

# Committee on Standards

## Oral evidence: Private sitting

Tuesday 21 September 2021

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Watch the meeting

Members present: Chris Bryant (Chair); Mrs Jane Burgess; Andy Carter; Alberto Costa; Mrs Rita Dexter; Allan Dorans; Dr Michael Maguire CBE; Mehmuda Mian; Dr Arun Midha; Mr Paul Thorogood.

Questions 1-127

Witness

[1](#): Owen Paterson MP



## Examination of Witness

Witness: Owen Paterson.

*Note: This transcript includes redactions, authorised by the Committee, of material which is of a sensitive personal nature or material which in the view of the Committee might be legally actionable were it not subject to parliamentary privilege.*

Q1 **Chair:** Good morning, Mr Paterson. Welcome to you and your legal advisers—I am not sure which is which.

**Mr Paterson:** This is Mr Nigel Fleming, and this is Mr Philip Barden.

Q2 **Chair:** Grand. If it's all right with you, I will go through a few things about how we are going to proceed today and just say a few words about the session. As I think you know, the session is being transcribed by *Hansard* reporters. However, the meeting is held in private and we will not publish the transcript until the Committee publishes its full report in relation to this matter. Until then, proceedings in the room this morning are completely confidential. We will offer you an opportunity to propose redactions to the published transcript, and we may redact some material on our own initiative if we consider that any matters that arise in the questioning are of a private, sensitive or actionable nature. The final decision on what is published rests with the Committee, as is the case for all Select Committees, as you will know.

As you know, Mr Fleming and Mr Barden are here to accompany you and offer you confidential advice if requested but they are not here as witnesses in their own right and their role is not to address the Committee directly. That is the standard practice for our Committee.

The Commissioner has supplied us with the memorandum, which of course you have seen, setting out what she considers to be the relevant facts in the case and informing us of her findings on whether the code of conduct was breached. We have also received written evidence from you, and some further comments from the Commissioner. We have given you sight of all the written material that the Commissioner has sent us, and we also had a further letter from you yesterday, for which many thanks.

Mr Paterson, you have indicated that you would like to make an opening statement to the Committee, which will take about a quarter of an hour, so we will begin with that. That may be followed by some questions from Committee members arising directly from the opening statement. We will then consider in turn each of the Commissioner's findings. We will explore your understanding of the relevant rules of the House, and why you consider that you have not breached them, and give you an opportunity to respond to each of the Commissioner's findings.

I realise that today may feel very stressful. I want to assure you that we are here to listen to your account without prejudice. If you feel the need to take a break at any stage, please let us know, but there is obviously



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other business today that you, as well as others, may want to get on to. Mr Paterson, the floor is yours for the next 15 minutes or so.

**Mr Paterson:** Thank you very much, Chair, for inviting me to speak to the Committee. I will do my best to stick to 15 minutes. I refer the Committee to my current entry in the Register of Members' Financial Interests, and in particular that I am a consultant to Randox Laboratories Ltd, a consultant to Lynn's Country Foods Ltd, and unpaid chairman and director of the Rose Paterson Trust Ltd. I have brought witness statements and summaries for you that show that the memorandum is not correct.

As background, I spent the first 25 years of my working life in the leather industry, taking a business from 5% exports to 95% exports. I represented the UK on the industry's European trade association, COTANCE, and was elected its president. I was elected Member of Parliament for North Shropshire in 1997 by just over 2,000 votes and have represented it for 24 years, increasing my majority at every election to just under 23,000. North Shropshire has one of the largest milk fields in Northern Europe. It is also home to significant dairy manufacturing businesses such as Arla and Müller.

I was on the Welsh, Agriculture and European Affairs Select Committees. I was shadow agriculture spokesman from 2003 to 2005. After visiting the US to discuss TB policy with senior academics and the federal chief vet, I then asked over 600 written parliamentary questions on TB, a parliamentary record for a single subject. I was shadow Secretary of State for Northern Ireland from 2007 to 2010 and Secretary of State for Northern Ireland from 2010 to 2012. I was in regular contact with the dairy and meat industries in both Northern Ireland and the Republic of Ireland.

As Secretary of State for DEFRA from 2012 to 2014, I promoted UK food products at many international shows. I was acutely aware of the dangers of contaminated milk following the melamine scandal in China. The horse meat scandal and the crisis of *Chalara fraxinea* confirmed the importance of early diagnostics and using the latest technologies to combat disease. I instigated monthly biosecurity meetings to discuss threats to animal and plant life, referred to in the chief vet's evidence. I have never had a disagreement with the fees office or IPSA, and I have never been sanctioned by any Speaker in 24 years. People may disagree with my views but my honesty and integrity outside and inside Parliament have never been questioned. This is immensely important to me.

I was therefore surprised to receive a letter from the Parliamentary Commissioner for Standards on 30 October 2019 informing me that she had opened an inquiry following an article in *The Guardian* without ringing me up first. I was also very surprised to receive this after a general election was called, as parliamentary offices are closed for the duration and there are no longer any MPs. [redacted]

My staff and I went to huge trouble to answer the questions put to me by the Commissioner. I answered on 16 January 2020 and invited the



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Commissioner to meet me. Subsequently, on 27 January, the Commissioner wrote to me saying she had written to the registrar of Members' financial interests. I wrote to the registrar on 4 February offering her any assistance and giving her my landline, mobile and parliamentary email. The registrar did not contact me. I assumed that I had answered the Commissioner's questions satisfactorily until a further letter arrived on 25 February widening the scope of the inquiry. I answered this in detail on 18 March, and then a further letter arrived on 29 May broadening the inquiry way beyond the original allegations in *The Guardian*. I replied to this on 18 June.

The inquiry was suspended following my wife's suicide on 24 June 2020 and recommenced in November, asking basic questions about the nature of my consultancies that had already been answered way back in January. I was therefore astonished to receive a letter on 23 November offering "to call you first to give you an overview of my decision before sending you the document". After 13 months, I had still not spoken to the Commissioner. I received the draft memorandum on 1 December and was shocked that it contained significant factual errors. For instance, it stated that I should have met the chief vet. I had not only met the chief vet but had set up a series of meetings with her, which later became the milk quality forum. Worse, it condemned me on all counts without the Commissioner or anyone in her office having spoken to me in 14 months. No other witness had been spoken to.

I asked the Commissioner for time to gather witness statements and was ultimately given until 15 January. I provided 14 witness statements and an additional three have subsequently been provided. In her letter to the Clerk of the Committee on 2 September 2021, the Commissioner confirms that she had already formed her conclusions by the time she issued her first draft memorandum.

It was only when I received the first draft memorandum that I was aware that the Commissioner had not spoken to any of the witnesses, so I pressed the Commissioner for our first meeting which, at my request, took place on 26 March 2021. At that meeting, the Commissioner asked me to provide her with the contact details of the witnesses so that she could approach them. I provided these details, but not one of these witnesses has been contacted.

