



House of Commons

Committee on Standards

Kate Osamor

First Report of Session 2019–21

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; 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 James Camp (Committee Assistant), Dr Robin James (Clerk), Maev Mac Coille (Media Officer), Stuart Ramsay (Second Clerk), Laura-Jane Tiley (Second Clerk).

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Report

1. This Report arises from a complaint to the Parliamentary Commissioner for Standards that Kate Osamor MP misused House of Commons stationery to provide a character reference for her son who had pleaded guilty to a criminal charge. The Commissioner on her own initiative extended this inquiry to encompass another matter involving Ms Osamor, her conduct on 30 November 2018 when she is alleged to have used threatening language to a journalist.

2. The Commissioner has supplied us with a memorandum relating to these two matters, which we publish as an appendix to this report.¹ Full details of the Commissioner's inquiry and her findings are set out in the memorandum. We shall summarise them briefly before setting out our own conclusions.

Alleged misuse of House of Commons stationery

3. Ms Osamor's son had pleaded guilty to a charge of possessing controlled drugs with intent to supply in September 2017. A sentencing hearing was due on 18 October 2018. As is customary, there was an opportunity to submit character references to the hearing. In a letter dated 8 October 2018, Ms Osamor wrote to the Courts of Justice, Bournemouth, to provide a character reference for her son. The letter was hand-delivered at the court. It described Ms Osamor's son as "a good person that came from a good home". It refers to his having recently been elected as a councillor in the London Borough of Haringey, and his "becoming a vital pillar in our local community, speaking up for young black men and women as a councillor". The letter referred to his having in recent years been employed in Ms Osamor's parliamentary office where he was "an integral part of my team".²

4. Ms Osamor's letter was written on House of Commons stationery bearing the crowned portcullis, the royal badge used as an emblem by the House of Commons. In the letter she referred to herself as the "Member of Parliament for Edmonton and Shadow Secretary of State for International Development". Printed below the heading were the words "Please reply to: EdmontonConstituency@parliament.uk".³ The full text of the letter is set out in evidence appended to the Commissioner's memorandum.⁴

5. Ms Osamor told the Commissioner that she had used House of Commons stationery because "people, of all professions, use their professional headed paper [...] to demonstrate that they are who they say they are."⁵ She did not consult the House authorities before writing the letter.⁶

6. The Commissioner sets out the relevant rules of the House relating to use of House stationery.⁷ In particular, paragraph 16 of the Code of Conduct for Members of Parliament states that:

1 Written evidence accompanying the Commissioner's memorandum is published on the Committee's website.

2 WE 4 (enclosure)

3 PCS memorandum, paras 8, 23; WE 4 (item 1)

4 WE 4 (enclosure)

5 PCS memorandum, para 24

6 PCS memorandum, para 25

7 PCS memorandum, paras 11–18

Members shall ensure that their use of public resources is always in support of their parliamentary duties. It should not confer any undue personal or financial benefit on themselves or anyone else [...].⁸

The rules on the use of House stationery permit “modest use” of House-provided stationery for “personal correspondence”. They add that “Members should [...] always behave with probity and integrity when using House-provided stationery [...]”.⁹

7. The Commissioner also draws attention to paragraph 17 of the Code of Conduct, which states that:

Members shall never undertake any action which would cause significant damage to the reputation and integrity of the House of Commons as a whole, or of its Members generally.¹⁰

8. The Commissioner consulted the House of Commons Director of Customer Service & Service Delivery about what advice he would have given had Ms Osamor sought it. He responded:

I would have advised that the letter falls outside the rules. The rules state that ‘House-provided stationery and pre-paid envelopes are provided only for the performance of a Member’s parliamentary functions’; writing a letter providing a character witness for a family member does not, in my opinion, fit within this definition. [...] Ms Osamor, as a Member of Parliament, would have been able to refer to her position without using House-provided stationery or postage to do so.¹¹

9. The Director quoted advice he had been given by the Clerk of the Journals:

[...] this is an inappropriate use of the crowned portcullis since it risks implying a parliamentary connection or even authority [in] what is a purely personal communication. That said, I would consider it at the milder end of inappropriate because the text of the letter itself is clearly in a personal capacity and does not pretend to any parliamentary authority.¹²

10. The Commissioner notes that “there was nothing inherently wrong in Ms Osamor writing a character reference for her son. The submission of character references by friends and family before sentencing is commonplace.” She notes that a Member might be persuaded to provide a constituent with a character witness statement. She adds that “there was also nothing inherently wrong in Ms Osamor stating that she is a Member of Parliament”, a fact that is in the public domain. However, “the use of House of Commons paper wrongly suggested that her plea carried the authority of the House”. She comments that the tone of any character reference for a constituent would be different from that which Ms Osamor used to plead her son’s cause. The Commissioner concludes that “writing, in the terms that she did, on stationery bearing the royal badge was, in my

