

Independent Expert Panel

Appeal by Andrew Bridgen MP

Presented to the House of Commons
pursuant to House of Commons Standing Order No. 150A

Ordered by the House of Commons to be printed 20 December 2022

HC 991
Published on 20 December 2022
by authority of the House of Commons



The Independent Expert Panel

The Independent Expert Panel was established by resolution of the House of Commons on 23 June 2020. The Panel:

- Hears appeals against decisions made by the Parliamentary Commissioner for Standards (the Commissioner), and considers referrals from the Commissioner and determines sanctions in cases involving an allegation against an MP of a breach of Parliament's Sexual Misconduct Policy or the Bullying and Harassment policy, under the Independent Complaints and Grievance Scheme; and
- Hears appeals against decisions by the Committee on Standards in cases involving an allegation against an MP of a breach of the Code of Conduct for Members of Parliament.

Current membership

Mrs Lisa Ball
Monica Daley
Mrs Johanna Higgins
Sir Stephen Irwin (Chair)
Professor Clare McGlynn KC
Miss Dale Simon
Sir Peter Thornton KC
Dr Matthew Vickers

Powers

The Panel's powers are set out in House of Commons Standing Orders Nos 150A to 150D. These are available on the internet via www.parliament.uk.

Publication

© Parliamentary Copyright House of Commons 2022. This publication may be reproduced under the terms of the Open Parliament Licence, which is published at www.parliament.uk/site-information/copyright-parliament/. Independent Expert Panel reports are published on the Panel's website at www.parliament.uk/mps-lords-and-offices/standards-and-financial-interests/independent-expert-panel/ and in print by order of the House. Accessible versions are available on request.

Panel staff

The Secretary to the Panel is Ian Bradshaw.

Contact

All correspondence should be addressed to the Secretary to the Panel. The Panel's email address is independentexpertpanel@parliament.uk.

Contents

Report by the Chair of the Panel.....	3
Decision of the sub-panel.....	5
Chronology.....	23
Appendix.....	28

Report by the Chair of the Panel

- 1.1 The Independent Expert Panel (the Panel) was established by resolution of the House of Commons on 23 June 2020. The Panel:
- Hears appeals against decisions made by the Parliamentary Commissioner for Standards (the Commissioner), and considers referrals from the Commissioner and determines sanctions in cases involving an allegation against an MP of a breach of Parliament’s Sexual Misconduct Policy or the Bullying and Harassment policy, under the Independent Complaints and Grievance Scheme; and
 - Hears appeals against decisions by the Committee on Standards in cases involving an allegation against an MP of a breach of the Code of Conduct for Members of Parliament.
- 1.2 The Panel is guided by the principles of natural justice, fairness for all, transparency and proportionality. We are rigorously independent, impartial and objective, acting without any political input or influence.
- 1.3 This is a report of the decision of the Panel on an appeal by Andrew Bridgen MP against the decision of the Committee on Standards, in its Fourth Report of Session 2022-23 (HC 855) published on 3 November, that Mr Bridgen (the Appellant) had breached the Code of Conduct for MPs (the Code), and against the recommended sanction. Mr Bridgen’s grounds of appeal and the further information he provided to the Panel are reproduced in the Appendix to this report. The Committee’s Report and the evidence it relied upon is published on its website¹.
- 1.4 The Committee found that Mr Bridgen had:
- Engaged in paid advocacy on five occasions in breach of Paragraph 12 of the Code;
 - Had failed to declare relevant interests on thirteen occasions when approaching Ministers or public officials in breach of Paragraph 14 of the Code;
 - Had failed to correctly register an interest in breach of Paragraph 14 of

¹ [Committee on Standards - Publications - Committees - UK Parliament](#)

the Code; and

- Had sought to improperly influence the Parliamentary Commissioner for Standards in breach of Paragraph 20 of the Code.

1.5 The Committee recommended Mr Bridgen be suspended from the service of the House for two sitting days for the breaches of paragraphs 12 and 14, and a further three sitting days for the breach of paragraph 20. It also recommended that he make an apology by way of a personal statement.

1.6 Mr Bridgen submitted an appeal on 24 November, having been granted an extension for compelling and urgent family reasons from the original deadline of 17 November. I appointed the following sub-panel to consider his appeal:

- Mrs Johanna Higgins
- Rt Hon. Sir Stephen Irwin, chair
- Miss Dale Simon

1.7 For the reasons set out in its decision, section 2 of this report, the sub-panel dismissed Mr Bridgen's appeal on all grounds. The Committee's decisions that Mr Bridgen breached the Code and its recommended sanction are upheld.

1.8 I make this report to the House pursuant to Standing Order No. 150A(5)(d). In line with the approach taken by the Committee I have redacted the names of the person who made the original complaint; junior staff in Mr Bridgen's office and of the House; and another MP named by Mr Bridgen whose identity is not relevant to the decision in this case.

Sir Stephen Irwin
20 December 2022

Decision of the sub-panel

Introduction

- 2.1 Following a complaint from a member of the public that Andrew Bridgen MP (the Appellant) had breached the rule against paid advocacy (paragraph 12 of the 2019 Code of Conduct for Members of Parliament (the Code)), the Parliamentary Commissioner for Standards (the Commissioner) commenced an inquiry on 10 February 2022. The Commissioner reported to the House of Commons Committee on Standards in a memorandum of 8 September 2022. The Committee reported on the matter in their Fourth Report of Session 2022-23 (HC 855), published on 3 November 2022. We summarise their conclusions below. Since the Report was published, there is no need to repeat them in full. They found breaches of the rule against paid advocacy, as well as breaches of the registration and declaration obligations: breaches of paragraphs 12 and 14 of the Code.
- 2.2 In addition, the Committee addressed allegations made by the Appellant about the approach of the Commissioner in an email to her of 20 September 2022. They concluded that this email was “an attempt to place wholly inappropriate pressure” on the Commissioner and constituted “completely unacceptable behaviour”.
- 2.3 The Committee recommended sanctions as follows:
- “112. In respect of Mr Bridgen’s breaches of paragraphs 12 and 14 of the Code, we recommend that Mr Bridgen is suspended from the service of the House for two sitting days. In respect of Mr Bridgen’s completely unacceptable attack upon the integrity of the Commissioner, we recommend that he is suspended from the service of the House for a further three sitting days. He should also apologise to the House and to the Commissioner by means of a personal statement, the terms of which should be agreed in advance by Mr Speaker and the Chair of the Committee.”*
- 2.4 On 18 October 2022, the House of Commons agreed a new process for appeals in Code of Conduct Cases. Following that process, the period for

appeal by the Appellant under the Procedural Protocol in such cases was ten working days after the decision, which in this case would have expired on 17 November. However, for compelling and urgent family reasons the Appellant asked for and was granted an extension to 24 November.

