



House of Commons
Committee on Standards

Andrew Bridgen

Fourth Report of Session 2022–23

*Report, together with formal minutes relating
to the report*

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Committee on Standards

The Committee on Standards is appointed by the House of Commons to oversee the work of the Parliamentary Commissioner for Standards, except in relation to the conduct of individual cases under the Independent Complaints and Grievance Scheme; to examine the arrangements proposed by the Commissioner for the compilation, maintenance and accessibility of the Register of Members' Financial Interests and any other registers of interest established by the House; to review from time to time the form and content of those registers; to consider any specific complaints made in relation to the registering or declaring of interests referred to it by the Commissioner; to consider any matter relating to the conduct of Members, including specific complaints in relation to alleged breaches in the Code of Conduct which have been drawn to the Committee's attention by the Commissioner; and to recommend any modifications to the Code of Conduct as may from time to time appear to be necessary.

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Publications

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Committee staff

The current staff of the Committee are Paul Connolly (Media Relations Manager), Arvind Gunnoo (Committee Operations Officer), Dr Robin James (Head of staff team), Stuart Ramsay (Acting Clerk), and Silas Scott (Senior Media Relations Officer).

Contacts

All correspondence should be addressed to the Clerk of the Committee at the Committee's email address, standards@parliament.uk. The telephone number for general enquiries is 020 7219 6615.

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1 Report

Introduction

1. This Report arises from a complaint to the Parliamentary Commissioner for Standards that Andrew Bridgen MP had breached paragraph 12 of the Code of Conduct for Members by making approaches to Ministers and public officials on behalf of Mere Plantations, from whom he had received registrable financial benefits. During her investigation, the Commissioner also considered whether Mr Bridgen had breached paragraph 14 of the Code, on registration and declaration of interests.

2. The Commissioner has supplied us with a memorandum relating to these matters, and also provided us with further advice during the inquiry which we shared with Mr Bridgen. We have published these as appendices to this report.¹ Mr Bridgen has provided us with further written evidence which we also publish as an appendix to this report.² Mr Bridgen opted to give oral evidence, and we agreed to a request by Mr Bridgen that his constituent Jamie Mackenzie, Director of The Curious Guys Ltd, also give oral evidence. A transcript of that evidence is available on our webpages.

3. Full details of the Commissioner’s inquiry and her opinion as to whether Mr Bridgen breached the Code are set out in her memorandum. We summarise the Commissioner’s advice briefly before setting out our decision which also takes into account the written and oral evidence from Mr Bridgen.

4. On Tuesday 18 October 2022, which fell during the period of the Committee’s consideration of this case, the House agreed a new process for appeals in Code of Conduct cases, together with a Procedural Protocol in respect of the Code of Conduct, which sets out the process for investigating and adjudicating on breaches of the Code, with immediate effect.³ This followed recommendations we made in our First and Second Reports of this Session.⁴ In our Second Report, *Code of Conduct: Procedural Protocol*, we notified the House that we would make “immediately any changes to our own practices that do not require or rely on the approval of the House, to ensure they are in line with the relevant provisions in the Protocol”.⁵ The Commissioner, at our invitation, made a similar undertaking in respect of her memoranda to the Committee, in an exchange of letters which is available on our webpages. The form of the Commissioner’s memorandum and the process we have followed in this case are therefore in line with the provisions of the Protocol. The provisions of the Protocol will also apply to any further steps following publication of this report, including a right of appeal.

1 The Commissioner’s memorandum is published as Appendix 1. The Commissioner’s further advice is published as Appendix 2.

2 Appendix 3

3 Votes and Proceedings, Tuesday 18 October 2022, item 10

4 First Report of the Committee on Standards, *New Code of Conduct and Guide to the Rules: promoting appropriate values, attitudes and behaviour in Parliament*, HC 227; Second Report of the Committee on Standards, *Code of Conduct: Procedural Protocol*, HC 378.

5 Committee on Standards, Second Report of Session 2022–23, *Code of Conduct: Procedural Protocol* (HC 378)

The Commissioner's opinion

Background

5. Mere Plantations are a UK based company, with their UK office situated in Cheshire. They engage in the reforestation of degraded forest land, growing mainly teak in the Ashanti region of Ghana.

6. Mr Bridgen was introduced to Mere Plantations by a constituent, Jamie Mackenzie who is the Sales Director of The Curious Guys Ltd. The Commissioner has stated that "The Curious Guys Ltd act as the sales function for Mere Plantations."⁶ Mr Mackenzie made initial contact with Mr Bridgen on 12 September 2018. Following the introduction to Mere Plantations, Mr Bridgen made several approaches to Ministers and public officials, in person and via email, relating to Mere Plantations between November 2018 and August 2021. These approaches primarily concerned the treatment of Mere Plantations activities by HMRC, and the sale or trading of carbon credits.

7. Mere Plantations paid for flights and accommodation for Mr Bridgen to visit their plantation in Ghana between 4 August to 7 August 2019. The cost of the trip was valued at £3,251.51 and was registered by Mr Bridgen on 20 August 2019. Mere Plantations also made a donation of £5,000 to the North West Leicestershire Conservative Association on 31 October 2019, which Mr Bridgen registered under Category 2 of the Register (donations and other support for activities as a Member of Parliament) on 2 January 2020.

8. On 29 April 2020, Mr Bridgen accepted an offer to act as an adviser to Mere Plantations. He signed a contract to this effect on 6 May 2020. The contract provided that Mr Bridgen would be paid £12,000 per annum against invoices. Mr Bridgen told the Commissioner that he decided in May or June 2020 that he would not invoice for payments under the contract. Mr Bridgen registered the role as a "Director" of Mere Plantations, to be paid £12,000 per annum on 17 June 2020; corrected the entry to state that he was an adviser, rather than a director, on 22 December 2020; and further amended the entry to state that the role was unpaid on 17 November 2021. The Commissioner has stated that the evidence demonstrates that Mr Bridgen has not received any payment from Mere Plantations for this role.⁷

9. The Commissioner has given her opinion that Mr Bridgen:

- a) Breached paragraph 14 of the Code of Conduct, on registration of interests, by having an inaccurate entry relating to his role with Mere Plantations throughout the whole period it appeared on the Register of Members' Financial Interests, 17 June 2020 to 15 May 2022;
- b) Breached paragraph 12 of the Code of Conduct, on paid advocacy, by initiating five, and participating in three, approaches to Ministers or public officials which sought to confer a benefit on Mere Plantations;
- c) Breached paragraph 14 of the Code of Conduct, on declaration of interests, by failing to declare a relevant interest in six emails to Ministers.

6 Appendix 1, para 9

7 Appendix 1, paras 40–42

10. In further advice to us, the Commissioner stated that she considered that Mr Bridgen had breached the rules on declaration of interests in two further emails to Ministers.⁸

Mr Bridgen's position

11. Mr Bridgen accepts that his register entry was inaccurate. Mr Bridgen told the Commissioner, and us, that in hindsight he should have updated his entry to remove the role once he decided not to invoice for payments or carry out duties, and therefore contends that his entry always overstated his interests. He argued that it should have been self-evident that he had not in fact accepted payment, because he did not undertake the separate obligation to register a payment. In other words, that despite the registered fact of a contract, including the intention of payment, the failure to actually register payment should have served as an alert to all to the fact that he did not receive any payment. Mr Bridgen has also stated that the initial error in registration was due to processes in his parliamentary office.⁹

12. In relation to declaration of interests, Mr Bridgen argued to the Commissioner that he considered that his interests did not meet the test of relevance and did not therefore need to be declared.¹⁰ In oral evidence before us, Mr Bridgen told us that in hindsight, he should have declared his interests, but contended that this would nevertheless have been “over-declaring”:

From where I am sitting now, clearly it probably would have been better, because there would be no problem at all, would there? I think that would have been an over-declaration, but having said that, I would be in a better position now, wouldn't I?¹¹

13. In relation to paid advocacy, Mr Bridgen maintains that he was not subject to the lobbying rules because his trip to Ghana was of “negative financial benefit” to him (due to the cost of vaccinations and unused local currency) and because the registered donation was to his local party not to him personally.

14. Lastly, Mr Bridgen maintains that, even if he was subject to the lobbying rules, his approaches were permitted by the constituency exemption (that is, that he was “pursuing [a] constituency interest”) because he was seeking to protect the commission revenue of The Curious Guys Ltd.

Registration of interests

15. Paragraph 14 of the Code provides that:

Members shall fulfil conscientiously the requirements of the House in respect of the registration of interests in the Register of Members' Financial Interests. [...]

8 Appendix 2

9 Q153

10 Appendix 1, para 62

11 Q115

16. Mr Bridgen signed a contract with Mere Plantations Ltd to provide services as an adviser on 6 May 2020.¹² The contract was for two years, terminating in May 2022. The contract provided that Mr Bridgen would:

[...] provide advice on specific opportunities and contribute to the strategic and tactical direction of the Company

[...]

serve as a sounding board for the senior management team of the Company in achieving its objectives

[...]

serve as ambassador for the Company and provide introductions and/or references where appropriate.¹³

17. In the email to the Registrar on 27 May 2020 registering the role Mr Bridgen stated: “I anticipate to be working for 8 hours a month”.¹⁴ Mr Bridgen told the Commissioner during her investigation that this email was sent by a staff member using his email address.¹⁵

18. Mr Bridgen’s register entry appeared on 17 June 2020 as follows:

From 6 May 2020 to 5 May 2022, Director of Mere Plantations Ltd of Unit 1 Cherry Tree Farm, Cherry Tree Lane, Rostherne, WA14 3RZ; a company which grows teak in Ghana. I will be paid £12,000 a year for an expected monthly commitment of 8 hrs.

19. Mr Bridgen did not amend the register until 22 December 2020, when he revised the description of his role to that of advisor by emailing a correction to the Registrar as follows:

I wish to correct an error with regards to this declaration. I am listed on the register as a Director however it should be registered that I am an advisor to the company. Could that please be amended.¹⁶

20. The Commissioner asked Mr Bridgen why he did not register the role as unpaid at that time. Mr Bridgen responded:

I mean, I’ve done the positives, I’d declared a contract. Where does it say in the rules, I have to declare that the contract’s not enforced? I don’t, [sic] I’m not absolutely convinced that there is a rule that says if I didn’t claim it, I’ve got to declare that. And the fact that I’d not declared any financial interest, any remuneration I thought that was self-evident I’ve not drawn any [be] cause if I had, I would have done.¹⁷

21. Mr Bridgen waited until 17 November 2021 to amend the entry to say that the role was unpaid, stating in an email to the Registrar:

12 Evidence bundle, p69 [AB MP 20]
13 Evidence bundle, p72 [AB MP 20]
14 Evidence bundle, p146 [PCS 6]
15 Evidence bundle, p91 [AB MP 21]
16 Evidence bundle, p142
17 Evidence bundle, p96 [AB MP 21]

Although the register currently states that ‘I will be paid £12,000 a year’, I have not actually taken or been paid any money by the company since I registered the interest and don’t intend doing so going forward. How am best [sic] to amend the entry to reflect this?¹⁸

When did Mr Bridgen decide not to take payments?

22. When the Commissioner asked during his interview when he decided not to take payments for the advisory role, Mr Bridgen initially responded that he had decided before the end of May 2020:

[...] before the month was out because I never indented, never put in for the first month’s pay¹⁹

Later in the interview, however, Mr Bridgen implied that he may only have decided not to take payments in early June 2020. The Commissioner asked Mr Bridgen about an email from the Registrar reminding him about the lobbying rules, sent on 10 June 2020. Mr Bridgen replied:

And it may have been that when I got that reminder from the Registrar, that’s when I decided that may have pricked my... [sic] and thought I can’t do this, I’m not going to put in for any money.²⁰

23. Mr Bridgen told us in oral evidence that he decided in late May or early June not to take payment from Mere Plantations.²¹ Mr Bridgen also told the Commissioner,²² and us, that he never undertook the duties under the contract, and that the role, in effect, never started:

But the contract was never enforced, was it, by either party? They never made me do what they asked me to do and I never put a bill in for it.²³

24. Nevertheless, Mr Bridgen did not revoke or repudiate the contract. Mr Bridgen told us in oral evidence:

They were genuine people and there is no way that they ever would have forced me to do anything I didn’t want to. Yes, I had signed a contract, but it was unenforceable because they aren’t that sort of people and I am not that sort of person either.²⁴

25. Mr Bridgen told us that he informed Mark Hogg, the CEO of Mere Plantations, that he would not take payments.²⁵ Mark Hogg told the Commissioner that he had no written evidence that Mr Bridgen had said he would not invoice for payments and that this was agreed only verbally.²⁶ Mr Bridgen told us the same in his oral evidence.²⁷

18 Appendix 1, para 35

19 Evidence bundle, p83 [AB MP 21]

20 Evidence bundle, p90 [AB MP 21]

21 Q87

22 Appendix 1, para 43

23 Q79

24 Q76

25 Q87

26 Evidence bundle, p164 [PCS 8]

27 Q87

26. Mr Bridgen was asked by the Commissioner in interview why, therefore, he registered the role at all. Mr Bridgen said that it was:

[...] to reflect the contract that I'd already produced, which that [sic] was a matter of fact, wasn't it? So, I was actually putting something right retrospectively, as far as I was concerned.²⁸

Mr Bridgen said later to the Commissioner,²⁹ and to us, that he considered in retrospect he should have taken the role off the Register altogether:

I should have registered it, because I did sign it, and then within four or five weeks I should have said, "This is no longer existing." That is what I should have said, and that is what I did not do.³⁰

27. The Commissioner has given her opinion in her memorandum that "the evidence supports the assertion that the adviser role never actually started, and consequently Mr Bridgen's register entry, which lists him as having acted as an adviser to Mere Plantations between 6 May 2020 to 5 May 2022, was inaccurate for the entire period".³¹

28. The Commissioner has also stated that:

The evidence from Mr Bridgen and Mr Hogg was contradictory, and then further contradicted by the documentary evidence. It appears there was a certain degree of confusion as to what, if any, role Mr Bridgen had.³²

29. We asked the Commissioner what, in her view, Mr Bridgen's register entry should have been in circumstances where he did not revoke the contract but decided not to take payments. The Commissioner told us in further advice that:

In his interview Mr Bridgen told me that within one month of signing the contract for the Adviser position on 6 May 2020 (which would have been 6 June 2020), he had already decided he was not going to claim any salary from Mere Plantations. Mr Bridgen registered the role as a paid position on 17 June 2020, and therefore at the point of registration, given that Mr Bridgen had already decided not to claim any money, the registration details were inaccurate as the role was unpaid. If Mr Bridgen would have sought advice from the Registrar about this entry and how it should have been recorded, it is likely that he would have been advised to record it under Category 8 of the Register. For completeness, it would have been sensible for Mr Bridgen to have asked Mere Plantations Ltd to amend his contract to reflect that it was an unpaid position.³³

30. We note that Mr Bridgen in fact fulfilled several of the conditions of the contract: acting as a sounding board and providing introductions to Ministers. Mr Bridgen acknowledged that he was concerned that he might be conflicted if he were to accept payment, but while the contract remained in place, he was still free at any point to invoice

28 Evidence bundle, p94 [AB MP 21]

29 Evidence bundle, p94 [AB MP 21]

30 Q92

31 Appendix 1, para 49

32 Appendix 1, para 45

33 Appendix 2

the company, and so had not fully resolved the conflict of interest. The point is not that Mere Plantations could not or would not enforce the contract, but rather that Mr Bridgen could do so.

31. Mr Bridgen's errors and omissions in regard to the registration of the contract and the delay in changing his entry left his intentions open to more than one interpretation. One interpretation of the facts is that Mr Bridgen wished in practice to vary the contract to make it unpaid, by informing Mere Plantations that he no longer wished to receive payment. In these circumstances, we would agree with the Commissioner that the role should have been registered as unpaid on Category 8 of the register. An alternative interpretation is that Mr Bridgen was content to leave open the question of whether he would or would not invoice Mere Plantations under the contract he had signed, because he thought he might subsequently seek payment at some point in the future.

32. If Mr Bridgen had no intention of taking payments from Mere Plantations at any point, we agree with the Commissioner that he should have sought to have the contract amended to state this—or ensured that there was a written exchange with Mere Plantations confirming it. If he had no intention of undertaking the duties associated with the role, it would have been better for him to have asked to terminate the contract altogether. Mr Bridgen's dealings in relation to the contract were, in our view, a mishandling of the conflict of interest of which he was aware.

33. In circumstances where Mr Bridgen did not revoke the contract, leaving open the possibility that he might invoice for payments in future, the most transparent approach would have been to register the role as paid, as Mr Bridgen originally did until November 2021, until such point as there was a formal variation or revocation. As Mr Bridgen himself argued, any individual payments received would fall to be registered separately. Mr Bridgen's register entry was therefore correct between December 2020 and November 2021, but not before or after that period. Mr Bridgen consequently breached paragraph 14 of the Code.