8 PCS memorandum, para 12

9 PCS memorandum, paras 14, 15

10 PCS memorandum, para 13

11 PCS memorandum, para 25

12 PCS memorandum, para 26

view, highly inappropriate”. She therefore finds that in writing to the judge on House-provided stationery, Ms Osamor broke the rules on the use of such stationery, in breach of paragraph 16 of the Code of Conduct.¹³

11. Ms Osamor accepts that she broke the rules on the use of House-provided stationery, and has apologised to the Commissioner.¹⁴

Alleged use of threatening language

12. The Commissioner extended her inquiry as a consequence of media reports that on the evening of 30 November 2018 Ms Osamor had used threatening language to a journalist who was inquiring into her involvement with her son’s case. The Commissioner asked the Metropolitan Police Service (MPS) for any information they held on this alleged incident. The MPS supplied her with audio-visual evidence and some written material. They informed her that Ms Osamor had called the police at 6.09 pm on 30 November 2018. She had identified herself as a Member of Parliament and had said that a man claiming to be a journalist was banging on the door intimidating her and her family. Ms Osamor later told the Commissioner that she had been alone at home that evening.¹⁵

13. The Commissioner’s memorandum records what the police records establish about this incident:

The police attended the property, arriving just before 18.30. At least one of the officers attending Ms Osamor’s home address was wearing a body-worn video camera. The recording showed that, as the officers first approached her, Ms Osamor was told about the camera. She explained to the officers why she had called them. She identified the man as a journalist and herself as a Member of Parliament. Ms Osamor said that journalists had been “stalking” her, and complained that he (the journalist) thought he had “a right to be [t]here.”

In front of the officers, she said to the journalist “Don’t knock my fucking door. I should have come down here with a fucking bat and smashed your face open”. Shortly after making that statement, Ms Osamor said that she didn’t have a bat, and that she was not advocating violence. She described herself then as angry and upset. The police officer’s written notes recorded that the journalist showed no signs of alarm, fear or distress. The incident took place outside Ms Osamor’s house, and ended a few minutes later with Ms Osamor going into her property.

MPS were called to Ms Osamor’s home address again on 1 December 2018. Their records show that “Police then went and spoke to Ms Osamor inside her [home address]. Her son was not present and she admitted there was an incident the night before where she lost her cool, and said things she regretted and threw a cup of water at someone.” I have not seen any direct evidence of the water throwing incident.¹⁶

13 PCS memorandum, para 39–41

14 PCS memorandum, para 55; Ev 14 (para under heading “Use of House-provided stationery”)

15 PCS memorandum, para 31

16 PCS memorandum, paras 32–34

14. The Commissioner considered whether the exclusion in paragraph 2 of the Code of Conduct, that “The Code [...] does not seek to regulate what Members do in their purely private and personal lives”, meant that the incident on 30 November 2018 was outside her remit. She concluded that it was not, because Ms Osamor’s conduct on that occasion was not “purely private and personal”: although it concerned a family member, it was played out in public and was witnessed by third parties who were well aware that Ms Osamor was a Member of Parliament; and it is likely that the journalist knocking at her door would not have been there but for her public profile.¹⁷

15. Ms Osamor herself supplied more background about the incident. She stated that she fully accepted that her behaviour on the evening of 30 November was not acceptable for a Member of the House:

my emotional outburst was a result of frayed tempers. After a month of what I felt to be media harassment of myself and my family and neighbours, I finally snapped. But, as a public figure, I know that was not acceptable. Again, I got it wrong. I made a mistake.

It does not excuse that I lost my cool, but I would like to set out some of the background and context up to the events of the night. It may help you and the Committee understand my state of mind at the time.¹⁸

16. Ms Osamor in her written evidence then sets out in some detail the “background and context” referred to above. She stated that:

In the month leading up to the events, I felt the media coverage and harassment went far beyond what was reasonable or acceptable in the interests of public scrutiny. I felt that a particular section of the press, strongly opposed to my politics, had deliberately and repeatedly misrepresented and mischaracterised event[s]. You will be aware of the scale and nature of the coverage across this significant section of the press. I felt that I was the target of a witch-hunt, and that race and class were factors. Most of all, I was deeply upset and angry about the targeting of my son. Although as a councillor he was a minor public figure, he stepped down early on during the harassment and there is little doubt in my mind that he would not have been targeted in the same way were it not for my own position on the Labour front bench. I do think that there are important grounds for the media also to reflect on their own behaviour and ethics during this case.¹⁹