- 2.5 On 24 November 2022 the Appellant lodged a notice of appeal by email. He advanced two grounds of appeal which he expressed as follows:

“I believe the proposed sanctions to be imposed upon me have been determined based upon a flawed investigation and are unduly harsh. I shall set out the basis for my appeal in two parts:

Part 1 – The investigation and resulting sanction I wish to appeal on the grounds that the investigation by the Parliamentary Commissioner for Standards was materially flawed in a way that affected the decision of the Committee; and the decision of the Committee was unreasonable and / or, in relation to a sanction, disproportionate.

Part 2 – My letter to Parliamentary Commissioner for Standards Kathryn Stone I wish to appeal on the ground that the investigation by the Parliamentary Commissioner for Standards was materially flawed in a way that affected the decision of the Committee; the process followed by the Committee was procedurally flawed; and the decision of the Committee was unreasonable and / or, in relation to a sanction, disproportionate.”

- 2.6 The full text of the Appellant’s letter of appeal is reproduced in the Appendix.
- 2.7 The sub-panel of the IEP first met to consider the application to appeal on 5 December and agreed to proceed to Stage 2 of the appeal. We considered the written material and decided that there was no reason for an oral hearing. Following further consideration, the sub-panel reached a decision on 14 December. The report below sets out our substantive conclusions and decision.

Summary of the Facts relevant to Part 1 on the Appeal

- 2.8 In setting out this summary, we intend no more than to give sufficient information so as to make our reasoning and decision comprehensible within the confines of this document. The full facts are set out (as we find accurately) in the Report of the Committee. For convenience and as an aid to understanding, we have created a single chronology of the significant facts, which does not in any way conflict with the timelines created by the Commissioner (contained in Appendix 1 of the Committee's Report), but it has the virtue that all the salient facts are juxtaposed.
- 2.9 The Appellant had a constituent (Jamie McKenzie) who was a director of a company Curious Guys Limited (CGL). Most of that company's business during the relevant period was to provide sales and marketing services to another company, Mere Plantations Limited (MPL). The relevant director of that company was Andrew Hogg. MPL's business concerned tree harvesting and planting, including (perhaps mainly) in Ghana, with an associated business selling or offering for sale carbon credits. MPL had a problem with Her Majesty's Revenue and Customs (HMRC) in that HMRC had formed the view that MPL's business involved, or perhaps constituted, a tax avoidance scheme. In late 2018, McKenzie introduced the Appellant to Mr Hogg, and following a meeting in November 2018, the Appellant began to approach officials and ministers in an attempt to persuade them the business was legitimate, that the relevant trees and plantations existed in Ghana, and there was no tax avoidance. There is no dispute about the approaches he made, which are itemised in the chronology.
- 2.10 By May 2019, it appears that HMRC were as yet unconvinced. Discussion began on the question whether the Appellant should visit Ghana to view the operations of MPL on the ground, and if possible, persuade the Foreign, Commonwealth & Development Office (FCDO) officials in-country to verify the fact of the plantation and operations. In late June MPL offered to pay for the trip.
- 2.11 The Appellant went to Ghana for three days in the first week of August 2019. He went up country and was given a tour of the forest. He met UK officials and a senior official of the Ghanaian Forestry Commission. The

purpose of all of these meetings was to seek support in the UK for the twin objectives of MPL, firstly to show that their operations in Ghana were legitimate and not a tax avoidance scheme, and secondly to prepare for the attempt to sell carbon credits to the UK government. As the chronology demonstrates, the Appellant continued his lobbying efforts with ministers shortly after his return. That lobbying included approaching the Minister for Africa to complain of the reluctance of the Business Attaché in the High Commission to visit the operations of MPL.

2.12 In late October 2019, the then Prime Minister took the decision to call an early General Election. On 31 October 2019, the Appellant's constituency party received a donation of £5,000 from MPL. According to the then Chairman of the constituency party, all such donations were at the invitation and under the organisation of the Appellant. He concedes as much. He agreed in correspondence with the Commissioner that he invited a donation. The Appellant organised and attended at least one further ministerial meeting in the early months following the election.

2.13 The donation was registered on 2 January 2020.

2.14 In late April and early May 2020, the Appellant entered into a contract with MPL to provide advisory services for a sum of £1,000 per calendar month. The most relevant passages for the issues in this case is the description of his duties and status. The critical passages read:

"2.1 Your duties will be described in the Terms of Reference set out in the Schedule. Your duties will be advisory only. You will not have any voting or decision-making rights...

.....

Schedule

Terms of Reference

- 1 *The Adviser will be requested to provide advice on specific opportunities and contribute to the strategic and tactical direction of the Company*
- 2 *The Adviser will serve as a sounding board for the senior management team of the Company in achieving its objectives. The Company (sic) will*

serve as ambassador for the Company and provide introductions and/or references where appropriate.

3 The Adviser shall provide the full benefit of his knowledge, expertise, technical skill and ingenuity in connection with the provision of the services and shall devote his time, attention and abilities at such times as may be necessary for the proper performance of the services.

4 ..

5 ..

6 ..

7 The Adviser agrees with the Company that (in addition to his other obligations under this agreement and to any restrictions imposed by law) he will not, without first informing the Company, whether on his own account or for any other person, firm or company, during the course of this agreement, engage in any other consultancy activities or undertake employment which conflicts or might reasonably be thought to conflict in any way with the provision of services.”

2.15 The Appellant signed that contract on 6 May 2020. His lobbying activities continued very shortly after that signature, with an email on 17 May to Lord Goldsmith, then a minister in the Department for Environment, Food & Rural Affairs (DEFRA), setting up a meeting concerning carbon credits. That meeting took place on 15 June 2020.

2.16 On 17 June 2020, the Appellant’s role as ‘director’ with MPL was registered in those terms in the Register of Members Financial Interests (the Register). At various points in his correspondence, his evidence to the Commissioner and in his oral appearance before the Committee, the Appellant emphasised that he left his registry entries to his staff, that he was not very interested in the Register and that he was not completely clear about his obligations. It is an agreed fact that the Appellant never invoiced for any of the payments provided for by the contract.