A further draft memorandum was received on 11 June which still had significant factual errors, misunderstandings of events and misinterpretations of regulations. Again, I was astounded that the Commissioner had still not contacted a single one of the now 17 witnesses. It cannot be right or fair to seek to find facts on what was said at meetings which were not recorded without speaking to people who were present. On any basis, that is contrary to fairness and natural justice.

Further, if a witness statement is not challenged, it should stand. Yet the memorandum sets greater store by anonymous contributors at the FSA than by signed witness statements that would be subject to perjury laws. Because there has not been a proper inquiry under the rules of natural



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justice, or even the ACAS guidelines laid out to protect employees, I offered to take the case to a High Court judge for adjudication; this was not responded to.

My legal advice is that this process would be set aside by a court if it had taken place in any workplace in the United Kingdom, but parliamentary privilege prevents me from having the equivalent rights of other UK citizens. My legal adviser, Philip Barden, has conducted many workplace investigations. He has advised me that this investigation would never stand. He is here today if you want to question him.

Since taking on the consultancies, I have followed the instructions of ACOBA to the letter. In particular, I followed the rules on lobbying and in recent years I have never once spoken in the House, tabled a parliamentary question, participated in a debate, signed an early-day motion or amended a Bill with reference to any of my consultancies. As Mark Campbell, senior manager at Radox, and Jago Pearson, director at Lynn's Country Foods, make clear, Radox and Lynn's are in regular contact with a whole number of Government agencies and I am not involved in those, as it would be improper for me to be so.

So you must ask, why did I diverge from my normal practice on the three issues raised by *The Guardian*? Paragraph 9 of the Guide to the Rules relating to the Conduct of Members is very clear: "Exceptionally, a Member may approach the responsible Minister or public official with evidence of a serious wrong or substantial injustice even if the resolution of any such wrong or injustice would have the incidental effect of conferring a financial or material benefit on an identifiable person from whom or an identifiable organisation from which the Member, or a member of his or her family, has received, is receiving or expects to receive, outside reward or consideration (or on a registrable client of that person or organisation)."

In November 2016, Radox told me that it had, at its own initiative, taken samples of milk at random from a number of national supermarket outlets and tested them with their latest diagnostic equipment. In paragraph 10 of Mark Campbell's witness statement, he says, at the time "the Veterinary Medicines Directorate (VMD) were reporting that 99.9% of milk samples had been free of antibiotic residues over the previous three years."

To Radox's shock, it found that 12.5% did not conform and that some dangerous products, which are entirely prohibited, such as the antibiotic Florfenicol, were present. Antibiotics such as this are particularly dangerous. The leading UK food safety expert, Professor Chris Elliott, confirms that Florfenicol is genotoxic and can cause cancer. Mark Campbell's evidence is very clear that the major world health organisations consider antimicrobial resistance to be one of the top health challenges facing the 21st century. The UN estimated that 10 million people a year would die worldwide as a result of antimicrobial resistance by 2050.

Peter FitzGerald, founder and chief executive of Radox, is deeply upset that this issue has been so misinterpreted. He told me recently: "We had a



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moral duty to our society to tell the authorities that carcinogens were in milk to a level that could cause cancers.” Radox was deeply concerned that if this news got out in an uncontrolled manner, there could be a boycott of dairy products by consumers and a crisis would be provoked in the dairy industry. I clearly remember being horrified and describing the news as “dynamite”. I agreed to raise it immediately with the FSA, which has responsibility for the safety of UK food.

I organised a meeting in my office at which it was agreed that the news was shocking. Evidence from Tim Bennett, former NFU president, former chair of the FSA and at the time the deputy chair, clearly shows that this could not have been a selling meeting as the FSA does not buy testing equipment. Evidence from Ben Bartlett, director of the National Milk Laboratory, makes it clear the NML had already bought Radox equipment. Tim Bennett emphasises that if this had been a selling meeting, he would not have attended, and neither would the chairman, Heather Hancock, and nor would the chief scientific adviser, Professor Guy Poppy.

I continued to keep in regular contact with the dairy industry through the year and was aware that the problem persisted. I met the chair again in November 2017. I also met the chief vet, Professor Christine Middlemiss, with representatives of the FSA and the APHA. This led to further meetings, which we christened the Milk Quality Forum, with representatives from the FSA, the NML, the VMD and the RUMA.

Radox was not invited to any of these meetings. It is clear from Christine Middlemiss’s statement, Ben Bartlett and the evidence of Eamon Watson, veterinary adviser to the National Milk Laboratory, that these meetings were to improve the quality of milk.

Thanks to my initiative, Florfenicol and flukicides are now tested for; UK milk is safer as a result. The chief vet welcomes my initiative and would like to see similar intelligence brought forward. The first draft memorandum said that this was not covered by paragraph 9 but, following receipt of my witness statements, acknowledges in the final version that this issue was a serious wrong. I would have no hesitation whatever in repeating this exercise if I came across this information this morning.

Turning to blood testing, Mark Campbell’s evidence—paragraph 22 of his statement—describes his significant experience of health services in developing countries and how 70% to 80% of clinical decisions are based on laboratory results. If laboratory equipment is not calibrated on a regular basis, it will give inaccurate results with significant and sometimes fatal outcomes.

As Rory Stewart says, the UK taxpayer is a generous provider of health programmes in developing countries, but it became clear that this was pointless without the correct calibration. He had already written to Priti Patel, the Secretary of State for International Development. I clearly did not initiate proceedings, but I did raise this issue with Priti in a vote. I am clear that I was covered by paragraph 9, that this was a serious wrong



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and a substantial injustice. She agreed that it would be a good idea if I met Rory Stewart, as the relevant Minister of State, as she was actively encouraging MPs to bring forward new suppliers with innovative technologies.

Mark Campbell and I met Rory Stewart, with a number of his departmental officials present, to explain the merits of the technology. Nobody, apart from me, who was present at this meeting has been spoken to by the Commissioner. They both make it clear that this was not a selling meeting; it was a meeting to bring to the attention of the Department the benefits of the technology.

Priti Patel has told me that if a new technology were taken up, it would be sent for trials with an NGO for a year or more and would have to go through the usual exhaustive procurement process, competing with other suppliers. Three witnesses present at the meeting—Rory Stewart, Mark Campbell and myself—gave incontrovertible evidence that this meeting was about presenting a new technology, as requested by the Secretary of State.

I saw Mark Campbell recently and he is most upset that this visit has been interpreted as a selling meeting and he has not had the opportunity to refute this. He stressed his strong moral commitment to improving health and mortality rates, having witnessed long lines of the world's most disadvantaged queueing for blood tests at public laboratories in developing countries, and yet knowing that the results would not be considered reliable.