17. Ms Osamor describes a series of incidents in October and November 2018, in which she claimed that journalists and photographers were camped outside her house, photographed her son on his way to and from the house, and door-stepped her 80-year-old mother. Pictures of the house were published in the national press, leading Ms Osamor to fear for her safety. She relocated to stay with friends and relatives, and vividly describes her state of mental anxiety and turmoil during this period.²⁰

18. Ms Osamor concluded this written evidence to the Commissioner by stating that:

17 PCS memorandum, para 42

18 WE 14 (under heading “Conduct on the evening of 30 November 2018”)

19 Ibid.

20 Ibid.

I hope that you are assured that I have learned valuable lessons from the events of the past year, that these breaches of the Code of Conduct will not be repeated, and that I am fully aware of the consequences of doing so. I have stepped down from a front bench role in the Labour Party, and have also paid a significant personal price for the events and case in question. I would like to reiterate too that I fully accept your findings.²¹

19. In assessing this evidence from Ms Osamor, the Commissioner states that she is “mindful that Members have, in recent years, very regrettably, been subjected to harassment and, in some cases, violent attack”, which has led to “heightened sensitivity and greater caution”. However, she notes that Ms Osamor was aware that the person banging on her door was a journalist, and that her demeanour when the police arrived reflected her own description that she was “angry and upset”, rather than feeling scared or intimidated. The Commissioner also notes that, according to the police account, the journalist showed no fear, alarm or distress. The Commissioner comments that “Ms Osamor had faced a period of scrutiny in the context of her son’s court case; not all of it was accurate or fair”.²²

20. The Commissioner concludes that Ms Osamor’s behaviour on 30 November 2018 was not acceptable: “She did not, in the heat of the moment, show a proper concern for the impact of her conduct on the reputation of the House and of her colleagues”.²³

21. The Commissioner notes that Ms Osamor did not reply promptly to a number of contacts from her in the earlier stages of her inquiry. Ms Osamor, asked to comment on this, offered her apologies, noting both that during this period she had a number of significant absences in her constituency and parliamentary office staffing, and alluding also to “a very challenging time for me personally”.²⁴ Nonetheless, the Commissioner concludes that the delays in responding were “not respectful of the House’s standards system”.

22. The Commissioner’s overall finding is that:

Ms Osamor’s actions in writing to the court using House-provided stationery, in speaking as she did to the journalist, and in omitting to reply to correspondence, separately and together, give fuel to the belief that Members are able and willing to use the privileges of office to benefit their own personal interests, and to attempt to set themselves above the rules that apply to others. Such action is a breach of paragraph 17 of the Code of Conduct.²⁵

Paragraph 17 states that “Members shall never undertake any action which would cause significant damage to the reputation and integrity of the House of Commons as a whole, or of its Members generally”. Because breaches of paragraph 17 cannot be subject to the rectification procedure, the Commissioner was therefore required to refer this matter to the Committee.²⁶

21 Ibid.

22 The quotations in this paragraph are from PCS memorandum, paras 45–49.

23 PCS memorandum, para 49

24 WE 14, second para

25 PCS memorandum, para 51

26 PCS memorandum, paras 44 and 55

23. In doing so, the Commissioner commented that “Consideration of any mitigation is a matter for the Committee”, and she drew our attention to Ms Osamor’s written evidence providing contextual information. We refer to this written evidence in paragraphs 15 to 18 above.

The Committee’s conclusions

24. We accept the Commissioner’s findings that Ms Osamor acted in breach of paragraphs 16 and 17 of the Code of Conduct.

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

26. Although breaches of paragraph 17 of the Code in particular must always be regarded as a serious matter, we do not consider that in this case there are any further aggravating factors.

27. We regard the following to be mitigating factors:

- As the Clerk of the Journals observed, the inappropriate use of House-supplied stationery was “at the milder end of inappropriate because the text of the letter itself is clearly in a personal capacity and does not pretend to any parliamentary authority”. It is worth emphasising that there is nothing wrong in itself in supplying a character reference to a sentencing hearing. Ms Osamor, as she now accepts, should not have done so on stationery bearing the crowned portcullis, but we note that there might be other circumstances in which a Member might properly use such stationery to supply a character reference for one of the staff in their parliamentary office. Ms Osamor’s son was employed in her parliamentary office; it was the fact that he was also her son which meant that the use of official stationery was unwise. Notwithstanding this, it is clear from the contents of Ms Osamor’s letter that she was not seeking to interfere in an improper way with the course of justice, simply to make representations on behalf of her son which she considered herself entitled, as a mother and an employer, to make.
- Although the language used by Ms Osamor to the journalist on 30 November 2018 was extreme and highly regrettable, we believe that the strain and pressure she was under as a result of a long period of continuous scrutiny of her family affairs should be taken into account. So should the wider context of threats and abuse which she and her staff experienced over a number of months prior to this incident. The police account indicates that the journalist showed no fear, alarm or distress. Ms Osamor accepts, as she should, that she ought not to have behaved in this way and we certainly do not seek to justify her conduct which the Commissioner has rightly found in breach of the Code. The Commissioner also, however, refers to Ms Osamor having behaved “in the heat of the moment” and we agree that what she said was a hot-blooded reaction to a difficult personal situation, and should be judged in that light.
- We note that although Ms Osamor has rightly been found to have breached the Code by her earlier failure to respond to contacts from the Commissioner,

she has subsequently co-operated with the inquiry and has apologised to the Commissioner, accepting that she has erred and undertaking to learn the necessary lessons.

