct, the Committee would expect you to acknowledge your breach of the rules and to apologise for it. (An acknowledgement and apology in your response to this letter would be in keeping with their usual expectation.) I would arrange for the relevant part of your entry in the Register of Members' Financial Interests to be placed in italics for a period of 12 months, in accordance with the Commissioner's usual practice.

20 Please respond to the questions above and let me know whether you accept my analysis and the proposal to conclude this matter by way of a rectification as soon as possible and no later 13 March 2018.

25 If you agree, I would write to Mr Bridgen to inform him of the outcome. Before doing so, I would share with you a draft copy of my letter to him and of the evidence pack which would subsequently be published on my webpages, to give you the opportunity to comment on its factual accuracy. After concluding my inquiry, I would report briefly to the Committee on the outcome.

In the meantime, this matter remains protected by parliamentary privilege and should continue to be kept in confidence.

30 The then Commissioner submitted her recommendations for changes to the Guide to the Rules relating to the conduct of Members in April 2017. The Committee on Standards are in the process of considering those recommendations. It might be timely, following the conclusion of this inquiry, for you to submit direct to the Committee any suggestions you wish to make about revising the wording of these rules.

35 *27 February 2018*

11. Letter from Mr Chris Williamson MP to the Commissioner, 3 March 2018

Thank you for your letter of 27 February 2018 setting out your decision and the reasons for it.

5 I accept your determination as I now recognise that I inadvertently breached the Code of Conduct for which I apologise. I was convinced that I had fulfilled "*...conscientiously the requirements of the House in respect of registration of interests...*" but I acknowledge that I unintentionally erred.

10 I note your comment that having considered the wording of the rules you do not feel it to be "*fundamentally misleading*", however it *did* mislead me. When the rules were changed, the authors should not have added the superfluous "and", or at least made the rule more intelligible by phrasing the relevant paragraph in the way you did in your letter, i.e.

- "Exceeds the capital threshold [of £100,000] or
- Exceeds the annual income threshold of [£100,000] or
- 15 — Exceeds both the capital and income threshold"

20 You say this should have been clear to me if I "*had given the matter a little more consideration*". But I did give it careful consideration and even after the reporter from the Mail on Sunday contacted me, I still thought my interpretation was correct after re-examining the wording. It was only when I checked with the Registrar that I realised I had in fact made a mistake.

In terms of my conversation with the reporter to which you refer, it was precisely because the rules had been revised that I was misled into thinking the property in question should not be registered. Had the superfluous "*and*" not been inserted, I would not have made the error.

25 I will certainly take your advice and make representations to the Committee on Standards to request that they remove the ambiguity contained in paragraph 47 of the guidelines.

3 March 2018