The final substantive issue concerns the deliberate selling of a dangerous ham product by Kerry Foods, which claimed to have removed carcinogenic nitrites. Professor Chris Elliott said: "In 35 years working in food safety and research this is the worst video I have ever seen for the promotion of food. I was appalled. Kerry Foods were promoting the use of a dangerous additive to children yet declaring it to be safe and natural". Lynn's Country Foods had written to the FSA in Northern Ireland, which had been most ineffective.

Given that bowel cancer kills more than 16,000 people per year in the UK, I consider that to be a serious wrong. Although I had not initiated the approach to the FSA, I am absolutely confident that I was right to take it to the higher levels of the organisation. The FSA raised this with the Republic of Ireland's FSA and the issue was resolved satisfactorily, as Kerry Foods removed the unlawful carcinogenic curing agent.

Professor Chris Elliott, Declan Ferguson, technical director of Lynn's Country Foods, and Mathew Forde, solicitor, confirm that the FSA then turned its guns on Lynn's Country Foods and accused it, incorrectly, of mis-selling a nitrite-free bacon. Despite explaining this on numerous occasions, the memorandum is quite wrong to say that I approached the FSA about this issue. As is made clear by Professor Chris Elliott, Declan Ferguson and Mathew Forde, it was emphatically the FSA that raised the issue of Lynn's bacon, so I cannot fall foul of rule 8(a).



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The memorandum is also contradictory in that it agrees that the carcinogenic threat in milk was a serious wrong, but that raising the same issue in ham was not. This makes no sense.

**Chair:** Mr Paterson, do you want to slow down slightly?

**Mr Paterson:** Well, you gave me 15 minutes. I am nearly approaching the end.

**Chair:** It is fine to go a little more slowly.

**Mr Paterson:** Marvellous, thank you. I will turn my watch over.

Kerry's ultimately removed the unlawful curing agent from its product. I was completely vindicated because a carcinogenic product was no longer being targeted at UK children. The FSA had misunderstood the formulation of Lynn's new bacon and this was eventually resolved.

Professor Chris Elliott is really upset that this issue has been so misrepresented and that he has not been contacted to give further evidence. His evidence is absolutely clear that Lynn's primary concern at this meeting was to highlight the sale of carcinogenic food into the UK market with claims that were dangerously misleading to the public.

The fact that major factual errors underlie the conclusion of the memorandum shows the absolute necessity of speaking to witnesses who in all three cases confirm my evidence and prove that *The Guardian* was wrong.

The next issue concerns the inappropriate use of parliamentary resources. In my first letter to the Commissioner, dated 16 January 2020, I explained that my long-term PA was on maternity leave and that I had a temporary secretary who printed two letters incorrectly on House of Commons headed paper. This was an inadvertent breach, which I should have spotted and for which I fully apologised in my letter. I have no hesitation in repeating that apology this morning.

The memorandum finds me guilty of inappropriate use of my office and ignores the evidence of Rebecca Harris, a senior Whip who speaks with the authority of a Government Minister, and of former Leader of the Opposition Sir Iain Duncan Smith, Labour MP Graham Stringer and the right hon. Professor Sir Oliver Letwin, who is described as simply "a former MP". They all confirm that these years were quite extraordinarily turbulent times in Parliament, and it was essential to be on the premises at all times.

I should also note that I broke my neck in three places early in 2018, so it was impossible to visit Northern Ireland and my movement was very restricted down here. It was only thanks to the brilliant skill of the Midlands Centre for Spinal Injuries in my constituency that I am sitting here in a chair and not in a wheelchair.



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Despite that, the evidence is that I had very few substantive meetings over a period of 40 months, which I invite you to accept is no more than occasional and conforms to Rebecca Harris's evidence that this was normal practice, which was actively encouraged during this time.

Lastly, the memorandum condemns me for not declaring an interest. Every witness who has attended meetings has confirmed that I did declare an interest. The memorandum relies on four emails confirming meetings at which witness evidence attests I had clearly declared an interest. When every person at the meetings said I declared an interest, any fair person would see that the email was a written confirmation of the meeting. This is an extraordinarily artificial device to try to prove that I have broken the rules. I am absolutely certain that I am punctilious in declaring an interest, as the witnesses confirm.

It is extremely rare for me to raise my consultancies with the Government. I have never once raised them in Parliament. These interventions were exceptional, as there was in each case a serious wrong—as allowed by paragraph 9. Given my private business experience, my time as MP for North Shropshire and my ministerial experience, I would have been in complete breach of rule 6 of the Code of Conduct for Members of Parliament, which states: "Members have a general duty to act in the interests of the nation as a whole; and a special duty to their constituents".

As a result of my intervention, UK milk is safer, a carcinogenic ham product is not targeted at children, and DFID has been made aware of the potentially fatal consequences of laboratory results without proper calibration. I confirm that the use of my office was very occasional and appropriate considering the circumstances at the time. It is blindingly obvious from the witness statements that I always declared my interest.

Next week, this inquiry will have taken 23 months. All the questions raised by *The Guardian* could have been answered by a simple phone call back in 2019. It now needs to be brought to a conclusion based on proper analysis of the evidence.

It has had a catastrophic impact on myself and my family. No one will know definitively why my wife Rose hanged herself on 24 June 2020—referred to in the memorandum as, "Mr Paterson suffered a close family bereavement". You should be aware, however, that my family and I have no doubt that the manner in which this inquiry has been conducted played a massive role in creating the extreme anxiety that led to her suicide.

[redacted]

I am absolutely determined that I have done no wrong and will prove my innocence. By my actions, I have done real good. If the Committee does not pay attention to the witness statements, every one of which backs me, and instead chooses to uphold the memorandum, I will have no hesitation in taking my case outside Parliament, as there is no appeal mechanism within Parliament.



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[redacted] I have not broken the rules and I look forward to demonstrating this to you this morning. Thank you for giving me the time.

- Q3 **Chair:** Thank you, Mr Paterson. [redacted] I am conscious that we said earlier that we might have to redact some elements of what we end up publishing and putting in the public domain, not least because some of that, if it attracts parliamentary privilege, is exempt from action, which if said anywhere else would be actionable. I just want to put that on the record to you.

**Mr Paterson:** We will see what happens. I might discuss it with my lawyers [redacted].

- Q4 **Chair:** I hear what you are saying, and I am sure the whole of the Committee has heard what you have said. Obviously, I have seen you comment on this publicly as well in the past, so all I am saying is that anything which might be actionable if it was said elsewhere is not something that we would be publishing in a privileged document. That is all I am saying. In terms of how we move forward today, obviously it is all on the record and everybody has heard what you have got to say. That is the only point I am making. Has anybody got any specific questions following on from Mr Paterson's comments? No. In which case, I will start with a few questions, if that is all right.