- Ms Osamor resigned from the Opposition Front Bench as a result of these events, so she has paid a price for her behaviour in terms of her career.

28. We recommend that Ms Osamor should apologise to the House for her breaches of the Code of Conduct, by means of a letter to the Committee which we will publish on our website. We add that if Ms Osamor were to commit any further similar breaches of the Code, we would take a very serious view of the matter.

Appendix: Memorandum from the Parliamentary Commissioner for Standards—Kate Osamor

Executive Summary

1. This inquiry has focused on two issues; whether Ms Osamor misused House-provided stationery bearing the crowned portcullis to provide a character reference for her son's court case; and whether her conduct in the early evening of 30 November 2018 was acceptable for a Member of the House.
2. I took advice from the House authorities about the first matter, and I obtained from the Metropolitan Police Service an audio-visual recording of an incident that occurred on 30 November. I gave the Member the opportunity to comment on both before I made my decisions.
3. I found that Ms Osamor had misused House-provided stationery, wrongly giving the impression that her correspondence with the court was in connection with her parliamentary activities or carried the authority of the House. That is in breach of the House's rules on the use of such stationery and a breach of paragraph 16 of the Code of Conduct for Members.
4. Ms Osamor called the police to her home address on 30 November 2018, saying that she and her family were being intimidated. When she made that call, Ms Osamor was alone at home. She told the police that she was a Member. In the presence of witnesses, Ms Osamor subsequently told the journalist who was knocking at her door that she should have hit him in the face with a bat. Acting in this way, knowing she was being filmed, might reasonably suggest to others that such behaviour is a generally acceptable way for Members of the House to behave. It is not.
5. I consider the Member's failure to reply to letters I sent to her in June and July 2019 was disrespectful of the House's standards system.
6. Ms Osamor's actions in writing to the court using House-provided stationery; in speaking as she did to the journalist; and in omitting to reply to correspondence, separately and together, give fuel to the belief that Members are able and willing to use the privileges of office to benefit their own personal interests, and to attempt to set themselves above the rules that apply to others. Such action is a breach of paragraph 17 of the Code of Conduct.
7. Ms Osamor has, having seen a draft of this Memorandum, accepted and apologised for her breach of the stationery rules and for her behaviour on 30 November 2018. She has also given an undertaking not to repeat these breaches of the Code of Conduct.

Background

8. The submission of character references by friends and family is commonplace before sentencing in criminal cases. On 8 October 2018 Ms Osamor wrote to the Courts of Justice, Bournemouth, to provide a character witness statement for her son. Ms Osamor's

son had pleaded guilty to a charge of possessing controlled drugs with intent to supply in September 2017, and was due to be sentenced. The sentencing hearing was on 18 October 2018.

9. On 1 December 2018 media reports alleged that Ms Osamor had threatened a journalist with a bat the night before, when the journalist had knocked on the door of her home, asking questions about her son's case. It had previously been suggested that Ms Osamor had not been aware of the court case until sentencing, and the reports also alleged that Ms Osamor had "*thrown a bucket of water*" over the journalist who had asked her to comment on reports that she had misled the public over her knowledge of her son's arrest.

10. On 22 January 2019 Ms Osamor wrote to me. She said she had given a character reference in a court case in which her son was involved and said that she sought "*clarification ... that [she had] not breached any of the rules for using parliamentary stationery in this instance.*" On 23 January, following a request that I begin an inquiry into whether Ms Osamor had broken the rules of conduct for Members of Parliament, I wrote to Ms Osamor to initiate this inquiry. I told her that it would focus on two of the rules of conduct - those in paragraphs 16 and 17 of the current Code of Conduct for Members.

Relevant rules of the House

11. Paragraph 2 of the House of Commons' Code of Conduct for Members describes the scope of the Code:

The Code applies to Members in all aspects of their public life. It does not seek to regulate what Members do in their purely private and personal lives.

12. Paragraph 16 of the House of Commons' Code of Conduct for Members states

Members are personally responsible and accountable for ensuring that their use of any expenses, allowances, facilities and services provided from the public purse is in accordance with the rules laid down on these matters. Members shall ensure that their use of public resources is always in support of their parliamentary duties. It should not confer any undue personal or financial benefit on themselves or anyone else, or confer undue advantage on a political organisation.