Mr Bridgen's attitude to the rules

34. When Mr Bridgen was asked by the Commissioner how he discovered the initial error in his register entry in November 2020, Mr Bridgen responded:

To be honest, I never look at my Register of Interests, it's probably of little interest to me ... I can't remember, but something made me aware that he'd, that's what's been put in, and I said, well, that's not right.³⁴

35. The Commissioner has given her opinion that:

I am concerned at the cavalier approach taken by Mr Bridgen in relation to maintaining his entry in the Register, and by Mr Bridgen's evident lack of knowledge or understanding of the Rules. When interviewed, he failed to acknowledge the importance of registering outside financial interests accurately and told me that he does not check what information is registered in his name, relying solely on his staff.³⁵

34 Appendix 1, para 31

35 Appendix 1, para 50

36. Mr Bridgen told us in oral evidence:

I didn't check it and I told the Commissioner that I didn't check it. I said I don't spend all of my days going through my register of interests and she said I had a cavalier attitude. But I do not spend all my days going through my register of interests, no.³⁶

37. Mr Bridgen has evidenced a careless and cavalier attitude towards the House's rules on registration. Members have a responsibility under paragraph 14 of the Code to "fulfil conscientiously the requirements of the House in respect of the registration of interests". Mr Bridgen has failed to fulfil those requirements, and he has certainly failed to do so "conscientiously".

Declaration of interests

38. Paragraph 14 of the Code provides that:

Members [...] 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 communications with Ministers, Members, public officials or public office holders.

Paragraph 7(e) of Chapter 2 of the Guide to the Rules provides that:

Members must declare a relevant interest in any communication, formal or informal, with those who are responsible for matters of public policy, public expenditure or the delivery of public services. That includes communications with Ministers, either alone or as part of a delegation: with other Members; with public officials (including the staff of government departments or agencies and public office holders). If those communications are in writing, then the declaration should be in writing too; otherwise it should be oral.

39. The Guide to the Rules further provides that:

Members are required, subject to the paragraphs below, to declare any financial interests which satisfy the test of relevance, including: a) past financial interests (normally limited to those active within the last twelve months); [...]

f) any registered non-financial interests.³⁷

40. Mr Bridgen was in receipt of three registrable financial benefits from Mere Plantations: the contract, the trip to Ghana in August 2019, and the donation in October 2019. Under the rules, in addition to registering the interests, Mr Bridgen should have declared them whenever he engaged in relevant proceedings or communications with Ministers and officials for the following twelve months.

Mr Bridgen's contacts with Ministers and public officials

41. The Commissioner has seen the following emails from Mr Bridgen to Ministers:

36 Q89

37 Guide to the Rules, Chapter 2, para 4

- a) Email to Rt Hon Theresa Villiers MP on 19 August 2019
- b) Email to Andrew Stephenson MP on 19 August 2019
- c) Email to Rt Hon Mark Spencer MP on 22 August 2019
- d) Email to Rt Hon Alok Sharma MP on 20 January 2020
- e) Email to Rt Hon Kwasi Kwarteng MP on 17 February 2021
- f) Email to Jesse Norman MP on 16 August 2021

We also asked the Commissioner for her advice about two further emails sent by Mr Bridgen:³⁸

- g) Email to Lord Goldsmith on 17 May 2020
- h) Email to Rt Hon Anne-Marie Trevelyan on 19 March 2021

42. The Commissioner has stated that Mr Bridgen did not declare any interest in Mere Plantations in any of these emails.³⁹ The Commissioner has also stated that the emails she considered in her memorandum “related directly to Mere Plantations” and that “an onlooker could reasonably consider the funded trip, the donation and the acceptance of the unpaid adviser role (regardless of whether that role had been taken up) to have influenced Mr Bridgen’s actions as a Member when making these approaches”, and that Mr Bridgen should also have made declarations in emails (g) and (h) above,⁴⁰ and has therefore given her opinion that Mr Bridgen breached paragraph 14 of the Code, on declaration of interests.

43. Mr Bridgen also held the following meetings after he had received registrable benefits from Mere Plantations:

- a) Meeting with the UK Business Attaché to Ghana and other members of the UK High Commission in Ghana between 4 and 7 August 2019
- b) Meeting with Mr Brown of the Ghanaian Forestry Commission between 4 and 7 August 2019
- c) Meeting with Rt Hon Mark Spencer MP on 22 August 2019⁴¹
- d) Meeting with Rt Hon Alok Sharma MP on 10 February 2020
- e) Online meeting with Lord Goldsmith on 15 June 2020
- f) Meeting with Jesse Norman MP on 16 August 2021⁴²

44. All the meetings listed above fell in the twelve months following Mr Bridgen receiving a registrable financial benefit from Mere Plantations (or whilst Mr Bridgen was still in

38 Appendix 2

39 Appendix 1, para 60; Appendix 2

40 Appendix 2

41 Evidence bundle, p111–112. The Commissioner listed Mr Bridgen’s meeting and email with Rt Hon Mark Spencer MP together, rather than as separate communications (Appendix 1, para 58).

42 Evidence bundle, p115. The Commissioner listed Mr Bridgen’s meeting and email with Jesse Norman MP together, rather than as separate communications (Appendix 1, para 58).

receipt of such a benefit). In respect of meeting (f), in August 2021, despite Mr Bridgen’s contention in hindsight that the role should have been removed from the register, it still appeared on the register at this time (and would subsequently be registered as unpaid in November 2021). Even by his own lights, therefore, Mr Bridgen was required to declare the unpaid role in meeting (f).

45. We consider in paragraphs 79–82 below whether foreign officials count as “public officials” for the purposes of the lobbying rules. In our view, the same reasoning applies equally to the requirement that Members declare relevant interests in “communications with Ministers, either alone or as part of a delegation; with other Members; [and] with public officials (including the staff of government departments or agencies and public office holders)”.⁴³ For the same reasons set out in paragraph 81, we consider that Mr Bridgen was not required to declare an interest in his meeting with Mr Brown of the Ghanaian Forestry Commission.

46. The Commissioner asked Mr Bridgen in his interview whether he had declared interests during any of his meetings with Ministers or public officials. Mr Bridgen replied that he could not recall whether or not he had done so:

I think that depends at what stage, I really can’t ... I really can’t remember. Certainly it couldn’t have been before they offered me, because I didn’t have any relationship. It was a constituency matter.⁴⁴

The Commissioner has stated that Mr Bridgen’s interview with her “demonstrates that he had no awareness that a declaration would be required, and in which circumstances a declaration would be necessary” and noted that “Mr Bridgen did not declare an interest in any of the written communications he provided to me”, and therefore has given her opinion that “Mr Bridgen habitually failed to declare his interests in Mere Plantations”.⁴⁵

47. We asked Mr Bridgen in oral evidence whether it was still the case that he could not recall whether he declared an interest during any of his meetings. Mr Bridgen replied that he did not think that he had.⁴⁶ Based on Mr Bridgen’s own evidence, we consider it more likely than not that Mr Bridgen did not declare his interest.

Further arguments adduced by Mr Bridgen

48. In oral evidence before us, Mr Bridgen appeared to suggest that he did not need to declare interests when dealing with constituency matters:

Well, it never does any harm to over-declare. The fact is that I was there as a constituency MP, which is what I was. As far as I was concerned, it was casework.⁴⁷

Mr Bridgen’s suggestion is mistaken. As the Guide to the Rules states, the rule on declaration of interests “applies from the time the House first sits after the Member is elected and to almost every aspect of a Member’s parliamentary duties”.⁴⁸

43 Guide to the Rules, Chapter 2, paragraph 7(e)

44 Evidence bundle, p105 [AB MP 21]

45 Appendix 1, para 65

46 Q107

47 Q108

48 Guide to the Rules, Chapter 2, para 4

49. In order to determine whether they need to declare an interest in any given communication or proceedings, Members should apply the “test of relevance”, namely, whether the interest (or interests) might reasonably be thought by others to influence his or her actions or words as a Member, in that context. Mr Bridgen asserted in his interview with the Commissioner that he did not consider that the test of relevance was met in any of his communications:

Well, I don't. I would maintain that it never has.⁴⁹

Mr Bridgen also told us in oral evidence:

Because I never took any money and I was acting as a constituency MP, I don't think there was any need for me to declare.⁵⁰

And:

I think that would have been an over-declaration, but having said that, I would be in a better position now, wouldn't I?⁵¹

50. All of Mr Bridgen's contact with Ministers and public officials listed above related to Mere Plantations. In our view, the test of relevance is obviously met and Mr Bridgen was therefore at fault.

Conclusion

51. **Mr Bridgen was required to declare his interests in his emails to Ministers listed in paragraph 41 above. It is clear from each of the emails that he failed to do so. Mr Bridgen was also required to declare his interests in meetings (a) and (c)-(f) listed in paragraph 43. It is more likely than not that Mr Bridgen failed to do so.**

52. **The rules on declaration are intended to ensure that Members, Ministers, public officials and others are made aware at the appropriate time of interests which might reasonably be thought to affect a Member's words or actions. Failure to declare risks the perception that a Member is not being open and frank about interests that might influence them in their work. The fact that Mr Bridgen had received a donation and a funded visit from Mere Plantations, and had a contract to be an adviser, was clearly relevant to his approaches on their behalf. He should have drawn those interests to Ministers' and officials' attention.**

53. **Mr Bridgen therefore breached paragraph 14 of the Code by failing to declare a relevant interest in eight emails to Ministers, and in five meetings with Ministers or public officials. That is a significant litany of errors.**

Paid advocacy

54. Chapter 3, paragraph 4 of the Guide to the Rules provides that:

The rules on lobbying are intended to avoid the perception that outside individuals or organisations may reward Members, through payment or in

49 Appendix 1, paragraph 62

50 Q113

51 Q115

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. They prevent a Member initiating proceedings or approaches to Ministers, other Members or public officials which would confer a financial or material benefit on such a person or organisation.

55. The Commissioner has given her opinion that Mr Bridgen breached the lobbying rules by initiating five, and participating in three, approaches to Ministers or public officials, which sought to confer, or would have the effect of conferring, a financial or material benefit on Mere Plantations, from whom he had received outside reward or consideration (his visit to Ghana in August 2019 and the local party donation in October 2019).⁵²

56. Mr Bridgen's approaches concerned the treatment of Mere Plantations' activities by HMRC and the sale or trading of carbon credits—but also the wider merits of the work undertaken by Mere Plantations, about which Mr Bridgen presented to us as genuinely enthusiastic. Mr Bridgen maintains that his visit to Ghana and the local party donation do not count as “outside reward or consideration” under the lobbying rules, and that, in any event, all his approaches fell within the constituency exemption, that is, the provision in paragraph 19(c) of Chapter 3 of the Guide that:

Members may pursue any constituency interest in any approach to a Minister or public official, subject to the registration and declaration rules.

We will therefore consider when Mr Bridgen was bound by the restrictions under the lobbying rules, before turning to consider Mr Bridgen's approaches during the restricted periods.

When was Mr Bridgen bound by the lobbying rules?

Donation to North West Leicestershire Conservative Association

57. Mr Bridgen registered a donation of £5,000 from Mere Plantations to the North West Leicestershire Conservative Association under Category 2 of the Register (donations and other support for activities as a Member of Parliament) on 2 January 2020. The donation was received on 31 October 2019.

58. Mr Bridgen confirmed in correspondence to the Commissioner that he called Mere Plantations to invite a donation:

Regarding the procuring of donations, it has been my practice at General Elections to make various phone calls to party supporters or those who have indicated they are prepared to offer financial support to my Conservative Association's campaign fund. One of many of those calls was to Mere Plantations and after the phone call, I left it to my Conservative Party Association to sort out the detail.⁵³

59. In oral evidence before us, however, Mr Bridgen said that he could not recall whether Mark Hogg offered to make a donation first, or that Mr Bridgen invited him to do so:

52 Appendix 1, paras 102–103

53 Evidence bundle, p115

Whether he offered or I asked—that is nuanced. But if you actually look at when the donation came, the campaign was already under way when he sent the money, because it did not arrive until a week or so after the election. [...] Honestly, Chairman, whether I asked him for a donation, whether he offered or whether it was a half and half—I honestly cannot remember. It was a phone call.⁵⁴

Nevertheless, Mr Bridgen conceded that he encouraged Mr Hogg to make a donation.⁵⁵

60. Paragraph 16 of Chapter 1 of the Guide to the Rules provides that Members must register donations to their constituency party where these are “invited or encouraged” by the Member:

[...] support received by his or her constituency party organisation or which he or she receives via a central party organisation if there was a clear link between the donation and him or her; for example, if it was given to a such an organisation with a wish that it be allocated to him or her, to his or her fighting fund or to a front bench office which he or she held; if it was assigned to him or her in circumstances where he or she was aware, or could reasonably be expected to be aware, of the identity of the donor; or if he or she had invited or encouraged the donation.

61. Mr Bridgen has stated in his written evidence that, on the advice of the Commissioner’s office that he has “disclosed ALL donations received at All General Elections to my association from 2015 onwards (evidenced register of interest and the electoral commission)”.⁵⁶ It is irrelevant, however, whether Mr Bridgen has also registered donations that he was not required to. If Mr Bridgen invited or encouraged a donation from Mere Plantations to his local party, that met the registrable threshold, this would fall to be registered under Category 2 of the Register.

62. Paragraph 13 of Chapter 3 of the Guide to the Rules provides that “outside reward or consideration” under the lobbying rules:

[...] past financial interests or material benefits, including “one-off” registrable interests, such as visits and gifts, and continuing benefits such as directorships, employment and sponsorships.

[...] all present financial interests or material benefits which must be either registered or declared

This therefore includes any current registrable financial interest, subject to the time limits in the lobbying rules.

63. Mr Bridgen was required to register the donation from Mere Plantations to North West Leicestershire Conservative Association, because, by his own admission, he invited or encouraged it. Since this was a registrable financial interest, it engaged the lobbying rules as “outside reward or consideration”. The fact that the donation was not to Mr Bridgen personally is not relevant.

54 Q116

55 Qq117–118

56 Appendix 3

Visit to Ghana

64. Mere Plantations funded a trip for Mr Bridgen to visit their plantation in Ghana between 4 August to 7 August 2019. The cost of the trip was valued at £3,251.51 (flights and accommodation) and was registered by Mr Bridgen in the Register on 20 August 2019.

65. Mr Bridgen told us in his written evidence:

I asked for Government/ Parliament funding for the trip, but it was not available. I told both The Curious Guys and Mere that I would not be able to visit and verify the plantations. Funding for the visit was then offered by Mere Plantations ltd.

The visit involved travelling off-road in the jungle for many hours to visit the plantation which is in the extremely remote Afram Headwaters region of Ghana. I was personally out of pocket from the trip as I paid for my own Yellow Fever vaccination and bought my own local currency which on my return to the UK discovered I could not then exchange for pounds. This local currency I gave away to a Ghanaian doorkeeper in Parliament as I would not be visiting again.⁵⁷

Mr Bridgen also told the Commissioner that the visit should not be considered to engage the lobbying rules because it was of “negative financial benefit” to him.⁵⁸

66. Paragraph 13 of Chapter 3 of the Guide to the Rules provides that “outside reward or consideration” under the lobbying rules includes “[...] past financial interests or material benefits, including ‘one-off’ registrable interests, such as visits and gifts, and continuing benefits such as directorships, employment and sponsorships.” Mr Bridgen rightly registered the visit on his register entry.

67. The lobbying rules do not offset personal costs incurred by a Member, such as travel or subsistence, against the value of benefits such as visits and hospitality received by a Member. If we were to accept Mr Bridgen’s argument, this would mean that any visit funded by an outside person or organisation, but where part of the cost is met by the Member, would not engage the lobbying rules. This would be perverse. At any rate, it is clear that the value of the visit funded by Mere Plantations was far greater than Mr Bridgen’s personal expenditure. The lobbying rules do not take into account either whether a visit is primarily for business or leisure, nor how desirable or luxurious (or not) a visit appears to be.

68. By registering the visit to Ghana, Mr Bridgen acknowledged that this was a registrable financial interest. It is irrelevant whether Mr Bridgen also incurred his own costs as part of the visit or whether the trip was onerous. The visit therefore engaged the lobbying rules as “outside reward or consideration”.

57 Appendix 3

58 Appendix 1, para 73

Mr Bridgen's contract with Mere Plantations

69. The Commissioner investigated whether or not Mr Bridgen had received any payments from Mere Plantations under his contract, and concluded he had not.⁵⁹ Mr Bridgen told the Commissioner that the reason he did not take payments was to avoid a conflict of interest or contravention of the lobbying rules:

There's two aspects to all this as far as I'm concerned. There's my role as a constituency MP representing the interests of businesses. And then there was the offer of a consultancy role for the company. And they're two separate, completely separate. And the reason I didn't. The offer is a matter of fact, which I accepted and that is recorded. But the fact that my work for them as a constituency MP was continuing. I saw then as a conflict for me for taking remuneration from them.⁶⁰

And:

The conversation was with Mark Hogg, where I said I'm not going to be billing you because it's going to be a grey area and obviously the work's not done on the constituency side, so it would be inappropriate.⁶¹

In correspondence with the Commissioner, Mr Bridgen also said:

I was surprised that Mere offered me a paid post, but realised that given what support they needed and deserved, it would have caused a potential conflict of interest and a potential breach of the rules.⁶²

70. The lobbying rules state that non-financial interests or benefits do not count as outside reward or consideration under the rules, "even though [they] may be registered or declarable". However, outside reward or consideration includes "future financial interests or material benefits", where a Member has a "firm and specific expectation that such a financial benefit from an identifiable outside person or organisation will accrue in the next six months".