As I said earlier, we are going to go through each of the areas of concern that the Commission has raised, and we'll mostly be referring to the memorandum and the evidence that you yourself have sent in. Could you, first of all, explain what is your understanding of the paid advocacy rule and the reason that it is there?

**Mr Paterson:** I think it is very clear. It is that MPs should not abuse their position to gain financial advantages for a company from whom they receive a remuneration, or an organisation. That is why, if you look at *Hansard*, and I mentioned this in a statement, I have never once raised Radox or Lynn's in any debate, any question. I have never put a PQ down. I have never been to a UQ. Despite what is written in the press—very inaccurately, as Mark Campbell says in the evidence—there has been a lot of speculation about covid contracts and we know that Radox has been a massive supplier—they have done a huge national service. They have done 17 million tests. I had absolutely nothing to do with that. It would be quite improper to be involved in any of those contracts. I could not tell you of the price, I could not tell you of the volume, I could not tell you about the delivery times, delivery destination, the payment—I know absolutely nothing about these contracts because that would be quite wrong. As Mark Campbell says, those were negotiated in very early meetings in Downing Street. I had nothing to do with that.

That is why I am very clear that these were very, very exceptional circumstances—these three. Radox and Lynn's are in contact with Government agencies every day; they are two quite big companies, very big companies. I am just not involved in that. It would be quite wrong. There is a sort of *Guardian* caricature that a pretty stupid Minister sits



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behind a desk with a large order book, and ultimately a cheque book, with weak civil servants who do not stand up to him, and an old pal comes in, who is being paid, and he signs off an order. That is the sort of spirit of what has been laid out—that just does not happen. I have been a Secretary of State for four years. I have never ever ever been involved in any purchasing. It just does not happen under our system.

- Q5 **Chair:** Indeed. Let's not stray too far into considering what *The Guardian* might or might not think, or we will end up with the *Daily Express* and the *Daily Mail*, then all our brains will be fried. Just going back to the rule, because you rely quite heavily, obviously, on the rule that you read out—paragraph 9—though you left out the first word of it, which is—

**Mr Paterson:** Did I? I think I was rattling on a bit fast then.

- Q6 **Chair:** I know, and we understood why.

**Mr Paterson:** Can we read that into the record?

- Q7 **Chair:** It is just the word “exceptionally”. The serious wrong exemption starts with the word “exceptionally”, and that was the word that you left out when you read it out.

**Mr Paterson:** It is a pretty critical word.

- Q8 **Chair:** You might have a different threshold for what “exceptional” is. It is just that you are relying on “exceptionally” three times, so it does not end up being very exceptional then. Do you think there should be any limits to this?

**Mr Paterson:** No, I do not think that is fair, because as I said, Radox and Lynn's are probably in contact with the Government on a daily basis. I genuinely think these three issues were exceptional. When they sat me down and said, “Look, we have used our new InfiniPlex technology”, where you basically have a cassette with 44 microchips, one of which threw up these antibiotics, I thought immediately of salmonella and the chicken scandal, but it would have been much, much worse because as we know, infants and young children are big consumers of dairy products. I could see a huge scandal all over—I won't mention the newspapers, following your guidance, but it could have been a massive instant scandal if it had been mishandled, and Radox knew that. They were very worried about it.

Peter actually gave me a longer quote when I was talking to him just recently, which I did not have time to fit in. He said he was really worried, obviously, about the impact on health, and he had a moral responsibility to raise this—that there were carcinogenic products, which, don't forget, are zero MRL. That is in cattle; think of the dilution effect of milk, so any evidence was really shocking, and very importantly, the Government detection system was not picking this up: it was saying 99.9%, which I put in my statement. I really think this was a very exceptional circumstance.

- Q9 **Chair:** Incidentally, I am not a scientist, and I am not disagreeing with or contesting any of the scientific evidence you provided. I would be a fool if



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I were to pretend that I understand about nitrites and all the rest of it. The question, though, is that you are relying now on this exemption, which was inserted last time that the rules were rewritten—this exceptional exemption for serious wrong. I understand that. When you engaged in these various different conversations in these meetings, did you consciously think, “I am using that exception”?

**Mr Paterson:** Yes. In my discussions with ACOBA at the beginning and the exchange of letters—they sent me the rules, and I obviously read them—I was fully aware of two things. One, always declare an interest—which I have done—and I was aware that there were exceptional circumstances. Something really serious came up. I did not go back and look at the rulebook before I rang up the FSA. I was absolutely clear, according to my judgment, and Iain Duncan Smith makes this point: we are elected for our judgment as MPs. I thought this was a really serious issue. The other two are as well, so I am very confident that I am covered by this.

There is a huge health problem: a carcinogenic product was freely available—and this is bog-standard milk in retail cartons, taken at random in supermarkets. Antimicrobial resistance, as I said, is in this thing. Dame Sally Davies, the then chief medical officer, said the risk of this was “catastrophic”. This is a huge issue, and then we had the potential of a scandal to literally crash the dairy industry. If this had got out in an uncontrolled manner, you could easily have seen consumers boycotting all dairy products in the shops and crashing a major industry, which of course is a huge deal in my patch. I have got Müller and Arla and a large number of dairy farmers.

Q10 **Chair:** I understand all of that. To play devil’s advocate for a brief moment, you could argue that you were the only person who couldn’t have these meetings, because you were in contractual arrangements with two of the organisations involved.

**Mr Paterson:** Sorry, I don’t quite understand.

**Chair:** There are 650 MPs. There are 649 of them who do not have any financial arrangement with Lynn’s or with Radox, and all of those people could have raised this.

**Mr Paterson:** They couldn’t, because they weren’t aware of—

Q11 **Chair:** They weren’t aware, but one could argue that the one person who could not do it, because you had a contractual financial arrangement with these two companies and because of the rules of the House under paid advocacy, was yourself, unless you chose to terminate those contracts or hand the money back.

**Mr Paterson:** That is a possible option, but no one in ACOBA ever suggested to me that that should be suspended and that I should get another MP in as an ally to do it. We were really short of time. This was, we thought, a real crisis. They were really worried; they did not know how to get that information to the highest levels of the authorities concerned



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with milk quality. They were really worried about it. It was perfectly obvious that I was the right person to do it, because they trusted me with the information—they knew I would handle it properly—and that is why I went straight to Heather Hancock and Tim Bennett and got them in. They knew me from my past at DEFRA and all that.

I was a trusted figure; Christine Middlemiss and Tim Bennett make that very clear. They listen to me because they knew my track record, so I pick up the phone to them. I do not bother them about things the whole time—I am not lobbying them about stuff. I had not talked to Tim Bennett for some time. I said, “I wouldn’t bother you about this, but I am really, really worried. We have a massive problem and we have to meet fast.”

