

# Jess Phillips: Written Evidence

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## 1. Email from the complainant to the Commissioner, 28 March 2023

I wish to raise an issue with regard to Jess Phillips MP

On 29th July 2022 she appeared as a guest on Channel 4's The Last Leg. Her fee of £3,000 was registered as having been received on 9th September 2022 from Open Mike Productions, the production company of the show

Ms Phillips also appeared on The Last Leg on 17th January 2020, which was episode 1 of series 19 and show number 204 of the total run. However there is no record of her fee for this appearance, which would be around the same fee as she received in September 2022, ever being recorded in her Register of Interests

I feel that this should be investigated as to why this fee was never registered.

*28 March 2023*

## 2. Email from the Office of the Parliamentary Commissioner for Standards to the complainant, 5 April 2023

Thank you for your patience regarding your recent complaint about Ms Jess Phillips.

If possible, please could you provide details of where the following information came from? *"The Last Leg on 17th January 2020, which was episode 1 of series 19 and show number 204 of the total run."*

*5 April 2023*

## 3. Email from the complainant to the Office of the Parliamentary Commissioner for Standards, 5 April 2023

Attached is a list of all the Last Leg shows and their guests.<sup>1</sup>

You will see on page 10 of the pdf I have highlighted in yellow her appearance on Series 19, episode 1 which was show 204 on 17th January 2020.

I have also done the same on page 14 of the pdf for her appearance on Series 25, episode 3 which was show 279 on 29th July 2022. This was the one recorded in the MP's Register.

Here is a video link to the show on 17th January 2020 with John Bishop next to her on Jess's left together with the other 2 presenters, Josh Widdicombe and Alex Brooker, on her right and Adam Hills behind the desk.<sup>2</sup>

In the video, you will note at the beginning that Adam Hills refers to the upcoming Labour Leadership election, which concluded on 4th April 2020, and there was a question from Alex Brooker following the outcome of the General Election in December 2019.

*5 April 2023*

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1 Only the relevant sections of the information is reproduced below as an enclosure.

2 <https://www.youtube.com/watch?v=8IWUUYee2Is>

Enclosure: Evidence provided by complainant as PDF attachment to email, document created from information available on the Wikipedia website.

### The Last Leg: Series 19

List of The Last Leg episodes - Wikipedia		https://en.wikipedia.org/wiki/List_of_The_Last_Leg_episodes		
No.	#	Guest(s)	Original air date	Viewers (millions)
194	1	<u>Kathy Burke and Harry Hill</u> <sup>[nb 26]</sup>	25 October 2019	1.44
195	2	<u>Jimmy Carr and Sandi Toksvig</u>	1 November 2019	1.65
196	3	<u>Aisling Bea and Nish Kumar</u>	8 November 2019	1.50
197	4	<u>Joe Lycett and Daisy May Cooper</u>	15 November 2019	1.49
198	5	<u>Kevin Bridges and Victoria Coren Mitchell</u>	22 November 2019	1.57
199	6	<u>Ellie Taylor and Richard Ayoade</u>	29 November 2019	1.29
200	7	<u>Stacey Dooley, Noel Fielding and Jamali Maddix</u> <sup>[nb 31]</sup>	6 December 2019	1.38
201	8	<u>Richard Osman, Miriam Margolyes, Anna Soubry, Rory Stewart and Count Binface</u> <sup>[nb 32]</sup>	13 December 2019	1.59
202	9	<u>Lorraine Kelly and Tom Allen</u>	20 December 2019	1.54
203	10	<i>The Last Leg Of The Year</i> : <u>Sue Perkins, Sara Pascoe, Tom Davis, Zawe Ashton, Rosie Jones, Johnny Vegas, Billy Monger and Alex Horne &amp; The Home Section</u>	31 December 2019	1.79

**2020**

Series 19

No.	#	Guest(s)	Original air date	Viewers (millions)
204	1	<u>John Bishop and Jess Phillips</u>	17 January 2020	1.58
205	2	<u>Suzi Ruffell and David Tennant</u>	24 January 2020	1.44
206	3	<u>Armando Iannucci, Tom Allen, Guz Khan, Aisling Bea and Geoff Norcott</u> <sup>[nb 33]</sup>	31 January 2020	1.82
207	4	<u>Steph McGovern and Sandi Toksvig</u>	7 February 2020	1.51
208	5	<u>Lizzy Caplan and Dara Ó Briain</u>	14 February 2020	1.44
209	6	<u>Jesse Eisenberg, Imogen Poots and Jon Richardson</u>	21 February 2020	1.78