13. Paragraph 17 of the Code states

Members shall never undertake any action which would cause significant damage to the reputation and integrity of the House of Commons as a whole, or of its Members generally.

14. The Rules on the use of stationery and postage-paid envelopes provided by the House of Commons, and for the use of the crowned portcullis permit "*modest use*" of House-provided stationery for "*personal correspondence*" (paragraph 5).

15. The over-arching principles for the use of House-provided stationery are found in paragraph 2 of those rules. That states;

The rules cannot be expected to cover every eventuality; Members should therefore always behave with probity and integrity when using House-provided stationery and postage. Members should regard themselves as personally responsible and accountable for the use of House-provided stationery and postage. They must not exploit the system for personal financial advantage, nor (by breaching the rules in paragraph 3 below) to confer an undue advantage on a political organisation.

16. Paragraph 3 of the stationery rules lists purposes for which House-provided stationery should not be used. That list is not exhaustive.

17. Paragraph 5 of the stationery rules says that “*modest use of stationery (but not pre-paid envelopes) for personal correspondence is permitted.*”

18. Paragraph 9 of the rules relates specifically to the use of the crowned portcullis. It begins with the following explanation:

The principal emblem of the House is the crowned portcullis. It is a royal badge and its use by the House has been formally authorised by licence granted by Her Majesty the Queen. It should not be used where its authentication of a connection with the House is inappropriate, or where there is a risk that its use might wrongly be regarded or represented as having the authority of the House....

The inquiry

19. When I opened this inquiry I explained to Ms Osamor that I could not give an opinion on whether she had breached the rules for the use of House-provided stationery without first establishing all of the relevant facts. I explained to her that I would consider both paragraph 16 of the House of Commons’ Code of Conduct for Members, concerning the use of public resources, and paragraph 17 of the Code which concerns action which would damage the reputation and integrity of the House of Commons as a whole, or of its Members generally. I asked Ms Osamor questions about her use of House-provided stationery and about the media reports that she had made threatening comments to a journalist.

20. I have taken advice from the House authorities and I have obtained evidence from the Metropolitan Police Service. Ms Osamor has had the opportunity to comment on the advice I have received, as well as to comment on the evidence I have collated. She did not reply to my invitation to view the audio-visual evidence nor did she comment on the advice I received from the House authorities until I sent her the draft version of this Memorandum.

21. I may conclude an inquiry without reference to the Committee on Standards only in certain circumstances.²⁷ The criteria for such a course of action are not met on this occasion and I have, therefore, to refer the matter to the Committee for consideration. I summarise the evidence I have found through my inquiry below and set out my analysis in paragraphs 36 to 51.

22. I should say here that although Ms Osamor has not replied promptly to my correspondence about this matter, I have not progressed it as quickly as I would normally have done. This was the result of an unfortunate co-incidence of unexpected absences and the volume of other work my office has received in recent months.

The evidence

23. When Ms Osamor wrote to me on 22 January 2019, she said that she had “recently used House stationery to write a character reference in a court case involving [her] son”.²⁸ She told me on 5 February that she had not used any other House-provided facilities in connection with this matter, and provided a copy of the character reference, dated 8 October 2018.²⁹ In the letter of 8 October 2018, Ms Osamor introduced herself as the “Member of Parliament for Edmonton and Shadow Secretary of State for International Development”. The headed paper she used bore the crowned portcullis and, printed below the heading, were the words “Please reply to: EdmontonConstituency@parliament.uk”.

24. Ms Osamor told me that she had not considered using other stationery to write to the court because “people, of all professions, use their professional headed paper ... to demonstrate that they are who they say they are”.

25. Ms Osamor told me she had not consulted the House authorities before writing this letter on behalf of her son. Members are personally responsible and accountable for ensuring that their use of public resources is in accordance with the relevant rules, and they are not required to seek approval on a daytoday basis for the decisions they make on such matters. I asked the Director of Customer Service & Service Delivery about the advice he would have given had Ms Osamor shown him the text of her letter to the court before sending it on House-provided paper. In response, he said

“... I would have advised that the letter falls outside the rules. The rules state that ‘House-provided stationery and pre-paid envelopes are provided only for the performance of a Member’s parliamentary functions.’; writing a letter providing a character witness for a family member does not, in my opinion, fit within this definition.

In your letter you mention that Ms Osamor told you that she used House-provided paper because “people of all professions use their professional headed paper - for example, lawyers in criminal proceedings use formal letterheads to demonstrate that they are who they say they are”. I would note that her use of House-provided paper must conform to the rules explained above, and that Ms Osamor, as a Member of Parliament, would have been able to refer to her position without using House-provided stationery or postage to do so”.³⁰

26. The Director said he had consulted the Clerk of the Journals, who had told him

“My advice would have been that this is an inappropriate use of the crowned portcullis since it risks implying a parliamentary connection or even authority

28 WE 2
29 WE 4
30 WE 11

what is a purely personal communication. That said, I would consider it at the milder end of inappropriate because the text of the letter itself is clearly in a personal capacity and does not pretend to any parliamentary authority."