I do not think it is realistic, actually, to say that I should have enlisted another MP who would not have known about this, because they would not have had the authority that I have. Bluntly, if you are unsure about the severity of the threat, get the witnesses in. I have said this several times: why have the witnesses not been asked? Chris Elliott—

**Chair:** I am not sure that anybody is contesting the severity of the threat.

**Mr Paterson:** Chris Elliott, who was not involved in this at all, by the way, stresses in a paragraph at the end of his evidence how dangerous it was.

Q12 **Chair:** But I do not think anybody is contesting the severity of the threat. That is not the issue at all.

**Mr Paterson:** Well, the first draft memorandum, don’t forget, dismissed it completely. It was only when we got the second lot of evidence that it was then instated as a serious wrong. Even the Commissioner admits it was a serious wrong now.

Q13 **Dr Midha:** Briefly, to support the Chair, I do not think anybody is questioning the severity and significance of the issue. The issue that we are looking at is that you might well argue that you took the first opportunity to raise this really important issue in the context of whistleblowing, but it is about the subsequent meetings, contacts and so on. Or is your argument that those were also under that whistleblowing umbrella?

**Mr Paterson:** Absolutely; it was a continuation, yes. Also, I kept in touch with the dairy industry through the year, and it was very—

Q14 **Dr Midha:** So effectively, you are saying, yes, I blew the whistle once—you raised a very significant issue with Ministers—but then over the subsequent year, you categorise those emails and other meetings as whistleblowing and in no way promoting a particular product or superior technology that Radox had and that you were paid for. Is that not your view?

**Mr Paterson:** There was not anything to sell, because—

**Dr Midha:** That is fine, thank you. That is all I wanted to know.



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**Mr Paterson:** NML—

**Dr Midha:** Thank you Mr Paterson; we have established that.

**Mr Paterson:** NML had already bought the equipment; they were already testing—

**Dr Midha:** Mr Paterson, when I say thank you very much for the answer—

**Mr Paterson:** But I want to pick up your points.

**Dr Midha:** Well, you have picked up the point eloquently.

**Chair:** Let Mr Paterson answer.

**Mr Paterson:** What is important is that the Food Standards Agency, below the very senior officers, was very complacent. There is an absolutely shocking memo in there—the briefing note to Heather Hancock—which says that the preferred outcome of the meeting was to maintain the status quo. That is just dandy; 12.5% with an absolutely lethal carcinogenic product that could lead to anti-microbial resistance, and the FSA's civil servants were saying, "Maintain the status quo."

In each of those cases—it is quite interesting—it is me, as someone with the background, who is pushing technologies to improve outcomes, against, frankly, a stick-in-the-mud bureaucracy that was defending the existing producer interest. That is what was going on.

What happened of course was that, during the course of this, the other dairy companies did move ahead, and they were working closely with NML, which was great, but the FSA were not. So I had another meeting with Heather and then I had meetings with the Chief Vet and we set up the milk quality forum, and we moved on to flukicides.

Q15 **Dr Maguire:** Good morning, Mr Paterson. I just want to reconcile something in my mind. I am not challenging the science, but you started off by raising the significant concerns across the three issues. My understanding when I read through the material on milk contamination—there is a lot of material—was that the Chief Veterinary Officer said there were no safety concerns. In relation to nitrites, the FSA said that the current regime was sufficient. In relation to the lab testing issue, Rory Stewart said that there was no strategic requirement for the product.

In relation to the outcomes of what you have said, there does not seem to be a significant concern on the other side. You said "stick-in-the-mud bureaucracy", and I get that point, but are you suggesting that these professionals would be putting lives at risk in order to maintain the status quo?

**Mr Paterson:** In each of these cases the establishment are not seeing the advantage of the technology that was being used by NML. I am afraid to say that you are wrong. They did change, they did start testing for florfenicol, and they are now testing for flukicides. So you are incorrect.



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**Q16 Dr Maguire:** I am reading a statement from the chief veterinary officer. It states: "Following this meeting, we determined that there were no significant statutory or safety concerns related to the contamination of milk". That is part of the evidence.

**Mr Paterson:** But they changed the practice, thanks to what I did.

**Dr Maguire:** I just want to be clear. I want to reconcile the two things in my own mind.

**Mr Paterson:** The rule is very similar. It is a zero MRL. That is in the animal, and this was diluted. The chief vet is very clear, and so is Ben Bartlett and those involved. They were pleased I brought this to their attention. Through the milk quality forum, to which Radox were not invited, by the way—they did not come to any of the meetings; we never asked them—we have improved the quality of British milk. There is no question about it.

**Q17 Mrs Dexter:** I am very sorry for your loss. I just want to acknowledge that. In all of this detail it would be easy to overlook how terrible this has been. I am very, very sorry for what happened to Rose.

In terms of what you have told us, you have made a powerful case for what you did and the good that came from it, but we are left with this problem. The only thing that was wrong with it was that you were on the Radox payroll, and that feels problematic. You have pointed to a provision in the code that says "in exceptional circumstances" this is permissible, and I accept that. I am interested in whether you gave active consideration to whether in appearance there was any conflict of interest. There is provision for a Member to repay fees received from a private enterprise if questions of conflict of interest might arise. I guess this relates to the point that the Chair raised. I accept what you say about how the approaches might not have worked as well if you had asked somebody else to make them, but at the same time there was on the face of it a potential conflict because you were on their payroll. If your actions were unimpeachable in terms of the intent and outcome—I am inclined to accept that they definitely were—the only problem I am left with is being on the payroll and overlooking that as a potential problem. I would like to hear a bit more from you about that.

**Mr Paterson:** Thank you for your kind comments about Rose. It's much appreciated. [redacted]

First, I made absolutely no gain out of this at all. Secondly, on the issue of milk, the Radox equipment was already in use at NML. They had bought it, so there was no sale.

**Q18 Mrs Dexter:** You sought a better health outcome, and on the face of it you have achieved it. That is marvellous, but I have not said that you were motivated by sale—simply the fact that you were on the Radox payroll.

**Mr Paterson:** What is good about it—this is why I believe people should have outside interests—is that I was made aware of these technologies,



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which people working hard in Whitehall offices are not, so I brought new ideas to the Government. There was no gain. Tim Bennett is very clear about that. If it had been a selling expedition, he, Heather Hancock, and especially the chief scientific officer, Professor Poppy, would not have been there. They would have had commercial lawyers. There was no selling evidence.

Q19 **Mrs Dexter:** I am hearing two things now, which I am finding it hard to reconcile. You are saying, "I absolutely was not selling anything because the NML were already using these technologies" at the same time as you are reassuring me that you were not involved in a sales pitch.