71. Given that Mr Bridgen did not revoke the contract with Mere Plantations, we have considered whether he nevertheless had a "firm and specific expectation" of a financial benefit. When we asked Mr Bridgen about this in oral evidence, Mr Bridgen told us that he did not think he was contractually entitled to payments even though the contract was still in place.⁶³

72. Mr Bridgen also told us, however, that he would have considered taking up the paid role if he had resolved the issues he had taken up with the Government on behalf of Mere Plantations and The Curious Guys:

59 Appendix 1, paras 40–43, 79

60 Evidence bundle, p76 [AB MP 21]

61 Evidence bundle, p78 [AB MP 21]

62 Evidence bundle, p131

63 Q94

[...] It was going to go on and I was going to have to do more work to sort out the situation for The Curious Guys because I had not resolved it. I would have loved to have been a consultant to Mere Plantations. I would have loved it.

Mehmuda Mian: If you had resolved it, would you have put in an invoice for the payment?

Andrew Bridgen: If I had resolved it, but I am not sure I could. I wanted to be a consultant to the company on health and safety, transport and all things HR—the things that I have done in the past. What they asked me to do—I don't mind being an ambassador for them. It depends on the environment. I don't mind being an ambassador for them in Africa. I was not comfortable about all that, but I could not do it anyway, because the casework was not resolved for my constituents, The Curious Guys.⁶⁴

73. The Commissioner found that Mr Bridgen's role did not engage the lobbying rules because, in not taking payments, Mr Bridgen had acted "pre-emptively" in the spirit of the provision in the Guide to release oneself from the restrictions under the lobbying rules by repaying a past benefit. Since this only applies to past, not future, benefits, we asked the Commissioner to provide us with further detail on her reasoning on this point. The Commissioner advised us that:

The Guide allows Members to free themselves from any advocacy restrictions by repaying the full value of any benefit received. By analogy Mr Bridgen has released himself from any advocacy restrictions by not claiming any of the money due to him under the terms of the contract. This is not a direct application of the provision in the Guide but can provide justification for concluding Mr Bridgen's Adviser role did not engage the paid advocacy rules, as he did not benefit financially from the arrangement.⁶⁵

74. Mr Bridgen told the Commissioner that the reason he did not take payments from Mere Plantations was to avoid contravening the lobbying rules. We cannot know precisely what, if anything, Mr Bridgen would have done if he had decided that there was no further need to make representations to the Government on behalf of Mere Plantations and The Curious Guys. The rules provide that Members can free themselves from the restrictions under the lobbying rules arising from a past benefit by repaying its full value. In that case, the Member has forfeited their right to the benefit. The equivalent in this situation would therefore have been for Mr Bridgen to divest himself of the financial interest by revoking or cancelling the contract. Given that Mr Bridgen did not do so, he maintained the right to invoice for payments, and therefore had a "firm and specific expectation" of payment under the lobbying rules.

75. Taking into account all three of Mr Bridgen's interests, and the six month time limit under the lobbying rules, we consider that Mr Bridgen was bound by the lobbying restrictions in respect of Mere Plantations between 24 June 2019 (when Mr Bridgen expected Mere Plantations to fund a visit to Ghana) and 5 May 2022 (when the contract ended).

64 Qq94–95

65 Appendix 2

Mr Bridgen's approaches during the restricted period

76. The Commissioner has set out Mr Bridgen's relevant approaches in the period to 30 April 2020 in the table in paragraph 81 of her memorandum.⁶⁶ Mr Bridgen made six further approaches between then and May 2022.⁶⁷ The Commissioner listed Mr Bridgen's meeting and email with Rt Hon Mark Spencer MP, and with Jesse Norman MP, each as a single approach.⁶⁸ In line with previous precedent,⁶⁹ we have considered Mr Bridgen's meetings and follow-up emails as separate approaches.

77. Mr Bridgen made the following approaches about tax treatment of Mere Plantations' business by HMRC during the restricted period:⁷⁰

- a) Meeting with the UK Business Attaché to Ghana and other members of the UK High Commission in Ghana between 4 and 7 August 2019
- b) Meeting with Mr Brown of the Ghanaian Forestry Commission between 4 and 7 August 2019
- c) Email to Andrew Stephenson MP on 19 August 2019
- d) Meeting with Rt Hon Alok Sharma MP on 10 February 2020
- e) Email to Rt Hon Alok Sharma MP on 20 January 2020
- f) Email to Lord Goldsmith on 17 May 2020⁷¹
- g) Call with Lord Goldsmith on 15 June 2020
- h) Email to Rt Hon Jesse Norman MP on 16 August 2021
- i) Meeting with Rt Hon Jesse Norman MP on 16 August 2021

78. Mr Bridgen made the following approaches about carbon offsetting or carbon credits during the relevant period:⁷²

- a) Email to Rt Hon Theresa Villiers MP on 19 August 2019
- b) Meeting with Rt Hon Mark Spencer MP on 22 August 2019
- c) Email to Rt Hon Mark Spencer MP on 22 August 2019
- d) Email to Rt Hon Kwasi Kwarteng MP on 17 February 2021
- e) Email to Rt Hon Anne-Marie Trevelyan on 10 March 2021⁷³

66 As clarified by the Commissioner's further advice in Appendix 2

67 Appendix 1, Appendix 1 to the memorandum

68 Appendix 1, para 81

69 See, for example, Committee on Standards, Third Report of Session 2021–22, Mr Owen Paterson (HC 797)

70 Appendix 1, para 81

71 Evidence bundle, p112

72 Appendix 1, para 81 and evidence bundle, p59 [AB MP 15]

73 Evidence bundle, p129

Foreign officials and the lobbying rules

79. The Commissioner has given her opinion that Mr Bridgen breached the paid advocacy rule in his meeting with Mr Brown of the Ghanaian Forestry Commission in August 2019.

80. We asked the Commissioner for further advice as to whether foreign officials counted as “public officials” for the purposes of the lobbying rules. The Commissioner advised us that:

The lobbying rules are silent in relation to whether the paid advocacy prohibition rules extend beyond UK employees to those employed by foreign governments. Mr Brown of the Ghanaian Forestry Commission would be directly employed by Ghana so it is arguable that he would not be considered a public official, when applying the rules. If, however, the rules are interpreted to apply to only those employees of the UK government, this would permit Members to be paid by organisations to lobby employees of foreign jurisdictions. In my opinion this would be against the spirit and intention of the paid advocacy rules. With this in mind, my view is that Mr Brown, although a foreign public official is considered a “public official” for the purposes of the lobbying rules and therefore Mr Bridgen’s approach to Mr Brown was a breach of the paid advocacy rules. However, it would be helpful for the Committee to clarify the interpretation of the rules in relation to this discrete point.⁷⁴

81. The Code and Guide do not expressly state that “public officials” means UK public officials. It states that it includes “all those who are responsible for matters of public policy, public expenditure or the delivery of public services. The term therefore includes all staff of government departments and agencies and public office holders”. This implies, in our view, UK Government departments and agencies. Furthermore, the lobbying rules place restrictions on Members’ approaches to Ministers and other Members because they have special access to them which others do not. Whilst this is also the case in respect of UK public officials, given Parliament’s role in holding the Government to account, it is not the case in respect of foreign officials.

82. We consider that foreign public officials do not count as “public officials” for the purposes of the lobbying rules. Mr Bridgen was therefore not subject to the lobbying rules when he approached Mr Brown of the Ghanaian Forestry Commission.

The constituency exemption

83. Mr Bridgen contends that all his approaches to Ministers and officials fell under the constituency exemption in the lobbying rules, namely, that Members may “pursue any constituency interest, in any approach to a Minister or public official, subject to the registration and declaration rules”.⁷⁵ He told us in his written evidence that:

Everything I did was at the request and in response to constituency casework for Jamie Mackenzie of the Curious Guys. When I was first contacted by Jamie Mackenzie, HMRC’s position was that the investments sold by my

⁷⁴ Appendix 2

⁷⁵ Guide to the Rules, Chapter 3, paragraph 19(c)

constituents were a scam tax avoidance operation in Africa and this was curtailing his ability to generate investments and earn commissions for his business, The Curious Guys.

[...] As evidenced by Jamie Mackenzie of the Curious Guys, the commissions from Mere Plantations were circa 80% of the total annual business revenue of my constituent's business. As evidenced by Mark Hogg of Mere Plantations Ltd, most of the investments in Mere to allow them to plant Teak trees in Ghana were generated by The Curious Guys.⁷⁶

84. Mr Bridgen further argued 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.⁷⁷

85. Mr Bridgen's analogy does not fully apply, because Mere Plantations and The Curious Guys are separate legal entities and Mere Plantations is not based in Mr Bridgen's constituency. We also note that Mr Bridgen only raised this argument at a very late stage in the investigation and it may therefore involve a considerable degree of post hoc rationalisation. However, we pursued this issue during oral evidence with Mr Bridgen's constituent, Mr Mackenzie (who gave evidence at Mr Bridgen's request). We asked Mr Mackenzie if he could distinguish between the outcomes he was seeking for his own business, and Mere Plantations. Mr Mackenzie told us:

I will struggle, because there is no a) and b) as far as I am concerned. It is one project. We are one team; as far as I am concerned, we are one team. Mere Plantations grow the trees. Mere Plantations employ the people. I sell the trees and raise the investment to ensure that Mere Plantations can do what they are doing.⁷⁸

86. We asked Mr Mackenzie what he had asked Mr Bridgen to do as his MP. Mr Mackenzie replied:

If I break it down, it was political engagement, to get the Government to understand what we are doing; to get consistency from HMRC and their understanding of what this is and what it is not; and to get it out in front of Government.⁷⁹

76 Appendix 3

77 Appendix 3

78 Q17

79 Q7

87. We also asked Mr Mackenzie how the issue of carbon credits, which Mr Bridgen raised with Ministers, related to The Curious Guys. Mr Mackenzie told us:

Carbon credits are nothing to do with me. There is no benefit to my clients from that. My clients benefit from the proceeds of the sale of the timber for the trees that are grown for them. The carbon credits are a different project altogether.⁸⁰

We also asked Mr Mackenzie to confirm whether he had asked Mr Bridgen to raise with the Government the issue of tax treatment by HMRC or the sale of carbon credits. Mr Mackenzie replied:

Carbon credits have nothing to do with me at all. The matter of the Inland Revenue and how they are acting, yes, absolutely.⁸¹

88. Mr Bridgen told us in his own oral evidence that he raised the issue of carbon credits as a means to address the issue of tax treatment by HMRC, who doubted that the trees existed:

No, he did not raise it, but it was an excellent tool to demonstrate that the trees have to exist. You cannot capture carbon from trees that do not exist.⁸²

89. We note that Mr Bridgen chose not to approach Mere Plantations' local MP, the Rt Hon Member for Tatton, to take on the constituency case, even when he knew he had received significant financial benefits from Mere Plantations.

90. The constituency exemption cannot be considered as a blank cheque. Although Mr Bridgen's actions originated with a constituency case, they extended beyond that initial constituency focus. We accept Mr Mackenzie's evidence that he asked Mr Bridgen to raise the issue of tax treatment with the Government, and that, on this point, the interests of Mere Plantations and The Curious Guys were indistinguishable. While Mr Bridgen was solely engaged in representing Mr Mackenzie and The Curious Guys, he was properly acting within the constituency exemption and was not subject to the lobbying restrictions. However, the exemption did not apply when Mr Bridgen made approaches about carbon credits, which his constituent, Mr Mackenzie, told us was "nothing to do with [him] at all". We are not persuaded by Mr Bridgen's claim that this was only another means of raising the tax treatment issue. Even if this were the case, carbon offsetting was a substantive issue in its own right, and would therefore have exceeded the constituency exemption.

Was Mr Bridgen seeking to confer a financial or material benefit?

91. The lobbying rules prohibit Members from initiating approaches which seek to confer, or would have the effect of conferring, a financial or material benefit from an organisation from whom they have received, are receiving, or expect to receive, outside reward or consideration. We do not need to decide whether Mr Bridgen initiated or participated in each approach, since the approaches were either initiated by Mr Bridgen or Mere Plantations (from whom Mr Bridgen received, or expected to receive, outside reward or

80 Q57

81 Q57

82 Q139

consideration).⁸³ As the Commissioner notes, it is not necessary under the rule to consider Mr Bridgen’s subjective motivations when making approaches; or whether there may have been benefits to others, including HM Government, as Mr Bridgen contends. We therefore need to consider solely whether Mr Bridgen’s approaches during the relevant period (that are not covered by the constituency exemption) sought to confer, or would have the effect of conferring, a financial or material benefit on Mere Plantations.

92. Mr Bridgen provided the brief for his meeting with Mark Spencer on 22 August 2019 to the Commissioner, which included the following section:

MPL are prepared to make available to the Government all existing carbon removal through the existing plantation at Afram Headwaters. Subject to contract, MPL will offer the removal at a fraction of the tree planting and establishment cost. It will also be an instant large volume credit. A price of £9.00 per tree will be charged. The expected removal over the 12 growing term is forecast to be in excess of 1 metric ton.

This is a low cost, fully compliant solution to the requirement for climate mitigation. It is the only offering that is a real-life practical solution that reduces poverty at the same time as reducing carbon. A story worthy of praise by even the most sceptical of Government and climate commentators.⁸⁴

93. Mr Bridgen told the Commissioner that, whilst he could not provide the brief that was sent to Theresa Villiers on 19 August 2019, the purpose was to offer “an excellent opportunity for the Government to offset its CO2 emissions to help meet our net zero targets”.⁸⁵

94. Mr Bridgen’s email to Mark Spencer following the meeting included an attachment that appeared to contain details of a carbon capture deal between Mere Plantations and SOCAR. The implication of this appears to be that Mere Plantations were in a position to make credible offers of this sort to national governments. Mr Bridgen himself has described the purpose of his approaches to Mr Spencer as drawing to the attention of the Government that Mere Plantations were “willing to sell the carbon offset of his plantations in Ghana at a very cheap price to the UK Government”.⁸⁶

95. Mr Bridgen has argued that his offers were primarily intended to benefit HM Government, since Mere Plantations were offering to sell carbon credits at a discounted rate. The Commissioner has stated, however, that “that the final sale price is irrelevant; any deal to sell credits to the UK Government would have been of financial benefit to Mere Plantations”.⁸⁷

96. Mr Bridgen’s email to Kwasi Kwarteng forwarded representations from Mark Hogg about issues that Mere Plantations were experiencing about access to markets for trading carbon credits. The email that Mr Bridgen sent included the following material:

Mere are just about to come to market with between[Redacted] of fully verified VCS credits. [...] These are the highest level of accountability and

83 Guide to the Rules, Chapter 3, paragraph 8(b)

84 Evidence bundle, p112

85 WE 18

86 WE 18

87 Appendix 1, para 96

we are now told we can't trade them in the UK. [Redacted] has been back over the treaty obligations and agrees this would be in direct conflict with the agreement. It must be an error. When we called the helpline to check we were told we do not qualify. When we mailed we were referred by BEIS to environment agency. This will force me to open an Irish company, move the credits and sell them from there. They would then be Taxable in Ireland and the credits lost to the UK.⁸⁸

Mr Bridgen received a reply from Rt Hon Anne-Marie Trevelyan instead of Mr Kwarteng. Mr Bridgen described his further email to Ms Trevelyan, which enclosed further correspondence from Mark Hogg, as “a continuation of what I approached Kwasi Kwarteng about.”⁸⁹

97. Mr Bridgen's contacts with Ministers about carbon offsetting in August 2019 were intended to facilitate a contract between Mere Plantations and HM Government to offset carbon emissions. His contacts in February and March 2021 sought to enhance Mere Plantations' access to markets for trading carbon credits. The approaches clearly sought, therefore, to confer a financial benefit on Mere Plantations. For the reasons set out in paragraph 90 above, Mr Bridgen was no longer acting in pursuit of a constituency interest in these approaches. He was acting in pursuit of Mere Plantations' interests.

98. Mr Bridgen therefore 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.

Remaining issues

Mr Bridgen's allegations about the Commissioner's investigation

99. Mr Bridgen suggested in his oral evidence that the Commissioner's investigation was deficient in not seeking to gather evidence of whether the constituency exemption applied.⁹⁰ We cannot accept this. Mr Bridgen raised this argument at a very late stage in the investigation, primarily in his written evidence to the Commissioner following receipt of her draft memorandum. In his letter to the Commissioner of 1 August 2022, Mr Bridgen made only passing reference in his closing statement to how he “only engaged in this casework to assist a company closely linked to a constituent and help a British business”.⁹¹ More importantly, the Commissioner has taken into account the additional evidence provided at a late stage by Mr Bridgen in her memorandum and in her final recommendations to us.⁹²

Circumstances of the complaint

100. Mr Bridgen claimed in his final correspondence with the Commissioner,⁹³ and in oral evidence to us, that he considered that the complaint against him which gave rise

88 Evidence bundle, p130

89 Evidence bundle, p128

90 Q93

91 WE 18

92 Appendix 1, paras 105, 108–110

93 WE 20

to the Commissioner's investigation was 'politically motivated' and likely to have been arranged by his political opponents within the Government, with the implication that this has a bearing on whether it was proper for the Commissioner to investigate the complaint, or for him subsequently to be considered in breach of the Code.