### The Last Leg: Series 25

List of The Last Leg episodes - Wikipedia		https://en.wikipedia.org/wiki/List_of_The_Last_Leg_episodes		
No.	#	Guest(s)	Original air date	Viewers (millions) <sup>[8]</sup>
277	1	<u>Miriam Margolyes, Desiree Burch, Krishnan Guru-Murthy and Jonnie Peacock</u>	15 July 2022	1.65 <sup>[8]</sup>
278	2	<u>Frankie Boyle and Baroness Warsi</u>	22 July 2022	N/A
279	3	<u>Rylan, Jess Phillips, Jason Donovan, Jackie Woodburne, Stefan Dennis, Ryan Moloney, Ian Smith, Shaun Briscoe, Lucy Jones and Some Voices Choir</u>	29 July 2022	1.29 <sup>[9]</sup>
280	4	<u>James Acaster, Alice Tai, Jess Robinson and Some Voices Choir</u>	5 August 2022	1.29 <sup>[10]</sup>
281	5	<u>Asim Chaudhry, Clara Amfo, Matt Forde, Jack Hunter-Spivey, Johnboy Smith and Emmanuel Oyinbo-Coker</u>	12 August 2022	1.14 <sup>[11]</sup>
282	6	<u>Dara Ó Briain, Rosie Jones and Rose Ayling-Ellis</u>	19 August 2022	1.26 <sup>[12]</sup>
283	7	<u>Ed Gamble and Suzi Ruffell</u>	26 August 2022	N/A
284	8	<u>Kerry Godliman, Big Zuu, Rachel Onasanwo, Jonnie Peacock and The Steve &amp; Ben Somers Band</u> <sup>[nb 43]</sup>	2 September 2022	1.22 <sup>[13]</sup>
285	9	<u>David Harewood and Judi Love</u>	16 September 2022	N/A
286	10	<u>Munya Chawawa, Sara Pascoe, Alastair Campbell, Jess Robinson and Some Voices Choir</u>	23 September 2022	1.29 <sup>[14]</sup>

An episode set to air on 9 September 2022, with guests Richard Ayoade and Aisling Bea,<sup>[15]</sup> was cancelled due to the death of Queen Elizabeth II.<sup>[16]</sup>

5 April 2023

#### 4. Letter from the Commissioner to Ms Jess Phillips MP, 24 April 2023

Following receipt of an allegation from [name redacted], regarding your entry in the Register of Members' Financial Interests and your compliance with the House of Commons Code of Conduct, I have decided to open a formal inquiry.

##### The scope of my inquiry

My inquiry will focus on whether you have acted in breach of paragraph 14 of the 2019 Code of Conduct for Members of Parliament (“the Code”), failing to register financial interests within the 28-day deadline set by the House. In his allegation the complainant questioned whether you should have registered a payment for your guest appearance on the Channel 4 programme *The Last Leg*, which was broadcast on 17 January 2020.

The complainant has provided evidence showing that you have registered a payment of £3,000 under **Category 1. Employment and earnings**, for a subsequent appearance on the same programme, which was broadcast on 29 July 2022 and registered on 12 September 2022.<sup>3</sup> A copy of [the complainant's] email submissions, dated 28 March and 5 April 2023, are enclosed for your information.

In preparation for opening this inquiry and in line with my usual practices, I have undertaken a review of your most recent entry in the Register of Members' Financial Interests, dated 17 April 2023.<sup>4</sup> As a result, I have identified a further interest, received from the University of Bristol, which appears to have been registered outside of the 28-day deadline set by the House. For completeness I will include this interest in my inquiry (the relevant entry is reproduced below for ease of reference).

##### 1. Employment and earnings

6 October 2022, received £1,000 from University of Bristol, Beacon House, Queens Road, Bristol BS8 1QU, for delivering a lecture. Hours: 2 hrs. (Registered 04 November 2022) [**registered 2 days late**]

I have reviewed the inquiry conducted by the previous Commissioner, Kathryn Stone OBE, into your compliance with the rules on Registration between February and April 2022.<sup>5</sup> In her letter of 25 February 2022, Ms Stone explained that her inquiry would include a review of all interests registered since the start of the new Parliament in December 2019.

During that inquiry, in your email of 5 April 2022, you said “*I hope that it is clear, because of my commitment to registering all other appearances as required on this and other TV shows where fees are paid (clear from my register listings) that this was not out of any desire to deceive or hide the fact of my appearance or payment ...*”. Although the 17 January 2020 episode of *The Last Leg* was broadcast over three years ago, I have decided an inquiry into this matter is required in order to establish whether or not you were paid for your guest appearance and, if you were, whether you should have highlighted this further missed registration during the 2022 inquiry.