2.17 There was also uncontested evidence, coming from Brett Whitley, formerly Chief Financial Officer for MPL, that the company set aside the money due to the Appellant, from the time of the signature of the contract in May 2020 until the time when Mr Whitley left the company in April 2021. Mr Whitley

- agreed that, had the Appellant invoiced for his accrued payments due at any stage during that time, the money was available and would have been paid.
- 2.18 On 23 December 2020, the Register was amended by the Appellant (or on his behalf). It was amended to show the Appellant's appointment under the contract as an "advisor" rather than as a director. No other amendment was made. The relevant amended entry reads: "*From 6 May 2020 to 5 May 2022, Adviser to [MPL].; a company which grows teak in Ghana. I provide advice on business and international politics. I will be paid £12,000 a year for an expected monthly commitment of 8 hrs.*" The Register therefore recorded the contract and obligations as continuing, and showed the monthly remuneration as before.
- 2.19 The Appellant had three more meetings with ministers on MPL's behalf in February, March and August 2021. These also concerned the two themes of the approach taken by HMRC and the potential for the sale of carbon credits.
- 2.20 According to his own account, the Appellant became aware later in 2021 of the interest of a named journalist in his relationship with and activities for MPL. It seems plain this was the journalist named by the Appellant in his submission that the complaint was generated 'politically'.
- 2.21 In November 2021 the Appellant re-amended the Register in relation to his agreement with MPL. The relevant text reads: "*From 6 May 2020 to 5 May 2022, Adviser to [MPL].... I provide advice on business and international politics. I have not received any payment for this role. It will continue to be unpaid until it ends on 5 May 2022...*". The Register therefore now recorded the obligations as continuing, but without remuneration.
- 2.22 As indicated above, the Commissioner instigated her investigation into these matters on 10 February 2022.
- 2.23 The Appellant's key submissions about the events summarised above are: [1] that his efforts on behalf of MPL were really to be regarded as constituency business, given the close relations and shared interests between MPL (who were not in his constituency) and CGL (who were) [2]

that for that reason, his activities fell outside the rule against paid advocacy [3] that he was never a director of MPL, as his contract made clear, and the registration of his status under the contract was an error [4] that he never invoiced for any payment under the contract, and it was thus to be regarded as null and void, or as having lapsed [5] that the reason he did not invoice was because at the time of signing the agreement, he thought his lobbying had come to an end, but after his signature, he realised that his lobbying activities were in fact continuing, and he had the sense of some conflict and thus did not issue any invoices [6] that the donation was proper and one of a number of others.

The Committee's key conclusions on lobbying and the Register

- 2.24 The Committee (paragraph 11 of their Report) noted that the Appellant accepted his register entries were inaccurate.
- 2.25 The Committee (paragraph 63) concluded that the Appellant was required to register the donation to his constituency party because he invited it. Since it was a registrable financial interest, it engaged the lobbying rules as “outside reward or consideration”. The fact that the donation was not to the Appellant personally is irrelevant.
- 2.26 The Appellant did register the visit to Ghana, funded by MPL. The Committee concluded (paragraph 68) that by registering the visit to Ghana, the Appellant was acknowledging that this was a registrable financial interest. It was irrelevant if he bore some of the costs (inoculations, losses on currency exchange) himself. The trip engaged the lobbying rules as “outside reward or consideration”.
- 2.27 The Committee considered the Appellant's argument that by not invoicing for payment under the Agreement, he had freed himself from the lobbying rules. They rejected that argument. There was no parallel with a Member who repaid the full value of a past benefit. The equivalent here would have been to revoke or cancel the contract. Given that he did not do so, the Appellant had maintained the right to be paid and thus had a “firm and specific expectation of payment”, under the lobbying rules. (Paragraph 74). Taking into account all three of the Appellant's interests (the Ghana trip, the

- party donation and the contract), the Appellant was bound by the lobbying rules between 24 June 2019 and 5 May 2022. (Paragraph 75).
- 2.28 The Committee sought advice from the Commissioner as to whether lobbying of a foreign official (Mr Brown of the Ghana Forestry Commission) counted as lobbying a “public official” for the purpose of the lobbying rules. After receiving advice, they concluded it did not: see paragraphs 79 to 82. We return to this issue separately below (in paragraph 2.62).
- 2.29 The Committee considered the “constituency exemption”, namely the rule that Members “may pursue any constituency interest, in any approach to a Minister or public official, subject to the registration and declaration rules”. (see: Guide to the Rules, chapter 3, paragraph 19 (c)). The Committee noted that the Appellant only raised this issue at a very late stage. However, the issue was fully addressed in evidence and argument. The Committee concluded that the “constituency exemption cannot be considered as a blank cheque” (paragraph 90). Although there was a close identity of interest between CGL and MPL they were not identical businesses. CGL had nothing to do with carbon credits, as Mr McKenzie had emphasised (Paragraph 87). The Appellant had not approached MPL’s constituency MP, even after he (the Appellant) knew he had received benefits from MPL. The Committee rejected the suggestion that the raising of carbon credits was merely another means of addressing the tax treatment issue. (Paragraph 90). They therefore agreed that when the Appellant was merely addressing the tax situation, the constituency exemption applied, but not when the matter of carbon credits was being addressed.
- 2.30 The Committee analysed (paragraphs 91 to 97) the approaches to Ministers applying that distinction, and concluded (paragraphs 97/98) that the Appellant breached paragraph 12 of the Code on paid advocacy “...in making five approaches to Ministers relating to carbon offsetting in August 2019, February 2021 and March 2021.”
- 2.31 The Committee also found (paragraphs 38 to 53) that the Appellant failed to declare his relevant interests in communications with Ministers or officials on 13 occasions, each amounting to a discrete breach of Paragraph 14 of

the Code.

Analysis of the Appeal: Part 1

- 2.32 In Part 1 of his appeal, the Appellant criticises the investigation by the Commissioner as being flawed. In essence, his criticism is that the Commissioner failed to reflect the suggestion that the complaint against the Appellant was by a journalist who was politically or professionally motivated; failed to investigate properly whether his lobbying was permissible constituency business; and failed to take that factor into account in her recommendations to the Committee. She also failed to reflect the fact that, despite his contract with Mere Plantations Limited to provide services for a monthly fee of £1,000, he had not invoiced them and had received no money from them. He further sought to criticise the Commissioner on the ground that another Member had lobbied in circumstances where that Member owed a relevant debt, but that matter was resolved speedily and without referral to the Committee.
- 2.33 His central criticism of the Committee is that they failed to give reasonable consideration to those factors: the journalistic or political motivation to the complaint, the fact that no money was paid under the contract, and the suggestion that the lobbying fell outside the rule because it constituted legitimate constituency business.
- 2.34 We note that the Appellant suggests in Paragraph G of his appeal letter that he made oral declarations of his interest to Ministers, at least in respect of his trip to Ghana. This is not elaborated and it is in conflict with his evidence before the Committee, where in answer to a question whether he could recall if he “[...] had declared an interest during any of your approaches to Ministers or officials in person?”, the Appellant answered “I don’t think I did.” (Committee Transcript Q107). No doubt the Appellant spoke of his trip to Ghana, but we do not take the reference in Paragraph G to represent a formal appeal in respect of the breaches recited in paragraph 31 above.
- 2.35 The Appellant has also raised a point, not taken with the Commissioner or before the Committee, to the effect that, on the facts as set out by him in correspondence, he was not required to register as a consultant lobbyist

under the Transparency of Lobbying, Non-Party Campaigning and Trades Union Administration Act 2014. This is a conclusion of the Office of the Registrar of Consultant Lobbyists in a letter of 30 November 2022 (reproduced in the appendix), based on the fact that the Appellant had not been paid by MPL. We analyse the facts concerning the prospect of payment elsewhere in this decision.