101. The Commissioner will investigate complaints only where an allegation (a) falls within her remit, (b) is supported by sufficient evidence, and (c) where an investigation would be proportionate. Sometimes a complaint under the Code may come from an injured party. But it is not uncommon for complaints to be made by Members' political opponents, whether local or national. The process approved by the House does not permit the Commissioner to take the motivation of a complainant into account: the Commissioner decides impartially whether or not to open an investigation using the objective criteria set out above. Furthermore, the Commissioner comes to her opinion as to whether there has been a breach of the Code solely on the basis of the evidence before her; the same is true of our decision following consideration of a case. The motivation of any complainant, or the circumstances in which a complaint is made (unless the complainant is an injured party), is irrelevant to that decision.

Mr Bridgen's contact with the Commissioner during the Committee's consideration of the case

102. The Commissioner, having completed her investigation, referred her memorandum to this Committee for consideration and a decision on 8 September 2022. On 20 September, Mr Bridgen emailed the Commissioner as follows:

Further to the letter I have sent to you concerning your investigation into representation made on behalf of the Curious Guys and Mere Plantations, 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 also some suggestion amongst colleagues that those plans are dependent upon arriving at the 'right' outcomes when conducting parliamentary standards investigations.

Clearly my own travails with Number 10 and the former PM have been well documented and obviously a small part of me is naturally concerned to hear such rumours.

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

I do apologise if you find the contents of this letter offensive, it is certainly not my intention, but I would be grateful if you would provide me reassurance that you are not about to be offered an honour or peerage and that the rumours are indeed malicious and baseless.⁹⁴

103. We asked Mr Bridgen about his email and allegations in oral evidence. Mr Bridgen told us:

I couldn't have put it any more gently. I don't know who else I could have asked for reassurance that that is not the case. I even said to her, "This place is a rumour mill, and it may well be that these rumours are put about to damage you, but I would seek that reassurance that you're not".⁹⁵

And:

The Commissioner does not like being even tangentially accused of even possibly being capable of being corrupted.⁹⁶

104. Mr Bridgen has invited us to interpret his email as purely "seeking reassurance". We do not consider it credible to interpret the email in this way, particularly given the reference to the Commissioner's reputation. We note that Mr Bridgen failed to apologise for his email in oral evidence before us, nor even acknowledge that he should not have emailed the Commissioner as he did.

105. Mr Bridgen's error was not, contrary to his implication in oral evidence before us, that he should have contacted someone else to ask the same question. 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.

107. We remind Members that the Commissioner is an independent Officer of the House, appointed under Standing Orders to impartially investigate alleged breaches of the Code. Paragraph 20 of the Code provides that "Members shall cooperate, at all stages, with any such investigation by or under the authority of the House". Paragraph 13 of Chapter 4 of the Guide to the Rules, which sets out in detail the requirements under paragraph 20 of the Code, states that:

Under the Code of Conduct Members are required to cooperate with any inquiry into their conduct. Members must also not lobby the Committee or the Commissioner in a manner calculated to influence their consideration of the matter. The Committee on Standards and Privileges has regarded any breach of this rule as particularly serious and it alone has led to suspension from the House.

94 Correspondence between the Commissioner and Mr Bridgen dated 20 September 2022 and 21 September 2022

95 Q104

96 Q154

108. It is clear to us that Mr Bridgen’s email was “calculated to influence [the Commissioner’s] consideration” of his case. Mr Bridgen attempted improperly to influence the Commissioner, and thereby breached paragraph 20 of the Code.

Recommendation

109. In accordance with our usual practice, we have considered whether there are any aggravating or mitigating factors in relation to these breaches.

110. We consider the following to be aggravating factors:

- a) Mr Bridgen has breached the rules of the House on registration, declaration and paid lobbying on multiple occasions and in multiple ways. Each of these breaches could have led us to recommend a suspension from the service of the House.
- b) Mr Bridgen has demonstrated a very cavalier attitude to the House’s rules on registration and declaration of interests, including repeatedly saying that he did not check his own entry in the register.
- c) Mr Bridgen is an established Member of the House, having been elected in 2010.
- d) Mr Bridgen’s email to the Commissioner called her integrity into question on the basis of wholly unsubstantiated and false allegations, and attempted improperly to influence the House’s standards processes. This alone would be sufficient for us to recommend that he be suspended from the service of the House for several days. If Mr Bridgen felt he had evidence of potentially criminal wrongdoing he should have provided this to the investigating authorities.

111. We consider the following to be mitigating factors:

- a) Mr Bridgen sought alternative means of funding his trip to Ghana before he accepted the funded visit from Mere Plantations. Because none was available, he turned to Mere Plantations.
- b) Mr Bridgen’s actions began as the pursuit of a constituency interest, and even those approaches we have found in breach of the lobbying rules appear to be motivated in part by a passion for, and interest in, issues of climate change and international development.
- c) Mr Bridgen has reflected on his conduct and, when pressed, told us in oral evidence that he would act differently in a similar situation in the future.
- d) The offer of a role with Mere Plantations was unsolicited.

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.

Appendix 1: Parliamentary Commissioner for Standards memorandum

Summary

This memorandum reports on the inquiry that I commenced on 10 February 2022. I investigated a complaint from a member of the public that Mr Andrew Bridgen MP had breached the paid advocacy rule (paragraph 12 of the 2019 Code of Conduct for Members of Parliament) and had failed to maintain his entry in the Register of Members' Financial Interests in line with the requirements set by the House (paragraph 14 of the Code). My inquiry focused on the following:

- a) Whether Mr Bridgen had fulfilled conscientiously the requirements of the House when maintaining his register of interests (paragraph 14 of the Code of Conduct).
- b) Whether Mr Bridgen properly declared his financial interests (paragraph 14 of the Code of Conduct).
- c) Whether Mr Bridgen breached the rules on paid advocacy when he initiated or/ and participated in approaches to Government Ministers and other officials on behalf of Mere Plantations (paragraph 12 of the Code of Conduct).

During my investigation I interviewed Mr Bridgen and took evidence from three witnesses. I also considered a range of documentary evidence.

Having considered the evidence, I am of the view that Mr Bridgen had:

- a) Failed to maintain his registration of financial interests conscientiously.
- b) Breached the rule on declaring interests.
- c) Breached the rule prohibiting paid advocacy.

Breaches of paragraph 12 of the Code are not among the matters which I may conclude without reference to the Committee on Standards. It is for this reason that I am referring this memorandum to the Committee on Standards.

Report

The Allegation

1. A member of the public wrote to me alleging that Mr Andrew Bridgen MP had breached the paid advocacy rule by lobbying on behalf of the company Mere Plantations Ltd ("Mere Plantations") from whom he had received financial reward.

2. The complainant also queried why Mr Bridgen had initially registered in the Register of Members' Financial Interests ("the Register") that he held a position with Mere Plantations as a paid adviser, but subsequently amended this entry to state that the role was, and had always been, unpaid.⁹⁷

My Inquiry

3. The scope of my inquiry considered potential breaches of paragraph 12 and 14 of the Code of Conduct for Members of Parliament ("the Code").⁹⁸

4. I took oral evidence from Mr Bridgen and three witnesses:

- a) Mr Jamie McKenzie, Director of The Curious Guys Ltd;⁹⁹
- b) Mr Mark Hogg, Chief Executive Officer of Mere Plantations;¹⁰⁰ and
- c) Mr Brett Whitley, former Chief Financial Officer of Mere Plantations.¹⁰¹

5. I considered documentary evidence submitted by Mr Bridgen and Mere Plantations. Mr Evans (former Chair of North West Leicestershire Conservative Association)¹⁰² and the Registrar also provided me with information.¹⁰³

6. A timeline of my investigation is attached.¹⁰⁴

Relevant Rules

7. The Code of Conduct for Members of Parliament states:

12. No Member shall act as a paid advocate in any proceeding of the House.

14. Members shall fulfil conscientiously the requirements of the House in respect of the 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 communications with Ministers, Members, public officials or public office holders.

Background

8. Mere Plantations are a UK based company, with their UK office situated in Cheshire¹⁰⁵, their focus is on the reforestation of degraded forest land. Mere Plantations grow mainly teak in the Ashanti region of Ghana.¹⁰⁶

97 Pages 3 & 4 of the Evidence Bundle
 98 Code of Conduct for MPs - UK Parliament
 99 Page 169–176 of Evidence Bundle
 100 Page 177–190 of Evidence Bundle
 101 Page 191–195 of Evidence Bundle
 102 Pages 166–168 of Evidence Bundle
 103 Pages 136–159 of Evidence Bundle
 104 Appendix 2
 105 Cheshire is not in Mr Bridgen's constituency
 106 <https://www.mereplantations.com/the-company/>

9. Mr Bridgen was introduced to Mere Plantations by a constituent, Mr Jamie McKenzie who is the director of The Curious Guys Ltd.¹⁰⁷ The Curious Guys Ltd act as the sales function for Mere Plantations. Mr McKenzie made initial contact with Mr Bridgen on 12 September 2018.¹⁰⁸

10. A meeting was subsequently set up on 8 November 2018, which was attended by Mr Bridgen, Mr McKenzie, other colleagues from The Curious Guys Ltd, and Mr Hogg, the CEO of Mere Plantations.¹⁰⁹

11. Mr Hogg followed this meeting with an email to Mr Bridgen on 9 November 2018, requesting that Mr Bridgen assist Mere Plantations with significant issues that the company were experiencing with HMRC. These were to be taken to a First Tier Tribunal hearing.¹¹⁰

12. From November 2018 to August 2021 Mr Bridgen contacted numerous officials, other Members and Government Ministers on behalf of Mere Plantations. A full timeline of these approaches are attached.¹¹¹ These approaches related to three issues:

- a) HMRC's labelling of Mere Plantations as a tax avoidance scheme and consequentially objecting to Mere Plantations' syndicate members offsetting upfront costs through sideways loss release¹¹². Mere Plantations were working towards HMRC accepting them as a commercial entity and stated HMRC's actions had retarded their contract growing of trees.¹¹³
- b) The inspection of Mere Plantations to verify the plantation's existence, in order to challenge HMRC's position that it was a tax avoidance scheme; after the High Commissioner in Ghana had refused to conduct the inspection.¹¹⁴
- c) The trading of carbon credits by Mere Plantations, who had 10–30 million tonnes of fully verified carbon credits but had been advised they could not trade them in the UK following Brexit.¹¹⁵

13. During this period, Mere Plantations funded a fact-finding trip for Mr Bridgen to visit their plantation in Ghana between 4 August to 7 August 2019. The cost of the trip was valued at £3,251.51 and was recorded by Mr Bridgen in the Register on 20 August 2019.

14. The company also made a donation of £5,000 to the North West Leicestershire Conservative Association on 31 October 2019. This was recorded by Mr Bridgen in the Register on 2 January 2020.

15. On 20 April 2020 Mr Bridgen accepted an offer of a position as an Adviser to Mere Plantations with an agreed remuneration of £12,000 per annum.¹¹⁶ This role was recorded

107 <https://www.curiousguys.co.uk/>

108 Page 15, para 2 of Evidence Bundle

109 Page 15, para 5 of Evidence Bundle

110 Page 24–25 of Evidence Bundle

111 Appendix 1

112 Reducing the tax that would otherwise be payable

113 Pages 25, 67, 108, 114 of Evidence Bundle

114 Pages 127 & 128 of Evidence Bundle

115 Page 130 of Evidence Bundle

116 Pages 69–72 of Evidence Bundle

in the Register on 17 June 2020. The initial entry in the Register recorded Mr Bridgen's position with Mere Plantations as Director, but this was subsequently amended by Mr Bridgen in December 2020 to that of Adviser.¹¹⁷

16. Mr Bridgen amended the Register again in November 2021 to record that his role with Mere Plantations was, and always had been, unpaid.¹¹⁸

Registration of interests

17. Paragraph 14 of the Code states:

Members shall fulfil conscientiously the requirements of the House in respect of the registration of interests in the Register of Members' Financial Interests.

18. The Guide to the Rules relating to the Conduct of Members, which is appended to the Code ("the Guide") states:

Category 2: Donations and other support for activities as a Member of Parliament

Threshold for registration

15. Members must register, subject to the paragraphs below, support for their activities as a Member, or for candidacy at an election for parliamentary or non-parliamentary office, which has a value of more than £1,500, either as a single donation or in multiple donations of more than £500 from the same source in a calendar year.

Requirements for registration under Category 2(a) ...

Category 2(a): support received by a local party organisation or indirectly via a central party organisation. A Member must register under this sub-category support received by his or her constituency party organisation or which he or she receives via a central party organisation if there was a clear link between the donation and him or her; for example, if it was given to a such an organisation with a wish that it be allocated to him or her, to his or her fighting fund or to a front bench office which he or she held; if it was assigned to him or her in circumstances where he or she was aware, or could reasonably be expected to be aware, of the identity of the donor; or if he or she had invited or encouraged the donation.

19. Whilst Mr Bridgen referred to the trip to Ghana as of "negative financial benefit"¹¹⁹ he did not challenge that it was a registrable benefit. I have seen nothing to suggest this trip was registered inaccurately.

117 Pages 136–159 of Evidence Bundle

118 Page 139 of Evidence Bundle

119 Page 21 of Evidence Bundle

20. Mr Bridgen did, however, challenge whether the donation from Mere Plantations was indeed a registrable benefit.¹²⁰ I shall therefore consider whether this donation was registered accurately alongside my consideration of the registration of Mr Bridgen's role with Mere Plantations.

The Donation

Evidence

21. The donation of £5,000 made by Mere Plantations on 31 October 2019 to the North West Leicestershire Conservative Association was registered by Mr Bridgen on 2 January 2020 as a Category 2(a) entry. Despite having registered this interest, Mr Bridgen does not accept that it was a financial benefit requiring registration as he stated, "*all these donations went into a general campaign fund, which covered the costs of Parliamentary elections in 2019 and the 2021 County Council elections I received no personal financial benefit from the donations ...*".¹²¹

22. Mr Bridgen told me that, "*Every general election I will send letters out and try and get donations in as all parties do.*"¹²²

23. Mr Bridgen registered this donation as a Category 2(a) entry. The rules state that donations received by a central party organisation only need to be registered by a Member if there is a clear link between the donation and the Member. For clarification the rule further states that a link is established if the Member had invited or encouraged the donation.

24. I have obtained information on this point from Mr Mark Evans who was the Chairman of the NWLCA at the time of the donation. Mr Evans has confirmed that:

*... all the large scale corporate donations for the last election (including this one) were organised by Andrew Bridgen and/or his office.*¹²³

25. In further correspondence to me Mr Bridgen told me:

*Regarding the procuring of donations, it has been my practice at General Elections to make various phone calls to party supporters or those who have indicated they are prepared to offer financial support to my Conservative Association's campaign fund. One of many of those calls was to Mere Plantations and after the phone call, I left it to my Conservative Party Association to sort out the detail.*¹²⁴

120 Page 101 of Evidence Bundle

121 Page 20, para 1 of Evidence Bundle

122 Page 101 of Evidence Bundle

123 Page 168 of Evidence Bundle

124 Pages 115 of Evidence Bundle

Analysis

26. The evidence shows that Mr Bridgen or his office invited the donation from Mere Plantations. In accordance with the rules regarding registration of donations, this creates a clear link between Mr Bridgen and Mere Plantations, making the donation a financial benefit requiring registration.

27. I am therefore satisfied that this donation was correctly registered in the Register as a financial benefit by Mr Bridgen, regardless of how much of the donation he drew on.