27. Ms Osamor told me that, on 30 November 2018, the judge in her son's case had ordered that the identities of some of her son's character witnesses might be disclosed, and later that day a journalist had arrived at her home address, wanting to know when she "first knew [her] son was a drug dealer." Ms Osamor said that her "temper was frayed". She told me, "I am a mother first and my motherly instincts went into overdrive."³¹

28. When I interviewed Ms Osamor, I asked whether she considered her behaviour toward the journalist might be damaging to the reputation of Parliament. She said that it might "if it had been the first time that journalists had knocked on her door, but it was late at night, after a string of articles had been published and she had been provoked".

29. Ms Osamor said that when the journalist had first knocked at her door he asked if she had any comment on her son being "being a drug dealer". Ms Osamor said she had not denied all knowledge of the matter. She had been making the point that her son had not been charged with drug dealing. She said "I didn't say I didn't know, I said he's not a dealer."

30. Ms Osamor provided supporting evidence after the interview. She told me that a journalist (from a different newspaper) had called at her home on 26 October 2018 and accused her son of being a drug dealer. She said she had refused to engage with him. After that, several newspapers had run stories about her son's case, which she considered to be factually inaccurate. Ms Osamor said that references in the media coverage to lethal drugs having been smuggled into a music festival were inflammatory, and that other details in the coverage were incorrect.

31. I asked the Metropolitan Police Service (MPS) for any evidence that they held relating to the events of 30 November 2018. On 23 May 2019 they provided audio-visual evidence and some written material.³² Their records showed that Ms Osamor had sought police assistance that evening. The contemporaneous notes show that Ms Osamor called MPS at 18.09 on 30 November 2018. She identified herself as a Member of Parliament, and said that a man claiming to be a journalist was banging on the door intimidating her and her family. Ms Osamor later told me that she had been alone at home that evening.³³

32. The police attended the property, arriving just before 18.30. At least one of the officers attending Ms Osamor's home address was wearing a body-worn videocamera. The recording showed that, as the officers first approached her, Ms Osamor was told about the camera. She explained to the officers why she had called them. She identified the man as a journalist and herself as a Member of Parliament. Ms Osamor said that journalists had been "stalking" her, and complained that he (the journalist) thought he had "a right to be [t]here."

33. In front of the officers, she said to the journalist "Don't knock my fucking door. I should have come down here with a fucking bat and smashed your face open". Shortly after making that statement, Ms Osamor said that she didn't have a bat, and that she was not

31 OE 1

32 WE 8

33 WE 14

advocating violence. She described herself then as angry and upset. The police officer's written notes recorded that the journalist showed no signs of alarm, fear or distress. The incident took place outside Ms Osamor's house, and ended a few minutes later with Ms Osamor going into her property.

34. MPS were called to Ms Osamor's home address again on 1 December 2018. Their records show that *"Police then went and spoke to Ms Osamor inside her [home address]. Her son was not present and she admitted there was an incident the night before where she lost her cool, and said things she regretted and threw a cup of water at someone."* I have not seen any direct evidence of the waterthrowing incident.

Findings of fact

35. I make the following findings of fact.

- Ms Osamor's son was convicted of four counts of 'possession with intent to supply' class A and class B drugs. The prosecution accepted his 'basis for plea' that there was no intention to supply for profit.³⁴
- Ms Osamor wrote to the court as a character witness for her son, using House-provided paper bearing the crowned portcullis, on 8 October 2018.³⁵
- Ms Osamor's identity as one of her son's character witnesses was put into the public domain on 30 November 2018.³⁶
- On 30 November 2018 journalists arrived at Ms Osamor's home address, pursuing a story that she had lied about her knowledge of her son's court case.³⁷
- That evening, in the presence of witnesses, Ms Osamor told a journalist that she should have smashed his face open with a bat.³⁸

Analysis

Use of stationery

36. Ms Osamor's letter to the court was clearly intended to convey her standing as a Member of Parliament; she used House of Commons' stationery bearing the crowned portcullis; and her introduction referred not only to her public office as Member for Edmonton but also to her role in the Shadow Cabinet. Ms Osamor did not conceal her relationship with her son; she made explicit that the character witness statement was made in support of a close family member, whom she employed in her parliamentary office.

37. The relevant parliamentary authorities have told me that they would have advised Ms Osamor against using House-provided stationery in that way. That would have been sound advice.