**Mr Paterson:** What we wanted was for them to be aware that with more sensitive equipment, which they already had, they could detect these very dangerous substances.

Q20 **Mrs Dexter:** Which they already had.

**Mr Paterson:** This cassette has 44 little boxes with a microchip. They already had that, but what we wanted was for them to pay attention to it. Very crudely, the Delvotest is floating up here, at a few hundred parts per billion, whereas the Radox equipment gets right down to one or two parts per billion, so it is incredibly sensitive and accurate.

**Mrs Dexter:** We are not concerned with the merits of the case.

**Mr Paterson:** Well I am.

Q21 **Mrs Dexter:** Indeed, sir, and quite properly. I don't think anybody has any criticism of that, but that is not the thing that we the Committee on Standards are concerned with. We are concerned with conflicts of interest, among other things. I do not have any difficulty with accepting what you say about the power of the case that you presented, but this is about the conflict of interest, or the potential conflict of interest, which is not just about whether you were promoting the sale of a particular technology. You have said that you were not, and I have no special reason for disbelieving you on that, but the fundamental problem is about being in receipt of payment from Radox and, in one sense, the appearance of a conflict of interest. MPs have to guard against that. I am sure that a man of your experience accepts that.

**Mr Paterson:** That is why I have made it very clear that I have not participated in any other activities. I have been scrupulous about not speaking in debates, asking UQs or making statements, but you have to look at the evidence. All those who were at these meetings make it very clear that there was no potential sale for Radox, because the kit had already been installed, and this was all about the quality of milk. I did not invite them to the milk policy forum, where I had all the experts from the milk industry in my office. In her last letter, on 2 September, the Commissioner said I was paid to "to pitch their product". I wasn't pitching any product at all.

**Mrs Dexter:** I have not put that to you. That is not my proposition today.



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**Chair:** I am inclined to move on to Mr Carter, if that is okay.

**Mr Paterson:** There is one very important point. I thought this was a real crisis and we had to move very fast, and I did. That really is important. Sitting in that room, Peter FitzGerald was really worried about this. I said it was dynamite—I thought we could blow the whole dairy industry up. There was a real sense of urgency.

Q22 **Andy Carter:** I would like to look at some of the correspondence that you had via email in relation to the Radox and milk issues. The Commissioner found that you breached the paid advocacy rule in respect of approaches that you made relating to milk testing. Specifically, she highlights a couple of emails on 16 November, the meeting on 15 November, and the email of 15 November 2017. Can you explain to me why you disagreed with the Commissioner's findings?

**Mr Paterson:** I was bringing to the attention of the agency responsible for food safety across the UK that there were better methods of detecting what are effectively banned substances, which are potentially carcinogenic and could lead to antimicrobial resistance. That equipment was already installed—this is very important—but they had to be aware that this was going on. You had the VMD saying 99.99% are safe. The Radox equipment was showing that, actually, 12.5% were failing. It is impossible to describe the equipment without mentioning the people who made it, did the tests and brought these figures, which were really shocking, to my attention. The two are completely and integrally linked, and I am covered by paragraph 9.

Q23 **Andy Carter:** I want to focus particularly on one of the follow-up emails. If I may, I will just read it to you. To the chair of the FSA, you say that "Several large commercial dairies are extending their use of Radox testing. It would be great if you could call a meeting with the VMD to ensure that Government agencies do not fall behind." What did you mean by that?

**Mr Paterson:** Exactly what I have just touched on. The FSA was sleepy and did not recognise the advantage of this technology. That is what happened in the course of the year—the commercial dairies did move ahead. I am obviously talking to the dairies on my patch the whole time. It was really important that the top Government agency realised that there was this equipment, which could go right down to one or two parts per billion.

Q24 **Andy Carter:** Can you see, though, if I take you back to the question that Rita just asked, given that you are on the payroll and you are then asking a question that potentially would benefit Radox, that there may be some interpretation that there is a conflict of interest?

**Mr Paterson:** No. We have been through this. NML was already using the equipment. What we wanted was for the FSA to pay attention to their results. A couple of years before, they were doing it. I think Ben Bartlett says in his evidence that they are doing about 70 or 80 Radox tests a week, as opposed to about 100,000 with a Delvotest, which is still going



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on. What I wanted to do was make sure they did use that information. That is what I mean by falling behind.

In both instances—we will come to it in a minute—the FSA establishment was very conservative and did not want to change and was not open to new technologies. It is really important to get that across.

Q25 **Andy Carter:** I understand that. As an MP, I know the pressure that we have sometimes to get things to change. I absolutely understand that.

You said in a follow-up email: “It would be good if he”—an FSA official—“could liaise with Radox and discuss further how their latest technologies might help on grain and meat.” Do you consider that that request could be interpreted as going beyond the FSA’s attention to a “serious wrong”? I absolutely accept the “serious wrong” argument that you make, but you then in a further email start to talk about other areas as well.

**Mr Paterson:** That was raised by Professor Poppy, who was very interested in the technology. He was interested in mycotoxins.

Q26 **Andy Carter:** Your email, as an MP being paid, to somebody who was in the FSA—

**Mr Paterson:** No, but he raised it. I was answering his question. I didn’t raise that. As the chief scientist, he was very interested in this new technology and said could it apply to—I think he actually talked about chickens as well. That is not a “serious wrong”. Campylobacter kills more than 100 people a year. There are 180,000 people who go to hospital a year with campylobacter—well, they get ill; about 20,000 go to hospital. That, on the rules, I am clear about: they raised that with me. I cannot not answer it.

Q27 **Chair:** But do you not see, at all, that when you say: “It would be great if you could call a meeting with the VMD to ensure that Government agencies do not fall behind” in extending their use of Radox testing, and then ask, could you “liaise with Radox and discuss further how their latest technologies might help on grain and meat”, that may not be a selling meeting, but it is certainly a promotional meeting, is it not? Or a promotional email.

**Mr Paterson:** It is asking the FSA to be aware that there is more accurate information available if they looked at the test results the NML was generating from the Radox equipment.

Q28 **Chair:** I go back to Rita’s question, which is about how the one person who is conflicted in that is somebody who is both an MP and on the payroll of Radox.

**Mr Paterson:** I do not see any conflict at all. I grew up on a farm. I have a heavily dairy-orientated constituency with really big milk producers: farmers and processors. It was a really big deal—that was why I put all my biographical stuff in—when I was in Northern Ireland. I went to Monaghan dairies in the Republic—it is now called LacPatrick—which takes about 80% of its milk from Northern Ireland. I have always been involved quite



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heavily in the dairy industry. So for me not to act on this would be just shocking and a complete breach of the general duty rule that I mention in my statement. It would just be wrong.