Mr Bridgen's role with Mere Plantations

Evidence

28. Mr Bridgen accepted a written offer from Mere Plantations to act as an adviser to the business on 6 May 2020.¹²⁵ This was initially registered by Mr Bridgen on 17 June 2020 as follows:

From 6 May 2020 to 5 May 2022, Director of Mere Plantations Ltd of Unit 1 Cherry Tree Farm, Cherry Tree Lane, Rostherne, WA14 3RZ; a company which grows teak in Ghana. I will be paid £12,000 a year for an expected monthly commitment of 8 hrs. (Registered 17 June 2020)

29. Mr Bridgen has told me that the role was erroneously registered as being a directorship by his office staff. He explained:

Well, I gave, I gave that job to [name redacted], who's my long-term staff, I've never filled in my own register of interests. I do that through [name redacted], and he would have done it when he got round to doing it, and I think he made a mistake and said I was going to, I think he made a mis-register saying that I was going to be a director of the company to start with, which I, again, so I said I've not actually inspected the register myself, I didn't pick up on that for a very long time.¹²⁶

30. When asked how this error had occurred, given that Mr Bridgen would have passed the initial information to his staff for the purposes of registering the interest, Mr Bridgen said:

I think [name redacted] may have been privy to me discussing with him that, you know, maybe that, if I had an advisor role, it may have led on to being a director of the company, and he got it confused.¹²⁷

31. Mr Bridgen was asked how he eventually noticed this discrepancy and he responded:

To be honest, I never look at my Register of Interests, it's probably of little interest to me ... I can't remember, but something made me aware that he'd, that's what's been put in, and I said, well, that's not right.¹²⁸

32. Mr Bridgen emailed a correction to the Registrar on 22 December 2020 as follows:

125 Page 69–72 of Evidence Bundle

126 Page 83 of Evidence Bundle

127 Page 91 of Evidence Bundle

128 Page 90–91 of Evidence Bundle

*I wish to correct an error with regards to this declaration. I am listed on the register as a Director however it should be registered that I am an advisor to the company. Could that please be amended.*¹²⁹

33. The Register was amended as follows:

From 6 May 2020 to 5 May 2022, Adviser to Mere Plantations Ltd of Unit 1 Cherry Tree Farm, Cherry Tree Lane, Rostherne WA14 3RZ; 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. (Registered 17 June 2020; updated 23 December 2020)

34. Given his later change to the Register to record that this role had always been unpaid, see paragraph 35 below. Mr Bridgen was unable to explain to me why he did not also amend the entry in relation to the remuneration at this time. He stated:

*I mean, I've done the positives, I'd declared a contract. Where does it say in the rules, I have to declare that the contract's not enforced? I don't, I'm not absolutely convinced that there is a rule that says if I didn't claim it, I've got to declare that. And the fact that I'd not declared any financial interest, any remuneration I thought that was self-evident I've not drawn any cause if I had, I would have done.*¹³⁰

35. However, on 17 November 2021, Mr Bridgen emailed the Registrar with a further change:

*I would be grateful if you could advise on how I best update the register regarding my entry as regards 'Mere Plantations'. Although the register currently states that 'I will be paid £12,000 a year', I have not actually taken or been paid any money by the company since I registered the interest and don't intend doing so going forward. How am best to amend the entry to reflect this?*¹³¹

36. The entry in the Register was consequently amended:

From 6 May 2020 to 5 May 2022, Adviser to Mere Plantations Ltd; a company which grows teak in Ghana. 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. (Registered 17 June 2020; updated 23 December 2020 and 17 November 2021)

37. Mr Bridgen did not think the entry reference to an annual salary from Mere Plantations needed amending, stating:

*I drew no funds from Mere Plantations, and had no intention of doing so given I had made representations to Ministers on their behalf, I accept I was slow in making this clear on the register of interests and did not make it clear until November 2021 that I have accepted no payments from the company.*¹³²

129 Page 142 of Evidence Bundle

130 Page 96 of Evidence Bundle

131 Page 139 of Evidence Bundle

132 Page 20 of Evidence Bundle

38. Mr Bridgen believed that as he had not registered actually receiving payments from Mere Plantations, this was enough and the annual salary referred to was in reference to the contract only:

So the contract was the contract, it was signed, it was disclosed and the fact that I didn't draw any money from is disclosed by the fact that I didn't put, I didn't register that, did I? So I thought that was fine. I declared what I'd got to declare.¹³³

39. When asked what eventually prompted Mr Bridgen to amend the entry to say that the role was unremunerated he responded:

I think there were some press speculation around me and some allegations, I've been taking money from Mere plantation and lobbying on their behalf. I think that's from memory what it was.¹³⁴

40. Although Mr Hogg was initially unclear whether Mr Bridgen had taken a role with his company, and the nature of any such role, including whether it was paid, he did later clarify that the role was unpaid and provided the following documentary evidence:

- a) An email from a non-executive Board Member, Kevin O'Doherty, dated 17 May 2022 confirming no payments were made to Mr Bridgen from the company;¹³⁵
- b) An email from a non-executive Board Member, Michael Rawlinson QC, dated 17 May 2022 endorsing Mr O'Doherty's email;¹³⁶ and
- c) A letter from Mr Hogg on headed paper dated 16 May 2022 confirming that no payments had been made to Mr Bridgen.¹³⁷

41. Mr Whitley, the Chief Financial Officer for Mere Plantations between December 2018 and April 2021, also confirmed at interview that although a remuneration level of £12,000 per annum had been agreed, and monies put aside to cover that cost, no actual payments were made to Mr Bridgen.¹³⁸

42. Mr Bridgen provided copies of his tax returns for the periods 2020/21 and 2021/22, which show that he did not receive any payments from Mere Plantations during this period.

43. Mr Bridgen also told me at interview that not only did he never receive any payments from Mere Plantations but that the intended role never started, and he did not undertake any duties connected with the role:

And to be honest, £12,000, it's not worth it, so I told them that I wouldn't be doing it. And I won't be charging you, and I'm going to carry on looking after you as a constituency MP.¹³⁹

133 Page 97 of Evidence Bundle

134 Page 95 of Evidence Bundle

135 Page 163 of Evidence Bundle

136 Page 164 of Evidence Bundle

137 Page 164–165 of Evidence Bundle

138 Page 195 of Evidence Bundle

139 Page 81 of Evidence Bundle

...

*Because there is no contract, the contract was never, it was stillborn. It was never ... it was never enacted. So we had a contract, I had the right to put in from remuneration for providing various services, which I never provided and I never put in for them.*¹⁴⁰

...

*I told Mr Hogg, I'm not going to be putting any bills in and I'm not going to be doing that role, and I never addressed the board or any of the things that they asked me to do. I'm going to, I'm going to carry on obviously doing the constituency work because that's the most important thing for the company, and that's what my job is, and they're incompatible.*¹⁴¹

44. I asked Mr Bridgen why, if the role never started, he continued to update the register as to the title of the role, as this would be changing the registration from one inaccurate registration to another. Mr Bridgen told me he was updating the role to reflect the contract he had signed.¹⁴²

Analysis

45. It has been difficult to establish what, if any, role Mr Bridgen had with Mere Plantations and the nature of any role following the signing of the contract for the adviser role. The evidence from Mr Bridgen and Mr Hogg was contradictory, and then further contradicted by the documentary evidence. It appears there was a certain degree of confusion as to what, if any, role Mr Bridgen had.

46. Between 17 June 2020 and 23 December 2020, Mr Bridgen's entry in the Register was inaccurate. It recorded his role with Mere Plantations Ltd as being a directorship, rather than reflecting that he was acting as an adviser only.

47. Between 17 June 2020 and 17 November 2021, Mr Bridgen's entry in the Register was also inaccurate as it recorded his role with Mere Plantations as being paid, rather than reflecting that no payments were made to him.

48. In my view, Mr Bridgen was unable to provide a reasonable explanation as to why an annual salary was initially listed in the register entry, or why this error was not corrected when the first change to the register entry was made in December 2020 (changing the position held from "director" to "adviser"). Mr Bridgen also did not provide a valid explanation for why, given that the role reportedly never started, he left this interest registered in the Register for two years and did not take the opportunity, either in December 2020 or November 2021, to have this interest removed.

49. In my opinion, the evidence supports the assertion that the adviser role never actually started, and consequently Mr Bridgen's Register entry, which lists him as having acted as an adviser to Mere Plantations between 6 May 2020 to 5 May 2022, was inaccurate for the entire period.

140 Page 84 of Evidence Bundle

141 Page 86 of Evidence Bundle

142 Page 94 of Evidence Bundle

50. The evidence from Mr Bridgen suggests that it was only by chance that this error regarding the nature of the role was picked up, and Mr Bridgen was unable to tell me how the error came to his attention. I am concerned at the cavalier approach taken by Mr Bridgen in relation to maintaining his entry in the Register, and by Mr Bridgen's evident lack of knowledge or understanding of the Rules. When interviewed, he failed to acknowledge the importance of registering outside financial interests accurately and told me that he does not check what information is registered in his name, relying solely on his staff.

51. Mr Bridgen's evidence suggests that there are insufficient systems in place in his office to safeguard against inaccurate Register entries, and also reflects a disregard and disrespect for the rules set by the House.

52. Members are required to conscientiously meet the requirements set by the House; inaccurate or incomplete entries do not meet that requirement. In my view, Mr Bridgen's failure to ensure that his Register entry accurately reflected the nature of his role with Mere Plantations, and whether the role was paid and/or taken up, amount to breaches of paragraph 14 of the Code as he has failed to "*fulfil conscientiously the requirements of the House in respect of the registration of interests in the Register of Members' Financial Interests*".

Declaration of interests

53. Paragraph 14 of the Code states:

Members shall fulfil conscientiously the requirements of the House in respect of the 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 communications with Ministers, Members, public officials or public office holders.

54. The Guide states at Chapter 2:

3. Declarations must be informative but succinct. A Member who has already registered an interest may refer to his or her Register entry. But such a reference is unlikely to suffice on its own, as the declaration must provide sufficient information to convey the nature of the interest without the listener or the reader having to have recourse to the Register or other publication.

4. Members are required, subject to the paragraphs below, to declare any financial interests which satisfy the test of relevance, including:

a) past financial interests (normally limited to those active within the last twelve months);

...

f) any registered non-financial interests;

...

5. *The test of relevance is whether those interests might reasonably be thought by others to influence his or her actions or words as a Member.*

7. ... *Members must declare a relevant interest:*

...

e) *When approaching others:*

Members must declare a relevant interest in any communication, formal or informal, with those who are responsible for matters of public policy, public expenditure or the delivery of public services. That includes communications with Ministers, either alone or as part of a delegation: with other Members; with public officials (including the staff of government departments or agencies and public office holders). If those communications are in writing, then the declaration should be in writing too; otherwise it should be oral.

Evidence

55. Mere Plantations funded a fact-finding trip for Mr Bridgen to visit their plantation in Ghana between 4 August to 7 August 2019. The cost of the trip was valued at £3,251.51 and was registered by Mr Bridgen in the Register on 20 August 2019.

56. Mere Plantations made a donation of £5,000 to the North West Leicestershire Conservative Association on 31 October 2019. This was registered by Mr Bridgen in the Register on 2 January 2020.

57. On 20 April 2020 Mr Bridgen accepted an offer of a position as an adviser to Mere Plantations with an agreed remuneration of £12,000 per annum.¹⁴³ This role was recorded in the Register on 17 June 2020.

58. The following approaches were made by Mr Bridgen on behalf of Mere Plantations in the twelve months¹⁴⁴ following either:

- a) Mere Plantations paying for Mr Bridgen's trip to Ghana;
- b) Mere Plantations making their donation to Mr Bridgen; or
- c) Mr Bridgen registering the role as Adviser to Mere Plantations.

Date	Person approached ¹⁴⁵	Purpose of the approach
19 August 2019	Rt. Hon Theresa Villiers MP (Secretary of State for DEFRA)	To provide the Government with opportunity to offset its CO2 emissions.
19 August 2019	Mr Andrew Stephenson MP (Minister for Africa)	Issues found in the High Commission in Ghana - Business Attaché wouldn't inspect the trees.

143 Page 69–72 of Evidence Bundle

144 The Guide states the requirement to declare a financial interest is normally limited to those active within the last twelve months

145 The table records the role held by the person at the time of the approach

Date	Person approached ¹⁴⁵	Purpose of the approach
22 August 2019	Rt. Hon Mark Spencer MP (Parliamentary Secretary to the Treasury and 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.
August 2019	Mr Zac Goldsmith MP (DEFRA Minister)	To prove the trees and plantation existed.
10 February 2020	Meeting with Rt. Hon Alok Sharma MP (Secretary of State for International Development)	To demonstrate the trees and plantation existed.
17 May 2020	Email to Mr Zac Goldsmith MP	To introduce Mere Plantations.
15 June 2020	Meeting with Mr Zac Goldsmith MP	To seek assistance with the HMRC issue.
17 February 2021	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.
8 March 2021	Rt. Hon Anne-Marie Trevelyan MP	Same issue as the approach to Kwasi Kwarteng.
16 August 2021	Rt. Hon Jesse Norman MP	To seek assistance with the HMRC issue.

59. Mr Bridgen was unclear in his interview if he made any declarations of his financial interests and his relationship with Mere Plantations when making any of the approaches listed above. He stated:

*I think that depends at what stage, I really can't ... I really can't remember. Certainly it couldn't have been before they offered me, because I didn't have any relationship. It was a constituency matter.*¹⁴⁶

60. Mr Bridgen provided me with the following correspondence:

- a) His email to Ms Theresa Villiers on 19 August 2019 which concerned the Government's tree planting programmes in Ghana and providing the Government with an opportunity to offset its CO2 emissions. There was also some discussion about the Leader of the Opposition planning to visit Ghana.¹⁴⁷
- b) His email to Mr Stephenson on 19 August 2019, which concerned issues with the High Commission in Ghana and their lack of assistance to Mere Plantations.¹⁴⁸
- c) His email to Mr Spencer 22 August 2019, about a proposal from Mere Plantations to sell carbon offsets to the UK Government at a rate of £9.00 per tree.¹⁴⁹
- d) His email to Mr Sharma on 20 January 2020 to introduce Mr Hogg, the CEO of Mere Plantations and to demonstrate that the trees and plantation existed.¹⁵⁰

146 Page 105 of Evidence Bundle

147 Page 58 of Evidence Bundle

148 Page 11 of Evidence Bundle - provided by Complainant

149 Page 59 of Evidence Bundle

150 Pages 63 and 112 of Evidence Bundle

- e) His email to Mr Kwarteng on 17 February 2021 which concerned the inability of Mere Plantations to access an EU carbon credit trading market.¹⁵¹
- f) His email to Mr Norman on 16 August 2021 which concerned an issue with HRMC and their approach to a long-term taxation issue that affected Mere Plantations and/or its syndicate investors.¹⁵²

Mr Bridgen did not declare any interest in Mere Plantations in any of these emails.

61. At interview, Mr Bridgen did not appear to be aware of the rules on declaring interests. He stated:

*I'm probably not aware of them in detail, but I feel that we've always complied because it would appear that we've over declared, haven't we? I can't say that I spend my time studying that document.*¹⁵³

62. When I explained to Mr Bridgen that the 'test of relevance' is whether or not those interests might reasonably be thought by others to influence your actions as a Member, Mr Bridgen responded:

*Well, I don't. I would maintain that it never has.*¹⁵⁴

Analysis

63. In line with the rules set by the House, Mr Bridgen was required to declare any financial interests and any registered non-financial interests that satisfied the test of relevance when approaching Ministers, Members and public officials.

64. All of the approaches I have outlined above related directly to Mere Plantations, indeed in most cases Mr Bridgen was approaching Ministers or other officials on behalf of Mere Plantations. It is my view that an onlooker could reasonably consider the funded trip, the donation and the acceptance of the unpaid adviser role (regardless of whether that role had been taken up) to have influenced Mr Bridgen's actions as a Member when making these approaches; that these interests therefore meet the test of relevance; and that Mr Bridgen therefore should have declared these interests.

65. Mr Bridgen could not recall whether he had provided any declarations. His oral evidence demonstrates that he had no awareness that a declaration would be required, and in which circumstances a declaration would be necessary. Mr Bridgen did not declare an interest in any of the written communications he provided to me. I am therefore of the view Mr Bridgen habitually failed to declare his interests in Mere Plantations.

66. Overall, I have found ten occasions when I consider Mr Bridgen should have made a declaration of his financial interests and relationship with Mere Plantations, but did not. I am of the view that the failure to make each declaration amounts to a breach of paragraph 14 of the Code of Conduct and, based on Mr Bridgen's own evidence, demonstrates a lack of understanding and respect for the House's rules on the declaration of interests.

151 Page 66 of Evidence Bundle

152 Page 68 of Evidence Bundle

153 Page 103 of Evidence Bundle

154 Page 104 of Evidence Bundle

Paid Advocacy

67. Paragraph 12 of the Code of Conduct states:

No Member shall act as a paid advocate in any proceeding of the House.

68. The Guide contains more detail about paid advocacy. Chapter 3, paragraph 8 states:

8. The rules place the following restrictions on Members:

a) When initiating proceedings or approaches to Ministers, other Members or public officials. Subject to paragraph 10 below, Members must not engage in lobbying by initiating a proceeding or approach which seeks to confer, or would have the effect of conferring, any financial or material benefit on an identifiable person from whom or an identifiable organisation from which they, or a family member, have received, are receiving, or expect to receive outside reward or consideration, or on a registrable client of such a person or organisation;

b) When participating in proceedings or approaches to Ministers, other Members or public officials. Members may lobby by participating in such proceedings or approaches which would confer a financial or material benefit on the identifiable person from whom or identifiable organisation from which they, or a family member, have received, are receiving or expect to receive outside reward or consideration (or on a registrable client of such a person or organisation) provided that they have not initiated those proceedings or approaches and that their approach or participation does not seek to confer benefit exclusively on that person or organisation (or on their client) and provided that that person or organisation (or their client) has not initiated the event.

Time Limits

10. The restrictions under the lobbying rules apply for six months after the reward or consideration was received.

Matters outside the lobbying rules

19. The following fall outside the lobbying rules:

...

c) Constituency issues: Members may pursue any constituency interest in any approach to a Minister or public official, subject to the registration and declaration rules.