34 WE 14
 35 WE 4 (enclosure)
 36 WE 14
 37 WE 4, 8 & 14
 38 WE 8

38. I do not accept as valid Ms Osamor's comparison of the use of House-provided stationery with the widely accepted practice of professionals using their "*professional headed paper*" to demonstrate their professional standing when writing in connection with their professional activities. The analogy breaks down because Ms Osamor's letter to the court was not written in connection with her parliamentary activities. The arguments Ms Osamor advanced in her letter to the judge were primarily of a personal, family nature. She referred to her son coming from "*a good home*"; to "*his help and loyalty*" to her; and she described the thought of a custodial sentence as feeling "*like a bereavement*". She said that she hoped there were other "*options available to help [him] atone for his mistake without tearing [her] family apart*".

39. In writing to the judge as she did, on House-provided stationery, Ms Osamor broke the rules on the use of House-provided stationery and, therefore, acted in breach of paragraph 16 of the House of Commons' Code of Conduct for Members.

40. I have given very careful thought to this matter and I have decided that this breach of the rules was more significant than careless use of the wrong stationery or an administrative error. Although most parents would sympathise with Ms Osamor's desire to reduce the risk of her son receiving a custodial sentence, others would not have at their disposal stationery invoking the authority of the House of Commons. There was nothing inherently wrong in Ms Osamor writing a character reference for her son. The submission of character references by friends and family before sentencing is commonplace. There was also nothing inherently wrong in Ms Osamor stating that she is an Member of Parliament—her public office is a fact and that fact is, naturally, in the public domain. However, the use of House of Commons' paper wrongly suggested that her plea carried the authority of the House.

41. A Member might be persuaded, as Ms Osamor has been on other occasions, to provide a constituent with a character witness statement. But the tone of any such letter for a constituent would necessarily be different from that which Ms Osamor wrote to plead her own and her son's cause. Writing, in the terms that she did, on stationery bearing the royal badge was, in my view, highly inappropriate.

30 November 2018

42. The Code of Conduct does not seek to regulate the "*purely private and personal lives of Members*". After very careful consideration, I have concluded that Ms Osamor's conduct on 30 November 2018 was not purely private and personal. It concerned a family matter but it was played out in public; it was witnessed by third parties, outside of her family circle, who were very well aware of her public office. It seems likely that the person knocking at Ms Osamor's door that evening would not have been there but for her public profile.

43. The person knocking on Ms Osamor's door was a journalist and Ms Osamor was aware of that fact at the time she called MPS. She said that he was intimidating her and her family. (Although I now understand that she was in the house alone that evening.) She identified herself as a Member, and was aware of the media's interest in her son's court case and of the significance of the judge's decision to disclose her name as one of his character witnesses. Unsurprisingly, the facts entered the public domain. They attracted considerable adverse comment.

44. Having decided that Ms Osamor's conduct on the evening of 30 November 2018 falls within my remit, I turned my attention to paragraph 16 of the Code of Conduct. Would Ms Osamor action's cause damage to the reputation of the House of Commons as a whole, or of its Members generally? I believe it would.

45. By the time Ms Osamor made the comment that "*she should have come down [...] with a fucking bat and smashed [the journalist's] face open*", the police had arrived; and - on the basis of the images I have seen - there was no apparent risk to her safety. She knew the man was a journalist and she has not described being frightened by his behaviour. Ms Osamor's demeanour when the police arrived, reflected her own description that she was "angry and upset", rather than feeling scared or intimidated. Although it was dark, it was not, as Ms Osamor later told me, late at night.

46. Acting in this way, knowing she was being filmed, might reasonably suggest to others that Ms Osamor's behaviour is a generally acceptable way for Members to behave. It is not.

47. I am mindful that Members have in recent years have, very regrettably, been subjected to harassment and, in some cases, violent attack. That has, understandably, led to heightened sensitivity and greater caution in many different sets of circumstances. But I am also mindful that, in this case, Ms Osamor was in no doubt that the person banging on her door was a journalist.

48. Ms Osamor had faced a period of scrutiny in the context of her son's court case; not all of it was accurate or fair. Ms Osamor had not necessarily foreseen that her letter to the court would become public and, when the journalist called, the fact that she had provided a character statement had not long been disclosed. Ms Osamor has acknowledged, and told me she has apologised to the journalist concerned for, her "*emotional outburst*".

49. I also take into account that, according to the police account, the journalist showed no fear, alarm or distress. But that does not mean that Ms Osamor's behaviour on 30 November 2018 was acceptable. She did not, in the heat of the moment, show a proper concern for the impact of her conduct on the reputation of the House and of her colleagues.