Q29 **Chair:** But you could do so without being paid by Radox. If you were not paid by Radox you would be absolutely free to do that.

**Mr Paterson:** I would not have been aware of the technology, would I? I would not have known.

Q30 **Chair:** There's the rub. You knew about it because you were paid by Radox and then you pursued it because you were paid by Radox.

**Mr Paterson:** That is a good thing, that I was aware that there was a way of improving the quality of British milk, which we did.

Q31 **Chair:** Then that seems like a self-evident breach.

**Mr Paterson:** The extension of your view is that we should have no outside interests at all. That is a perfectly logical conclusion, but that is not the current position. The current position is you are allowed to be paid by an outside interest as long as you adhere to the rules. I adhered to paragraph 9. I am absolutely clear about that.

Q32 **Andy Carter:** Can you give any other examples where you have held meetings, you have raised issues with either the Food Standards Agency or the chief vet or medical officer, where you have felt seriously concerned about an issue that has been raised with you, to demonstrate the urgency of an issue coming to you? Has anything else happened where you felt that you needed to take it forward and raise it with somebody at a senior level in those agencies?

**Mr Paterson:** Well, I think the next two cases, obviously—

**Andy Carter:** Sorry. I should have said: aside from the cases that we are discussing here.

**Mr Paterson:** No. Well, I can't really think of anything. That is why these were exceptional.

Q33 **Andy Carter:** I want to take you back to the statement that you made at the start. It is in relation to the Commissioner, and the way that she has conducted this investigation. You made the point that the Commissioner did not talk to you at any point. Do you believe that she has followed her normal process in this? Do you believe that she didn't talk to you for any particular reason? Is there a reason you think you have been treated differently in the way that she has investigated this?

**Mr Paterson:** I have absolutely no idea. I have been an MP for 24 years. I have had no dealings at all with any of these types of Committee procedures. I am just not involved. I have stuck to matters like the ones that we are talking about. All I can say is that I was astonished that the inquiry was called after the election was called. Our offices are shut. We cease to be MPs. [redacted]



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I had absolutely no idea of the process. We went to great lengths to answer all her questions in the January letter, and it all went quiet. I assumed that I had answered the questions. I had absolutely no idea of what was coming down the track, which was a whole raft of new questions that appeared, getting further and further away from the *Guardian* accusations. Then of course, by the disastrous final one on 18 June, we were miles away from the original *Guardian* accusations, and she still hadn't talked to me. Then to send in the draft memorandum, which was riddled with errors and misinterpretations, without ever having talked to me, and after Rose had hanged herself, was utterly extraordinary.

Q34 **Andy Carter:** That is the point that I wanted to be clear on. You received the draft memorandum never having spoken to the Commissioner.

**Mr Paterson:** Never had a word, and we had offered. In my letters we offered it. I put it specifically in my statement. She dragged in the poor old Registrar—whom my office has always had the very best relations with, and who was completely irrelevant to this because she was not at any meeting—and posed a lot of hypothetical questions. The answers are frankly irrelevant because she wasn't there. I offered the Commissioner my mobile and everything. I could not have been more open, but I had no idea how the process was going.

Q35 **Andy Carter:** In fairness to the registrar, we see that the Registrar is often asked to give advice to the Commissioner, so it is not particularly unusual that the Registrar provides evidence or advice to the Commissioner. The point that I really wanted to be clear on was that a draft memorandum was written before any conversation had been had. You had obviously submitted your responses to the letters. You had corresponded with her, but she hadn't had a conversation with you. That was the process, was it?

**Mr Paterson:** We had gone 14 months. She kicked off with a letter on 30 October 2019. We heard on 1 December. My comment is that it is the least inquisitive inquisitorial process I have ever seen. Then, of course, we got this. We were absolutely shocked by it, and this was really great, wasn't it? The week before the first Christmas without Rose we had to really scramble together. She gave us until 10 January, which turned out to be a Sunday, so we moved that, but we basically had to really scramble to get these witnesses. People were on holiday. They were abroad. They were with their families. They didn't want to bother about this. It was a real battle. There is probably a lot more evidence that we could give you if these witnesses had been called, because these witness statements were cobbled together in such a rush.

I really pushed for a meeting with her. It was quite a battle to get the meeting. We did the meeting on the screen, and at that meeting she did ask for the emails and telephone numbers and we gave them to her. She hasn't rung one of them. Some of them are getting pretty annoyed. Even on Friday we had a letter from her making, bluntly, a bit of innuendo about Professor Chris Elliott.



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Q36 **Chair:** Can I go back one step, Mr Paterson? I want to be clear about the issue of meetings. I cannot find it now in my paperwork, but my understanding was that the Commissioner offered to meet with you from the very beginning. I think that is in the very first letter that she sent to you.

**Mr Paterson:** Yes, but she keeps telling me that it's her inquiry, and she runs it. I made it very clear that I was open to a meeting. I had absolutely no idea how she was conducting this inquiry. Frankly, she was not conducting an inquiry. She hasn't talked to anyone. If it was a proper invite, why on earth didn't she ring me in October before the election—“We've had this from *The Guardian*”? We do not know who put her up to it; we have never had the link, but someone had obviously sent her article or someone had drawn it to her attention. We do not know who. Why on earth didn't she ring me and put the questions you are putting to me now—“You are accused by *The Guardian* of: boom, boom and boom”? I could have answered on the phone or we could have had a quick meeting. I just find that any normal workplace or trade union would not possibly accept this as a manner of running an investigation. Not to talk to me for over a year is absolutely extraordinary.

Q37 **Chair:** On the year thing, I am not sure whether it was at your instigation or at her instigation that the investigation was suspended for several months following your wife's death. I do not know if that was at your request or at her suggestion, but obviously that made sense.

**Mr Paterson:** Quite right.

Q38 **Chair:** And obviously then there was the difficulty about covid. I do not want to blame everything on covid in this world because that is overused, but that has not helped. My understanding is that you were offered a meeting at the very beginning and that that is in the standard letter that goes out to everybody. Is that not your understanding?

**Mr Paterson:** I said in my—

Q39 **Chair:** I think I have got the letter now. The initial letter from the Commissioner said, “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 interview. I am, of course, very happy to meet with you at any stage if you would find that helpful.” That was in her initial letter.

**Mr Paterson:** I don't think it is for me to run her—

Q40 **Chair:** That was the October letter.

**Mr Paterson:** It is not for me to direct her inquiry. She kept telling me that. I made it very clear in my letter that if you wish to interview me, I would be pleased to meet you. I had no idea how this was going to go.

Q41 **Andy Carter:** What was the date of that letter?



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**Mr Paterson:** That was my 16 January letter. She has frequently said and made it very clear, “Mr Paterson, I run my own inquiry. It is inquisitorial,” etc., so it is not for me to, bluntly, antagonise her, and we had quite a battle.