- 2.36 We do not treat this assertion as part of the live appeal before us. The point is immaterial to a breach or breaches of the Code. Whether or not a Member was, or was not, acting so as to require registration under the 2014 Act, does not define or even affect his or her obligations under the Code. It is irrelevant. Neither does it demonstrate whether or not the Member was lobbying. This “fresh evidence” is not fresh, since it could (and if it had been relevant should) have been introduced during the investigation and before the decision of the Committee. However, it is also not a matter capable of affecting the outcome of the appeal.

Our reasoning and conclusions on Part 1 of the Appeal

- 2.37 The journalistic or political motives behind any complaint are completely irrelevant. The issue is always whether the complaint is true and accurate, on the balance of probabilities.
- 2.38 It is right to deal equally shortly with the contention that this case should have been handled differently if it were established that the Commissioner has dealt inconsistently with another case. We should not be understood to agree that such a thing has happened here. We do not. We have no basis on which we could do so. But even if such an inconsistency were established that could not affect the evidence or outcome here. The question remains whether the complaint is true and accurate. Even on the question of sanction, which in conduct cases is not a matter for the Commissioner, an inappropriate outcome in another case could not justify altering the sanction here.
- 2.39 We turn to the contention that the report from the Commissioner and the decision of the Committee were in error because the agreement with MPL was ‘null and void’ on the ground that the Appellant never invoiced for the

- payments to which he was entitled under his contract for services.
- 2.40 On this issue the Appellant is faced with some highly inconvenient facts, even if one starts from a position of acceptance that the Appellant generally paid little or no attention to the entries on the Register, leaving such things to his staff (not a submission likely to be helpful to an Appellant in his situation). Such an approach might explain the error in the first entry on the register describing the Appellant as a director of MPL. Any attentive examination of the language in the contract would suggest he was never a director.
- 2.41 However, it should be noted the terms of his appointment as an advisor laid significant obligations upon him. His field of advice was central to MPL, including strategic advice, clearly intended to influence the direction of the company by those who were directors. The terms set out in the schedule (see paragraph 2.14) called upon him to give priority to the needs of the company, above the needs of others.
- 2.42 The Appellant's own account is that [1] he signed the Agreement (on 6 May 2020) because he thought his lobbying role had finished but [2] the reason that he never invoiced for any of the payments under the agreement was that he later realised the lobbying role had not finished. From that point, the agreement was null and void. Those contentions are hard to reconcile with the chronology.
- 2.43 Within 11 days of signing the agreement, the Appellant was emailing Lord Goldsmith, to arrange a meeting on behalf of MPL. He was intending to lobby for MPL. It would have been a simple step to write to MPL and ask to be released from the agreement, explaining that if he was to continue lobbying, he could not be paid. He did not do so.
- 2.44 If the Appellant had been concerned about the risk of his continued lobbying, and the implications for his position under the Code then it is harder to understand how he paid no attention to the erroneous entry as to his status as 'director' of MPL, which came later, on 17 June 2021, two days after he actually met Lord Goldsmith on behalf of MPL.
- 2.45 The natural inference from the decision not to invoice is, at least, caution on

the part of the Appellant as to his position. But the suggestion that all question of payment had fallen away is very difficult to reconcile with the absence of any communication whatsoever on the question of payment, with MPL. As we have already recited, the monies due were set aside by MPL, ready for prompt payment if and when the Appellant invoiced for the money. Moreover, when the Register was amended the first time, on 23 December 2020, the recital of payment due was left unaltered.

2.46 Further, by the time the Register was further amended on the second occasion, in November 2021, the Appellant was fully aware of the journalistic investigation into him in connection with MPL. It seems to us inconceivable that by then the Appellant was not very alive to that investigation, and to its possible implications for him. The Appellant was never explicit as to who was responsible for the detail of this amendment, but it would be unexpected if this was left to the discretion of a member of staff without detailed and specific instructions. Yet the re-amended text on the Register treats the obligations under the agreement as ongoing. Although the Register states that the “role was (and always had been) unpaid”, there is no explanation as to why both the earlier entries recited the opposite. Nor has there been disclosed any evidence that MPL had been told, even by this stage, that their obligation to pay had fallen away, or that they had stopped the practice of setting aside the funds with which to pay the Appellant.

2.47 In our view, the Committee were fully justified in finding that the Appellant had failed to “*divest himself of the financial interest by revoking or cancelling the contract*” and that therefore he had “maintained the right to invoice for payments, and therefore had a *‘firm and specific expectation of payment under the lobbying rules.’*” (Paragraph 74).

2.48 We turn to the constituency exemption.

The Constituency Exemption

2.49 The Appellant has raised the matter of a “constituency exclusion”. We consider it is useful to begin with a definition. Under the Guide to the Rules relating to the Conduct of Members the activities of a Member who is

pursuing a constituency interest may fall outside the lobbying rules. The Guide deals with this as follows:

“Constituency issues: Members may pursue any constituency interest in any approach to a Minister or public official, subject to the registration and declaration rules. NB: The lobbying rules do apply, however, in respect of Members initiating any proceeding of the House on behalf of a person or organisation in their constituency from whom or from which they, or a family member receive, have received or expect to receive outside reward or consideration. (Chapter 3.19)”

2.50 The Committee dealt with this issue at some length. The question was approached by the Committee in terms of whether or not specific actions undertaken by the Appellant, when he approached Ministers, was on behalf of his constituents CGL, or on behalf of MPL. The Committee stated that while the Appellant was acting solely for CGL he was not subject to the lobbying restrictions. As we have recited, the Committee took the view that as soon as the Appellant raised carbon credits, which were nothing to do with his constituents CGL, the exemption did not apply.

2.51 We address the issue in the following sequence:

[1] Was the Appellant acting for a constituent when he initiated proceedings: that is, made approaches to Ministers, other Members or public officials?

[2] If the Appellant was acting for a constituent, was he prohibited from claiming the constituency exclusion by the fact that he received, or expected to receive, outside reward or consideration when he initiated such approaches?

2.52 We have recited the factual sequence above. The Appellant was first introduced by Mr McKenzie of CGL to Mr Hogg, the CEO of MPL, on 8 November 2018. The following day Mr Hogg requested help from the Appellant by way of an email. On 12 November 2018 the Appellant initiated the first of a long series of contacts with “*Ministers, other Members and public officials*” to raise the issue of MPL’s HMRC difficulties. It appears from the information provided to us that the constituent, Mr McKenzie of CGL, merely acted as a conduit for the Appellant to be introduced to Mr Hogg. While there was a considerable identity of interest between the two

companies, the principal relationship was between the Appellant and MPL. The principal communications were with MPL, not CGL. It is significant that the contractual relationship which followed as the relationship developed and deepened was with MPL. The funding for the benefits received was derived exclusively from MPL: there is no evidence of any funding from CGL. It follows, in our view, that the Appellant was acting primarily in the interests of MPL on 12 November 2018 and thereafter. It may well be that some of the actions taken on behalf of MPL also had the prospect of benefit for CGL, but this benefit was indirect, and contingent on the benefit for MPL. They were the primary beneficiaries, whether from the acceptance of their enterprise as legitimate by HMRC, or (of course) from the prospective trade in carbon credits.