Reputational damage

50. Ms Osamor did not reply to my invitations to review the body-worn camera recording until after I had sent her the draft of this Memorandum. Nor did she reply promptly when invited to comment on the advice I received from the Director and the Clerk of the Journals. I have already acknowledged that I have not progressed this inquiry as quickly as I would have liked. Nonetheless, I do not think that excuses Ms Osamor from responding to my letters of 4 June (of which a duplicate was provided on 12 June) and 22 July 2019 until she received notice of my decision. Those delays are not respectful of the House's standards system.

51. Ms Osamor's actions in writing to the court using House-provided stationery, in speaking as she did to the journalist, and in omitting to reply to correspondence, separately and together, give fuel to the belief that Members are able and willing to use the privileges of office to benefit their own personal interests, and to attempt to set themselves above the rules that apply to others. Such action is a breach of paragraph 17 of the Code of Conduct.

Comments from Ms Osamor

52. I wrote to Ms Osamor on 30 October 2019 to give her an opportunity to comment on a draft of this memorandum.³⁹ The following week Ms Osamor came to my office and viewed the recording made on the evening of 30 November 2018. Ms Osamor wrote to me on 15 November 2019. The full text of that letter is reproduced at item 14 in the written evidence accompanying this Memorandum. In summary, Ms Osamor:

- answered the one point on which I had sought clarification;
- responded again to the series of questions posed in my letter of 23 January 2019 (she had answered them in February 2019);
- provided some contextual information;
- expressed the hope that “*any subsequent action by the Committee towards [her would not] discourage future public figures or politicians from providing character witness statements in court cases*”; and
- appended the judgment on the application by Associated Newspapers Limited and News UK for the disclosure of information about character witnesses in her son’s court case.

53. My response to Ms Osamor’s comments is included as item 15 in the written evidence pack.

Conclusion

54. Sadly Members have had real cause to fear for their own safety and that of their family and staff. The impact on their lives, and on the lives of people close to them, may not be fully or widely appreciated. I do not make light of it. However, in this case, although Ms Osamor was distressed by the continuing media spotlight on her family, on the evening of 30 November 2018 she was aware that the man knocking at her door was a journalist pursuing a story. When she made the comment about the bat, two police officers were on the scene, and she was angry and upset, rather than scared or intimidated.

55. Ms Osamor has now acknowledged and apologised for her misuse of House-provided stationery and for her conduct on the evening of 30 November 2018. However, the rectification procedure is not available for rule breaches of this nature and it is for this reason that I am submitting this Memorandum to the Committee.

56. Consideration of any mitigation is a matter for the Committee, if they agree with my finding that Ms Osamor acted in breach of paragraphs 16 and 17 of the Code of Conduct for Members. I therefore draw attention to item 14 of the written evidence in particular, where Ms Osamor provides contextual information which the Committee may find relevant.

Kathryn Stone OBE

Parliamentary Commissioner for Standards

18 December 2019

Formal minutes

Tuesday 17 March 2020

Members present:

Kate Green, in the Chair

Tammy Banks	Sir Bernard Jenkin
Jane Burgess	Anne McLaughlin
Charmaine Burton	Dr Arun Midha
Andy Carter	Paul Thorogood
Rita Dexter	

Draft Report (*Kate Osamor*), proposed by the Chair, brought up and read.

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

Paragraphs 1 to 28 read and agreed to.

A paper was appended to the Report.

Resolved, That the Report be the First 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.

Written evidence was ordered to be reported to the House for publishing with the Report.

[The Committee adjourned.]

Published written evidence

The evidence listed below will be published on the Committee's website: www.parliament.uk/standards

- 1 Emailed complaint sent to the Commissioner, 22 January 2019
- 2 Letter from Ms Kate Osamor MP to the Commissioner, 22 January 2019
- 3 Letter from the Commissioner to Ms Kate Osamor MP, 23 January 2019
- 4 Letter from Ms Kate Osamor MP to the Commissioner, 5 February 2019
- 5 Letter from the Commissioner to Ms Kate Osamor MP, 19 February 2019
- 6 Letter from the Commissioner to Ms Kate Osamor MP, 19 March 2019
- 7 Letter from Ms Kate Osamor MP to the Commissioner, 27 March 2019
- 8 Evidence provided by the Metropolitan Police Service on 23 May 2019
- 9 Letter from the Commissioner to Ms Kate Osamor MP, 4 June 2019
- 10 Letter from the Commissioner to the Director of Customer Service & Service Delivery, 4 June 2019
- 11 Email from the Director to the Commissioner, 25 June 2019
- 12 Letter from the Commissioner to Ms Kate Osamor MP, 22 July 2019
- 13 Letter from the Commissioner to Ms Kate Osamor MP, 30 October 2019
- 14 Letter from Ms Kate Osamor to the Commissioner, 15 November 2019
- 15 Letter from the Commissioner to Ms Kate Osamor MP, 18 December 2019