3 [https://publications.parliament.uk/pa/cm/cmregmem/221003/phillips\\_jess.htm](https://publications.parliament.uk/pa/cm/cmregmem/221003/phillips_jess.htm)

4 [https://publications.parliament.uk/pa/cm/cmregmem/230417/phillips\\_jess.htm](https://publications.parliament.uk/pa/cm/cmregmem/230417/phillips_jess.htm)

5 <https://www.parliament.uk/globalassets/documents/pcfs/rectifications/ms-jess-phillips-mp-rectification.pdf>

Also, as part of the previous inquiry, you explained you had introduced diarised checks to ensure future interests were registered within the 28-day deadline. I am, therefore, disappointed to be writing to you today regarding the late registration of an interest, which was made after the conclusion of the earlier inquiry.

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

The overarching rules are found in the House of Commons' 2019 Code of Conduct for Members. **Paragraph 14** of that 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.”*<sup>6</sup>

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

### **Requirements of the House**

#### **Registration of interests**

*2. The House requires new Members, within one month of their election, to register all their current financial interests, and any registrable benefits (other than earnings) received in the 12 months before their election. After that, Members are required to register within 28 days any change in those registrable interests. Such a change includes both the acquisition of a new interest and the ceasing of any registered interest, for example because an employment has ceased or because a holding has reduced in value or been sold.*<sup>7</sup>

Further relevant rules of the House in relation to the requirements for registration of interests under Category 1. Employment and earnings can be found by following this link.<sup>8</sup>

### **Next steps**

I would welcome your comments on the allegation that your alleged actions have amounted to a breach of paragraph 14 of the 2019 Code of Conduct for Members. I would also be grateful for your answers to the following specific questions:

1. Were you paid for your appearance on the Channel 4 programme *The Last Leg*, which was broadcast on 17 January 2020?
  - a) If you were paid, please provide the details of that payment in your reply and outline the reasons why receipt of this payment was not registered at the time.

6 [https://publications.parliament.uk/pa/cm201719/cmcode/1882/188202.htm#\\_idTextAnchor007](https://publications.parliament.uk/pa/cm201719/cmcode/1882/188202.htm#_idTextAnchor007)

7 [https://publications.parliament.uk/pa/cm201719/cmcode/1882/188204.htm#\\_idTextAnchor017](https://publications.parliament.uk/pa/cm201719/cmcode/1882/188204.htm#_idTextAnchor017)

8 [https://publications.parliament.uk/pa/cm201719/cmcode/1882/188204.htm#\\_idTextAnchor017](https://publications.parliament.uk/pa/cm201719/cmcode/1882/188204.htm#_idTextAnchor017)

- b) Please could you also contact the Registrar and provide him with all the necessary details required to register this interest.
2. Were you aware that the payment of £1,000 from the University of Bristol, received on 6 October 2022 and registered on 4 November 2022, had been registered late?
- a) Please outline why the measures introduced by you as a result of the previous inquiry, failed to ensure this interest was registered within the 28-day deadline set by the House?
3. After carefully checking all of your records, are you satisfied that your entry in the Register of Members' Financial Interests is complete and accurate in all other respects, and in line with Chapter 1 of the Guide to the Rules?
- a) If it is not, please contact the Registrar now to bring it up to date.
- b) If it is, please describe the steps that you have taken to satisfy yourself of this.

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

### **Important information**

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

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

The Members' Services Team (MST) can support and signpost you and/or your staff to appropriate support services. You can contact them confidentially on 020 7219 4141 or at [mst@parliament.uk](mailto:mst@parliament.uk) for a range of issues, including support with handling the impact of media attention.

### **Procedure**

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

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

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

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

### **Potential outcomes**

Inquiries are generally concluded in one of three ways.

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

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

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

3. If I consider there has been a breach of the Code, and
- it is either unsuitable for the rectification procedure; or
  - you do not accept my opinion that there has been a breach of the Code; or
  - you do not take (or do not agree to take) any remedial action required; or
  - the investigation raises issues of wider importance

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

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

### **Action**

I would be grateful to have your response to this letter as soon as possible and no later than 4pm 5 May 2023. Please let me know before that date if you require more time to respond.

If you would prefer me to communicate with you by email, or via a different postal address, please give the details when you reply to this letter. It would also be helpful if you were willing to provide a telephone number through which I might contact you. I would be grateful if you could send your response electronically to [standardscommissioner@parliament.uk](mailto:standardscommissioner@parliament.uk)

Thank you for your cooperation with this matter.

*24 April 2023*

**5. Email from Ms Jess Phillips MP to the Commissioner, 24 April 2023**

Thanks for the email and attached letters. I am not sure what evidence I can provide, as I cannot prove a negative, in the case of the first complaint, but I didn't receive a fee for my first appearance on the Last Leg, so there was nothing to declare. I guess I could get in touch with them to ask for a written statement to that affect if it is required, but there was nothing declared as there was nothing to declare.