- 2.53 The sub-panel notes the Appellant stated to the Committee on Standards that:

“If the committee uphold the Commissioner’s assertion that there is no constituency link between North West Leicestershire and Mere Plantations Ltd given that The Curious Guys are the sales arm of Mere Plantations Ltd, this sets a dangerous precedent for all MPs and their casework going forward, as a large organisation with an operation such a manufacturing, sales or purchasing in the constituency with a head office located in another constituency, would under this interpretation be deemed to have no constituency link and would not be able to be supported by the MP with the satellite operation in their constituency. This interpretation is, in my opinion, untenable.” (Paragraph 84 of the Committee Report)

- 2.54 The sub-panel considers this is not analogous to the evidence presented in this case. As we have said, the established evidence points to CGL being very little more than a conduit between the Appellant and MPL. On any view the connection between the two companies led to the prospect of reward to the Appellant. The constituency exclusion could not extend to set aside the lobbying rules, where the lobbying, even if it were exclusively to the benefit of a corporate constituent, led to reward to a Member from the parent company or corporate owner of that constituent. Much less here, where the lobbying was principally (in respect of tax avoidance) or exclusively (in

- respect of carbon credits) to the benefit of MPL.
- 2.55 The problem of the Appellant acting for MPL arose when he entered into an arrangement with them where he stood to receive or did receive outside benefit. Had this not happened there would have been no breach of the lobbying rules. Further, even had it been found that he was acting for his constituents, he could not have claimed the constituency exemption as he would have fallen short of the qualification in the Nota Bene of the guidance cited above.
- 2.56 The sub-panel considers that, even were it to find that all the actions of the Appellant related to constituency work, the constituency exemption, upon which he rests this part of his appeal, cannot assist him as it is qualified in a way that excludes him. Members cannot claim the constituency exemption if they “*initiate proceedings*” and are deemed to have received “*outside reward*,” both of which apply in this case. The sub-panel considers that although the outside reward was given by MPL, the two entities were so closely related that it would be artificial to disassociate The Curious Guys from Mere Plantations. We note that the Guidance states at Chapter 3.4:
- “The rules on lobbying are intended to avoid the perception that outside individuals or organisations may reward Members, through payment or in other ways, in the expectation that their actions in the House will benefit that outside individual or organisation, even if they do not fall within the strict definition of paid advocacy.”*
- 2.57 The sub-panel finds that this captures the situation in this case. Any benefit obtained by MPL, because of its relationship with the Appellant, must also reflect on the Appellant’s relationship with CGL, even where both parties (as opposed to MPL alone) stood to benefit.
- 2.58 The sub-panel concurs with the finding of the Committee on this matter, although by reason of a different route.
- 2.59 As to whether or not the Commissioner’s investigation was materially flawed due to her failure to address the issue of “constituency exemption”, we agree with the findings of the Committee. The Commissioner was not made aware of this aspect of the Appellant’s case until a late stage and

even then only in a brief comment. Had she addressed this matter we do not believe that it could have changed the outcome of her investigation.

2.60 Our conclusion is that the Commissioner did not err in not considering this point as it was made after she had issued her memorandum. Further, we do not consider that the point assists the Appellant for the reasons given above.

2.61 Accordingly, the appeal on Part 1 of this case is dismissed.

Lobbying a foreign official (or minister)

2.62 Before moving to Part 2 of the Case, we consider the question of whether lobbying an official outside the UK is capable of breaching the Code. We have noted the conclusions of the Committee on this issue. We do not need to analyse or address the matter in this case since it not necessary for a proper disposal of this appeal. However, we place on record that we do not necessarily agree with that conclusion, particularly where (as appears to be the case here) the purpose of lobbying the ‘foreign’ official (or minister) may be taken to be to affect the decision of an official or minister in the United Kingdom. If a case arises where this issue is important, it should be addressed as an open question.

The Appeal: Part 2

2.63 Following the conclusion of the investigations by the Commissioner, and before she completed her Report to the Committee and allowed the Appellant sight of that report, he drafted, or had drafted for him, an email letter to the Commissioner. The sub-panel were given a draft of that email dated 30 August 2022 (reproduced in the Appendix). The Appellant’s letter of reply to the draft report from the Commissioner was dated 2 September 2022, and so it is clear that the two documents were in the Appellant’s mind at the same period.

2.64 The Commissioner submitted her memorandum to the Committee on 8 September 2022. The Appellant sent the letter which led to Part 2 of the Appeal on 20 September 2022. His explanation for the timing is that he did not want to send it before the Commissioner had delivered her report, because he did not want to be thought to seek to influence her report.

- 2.65 The email is reproduced in full in the Report of the Committee. We will not repeat it. Under the guise of seeking to give the Commissioner the opportunity to refute a rumour passed to the Appellant by another Member, the Appellant wrote suggesting there was a current belief in the House of Commons that the Commissioner was acting so as to please the Prime Minister of that day, by “*arriving at the ‘right’ outcomes when conducting Parliamentary standards investigations*” in the hope of a peerage.
- 2.66 The letter was marked “Private and Confidential”. The Appellant complains that it was revealed to the Committee in breach of that marking. He also denies that it was an attempt to affect the due process in this case.
- 2.67 We intend to deal with this very shortly. The Committee concluded as follows:

“105... The email, and the allegations it contained, called into question, without basis, the Commissioner’s integrity and impartiality. Mr Bridgen clearly did not need to seek official reassurance from anyone about rumours that he himself described as “unsubstantiated” and likely “malicious and baseless”.

106. Members are entitled to question the processes of the House and to seek a fair hearing. However, Mr Bridgen’s email appears to be an attempt to place wholly inappropriate pressure on the Commissioner. This was completely unacceptable behaviour.”

- 2.68 We firmly agree. The suggestion that this was an attempt to assist the Commissioner is entirely spurious. Although her memorandum had been delivered, her functions in this case were not complete. As we have already set out, she was asked for further advice on a point in this case, something which may arise in any case. This letter gives the clear appearance of a calculated piece of spite intended to put pressure on the Commissioner in general, and perhaps as a platform for further malicious gossip with those who might listen. There is no proper basis for appeal on this point. This was a clear breach of Paragraph 20 of the Code and Paragraph 13 of Chapter 4 of the Guide to the Rules.

Sanction

2.69 The Appellant essentially does no more than assert that the sanctions recommended by the Committee were excessive. We disagree. Indeed, in our view the sanctions for breach of the rule against paid advocacy and for the email letter could properly and fairly have been more severe.