69. Mr Bridgen does not dispute that he initiated and participated in approaches to Ministers, Members and other officials on behalf of Mere Plantations. However, he does not accept that:

- a) He received or expected to receive an outside reward or consideration; or
- b) He sought to confer a benefit on Mere Plantations Ltd.

Did Mr Bridgen receive outside reward or consideration from Mere Plantations Ltd?

70. The Guide states at Chapter 3:

13. Outside reward or consideration includes:

a) past financial interests or material benefits, including “one-off” registrable interests, such as visits and gifts, and continuing benefits such as directorships, employment and sponsorships

...

b) all present financial interests or material benefits which must be either registered or declared.

c) future financial interests or material benefits, where a Member has a firm and specific expectation that such a financial benefit from an identifiable outside person or organisation will accrue in the next six months.

...

71. The Guide also explains how a Member can free him or herself from the paid advocacy restriction by returning an earlier reward or consideration to the provider:

10. A member can free him or herself immediately of any restrictions due to a past benefit by repaying the full value of any benefit received.

Evidence

72. The trip to Ghana from 4 August 2019 to 7 August 2019, funded by Mere Plantations, was registered as a financial interest in the Register on 20 August 2019. Mr Bridgen told me that, once it became clear his parliamentary budget would not cover the cost of the visit, Mere Plantations offered to cover the cost of the trip on 21 June 2019.¹⁵⁵ Emails provided by Mr Bridgen reflect this was agreed on 24 June 2019.¹⁵⁶

73. Mr Bridgen told me that, due to his outgoing expenditure, the trip to Ghana was of “*negative financial benefit*” to him.¹⁵⁷ Nevertheless, Mere Plantations paid for Mr Bridgen’s flights and accommodation.

74. A donation of £5,000 made by Mere Plantations on 31 October 2019 to the North West Leicestershire Conservative Association was registered by Mr Bridgen on 2 January 2020. As I have already concluded above the evidence shows that Mr Bridgen or his office invited the donation from Mere Plantations.

75. Moving to the adviser role, Mr Bridgen told me that he accepted the offer of the adviser role on 29th April 2020.¹⁵⁸ Mr Bridgen told me:

155 Page 16 of the Evidence Bundle

156 Page 52 of the Evidence Bundle

157 Page 21, para 1 of Evidence Bundle

158 Page 20, para 4 of Evidence Bundle

Although I was entitled to draw the remuneration since May 2020, despite the fact that during the period I was involved in a costly civil legal dispute, I made the conscious decision not to as I wished to see how the position developed as I was acutely aware of the rules surrounding advocacy and lobbying ...

I drew no funds from Mere Plantations, and had no intention of doing so given I had made representations to Ministers on their behalf...¹⁵⁹

Analysis

76. Mr Bridgen told me that he did not consider either the trip or the donation to be a benefit with regards to the paid advocacy rules. However, I am of the view he was applying the wrong test when coming to this conclusion.

77. Under the criteria in Chapter 3, paragraph 13 of the Guide, the trip to Ghana and the donation from Mere Plantations both qualify as outside reward or consideration. This is because both were registrable financial interests.

78. The restrictions on paid advocacy apply from when a Member receives a reward or consideration until six months afterwards. Consequently, it is my view that Mr Bridgen was prohibited from lobbying for a financial or material benefit for Mere Plantations by initiating proceedings or approaches from the point he expected Mere Plantations to fund his trip, and for the following six months after the trip (24 June 2019 to 7 February 2020). It is my view that Mr Bridgen was also prohibited from lobbying for a financial or material benefit for Mere Plantations by initiating proceedings or approaches for the following six months after the donation (1 November 2019 to 30 April 2020).

79. I have already accepted that Mr Bridgen did not receive any payments from Mere Plantations for the intended Adviser role. I have considered whether the contract can be considered as evidence that Mr Bridgen, at the time, had “*a firm and specific expectation*”¹⁶⁰ of remuneration from Mere Plantations upon signing this contract. Mr Bridgen’s evidence is that he decided not to accept remuneration once he realised he would still be required to approach Ministers and public officials. Given the rules state that a Member can free him or herself of any restrictions by repaying the value of the benefit, in my opinion Mr Bridgen has acted pre-emptively in the spirit of the rules by not accepting any benefit. I therefore do not consider Mr Bridgen’s Adviser role engages the paid advocacy rule.

80. Therefore, it is my view that the paid advocacy rule is not engaged beyond 30 April 2020 (six months after the date of the last reward or consideration from Mere Plantations i.e. their donation of 31 October 2019).

Did Mr Bridgen’s approaches seek to confer a benefit on Mere Plantations

Evidence

81. Mr Bridgen has provided evidence that he made the following approaches in the prohibited period 24 June 2019 to 30 April 2020:

¹⁵⁹ Page 20, para 5 and 6 of Evidence Bundle

¹⁶⁰ Guide to the Rules, Chapter 3, para 13c)

Date	Person approached ¹⁶¹	Purpose of the approach
2 July 2019	Rt Hon. Alistair Burt MP (Minister of State for Middle East and North Africa)	To notify Mr Burt of the proposed visit to Ghana.
4 to 7 August 2019	UK Business Attaché to Ghana and other members of the UK's High Commission in Ghana	To request an inspection of the trees.
4 to 7 August 2019	Mr Brown of the Ghanaian Forestry Commission.	To request an inspection of the trees.
19 August 2019	Rt Hon. Theresa Villiers MP (Secretary of State for DEFRA)	To provide the Government with opportunity to offset its CO2 emissions.
19 August 2019	Mr Andrew Stephenson MP (Minister for Africa)	Issues found in High Commission in Ghana - Business Attaché wouldn't inspect the trees.
22 August 2019	Rt. Hon. Mark Spencer MP (Parliamentary Secretary to the Treasury and 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.
August 2019	Mr Zac Goldsmith MP (DEFRA Minister)	To prove the trees and the plantation existed.
10 February 2020	Meeting with Rt Hon. Alok Sharma MP (Secretary of State for International Development)	To prove the trees and the plantation existed.

82. Mr Bridgen told me that he does not accept that any of his approaches sought to confer a benefit upon Mere Plantations. His position is that Mere Plantations were being treated unfairly by HMRC and the UK Government, and that he was trying to remedy this. In addition, Mr Bridgen's evidence is that his involvement was of benefit to the UK Government rather than to Mere Plantations.¹⁶²

83. I have been told by Mr Bridgen, Mr McKenzie and Mr Hogg that initially Mr Bridgen's assistance was requested in relation to an ongoing issue Mere Plantations was experiencing with HMRC. I have seen emails to support this. Following the initial introduction, in an email from Mr Hogg to Mr Bridgen dated 9 November 2018, Mr Hogg states the following:

For the last 7 years, HMRC have been enquiring into each and every syndicate member. All accounting is treated correctly under IAS41. As such, the upfront costs incurred by the members should properly be available for offset through sideways loss relief. To date, after 7 years HMRC have not provided any detail of their objection to this other than to brand the growing as a Tax Scheme.

...

*I understand this situation does not fall directly under you but any help to resolve matters would be greatly appreciated.*¹⁶³

161 The table records the role held by the person at the time of the approach

162 Page 88 of Evidence Bundle

163 Page 25 of Evidence Bundle

84. In an early email from Mr Hogg to Mr Bridgen dated 9 November 2018, Mr Hogg states:

As a result of HMRC refusing to permit to each of my clients the credit lawfully due in accordance with IAS accounting principles, with inadequate reasons, and often a degree of aggression, my contract growing of trees has been seriously retarded. Efforts to discuss matters with Revenue have been frustrated at every turn. We estimate that as a direct result we have planted 6.5 million trees less than we would have.¹⁶⁴

85. The approaches to the UK Business Attaché to Ghana, other members of the UK High Commission and Mr Brown of the Ghanaian Forestry Commission took place during Mr Bridgen's trip to Ghana. Mr Bridgen had set up these meetings on behalf of Mere Plantations, in an attempt to persuade a recognised official to visit the plantation and verify its existence.

86. Mr Bridgen approached Ms Villiers on 19 August 2019. Mr Bridgen explained the purpose for this contact as follows:

The purpose behind my enquiry was that I believed it represented an excellent opportunity for the Government to offset its CO2 emissions to help meet our net zero targets. The trees do exist, contrary to the belief at that time, since changed by HMRC. The Trees are owned and managed by a UK company. This is the issue I believed the leader of the opposition could pick up on in his planned visit to the region.¹⁶⁵

87. Mr Bridgen explains that his approach to Mr Stephenson, who at the time was Minister for Africa, on 19 August 2019 involved sending an introductory letter from Mere Plantations to the Minister, offering a follow-up meeting at a future trade fair, and sharing a press release written by Mr Bridgen following his trip to Ghana. He also stated:

... I raised concerns that the business attaché embassy wouldn't inspect the trees which I would have thought would be his job, and if the Minister was going to Ghana, he should consider visiting the plantation.¹⁶⁶

88. As I understand, the reason Mere Plantations needed an inspection of the trees was to demonstrate to HMRC that the trees existed and the business was not simply a form of a tax avoidance scheme. This appears to be the central theme that Mr Bridgen was trying to assist Mere Plantations with.

89. Mr Bridgen's approach to Mr Spencer, who at the time was the Parliamentary Secretary to the Treasury (Chief Whip) on 22 August 2019, concerned the carbon capture and carbon credits generated by Mere Plantations. The brief for this meeting was as follows:

... MPL will offer the removal at a fraction of the tree planting and establishment cost. It will also be an instant large volume credit. A price of £9.00 per tree will be charged.¹⁶⁷

164 Page 25 of Evidence Bundle

165 Page 126 of Evidence Bundle

166 Page 111 of Evidence Bundle

167 Page 112 of Evidence Bundle

90. In relation to this meeting Mr Bridgen also told me that:

When I have discussed this recently with Mark Hogg, he commented that he was willing to sell the carbon offset of his plantations in Ghana at a very cheap price to the UK Government as he felt it would have aided his case with HMRC.¹⁶⁸

91. Mr Bridgen approached Lord Goldsmith¹⁶⁹, who at the time was the Parliamentary Under Secretary of State at the Department for Environment, Food and Rural Affairs and at the Department for International Development, in August 2019. Mr Bridgen says the following in relation to this approach:

The primary issue that Mere Plantations had was HMRC doubting the existence of their business in Ghana. The meeting did not seek Government Aid or support but was [to] demonstrate that the trees existed and offered opportunity for Ghana and a UK company.¹⁷⁰

92. Mr Bridgen's approach to Mr Sharma, who at the time was the Secretary of State for International Development, on 10 February 2020 was to "... demonstrate that the trees existed ..." ¹⁷¹.

Analysis

93. Mr Bridgen has stated that any benefit would be to the Government, rather than Mere Plantations. I have not assessed whether there was any benefit to the Government from Mr Bridgen's actions. The paid advocacy rule is concerned with whether a Member is acting to confer a material benefit on an outside body in return for financial reward. Whether a third party, including the UK Government, also receives a benefit from the Member's actions is not relevant to determining whether the rule has been breached. I have also not assessed Mr Bridgen's motivations when making these approaches. I need only assess whether, in my view, the approaches breached the rules.¹⁷²

94. It is confirmed by Mr Bridgen that the central theme for most of the approaches he made to Ministers and other Members on behalf of Mere Plantations, was to prove that Mere Plantations is a genuine company planting real trees and not a tax avoidance scheme. The benefit of this to Mere Plantations cannot be disputed. If HMRC accepted they were not a tax avoidance scheme there would be financial benefits for both individual syndicate members and the company.

95. The evidence clearly demonstrates that all the approaches and participation as outlined above with Ministers and other Members sought to confer a benefit on Mere Plantations. This benefit was not only financial benefits relating to tax but also other material benefits including repairing reputational damage.

96. Mere Plantations were also attempting to sell carbon credits at a rate of £9.00 per tree to the UK Government. Mr Bridgen explained to me that Mr Hogg has confirmed that since the offer to the UK Government was made, Mere Plantations have sold carbon

168 Page 126 of Evidence Bundle

169 At the time of events, Mr Zac Goldsmith MP

170 Page 127 of Evidence Bundle

171 Page 128 of Evidence Bundle

172 Mr Owen Paterson - Committee on Standards - House of Commons (parliament.uk)

credits at five times the price offered. My view is that the final sale price is irrelevant; any deal to sell credits to the UK Government would have been of financial benefit to Mere Plantations.

Was the paid advocacy rule broken?

Evidence

97. The rules on paid advocacy have slightly different rules about initiating and participating in approaches to Ministers, other Members or public officials.

98. Mr Bridgen confirms in his evidence that he initiated approaches to the following:

- Theresa Villiers
- Andrew Stephenson
- Mark Spencer
- Zac Goldsmith
- Alok Sharma

99. The rules on initiating an approach prohibits lobbying which seeks to confer, or would have the effect of conferring, any financial or material benefit on an organisation from which they have received or expect to receive an outside reward.

100. Mr Bridgen confirms in his evidence that he participated in approaches to the following:

- UK Business Attaché to Ghana and other members of the UK's High Commission in Ghana
- Mr Brown of the Ghanaian Forestry Commission
- Alok Sharma

101. The rules on participating in an approach allows lobbying which would confer a financial or material benefit on an organisation from which they have received or expect to receive an outside reward, as long as they or the organisation has not initiated that approach and that the approach does not seek to confer benefit exclusively on that organisation.

Analysis

102. It is my view that Mr Bridgen has breached the rules on lobbying when he initiated the approaches summarised in paragraph 98. His approaches sought to confer a financial benefit on Mere Plantations, from whom he had received an outside reward in the form of a funded trip and a donation. The approaches listed above were all made within six months following receipt of those rewards.

103. It is my view that Mr Bridgen breached the rules on lobbying when he participated in approaches summarised in paragraph 100. His approaches sought to confer a financial

benefit on Mere Plantations, from whom he had received an outside award. The permission in the rule is not triggered as the approaches were initiated by Mr Bridgen and sought to confer a benefit exclusively on Mere Plantations. The approaches listed above were all made within the six months following receipt of those outside rewards.

104. Constituency interests fall partially outside the lobbying rules. The rules allow for Members to pursue constituency interests when approaching a Minister or public official. Mr Bridgen refers to himself as acting in his role as a constituency MP when approaching Ministers and public officials.¹⁷³

105. I have considered whether Mr Bridgen's actions could be viewed as pursuing a constituency interest. I am of the view they do not. Whilst Mr Bridgen was made aware of the issues Mere Plantations were facing by a constituent, the company was not within his constituency.¹⁷⁴ I also do not consider the matters being addressed by Mr Bridgen could be considered 'constituency interests', given that they related, in the main, to issues in Ghana.

106. In reaching my recommendations, I have not considered the merits of the benefits sought by Mr Bridgen on behalf of Mere Plantations. I am mindful of the Committee's decision that,

*But the paid advocacy rule does not distinguish between lobbying for good causes and lobbying for bad causes. It only applies to lobbying for reward or consideration. There is a strong public interest in preventing any lobbying by Members in return for reward or consideration, no matter how meritorious the Member may think it or that it would appear to be.*¹⁷⁵

107. *Further to the above*, my view is that Mr Bridgen breached the rule prohibiting paid advocacy.

Member's Comments

108. On 22 August 2022 I sent a draft copy of this memorandum to Mr Bridgen to allow him the opportunity to comment. Mr Bridgen disagreed with my recommendations, and stated that he was acting as a constituency MP on behalf of The Curious Guys Ltd. Mr Bridgen stated that the actions of HMRC were preventing The Curious Guys Ltd from selling investments in Mere Plantations, and that The Curious Guys Ltd was largely reliant on Mere Plantations for their business turnover revenue. Mr Bridgen's response is appended to this memorandum in full.

109. I have considered Mr Bridgen's submissions carefully, and kept in mind the Committee's decision regarding Mr David Morris MP, which referenced the exemption that allows members to pursue any constituency interest in any approach to a Minister or public official.¹⁷⁶ Whilst Mr Bridgen has provided evidence of links between The Curious Guys Ltd and Mere Plantations, they are two separate businesses. This investigation has considered Mr Bridgen's actions in respect of Mere Plantations. Crucially, it is Mere Plantations from whom Mr Bridgen received reward or benefit, and for whom he made

173 Pages 76–78 of Evidence Bundle

174 Mere Plantations registered office address is Unit 1 Cherry Tree Lane, Rostherne, Altrincham, Cheshire, WA14 3RZ

175 Mr Owen Paterson - Committee on Standards - House of Commons (parliament.uk)

176 [David Morris - Committee on Standards - House of Commons \(parliament.uk\)](https://parliament.uk)

approaches to Ministers and public officials. Were I to accept Mr Bridgen’s interpretation of this exemption, a Member could engage in paid advocacy by approaching ministers and public officials so long as the person or organisation paying them had a link to an organisation within that Member’s constituency.

110. I do not consider the link between Mere Plantations and The Curious Guys Ltd provides a sufficient basis for considering actions taken in respect of Mere Plantations the pursuit of a constituency interest. I therefore remain of the view that the exemption does not apply to Mr Bridgen’s approaches to Ministers and public officials.

Recommendations

111. I am of the view that Mr Bridgen failed to conscientiously maintain his registration of interests and, therefore, is in breach of paragraph 14 of the Code.