On the late registration please find attached emails between me and the Registrar that show that I did attempt to declare the University of Bristol Payment within the 28 days and in fact sent the declaration in on the 2nd of November, however I had simply omitted the amount, which the registrar did not alert me to until 2 days later when I immediately responded with an apology. I hope you can see that it was completely my intention to make the declaration within the time frame and ordinarily I would have done it well before. It was as I hope you can see a simple error in including the amount.

It was in this period that my administrator who manages my diary etc (where the process for alert of any declarations was in place) changed and the induction and process for the new administrator was hampered by closure of parliament initially for the process of the passing of the Monarch that then ran in to conference recess meant that the office was in some flux in that period. As you can see from my declarations since then this has not been of any further issue.

On the third point, I am satisfied that all of my registrations are up to date although I have received an odd expensive gift today from a complete stranger and am awaiting the registrars guidance of what I am supposed to do with this.

Please let me know if you need anything further from me.

*24 April 2023*

**Enclosure: Emails exchanged between Ms Jess Phillips MP and the Registrar of Members' Financial interests.**

From: PHILLIPS, Jess  
 Sent: 02 November 2022 00:45  
 To: Commons Registrar  
 Subject: New registration

Hi can I please register the following

6th October - University of Bristol (University of Bristol, Beacon House, Queens Road, Bristol, BS8 1QU) for delivering a lecture -2 hours

7th Oct - Emma Bridgewater Festival in a Factory (Lichfield Street, Hanley, Stoke-on-Trent, ST1 3EJ) -£250 for a talk -1 hour

Thanks  
 Jess

From: Commons Registrar  
Sent: 04 November 2022 12:26  
To: PHILLIPS, Jess  
Subject: RE: New registration

Dear Ms Phillips,

Thank you for these updates.

I have included the Emma Bridgewater Festival in your entry below. I would be grateful if you could confirm that it is correct.

To complete the Bristol University entry we will need the amount that you were paid for the speech.

Best regards, Registrar

[Draft copy of Ms Phillips' Register Entry not reproduced here]

From: PHILLIPS, Jess  
Sent: 04 November 2022 12:27  
To: Commons Registrar  
Subject: RE: New registration

Apologies I thought I put it. It was £1000

All good

*24 April 2023*

#### **6. Letter from the Commissioner to Ms Jess Phillips MP, 15 May 2023**

Thank you for your email of 24 April 2023 and the emails enclosed showing your correspondence with the Registrar. I am now in a position to close my inquiry and have decided the following:

- On the allegation that you had failed to register a payment for your appearance on a television programme in January 2020, I am satisfied that you did not receive a payment for this appearance and had no remuneration to register. Therefore, the allegation is not upheld.
- However, I am also satisfied that you received £1,000 from the University of Bristol on 6 October 2022 but failed to register that payment in the Register of Member's Financial Interests within the 28-day deadline set by the House.

Although I consider this failure of timely registration to be very much at the minor end of the spectrum, I have decided the matter needs to be passed to the Committee on Standards for their review.

I enclose a copy of the draft of my memorandum to the Committee that sets out the rationale for my decision, along with the written evidence on which I have relied, for your



comments on its factual accuracy. This is in accordance with the arrangements in the procedural protocol<sup>9</sup> in relation to the Code of Conduct, which was agreed by the House on 18 October 2022.

There are three things I should explain about the draft memorandum. The first is, as I am sure you are aware, that the content of my memorandum is a matter for me alone. However, I would welcome your comments on its factual accuracy.

Secondly, while I have included my draft analysis, I should emphasise that this might change in the light of any comments you make on the factual accuracy of the memorandum.

Thirdly, you will note that the draft memorandum makes recommendations only to the Committee and the decision in this matter lies with the Committee. The Committee will offer you an opportunity to submit further evidence or make representations before they reach a decision. This is in line with the Committee's procedural protocol.

I would be grateful to have your comments as soon as possible and by no later than 22 May 2023 please.

The Clerk would then let you know when a date has been arranged for the Committee to consider the memorandum and he will send you a copy of the final text shortly before the Committee meeting.

In the meantime, our correspondence about this inquiry remains protected by parliamentary privilege and you should continue to keep this matter strictly confidential.

*15 May 2023*

#### **7. Email from Ms Jess Phillips MP to the Commissioner, 18 May 2023**

Apologies for the delay, I have been off work with a nasty stomach bug or food poisoning for a few days and am only just catching up on emails.

There is nothing factually I can see that is incorrect in the statement and accept the findings of the Commissioner. The error in omitting the amount was mine, albeit without intention.

*18 May 2023*