2.70 It follows that we dismiss this appeal on all grounds.

Chronology

Date	Event	Detail/Comment	Source
12 September 2018	Appellant (A) contacted by McKenzie of Curious Guys		<u>Andrew Bridgen Report</u> , Page 30, Para 9, Appendix 1
08 November 2018	Meeting with Mr Hogg, CEO of Mere Plantations (Mere P)		<u>Andrew Bridgen Report</u> , Page 30, Para 10, Appendix 1
09 November 2018	Mr Hogg emails A for help HMRC – Mere P labelled' tax avoidance scheme		<u>Andrew Bridgen Report</u> , Page 30, Para 11, Appendix 1
12 November 2018	Texts and emails with Rt Hon. Mel Stride MP (Financial Secretary to the Treasury)	To assist Mere Plantations to resolve outstanding issues with HMRC.	<u>Andrew Bridgen – Evidence bundle</u> , Pages 24-25
29 November 2018	Emails Rt Hon. Penny Mordaunt MP (Secretary of State for International Development)	To introduce Mere Plantations in a bid to resolve HMRC issues.	<u>Andrew Bridgen Report</u> , Page 49, Appendix 1
12 February 2019	Mr Hogg contacts again	Further issues with HMRC	<u>Andrew Bridgen Correspondence bundle</u> , Page 22
March/April 2019	Emails with Harriet Baldwin MP (Minister for Africa)	To arrange a meeting to discuss Mere Plantations' contribution to the UK/Ghanian trade.	<u>Andrew Bridgen – Evidence bundle</u> , Pages 37 - 39
08 May 2019	Meeting with Harriet Baldwin MP	As above, but also to assist Mere Plantations to resolve outstanding issues with HMRC.	<u>Andrew Bridgen Correspondence bundle</u> , Page 22
May 2019	Discussion re trip to Ghana		<u>Andrew Bridgen – Evidence bundle</u> , Page 16

Date	Event	Detail/Comment	Source
29 May 2019	Email from official at HMRC	Follow-up to Ministerial contact about Mere Plantations' outstanding issues with HMRC.	<u>Andrew Bridgen – Evidence bundle, Pages 40-41</u>
30 May 2019	Email from AB to Mere P re: HMRC email	To resolve tax issues Mere Plantations were having.	<u>Andrew Bridgen – Evidence bundle, Pages 40-41</u>
20 or 21 June 2019	Mere P offer to pay for trip to Ghana		<u>Andrew Bridgen Correspondence bundle, Page 23</u>
02 July 2019	Rt Hon. Alistair Burt MP (Minister of State for Middle East and North Africa)	Assistant sent email - to notify Mr Burt of the proposed visit to Ghana.	<u>Andrew Bridgen – Evidence bundle, Pages 56-57</u>
4 to 7 August 2019	TRIP TO GHANA Meets UK Business Attaché to Ghana and other members of the UK's High Commission in Ghana	To request an inspection of the trees.	<u>Andrew Bridgen Report, Page 11, Para 43</u>
4 to 7 August 2019	Meeting with Mr Brown of the Ghanaian Forestry Commission.	To request an inspection of the trees.	<u>Andrew Bridgen Report, Page 11, Para 43</u>
19 August 2019	Email to Rt Hon. Theresa Villiers MP (Secretary of State for DEFRA)	To provide the Government with an opportunity to offset its CO2 emissions.	<u>Andrew Bridgen – Evidence bundle, Page 58</u>
19 August 2019	Email to Mr Andrew Stephenson MP (Minister for Africa)	Issues found in High Commission in Ghana - Business Attaché would not inspect the trees.	<u>Andrew Bridgen Report, Page 11, Para 41</u>
20 August 2019	Ghana trip registered in Register of Members Financial Interests		<u>Andrew Bridgen Report, Page 16, Para 64</u>

Date	Event	Detail/Comment	Source
22 August 2019	Emails and meeting with Rt Hon. Mark Spencer MP (Chief Whip)	To inform Mr Spencer about the carbon capture and carbon credits the plantation generates. Offering to charge the Government £9.00 per tree.	Andrew Bridgen – Evidence bundle , Page 58
August 2019	Zac Goldsmith MP (DEFRA Minister)	To prove the trees and the plantation existed.	Andrew Bridgen Report , Page 39, Para 58, Appendix 1
Late October 2019	Snap election called		
31 October 2019	£5,000 donation from Mere P to Constituency party		Andrew Bridgen Report , Page 32, Para 21, Appendix 1
12 December 2019	General election		
02 January 2020	Donation from Mere P registered		Andrew Bridgen Report , Page 32, Para 21, Appendix 1
10 February 2020	Meeting with Rt Hon. Alok Sharma MP (Secretary of State for International Development)	To prove the trees and the plantation existed.	Andrew Bridgen – Evidence bundle , Page 62
29 April 2020	Accepted offer to act as adviser to Mere P for £12,000 p/a		Andrew Bridgen Report , Page 4, Para 8
6 May 2020	Signed the contract for the advisor role (as above)		Andrew Bridgen Report , Page 4, Para 8
17 May 2020	Email to Lord (Zac) Goldsmith	To introduce Mere Plantations.	Andrew Bridgen Report , Page 11, Para 41
15 June 2020	Meeting with Lord Goldsmith	To try and resolve HMRC issues being experienced by Mere Plantations.	Andrew Bridgen Report , Page 11, Para 43
17 June 2020	Role as director of Mere P registered	“...Incorrectly worded as director” says A	Andrew Bridgen Report , Page 4, Para 8

Date	Event	Detail/Comment	Source
22 December 2020	Register amended to show A as “advisor”	Not amended to say unpaid	<u>Andrew Bridgen Report, Page 6, Para 19</u>
17 February 2021	Email to Rt Hon. Kwasi Kwarteng MP (BEIS Secretary of State)	About Mere Plantations' loss of access to an EU market for the trading of carbon credits.	<u>Andrew Bridgen – Evidence bundle, Pages 66-67</u>
8 March 2021	Email to Rt Hon. Anne-Marie Trevelyan MP	Same issue, as the approach to Kwasi Kwarteng.	<u>Andrew Bridgen – Evidence bundle, Page 48</u>
16 August 2021	Meeting with Rt Hon. Jesse Norman MP	To try and resolve HMRC issues being experienced by Mere Plantations.	<u>Andrew Bridgen Report, Page 11, Para 43</u>
November 2021	Register amended – “role was (and always had been) unpaid”		<u>Andrew Bridgen Report, Page 4, Para 8</u>
10 February 2022	PCS opens investigation		<u>Andrew Bridgen Correspondence bundle, Page 3</u>
21 March 2022	Main letter of Response from Appellant to PCS		<u>Andrew Bridgen Correspondence bundle, Page 11</u>
13 April 2022	PCS Teams meeting with McKenzie		<u>Andrew Bridgen – Evidence bundle, Pages 169-176</u>
19 April 2022	PCS Teams meeting with Hogg		<u>Andrew Bridgen – Evidence bundle, Pages 177-190</u>
18 May 2022	PCS Teams meeting with Whitley		<u>Andrew Bridgen – Evidence bundle, Pages 191-197</u>
19 May 2022	PCS interview with the Appellant		<u>Andrew Bridgen – Evidence bundle, Pages 73-107</u>
15 June 2022	Emails from Mark Evans of constituency party – all donations initiated by Appellant		<u>Andrew Bridgen – Evidence bundle, Pages 166-168</u>
22 August 2022	Draft copy of PCS report sent to Appellant		<u>Andrew Bridgen Correspondence bundle, Page 51</u>