112. I am of the view that Mr Bridgen did not properly declare his interests at all times and, therefore, is in breach of paragraph 14 of the Code.

113. I am of the view that Mr Bridgen breached the rules on paid advocacy when he initiated and participated in approaches to government Ministers, other Members and public officials and, therefore, is in breach of paragraph 12 of the Code.

114. I am of the view that Mr Bridgen showed a cavalier approach to the rules and had very limited knowledge of what the rules are and how they should be applied.

Kathryn Stone OBE

Parliamentary Commissioner for Standards

September 2022

Appendix 1: Timeline of approaches by Mr Bridgen

	Date	Person approached ¹⁷⁷	Purpose of the approach
1	12 November 2018	Rt Hon. Mel Stride MP (Financial Secretary to the Treasury)	To assist Mere Plantations to resolve outstanding issues with HMRC.
2	29 November 2018	Rt Hon. Penny Mordaunt MP (Secretary of State for International Development)	To introduce Mere Plantations in a bid to resolve HMRC issues.
3	March/April 2019	Harriet Baldwin MP (Minister for Africa)	To arrange a meeting to discuss Mere Plantations’ contribution to the UK/ Ghanaian trade.
4	8 May 2019	Meeting with Harriet Baldwin MP	As above, but also to assist Mere Plantations to resolve outstanding issues with HMRC.

¹⁷⁷ The table records the role held by the person at the time of the approach

	Date	Person approached ¹⁷⁷	Purpose of the approach
5	29 May 2019	Official at HMRC	Follow-up to Ministerial contact about Mere Plantations' outstanding issues with HMRC.
6	20 June 2019	HMRC	To resolve tax issues Mere Plantations were having.
7	2 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.
8	4 to 7 August 2019	UK Business Attaché to Ghana and other members of the UK's High Commission in Ghana	To request an inspection of the trees.
9	4 to 7 August 2019	Meeting with Mr Brown of the Ghanaian Forestry Commission.	To request an inspection of the trees.
10	19 August 2019	Rt Hon. Theresa Villiers MP (Secretary of State for DEFRA)	To provide the Government with an opportunity to offset its CO2 emissions.
11	19 August 2019	Mr Andrew Stephenson MP (Minister for Africa)	Issues found in High Commission in Ghana - Business Attaché would not inspect the trees.
12	22 August 2019	Rt Hon. Mark Spencer MP (Parliamentary Secretary to the Treasury and 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.
13	August 2019	Mr Zac Goldsmith MP (DEFRA Minister)	To prove the trees and the plantation existed.
14	10 February 2020	Meeting with Rt Hon. Alok Sharma MP (Secretary of State for International Development)	To prove the trees and the plantation existed.
15	17 May 2020	Email to Mr Zac Goldsmith	To introduce Mere Plantations.
16	15 June 2020	Meeting with Mr Zac Goldsmith MP	To try and resolve HMRC issues being experienced by Mere Plantations.
17	17 February 2021	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.
18	8 March 2021	Rt Hon. Anne-Marie Trevelyan MP	Same issue, as the approach to Kwasi Kwarteng.

	Date	Person approached ¹⁷⁷	Purpose of the approach
19	16 August 2021	Rt Hon. Jesse Norman MP	To try and resolve HMRC issues being experienced by Mere Plantations.

Appendix 2: Timeline of investigation

Date	Event	# working days since previous action		
		178	179	180
10/02/2022	Initiation letter sent to Mr Bridgen, with a deadline set for 24 February 2022. Mr Bridgen asked for an extension to 24 March 2022, which was allowed.	N/A	N/A	1
22/02/2022	PCS wrote to the Registrar seeking information. This letter was shared with Mr Bridgen on the same day.	7	1	
03/03/2022	Response from Registrar including emails in relation to Advisor job from Mr Bridgen to Registrar. This letter was shared with Mr Bridgen on the same day.		7 (As Registrar is in PCS office)	
28/03/2022	PCS received a response from Mr Bridgen. As this has been sent through the post, whilst the letter was dated 21 March 2022 it did not reach my office until 28 March 2022.	17		
31/03/2022	PCS wrote to Mr Bridgen requesting further documentation with a deadline of 13 April 2022, and advising him that third party interviews would take place with witnesses. PCS also wrote to witnesses Mr McKenzie and Mr Hogg inviting them to interview. Mr Hogg responded that he would not be available for interview until 13 April 2022.			3
13/04/2022	PCS received Mr Bridgen's response, enclosing 17 attachments. PCS also held a virtual interview with Mr McKenzie.	8	1	
19/04/2022	PCS held a telephone interview with Mr Hogg. Mr Hogg agreed to provide contact details for an additional witness, Mr Whitley, and documentation regarding Mr Bridgen's role as an adviser.	1	1	
21/04/2022	PCS prompted Mr Hogg for Mr Whitley's contact details.	2		
26/04/2021	PCS made separate inquiries to identify and contact Mr Whitley.		2	

178 Awaiting response from member/ witnesses

179 PCS progressing investigation and awaiting responses from member/ witnesses

180 PCS progressing investigation

Date	Event	# working days since previous action		
03/05/2022	PCS contacted Mr Hogg again repeating a request for Mr Whitley's contact details and documents, which was previously requested in the meeting of 19 April 2022. PCS contacted Mr McKenzie with a copy of the transcript of his interview.	6	1	
04/05/2022	Mr Hogg responded to PCS with an offer of a statement from the Mere Plantations Ltd board. Deadline set for 11 April 22.	1		
11/05/2022	PCS invited Mr Bridgen to an interview, with a date set for 19 May 2022.			5
12/05/2022	Mr Whitley contacted PCS and agreed an interview date of 18 May 2022.	1		
18/05/2022	PCS interviewed Mr Whitley.	4	1	
19/05/2022	PCS interviewed Mr Bridgen. PCS wrote to Mr Bridgen following the meeting setting out the documentation requested.		1	
24/05/2022	PCS wrote to Mr Bridgen reiterating the request for documentation, and asking for it to be provided by 26 May 2022.	5		
25/05/2022	Mr Bridgen provided further documentation.	1		
26/05/2022	Mr Bridgen provided further documentation.	1		
30/05/2022	PCS wrote to Mr Evans, requesting information with a deadline of 6 June 2022.			2
15/06/2022	PCS wrote to Mr Evans, reiterating the request for documentation. Mr Evans provided the information on the same date.	10		
16/06/2022	PCS wrote to Mr Bridgen requesting further information, asking the information be provided by 27 June 2022. Mr Bridgen requested an extension. A new deadline was agreed as 8 July 22.		1	
23/06/2022	PCS wrote to Mr Whitley, restating the request to Mr Whitley for his ID.	5		
29/06/2022				
30/06/2022	Confirmation of ID received from Mr Whitley.	1		
08/07/2022	Mr Bridgen provided the remaining documentation. Letter dated 7 July 2022 but was received by PCS office on 8 July 2022.	6		
14/07/2022	Evidence bundle and additional questions sent to Mr Bridgen.			4
01/08/2022	Mr Bridgen provided additional information requested by PCS.	12		
18/08/2022	PCS memorandum draft provided to Mr Bridgen.			15
06/09/2022	Mr Bridgen responded to PCS memorandum	11		
08/09/2022	Documents provided to Committee			2

This investigation has taken 146 working days.

Of this:

For 99 working days, PCS was awaiting responses and documentation from witnesses or the Member.

For 16 working days, PCS was awaiting responses and documentation from witnesses or the Member whilst progressing other enquiries.

For 31 working days, PCS was conducting investigative enquiries.

Appendix 2: Further advice from the Commissioner

[Note: the questions in italics were sent to the Commissioner by the Committee]

1. *If Mr Bridgen decided not to draw payments shortly after the role was registered but after he signed the contract, how in your view should Mr Bridgen's register entry have appeared?*

The role was registered in Category 1: Employment and earnings. The guide states the following:

Contractual agreements for twelve months or more

13. *A Member who has a contractual agreement for twelve months or more and receives regular payments may choose, instead of registering each payment as it is received, to register such payments in advance, provided that he or she afterwards registers within 28 days any variation to the information already provided. The initial information to be provided is as set out in paragraph 9 above, except that instead of the information required under subparagraphs (d) and (f), the Member should provide:*

- h) The agreed start, and (if any) end dates for the contract;*
- i) The agreed payments, including any taxable benefits and payments in kind;*
- j) The dates agreed for those payments.*

In his interview Mr Bridgen told me that within one month of signing the contract for the Adviser position on 6 May 2020 (which would have been 6 June 2020), he had already decided he was not going to claim any salary from Mere Plantations.¹⁸¹ Mr Bridgen registered the role as a paid position on 17 June 2020, and therefore at the point of registration, given that Mr Bridgen had already decided not to claim any money, the registration details were inaccurate as the role was unpaid. If Mr Bridgen would have sought advice from the Registrar about this entry and how it should have been recorded, it is likely that he would have been advised to record it under Category 8 of the Register.¹⁸² For completeness, it would have been sensible for Mr Bridgen to have asked Mere Plantations Ltd to amend his contract to reflect that it was an unpaid position.

2. *Please could you provide the Committee with your reasoning for why you consider that foreign public officials (Mr Brown of the Ghanaian Forestry Commission) count as "public officials" for the purposes of the lobbying rules?*

The Guide states the following:

"Public Officials include:

a) All those who are responsible for matters of public policy, public expenditure or the delivery of public services. The term therefore includes all staff of government departments and agencies and public office holders.

181 Page 83 of the Evidence Bundle

182 Category 8: Miscellaneous

The lobbying rules are silent in relation to whether the paid advocacy prohibition rules extend beyond UK employees to those employed by foreign governments. Mr Brown of the Ghanaian Forestry Commission would be directly employed by Ghana so it is arguable that he would not be considered a public official, when applying the rules. If however, the rules are interpreted to apply to only those employees of the UK government, this would permit Members to be paid by organisations to lobby employees of foreign jurisdictions. In my opinion this would be against the spirit and intention of the paid advocacy rules. With this in mind, my view is that Mr Brown, although a foreign public official is considered a “*public official*” for the purposes of the lobbying rules and therefore Mr Bridgen’s approach to Mr Brown was a breach of the paid advocacy rules. However, it would be helpful for the Committee to clarify the interpretation of the rules in relation to this discrete point.

3. *Please could you clarify, in relation to paragraphs 98 and 100 of the memorandum, which of the two approaches to Rt Hon Alok Sharma MP you consider that Mr Bridgen participated in, and which did he initiate? Please could you also clarify, in light of the two entries in paragraphs 98 and 100, whether Mr Bridgen’s email of 20 January 2020 to Rt Hon Alok Sharma MP should appear in para 81 and Appendix 1 of the memorandum?*

Mr Bridgen initiated an approach to Mr Sharma in his email of 20 January 2020 and participated in the meeting on 10 February 2020. Mr Bridgen’s email of 20 January 2020 should appear in paragraph 81 and Appendix 1, and the omission is an oversight.

4. *Based on the evidence you have seen, please could you give the Committee your opinion as to whether the approaches to Ministers by Mr Bridgen between May 2020 and August 2021 listed in Appendix 1 of the memorandum:*

- a. were approaches that Mr Bridgen (a) initiated or (b) participated in, and
- b. sought to confer a benefit or an exclusive benefit on Mere Plantations?

15	17 May 2020	Email to Mr Zac Goldsmith	To introduce Mere Plantations.	<p>I consider this an initiated approach as although this was not the first contact with Mr Goldsmith, this was an introductory email. First point of contact was 22 August 2019¹⁸³ or 29 September 2019.¹⁸⁴</p> <p>My view is that Mr Bridgen sought to confer a benefit on Mere Plantations as the aim of the introduction was to seek assistance from Mr Goldsmith in relation to the HMRC issues Mere Plantations Ltd were experiencing.¹⁸⁵</p>
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16	15 June 2020	Meeting with Mr Zac Goldsmith MP	To try and resolve HMRC issues being experienced by Mere Plantations.	<p>I consider Mr Bridgen participated in this approach by attending the meeting with Mr Goldsmith and Mere Plantations Ltd. Mr Bridgen had already initiated an approach on 17 May 2020.</p> <p>My view is that Mr Bridgen sought to confer an exclusive benefit on Mere Plantations Ltd as any resolution of the HMRC issues would have assisted the company not only in financial terms but also reputationally.¹⁸⁶</p>
17	17 February 2021	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.	<p>My view is that this email to Mr Kwarteng is an initiated approach as I have not seen evidence of any previous contact made by Mr Bridgen.</p> <p>I consider that Mr Bridgen sought to confer a benefit on Mere Plantations Ltd as the assistance being asked for was to enable Mere Plantations Ltd to trade carbon credits in the UK, which if permitted would have been a financial advantage for the company.¹⁸⁷</p>
18	8 March 2021	Rt Hon. Anne-Marie Trevelyan MP	Same issue, as the approach to Kwasi Kwarteng.	<p>My view is that this is a participated approach as Mr Bridgen had originally contacted Mr Kwarteng, but the issue was passed to Ms Trevelyan for a response. Therefore, as Mr Bridgen never initiated an approach to Ms Trevelyan, his interaction with Ms Trevelyan would be a participated approach.</p> <p>I consider that Mr Bridgen sought to confer an exclusive benefit on Mere Plantations Ltd as the assistance being asked for was to enable Mere Plantations to trade carbon credits in the UK, which would have been a financial advantage for the company.¹⁸⁸</p>

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19	16 August 2021	Rt Hon. Jesse Norman MP	To try and resolve HMRC issues being experienced by Mere Plantations.	<p>I consider this participating in an approach as the initial contact was made a few weeks before this meeting as confirmed by Mr Bridgen – ‘I contacted Jesse Norman by text message some weeks before asking for the meeting.’¹⁸⁹</p> <p>My view is that Mr Bridgen sought to confer an exclusive benefit on Mere Plantations Ltd as any resolution of the HMRC issues would have assisted the company not only in financial terms but also reputationally.¹⁹⁰</p>
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I think it would be helpful to clarify that my views have been based on the evidence that was presented to me by Mr Bridgen and the other witnesses. Various text messages involving contact with Ministers and other Members was not provided to me as Mr Bridgen explained he no longer held this evidence. For example, when clarifying his contact with Mr Goldsmith, Mr Bridgen states that, “*We may have had informal conversations in addition to this but I could not recall when and where these were given the number of these I have on a daily basis.*”¹⁹¹

When considering my position on whether Mr Bridgen’s approach sought to confer ‘*exclusive benefit*’ on Mere Plantations, I do not discount that there may have been some ancillary benefit for organisations and personnel associated with Mere Plantations Ltd, including Curious Guys Ltd. However, I have not seen any evidence that the approaches made by Mr Bridgen sought to confer any benefit for anyone else apart from Mere Plantations Ltd.

5. *Mr Bridgen’s email to Lord Goldsmith of 17 May 2020 (p112 of the evidence bundle) is listed in the table of approaches in Appendix 1 but not in paragraph 60 in relation to declaration of interests. Please could you give your opinion as to whether Mr Bridgen followed the rule on declarations in relation to this email?*

Mr Bridgen’s email to Zac Goldsmith of 17 May 2020 should have been included in paragraph 60 in relation to declaration of interests. There is no evidence that Mr Bridgen followed the rule on declarations by declaring either the paid trip to Ghana or the donation made by Mere Plantations Ltd in this email and therefore this would be a breach of the declaration rules.

6. *Mr Bridgen’s email to Rt Hon Anne-Marie Trevelyan MP on 10 March 2021 (p129 of the evidence bundle) is listed in the table of approaches in Appendix 1 but not in paragraph 60 in relation to declaration of interests. Please could you give your opinion as to whether Mr Bridgen followed the rule on declarations in relation to this email?*

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Mr Bridgen explained that he originally emailed Kwasi Kwarteng,¹⁹² but the email was passed to Anne-Marie Trevelyan as the responsible Minister to reply. Mr Bridgen's first contact with Ms Trevelyan was his reply on 10 March 2021.¹⁹³ In this email he should have made the necessary declarations. Declarations are required in any communication whether it be the initial or subsequent contacts.

e) When approaching others:

Members must declare a relevant interest in any communication, formal or informal, with those who are responsible for matters of public policy, public expenditure or the delivery of public services. That includes communications with Ministers, either alone or as part of a delegation: with other Members; with public officials (including the staff of government departments or agencies and public office holders). If those communications are in writing, then the declaration should be in writing too; otherwise it should be oral.

By failing to make these declarations, Mr Bridgen has breached the declaration rules in relation to this email.

7. *The Committee notes that the provision in the Guide to repay sums in order to be released from the restrictions under the lobbying rules relates to past benefits. Please could you provide the Committee with further detail on your reasoning in paragraph 79 of the Memorandum as to why you consider that Mr Bridgen acted "pre-emptively in the spirit of the rules" by not invoicing for payments?*

The Guide allows Members to free themselves from any advocacy restrictions by repaying the full value of any benefit received. By analogy Mr Bridgen has released himself from any advocacy restrictions by not claiming any of the money due to him under the terms of the contract. This is not a direct application of the provision in the Guide but can provide justification for concluding Mr Bridgen's Adviser role did not engage the paid advocacy rules, as he did not benefit financially from the arrangement.

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Appendix 3: Written evidence from Andrew Bridgen MP

Submission to Committee on Standards by Andrew Bridgen MP

The original complaint to Standards against me was that I had taken payments from Mere Plantations for lobbying, the Standards Commissioner has found that I took no such payments.

I was offered a paid position by the company, which I accepted, but on consideration of the ongoing casework and the fact that the matter with HMRC was not satisfactorily resolved I declined the payments. Despite this the Standards Commissioner finds that I have a 'cavalier attitude to the standards rules'. I take exception to that comment.

The Standards Commissioner then asserts that there was no constituency link between North West Leicestershire and Mere Plantations Ltd. This is clearly incorrect for the reasons below.

1. Constituency Link

Everything I did was at the request and in response to constituency casework for Jamie Mackenzie of the Curious Guys. When I was first contacted by Jamie Mackenzie, HMRC's position was that the investments sold by my constituents were a scam tax avoidance operation in Africa and this was curtailing his ability to generate investments and earn commissions for his business, The Curious Guys.

Jamie Mackenzie residential address: [redacted]

The Curious Guys business address: [redacted] (since moved)

Both of these addresses are located in NORTH WEST LEICESTERSHIRE.

The Standards Commissioner concedes that The Curious Guys were 'effectively the sales arm of Mere Plantation Ltd.'. Therefore, it was my constituents and their business the Curious Guys who were coming up against the concerns of potential investors regarding HMRC's status of the investments being marketed by them. As evidenced by Jamie Mackenzie of the Curious Guys, the commissions from Mere Plantations were circa 80% of the total annual business revenue of my constituent's business. As evidenced by Mark Hogg of Mere Plantations Ltd, most of the investments in Mere to allow them to plant Teak trees in Ghana were generated by The Curious Guys.

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.

2. The trip to Ghana, paid for by Mere Plantations Ltd and fully disclosed at the time by me.

a. As evidenced, I asked for Government/ Parliament funding for the trip, but it was not available. I told both The Curious Guys and Mere that I would not be able to visit and verify the plantations.

b. Funding for the visit was then offered by Mere Plantations ltd.

c. The visit involved travelling off-road in the jungle for many hours to visit the plantation which is in the extremely remote Afram Headwaters region of Ghana.

d. I was personally out of pocket from the trip as I paid for my own Yellow Fever vaccination and bought my own local currency which on my return to the UK discovered I could not then exchange for pounds. This local currency I gave away to a Ghanaian doorkeeper in Parliament as I would not be visiting again.

e. As I discovered during the meeting at the British High Commission in Accra, the British business attaché had refused to visit the plantation to verify the trees and resolve the HMRC issue, claiming to me that he ‘had no budget for such an arduous trip’.

f. I met Mr Brown who is the Head of the Ghanaian Forestry Commission, who reassured me that all the tree planting by Mere Plantations in Ghana were correct and verified each year by his organisation and were recorded as a matter of public record on the Ghanaian Forestry Commissions website. My meeting with Mr Brown was one to one and I was not accompanied by any representatives of Mere Plantations Ltd.

g. Mr Brown confirmed that Mere Plantations Ltd was the largest UK owned plantation in West Africa, all land planted by Mere was authorised by the Ghanaian Government and was degraded former tropical rainforest, they had planted over 7000 acres of Teak trees over 10 years. Thinning was taking place this year for the first time of the most mature trees and this lumber would be sold by Mere with 5% of the sales tax being paid to the Ghanaian Government

3. Carbon Credits

a. Mere Plantations Ltd offered the sale of their independently verified carbon credits available from their plantations to the UK Government at 20% of their value. This was a decision of Mere Plantations ltd, clearly it would give some considerable weight to their ongoing discussions with HMRC who maintained that the ‘trees did not exist.’

b. The teak lumber produced by Mere, has a useable lifespan of 50 -100 years and even at the end of its useful life will be sent to landfill as it can only be burnt in an industrial incinerator.

c. The felled teak trees, regrow from the root and so do not have to be replanted.

d. Mere’s plantations currently carbon sequesterate (capture carbon) at a rate of 2kg per second. It has verified and certified carbon capture credits of over 10m tonnes from the plantations.

4. The Standards Commissioner's assertion that Mere Plantations Ltd is mainly a Ghanaian business (and therefore none of my business) see Constituency link

- a. Both The Curious Guys and Mere Plantations ltd are UK registered businesses and they pay their taxes in the UK.
- b. Mere Plantations Ltd would have been ineligible to make a donation to my Conservative association if they were a 'Ghanian Business'.
- c. All the sales of teak by Mere Plantations Ltd are classed as UK exports, the teak trees grown in Ghana are UK assets owned by a UK company.

5. The donation to NWLCA by Mere Plantationsa.

- a. The Commissioner fails to state in her presentation to the committee that, my office inquired of her predecessor prior to the 2015 election as to whether I should declare the donations received by my local Conservative Association at the General election. We were told by the then Standards Commissioner's office to disclose them on my register of interests. I have disclosed ALL donations received at All General Elections to my association from 2015 onwards (evidenced register of interest and the electoral commission).

6. Meetings with Ministers

- a. From evidence provided to me by my constituents The Curious Guys, Mere Plantations and my own investigations, I believe that my constituents and Mere Plantations were being very badly let down by HMRC, the FCO, and other Government agencies and departments. I raised these concerns with the relevant Government Ministers and departments. I pointed out that Mere Plantations were an established company of considerable financial standing and it they were having these problems what must it be like for smaller or start-up UK businesses with operations in other countries?
- b. The Standards Commissioner fails to inform the committee that at two of the meetings with Ministers Mere Plantations were asked in my presence ' How much money are you asking for ', on both occasions Mark Hogg (CEO Mere Plantations ltd) responded that Mere was not seeking Government aid or grant money to fund its operations , it was a sustainable commercial business and it just needed fair tax treatment of investments made in its activities and HMRC to stop telling potential investors, it was a tax scam operation.
- c. The Standards Commissioner fails to disclose to the committee in her report that my constituent Jamie Mackenzie attended the first meeting with Ministers and was sent the correspondence with Ministers and departments.
- d. Ministers were informed of all the wider benefits investments in Mere were generating such as reforestation, local employment in Ghana, creche and healthcare facilities for local workers, carbon capture, sustainable Teak production and the benefits its sales were generating for UK exports and the balance of payments.
- e. It was also pointed out to Ministers that Mark Hogg is an expert advisor to the UN on reforestation and would be speaking at COP26 in that capacity.

f. Mark Hogg also raised the issue that the carbon capture from their plantation in Ghana should in his view count towards the UK zero carbon targets as they were UK assets, held in a UK company.

g. Mark Hogg also raised the point that post Brexit, due to UK rule changes, Mere were not allowed to trade their carbon credits in the UK, because they were generated in Ghana (they had been allowed and were still under EU rules to do so) and this would be a huge loss of revenue to the UK economy and the exchequer. Trading the carbon credits in an EU country would be no financial loss to Mere Plantations Ltd only to the UK.

h. The Standards Commissioner states that on my return to the U.K. from Ghana I made a complaint against the British High Commissioner. This is incorrect, I made a complaint against the then Business Attaché in Accra, who following my complaint was replaced within weeks.

7. Casework outcomes of my intervention on behalf of the Curious Guys and Mere Plantations.

a. HMRC no longer regard the investments sold by the Curious Guys in Mere Plantations as a tax scam and as a result The Curious Guys are now selling more investments in Mere Plantations and earning increased commissions.

b. Discussions continue between Mere Plantations and HMRC with regard to the classification of the investments in teak growing as to whether these should be classified as trade or investments for taxation purposes.

c. Mere plantations now employ over 700 local Ghanaians in planting season as well as 500 full time equivalent jobs working in Ghana on the plantations.

d. Mere's sales of Teak are classed as UK Exports and benefit the UK's balance of payments.

e. Following a complaint from me to the FCO on my return from Ghana the High commissions Business attaché was replaced within a few weeks.

f. Mere plantations have since developed a good relationship with our High Commission in Accra and been hosted there as an exemplar of UK Investment in Ghana. (New Business Attaché)

g. UK now has a free trade agreement with Ghana to facilitate increased trade and investment.

h. Mere Plantations are the only company approved to import sustainable teak to the UK.

i. Mere has obtained numerous contracts to supply sustainable teak throughout the world, including a U.K. based luxury yacht manufacturer for their decking.

j. Mere has sold its available carbon credits for over £125m.

k. Mere Plantation's asset value is now £1.7bn mostly of growing teak trees in Ghana.

l. Mere has now planted a total of 7800 acres on degraded former rainforest in the Afram Headwaters in Ghana.

m. Prior to Covid Mere Plantations were looking for manufacturing and distribution base in North West Leicestershire; now that the Covid pandemic is over they have now recommenced their plans.

Statement by Mr Jamie Mackenzie of The Curious Guys

Dear Mr Bridgen

Thank you for your email and, of course, I am more than happy to provide you with a statement.

As you know my company has been working with Mere Plantations since 2017 after meeting one of their clients who was extolling their involvement with Mere. When I asked what it was they were doing, they explained that they were growing teak on a contract basis and that Mere Plantations was the company who was growing the crop. After spending several hours with this person, I was intrigued and I made a point of calling Mark Hogg of Mere the next morning. When I contacted Mark and asked him if it would be possible to meet and to discuss what he was doing, he simply said, “ I grow trees”. In terms of over-simplification that has to rank as one of the biggest I’ve ever come across. Mere Plantations doesn’t simply “grow trees” ; what it does is plant millions of Teak trees on a 10,000 acre site which is in itself part of a United Nations Reafforestation Zone comprising some 250,000 acres. More importantly it does this on a fully commercial basis and in partnership with the Forestry Commission of Ghana, Mere currently has circa 700 workers on site as they are coming toward the end of the planting season, approximately 300 of which are permanent staff and the remainder are contract workers who will come on board at various times during the growing season. This work is creating jobs that will last decades, not only because of the annual planting of new trees, the maintenance of the existing trees and the thinning and harvesting of trees that are ready to go to market but, more importantly each one of these trees will grow back once harvested, a fact I know you are well aware of having stood underneath the regrowth of the first tree that Mere had ever harvested. This sole fact means that Mere has created a circular green business. Trees are planted, harvested and nurtured until they regrow to a point where they can be harvested again for further timber. The expectation is that we may get up to six harvests from each tree and, with a time frame of roughly ten years between harvests, I’m sure you can see how Mere becomes a multi generational employer in the Offinso and Abafor area.

Mere’s current working site is roughly the size of the City of Cambridge and is rapidly becoming a landscape based carbon sink. It is an engine for positive climate change, and I have personally seen how the area in and around the plantation has become a biodiverse haven for local flora and fauna.

It didn’t take me very long to realise that what Mark Hogg has created and is continuing to create is a significant commercial forest that provides substantial numbers of jobs in a very rural and poor part of a Commonwealth country. A forest that has captured, I believe, over a million tons of carbon to date, and continues to do so every day as soon as the sun comes up. A forest full of commercially valuable timber that means less wild grown trees needs to be ripped from the natural rain forest.

Unfortunately many of these facts seemed to have utterly bypassed the Government.

Despite the fact that Mere has planted millions of sustainable trees in a commonwealth country, creating hundreds of jobs, there was and still is, it appears to me, no joined up thinking going on. Some departments are fully engaged, some utterly disengaged, and there seems to be no concept at all that what Mere is trying to do is to help Ghana break the toxic cycle of Aid. (Something which is very important to Ghana and its people, as clearly demonstrated here by President Akufo-Addo in 2021, “We need to rely on ourselves and get rid of the image of beggars living on charity, aid and handouts, and make better and more intelligent use of our abundant national resources to pull ourselves out of poverty and into prosperity”.)

I decided that I would contact my local MP and, as I live on [redacted], that is you. What I sought by contacting you was to try and bring our message to the ears of Government, to show that a fully commercial plantation based in the UK can operate in Ghana, provide hundreds of long term jobs, grow sustainable timber for sale into the global markets, return significant money to His Majesty’s Treasury by way of taxation on sales, all whilst capturing carbon and reducing the need to damage any further the natural rainforests of Africa and, thankfully you were interested enough to engage with us.

Myself and my co-director invited you to our offices which, at the time, were at [redacted]-again inside your constituency area to meet with us and Mark Hogg of Mere Plantations so that we could show you what we are trying to achieve and why we were looking for Government engagement and for all departments of Government to be on the same page.

Since that initial meeting, I know we have had engagement with two Ministers: firstly DFID and then the Foreign, Commonwealth and Development Office. The former, Penny Mordaunt said that this is exactly the kind of project the Government is looking to fund and if we spoke to a member of her team he would have funds in his budget, and the latter Harriett Baldwin, kindly agreed to meet us in Westminster, a meeting which you hosted and also attended by my co-director Susie Owen, Mark Hogg of Mere Plantations and Michael Rawlinson QC who sits on the Board of Mere, The Minister again stated what a worthwhile project this was and that the Government could support it, and she also apologised for how some departments had treated Mere Plantations and its investors.

I know that you have done your best to assist and, although I am not at every meeting, I especially appreciate your efforts. I have been, after all, the primary source of inward investment for Mere Plantations over the last five years and, without my efforts and the efforts of my team, the situation would likely have been very different on the ground in Ghana - a fact I have had stated directly to me by members of Mere’s Board of Directors. Quite simply, the link between my company and Mere Plantations has grown ever stronger over the last few years as I focused more of my time and energy into ensuring that this amazing project got the funds it needed to keep growing literally and figuratively.

Monday 26 September 2022

Supplementary written evidence

[Note by the Clerk: the Committee had asked Mr Bridgen the following question:

Was your contact with Zac Goldsmith in August/September 2019 (referenced in paragraph 91 of the Commissioner's memorandum, and in your email to the Commissioner dated 1 August 2022 [AB MP 27, p127 of the evidence bundle]) via email, text, or an in-person meeting? If it was an approach in writing, please could you provide a copy of your email or texts to Zac Goldsmith?]

To the best of my recollection I raised the subject with Zac Goldsmith at an environmental event held in the Churchill Room, I recall that a speaker at the event was Lord Gummer. I also recall following up in a text exchange with Zac, regrettably I have changed my telephone and number since that time and I no longer have access to that exchange.

Formal minutes

Tuesday 1 November 2022

Members present:

Chris Bryant, in the Chair

Andy Carter

Alberto Costa

Rita Dexter

Allan Dorans

Yvonne Fovargue

Sir Bernard Jenkin

Dr Michael Maguire

Mehmuda Mian

Victoria Smith

Paul Thorogood

Sir Charles Walker

Yvonne Fovargue declared that she would take no further part in the inquiry.

Draft report (*Andrew Bridgen*), proposed by the Chair, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 112 read and agreed to.

Three papers were appended to the Report.

Resolved, That the Report be the Fourth Report of the Committee to the House.

None of the lay members present wished to submit an opinion on the Report (Standing Order No. 149(8)).

Ordered, That the Chair make the Report to the House.

The following written evidence was ordered to be reported to the House for publication:

Evidence bundle from the Parliamentary Commissioner for Standards

Correspondence bundle from the Parliamentary Commissioner for Standards

Correspondence with the Parliamentary Commissioner for Standards, dated 11 August 2022 and 30 August 2022

Correspondence between the Parliamentary Commissioner for Standards and Mr Bridgen dated 20 September 2022 and 21 September 2022

Adjournment

The Committee adjourned.

List of Reports from the Committee during the current Parliament

All publications from the Committee are available on the publications page of the Committee's website.

Session 2022–23

Number	Title	Reference
1st	New Code of Conduct and Guide to the Rules: promoting appropriate values, attitudes and behaviour in Parliament	HC 227
2nd	Code of Conduct: Procedural Protocol	HC 378
3rd	New Guide to the Rules: final proposals	HC 544

Session 2021–22

Number	Title	Reference
1st	Boris Johnson	HC 549
2nd	Mrs Natalie Elphicke, Sir Roger Gale, Adam Holloway, Bob Stewart, Theresa Villiers	HC 582
3rd	Mr Owen Paterson	HC 797
4th	Review of the Code of Conduct: proposals for consultation	HC 270
5th	Daniel Kawczynski	HC 1036
6th	Review of fairness and natural justice in the House's standards system	HC 1183
7th	All-Party Parliamentary Groups: improving governance and regulation	HC 717

Session 2019–21

Number	Title	Reference
1st	Kate Osamor	HC 210
2nd	Stephen Pound	HC 209
3rd	Greg Hands	HC 211
4th	Conor Burns	HC 212
5th	Mr Marcus Fysh	HC 213
6th	Confidentiality in the House's standards system	HC 474
7th	Sanctions in respect of the conduct of Members	HC 241
8th	David Morris	HC 771
9th	Dr Rosena Allin-Khan	HC 904

Number	Title	Reference
10th	The House of Commons and the criminal law: protocols between the police and the Parliamentary Commissioner for Standards and the Committee on Standards	HC 883
11th	ICGS investigations: Commons-Lords agreement	HC 988
12th	Sanctions and confidentiality in the House's standards system: revised proposals	HC 1340