Date	Event	Detail/Comment	Source
30 August 2022	"Letter 2 to Kathryn Stone draft", from staff member to Appellant		Appendix to this report, Page 32
2 September 2022	Appellant's letter in reply to draft Report of PCS		<u>Andrew Bridgen Correspondence bundle</u> , Pages 52-54
8 September 2022	PCS delivers her report		<u>Andrew Bridgen Report</u> , Page 28
20 September 2022	Appellant sends email to PCS marked "Private and Confidential" with same text as draft of 30 August		<u>Correspondence between the Commissioner and Mr Bridgen</u> dated 20 and 21 September 2022

Appendix

Email from Andrew Bridgen MP to Sir Stephen Irwin, Chair, Independent Expert Panel, dated 24 November 2022, regarding House of Commons Committee on Standards – Appeal.

Dear Sir Stephen

Please accept this email as notice of appeal against the recommendations of the House of Commons Committee on Standards regarding my case dated 1 November 2022 and published on 3 November 2022.

I believe the proposed sanctions to be imposed upon me have been determined based upon a flawed investigation and are unduly harsh. I shall set out the basis for my appeal in two parts:

Part 1 – The investigation and resulting sanction

I wish to appeal on the grounds that the investigation by the Parliamentary Commissioner for Standards was materially flawed in a way that affected the decision of the Committee; and the decision of the Committee was unreasonable and / or, in relation to a sanction, disproportionate.

Part 2 – My letter to Parliamentary Commissioner for Standards Kathryn Stone

I wish to appeal on the ground that the investigation by the Parliamentary Commissioner for Standards was materially flawed in a way that affected the decision of the Committee; the process followed by the Committee was procedurally flawed; and the decision of the Committee was unreasonable and / or, in relation to a sanction, disproportionate.

My evidence is set out below:

Part 1 – The investigation and resulting sanction

A. The initial complaint made about me was tabled by [name of journalist], a journalist at [title of media outlet]. For some time, [media outlet] has had an agenda against me and [name of journalist's] complaint and activist 'journalism' forms part of a wider pattern of behaviour which I am seeking to address through other legal remedies.

B. I was disappointed that despite discussing my concerns with both the commissioner and committee over the false allegations raised by the journalist [name of journalist], which he repeatedly wrote about in [title of media outlet], 'Bridgen took money from tree company', which the commissioner found was incorrect in her report, [journalist's name] name as the complainant was redacted from the final published report.

C. The standard of investigation into the complaint by Ms Stone was poor it was concentrated on the original false allegation made by [name of journalist], that I had personally taken money from Mere Plantations in return for lobbying. At no time did Ms Stone address my concerns about the activist nature of [name of journalist] and his employer and their motivations. Neither did Ms Stone consider the evidence I supplied

her, after her draft report, that the work I was carrying out was that of a constituency MP for a business based in North West Leicestershire, The Curious Guys. Indeed, the commissioner did not properly investigate the constituency link to Mere Plantations during her investigation.

D. I believe that had the Parliamentary Standard Commissioner properly investigated and considered the role I was carrying out as a constituency MP then in that context my case may have been suitably dealt with without referral to the Committee on Standards.

E. I must stress that I have never personally taken a penny from Mere Plantations. My visit to Ghana was only paid for by them because I was unable to source public funding to undertake the visit and left me out of pocket. Mere Plantations' donation to my constituency party was correctly recorded and not used during my re-election campaign.

F. I find it inadequate that Ms Stone failed to question me on the role I was playing for my constituents The Curious Guys, had she done so the constituency link would have been abundantly apparent. Not only did The Curious Guys sell the overwhelming majority of the investments in Mere Plantations as evidenced, but Mr Mackenzie had also invested over £100K personally in the tree planting scheme his firm was marketing. This personal investment alone would be a sufficient constituency link to justify my investigation and the subsequent casework and contact with ministers. Had Ms Stone questioned both Mr Mackenzie and I about the role that The Curious Guys played in selling the investments in Mere plantations and Mr Mackenzie's personal investment in the scheme, I do not believe that this case would have been brought before the Committee.

G. Similarly, I must stress that at every meeting held with ministers I verbally informed them of my visit to Ghana, which had been paid for by Mere Plantations and that I had seen the plantations which contrary to HMRC's claims did exist and were fully documented by the Ghanaian Forestry Commission as evidenced to me in a face-to-face meeting. There was absolutely no secret about the funding for my visit as part of the conversations I was having was around the inadequacies of British diplomats to determine that a large plantation of trees was being grown by a British registered company in Ghana I was not asked about this during the investigation. It was fully disclosed in my register of interests.

H. I find it perturbing that as recently as this week Ms Stone has been able to complete an investigation into a colleague who has failed to declare a loan and lobbied on behalf of the loaner and deal with it administratively, whilst my own case, that of an MP who has not personally taken a penny and worked tirelessly on behalf of his constituents, has resulted in the sanction of suspension. I believe my sanction to be disproportionate compared to those issued in other recent cases.

Part 2 - My letter to Parliamentary Standards Commissioner Kathryn Stone

A. I was extremely disappointed that Ms Stone chose to forward my email on to the Committee on Standards. I would question whether it was appropriate to do so given the fact that it was marked 'strictly private and confidential'.

B. I had made the decision to write to Ms Stone about the information which had been passed to me about rumours which were swirling around Westminster. They had been conveyed to me by [name of MP] who informed me that they were common knowledge.

C. [name of MP] is a senior [name of party] MP, a [name of profession], and a former [title

of frontbench spokesperson]. I had no reason to disbelieve what [name of MP] was telling me. At no point has [name of MP] been questioned by the commissioner or Committee concerning this matter. [name of MP] raised these matters with me in August 2022.

D. I took the view that whilst it was appropriate to contact Ms Stone regarding these matters both to seek reassurance that they were not true and to make her aware of them, it would not be appropriate to do so whilst her investigation into my case was still under consideration by her. I did not send the pre drafted letter until the commissioner had sent her final report to the committee and completed her investigation.

E. Ms Stone shared her draft memorandum with me on 22 August 2022 and set me a deadline of 4pm on 2 September 2022 for me to respond.

F. I asked my staff member to draft a letter to Ms Stone as early as 30 August 2022 (see attached for earliest screenshots of my draft letter [text reproduced on page 32]) but made the conscious decision not to send it to her until she published her report as I would not want to be accused of possibly prejudicing its outcome.

G. I was notified by the acting clerk to the Committee that Ms Stone had submitted her memorandum on 8 September 2022 (see attached screenshot in evidence [text reproduced on page 33]).

H. I did not send my letter to Ms Stone until 20 September 2022.

I. After Ms Stone forwarded my letter to the Committee on Standards I note that in my appearance before them which lasted approximately two and half hours including evidence from Mr Mackenzie. Only around two minutes was given to questioning me about the letter. There was no other investigation or consideration given to this matter.

J. You will note from the transcript that during this very short period the Chair, Mr Bryant, made comments about my letter being potentially actionable. I fail to comprehend how a letter sent confidentially to Ms Stone and disclosed by her could possibly be actionable, I shared the letter with no one. At the time of sending the letter, I believed it was a matter which would and should have been resolved between us in private correspondence.

K. I believe that Mr Bryant's incorrect comments may well have influenced the committee's decision against me.

L. I do not believe a person reading the letter that I sent could reasonably conclude that it was either threatening or intimidating. Furthermore, I do not believe given our relative positions, and the powers the commissioner has, that any reasonable person would consider me in any position to threaten or intimidate her.

M. I find it tremendously upsetting that a letter which was designed to inform Ms Stone was forwarded to the Committee on Standards less than 24 hours after she received it, with seemingly little consideration, and which has resulted in me being handed down a 3-day suspension from the House.

N. There was no notice given to me that I could face an additional sanction for writing an email marked 'strictly private and confidential' to a senior officer of the House of Commons, I am unsure of what rules I contravened in writing to the Commissioner on a matter which I believe she should have been made aware of and only she could provide

me the reassurance I sought.

Finally following the hearing but before the final report of the Committee on Standards was released, I was approached separately by two senior members of the committee. Chris Bryant MP the chair of the committee told me " Well, at least you have had your say". Sir Bernard Jenkin MP told me " For what it is worth, you came over well to the committee". Their comments gave me the impression that the outcome of the hearing was predetermined, something which was compounded by the final report and sanctions issued when it was published.

I trust that you will give my appeal due consideration on the grounds set out above.

Yours sincerely
Andrew Bridgen MP

Draft of an email to the Parliamentary Commissioner for Standards sent by a member of Mr Bridgen's staff to Mr Bridgen in an email dated 30 August 2022

Dear Ms Stone

Strictly Private and Confidential

Further to the letter I have sent to you concerning your investigation into representation made on behalf of Mere Plantation and the Curious Guys I am writing to you about a number of comments which have been made to me about your ongoing role as Parliamentary Standards Commissioner.

I have learnt only too well during my time in Westminster that this place has always been one of gossip in corridors and tearooms. I was distressed to hear on a number of occasions an unsubstantiated rumour that your contract as Parliamentary Standards Commissioner is due to end in the coming months and that there are advanced plans to offer you a peerage, potentially as soon as the Prime Minister's resignation honours list. There is some suggestion that those plans are dependent upon arriving at the 'right' outcomes when conducting parliamentary standards investigations.

Clearly my own travails with Number 10 have been well documented and obviously a small part of me is naturally concerned.

More importantly however you are rightfully renowned for your integrity and decency and no doubt such rumours are only designed to harm you too.

I do apologise if you find the contents of this letter offensive, it is certainly not intended as such, but I should be grateful if you would provide reassurance that you are not party to any of these rumours and that they are indeed baseless.

Yours sincerely

Andrew Bridgen
Member of Parliament for North West Leicestershire

Email from the Clerk of the Committee on Standards, to Andrew Bridgen MP regarding the memorandum received from the Commissioner, dated 8 September 2022

Dear Mr Bridgen

The Committee on Standards has received a memorandum from the Parliamentary Commissioner for Standards in relation to your adherence to the Code of Conduct for Members of Parliament. I attach a formal letter to you from me, as well as the Commissioner's memorandum and the bundles of the written evidence and correspondence attached to the memorandum.

The memorandum and written evidence are password-protected; I would be grateful if you or your office could supply me with a mobile number and I will text the password.

The letter requests you to let the Committee know as soon as possible whether you intend to submit written evidence and/or request to give oral evidence, and to provide any written evidence by 4pm on Monday 19 September. As you will see from the attached Protocol (referred to in the letter), the Committee will not begin substantive consideration of your case until it has received written evidence from you, if you have indicated that you wish to provide such evidence (there is no requirement to do so at this stage). The Committee is next due to meet on Tuesday 13 September, and following that on Tuesday 20 September.

I would be happy to give further information about the procedures involved if that would be helpful.

Email from Andrew Bridgen MP to the Secretary, Independent Expert Panel, regarding a letter from the Office of the Registrar of Consultant Lobbyists to the Chair of the Panel, dated 30 November 2022

Dear [Secretary to the Panel],

Thank you for your email.

I should be grateful if you would forward the attached letter from the Office of the Registrar of Consultant Lobbyists to the Chair of the Panel which confirms that I was not lobbying under the terms of the Act.

Kind regards
Andrew Bridgen MP

Dear Mr Bridgen

Investigation conclusion

Thank you for your responses to my investigation.

30 November 2022

Based on the information and the substantive assurances provided by you that you were not paid by Mere Plantations Limited, I have concluded that you were not conducting consultant lobbying activity as defined by the Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 (the Act) in relation to the matters under investigation.

To ensure ongoing compliance with the Act, you should be aware that it is not relevant whether your contract stated you were a consultant, rather than consultant lobbyist. Consultant lobbying is defined by the nature of the activity, as detailed in my original letter to you.

Registering in advance of consultant lobbying is a statutory requirement. If you will be conducting consultant lobbying for any clients, you can register online. Please contact my office if you have any questions office@orcl.gov.uk.

A case summary will be published on our website later today and is attached for your information.

Yours sincerely,

Harry Rich
Registrar of Consultant Lobbyists

Summary of investigation, November 2022

Organisation or person investigated

Andrew Bridgen MP (“Mr Bridgen”)

Matter(s) investigated

Whether Mr Bridgen conducted unregistered consultant lobbying

Registrar’s decision

Mr Bridgen did not undertake unregistered consultant lobbyist as defined by the Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 in relation to the matters investigated

Summary of rationale for decision

Mr Bridgen entered into a contract with Mere Plantations Limited. However, he chose not to invoice for his work and any communications on their behalf were therefore pro bono.

Under the Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014, a consultant lobbyist is someone who makes communications with Ministers, Permanent Secretaries (or equivalents) in return for payment and is VAT registered. As Mere Plantations Limited made no payment to Mr Bridgen, any communications he made on their behalf were not consultant lobbying.

Chronology

Date	Action
4 Nov	Formal letter from the Registrar to Mr Bridgen giving background on the requirement for registering; asking if his activities in general fall within the criteria to be registered; and in particular with reference to media reports that Mr Bridgen represented his client, Mere Plantations, in communications with ministers.
22 Nov	Email from Mr Bridgen stating his contract was as a consultant, not a consultant lobbyist; and he declined to invoice Mere Plantations Limited.
30 Nov	Letter from the Registrar giving his decision and, to support future compliance, advising Mr Bridgen that consulting lobbying is defined in statute by the nature of the activity undertaken, not by the term of a contract.

30 November 2022
Office of the Registrar of Consultant Lobbyists