**Chair:** No, I think—

**Mr Paterson:** When we had the on-screen meeting, that took quite a lot of shoving and pushing to get that as well.

Q42 **Alberto Costa:** Good morning, Mr Paterson and your legal team. I have a great deal of sympathy with the issues you have raised this morning, and in your correspondence with the Committee and the Commissioner in respect of process. It is something that I have been raising regularly as a member of this team. I think it is extraordinary that there are Members of Parliament who have been excluded from having the normal rights that any of our constituents have in taking matters to a court of law. I have a great deal of sympathy with you in that respect. I have two series of questions and they are to do with witness statements, if I may.

First, turning to the letter you sent to the Commissioner dated 2 July 2021, at paragraph 6.9. You touched on this issue in your response to my colleague, Mr Carter. In paragraph 6.9 of your letter, you state: “The only ‘witness’ you refer to”—that is the Commissioner—“is the Registrar who is not a witness and is your subordinate.” You go on to say at the next paragraph that, “The Registrar is not a witness of fact and had no involvement in this matter.” Are you aware that the Commissioner has a dual role in Parliament? She is an adviser to this Committee by Standing Order, as well as the investigating officer in cases of your nature. Are you aware of that?

**Mr Paterson:** Vaguely. As I have said, I have never taken any action or participated in any Committee such as this.

Q43 **Alberto Costa:** The Registrar is indeed her subordinate, but it is her role in Standing Orders as our adviser, which brings in the Registrar to advise this Committee. Do you stand with your statement at paragraph 6.9 that you do not believe that the Registrar is an appropriate witness in this case?

**Mr Paterson:** She cannot be a witness because she was not at any of the meetings. The Commissioner put hypothetical questions to her, which were based, quite frankly, on an incorrect interpretation of what happened. Then the poor old Registrar was expected to give her opinion. It cannot possibly count as evidence. I thought this was abolished under the Tudors—inventing evidence. The Registrar was not at the meetings, so she cannot possibly be regarded as a witness. Every single witness who was at the meetings has not been talked to. You made comments on basic law, but this a complete breach of natural justice.

Q44 **Alberto Costa:** So you stand by the statements that you have made? Thank you. Turning to the Commissioner’s memorandum itself and paragraph 101, which is on page 30. Could you read out the last



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sentence of paragraph 101?

**Mr Paterson:** What—"The Professor said that the meeting did not relate to the sale of Lynn's products."?

Q45 **Alberto Costa:** Yes, that is the Commissioner telling us in her memorandum what she understands the Professor's evidence to be saying. Would you agree with that?

**Mr Paterson:** Yes, certainly.

Q46 **Alberto Costa:** Could we then turn to paragraph 2.5 of your letter to the Commissioner dated 2 July? Do you have that before you, Mr Paterson?

**Mr Paterson:** Yes.

Q47 **Alberto Costa:** The last sentence of paragraph 2.5 states, "You then reject most of the witness evidence as being irrelevant, when it is directly relevant and only relates to the issues you are investigating." Do you stand by that statement, Mr Paterson?

**Mr Paterson:** Yes, absolutely.

Q48 **Alberto Costa:** Could I then refer you to the same letter and paragraph 5.1.5(b), which is on page 7, under the issue dealing with ham? The letter is dated 2 July.

**Mr Paterson:** Yes.

Q49 **Alberto Costa:** Can you read from half way through the sentence beginning, "You have ignored"? Could you read that sentence out, please? That is your evidence.

**Mr Paterson:** Yes. "You have ignored or not applied the evidence provided by Professor Christopher Elliott, Declan Ferguson, Jago Pearson and Mathew Forde."

Q50 **Alberto Costa:** So it states here that you have ignored the evidence of Professor Chris Elliott, who is entirely independent and a world-leading authority. Can you see that? Do you still stand by that?

**Mr Paterson:** Yes.

Q51 **Alberto Costa:** So I put a question to the Commissioner at our last meeting, in response to which the Commissioner has written to the Clerk of the Committee by letter dated 14 September. We have a copy of it. Could you turn to the penultimate page of that letter, headed "To Professor Chris Elliott OBE"? The second sentence states, "Professor Elliott has described himself as an independent scientific expert. His statement includes the following description." She goes on to say what his description is. Then the Commissioner adds that, "through open research" she has "identified the following." In answer to my question, she alluded to the fact that Professor Elliott may not be independent. Do you agree with the commissioner on that statement?

**Mr Paterson:** Yes. This absolutely shows how flawed this process is. She has had Professor Elliott's details since April, or whenever it was. She



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could have rung him. We could ring him now. Do you want me to ring him up now? I can get him on WhatsApp. Shall we do that? We can ask him directly, and he can explain his position. I rang him, actually, having seen this. The innuendo in here is that he is not independent of Lynn's. He said emphatically that he has never, ever received a single penny from Lynn's in any form because he has to retain his independence. He is quite clear in his own evidence that he works with Lynn's on a regular basis. To start with—

Q52 **Chair:** Sorry, can I just check that? You said "worked with", but "worked with" and "worked for" are different.

**Mr Paterson:** He said he has not taken a single penny, but ring him up.

Q53 **Chair:** Sorry, they are important distinctions—"worked with" and "worked for". I work with all sorts of organisations that I have no permanent relationship with. You used the phrase in some of your declarations, "I work with Randox" or "I work with Lynn's", rather than, "I work for".

**Mr Paterson:** Bluntly, you need to ring him. He should have been rung. If the Commissioner had these suspicions, instead of doing it last Friday, when we are approaching 23 months, she should have rung him months and months ago.

**Alberto Costa:** Okay, but—

**Mr Paterson:** If I could finish this, if it is worth it to the Committee, I mentioned this briefly to him, and he said emphatically that he has never been paid a penny by Lynn's for any service or consultation. But ring him up.

**Alberto Costa:** Going back to the very first point on Professor Elliott—

**Mr Paterson:** Sorry, I forgot. We sent this letter to you last night. If you turn to the bottom of page 2—last paragraph—I have stated, "He is entirely independent of Lynn's. He was not paid or retained by Lynn's as it was important that as a leading expert on food safety he remained wholly independent." In his evidence, which we list above, he is quite clear that he has been working with Lynn's. He is at Queen's university, and Lynn's are at Downpatrick, which is half an hour or 40 minutes away.

Q54 **Alberto Costa:** The reason, Mr Paterson, that I raise that is that, to go back to paragraph 101 of the Commissioner's memorandum, she herself stated, "The professor stated that the meeting did not relate to the sale of Lynn's products." That is why I have referred to Professor Elliott. The issue you are putting to this Committee, I think, is that Professor Elliott is independent and credible, and therefore the statement in paragraph 101 should be taken as a credible statement that the meeting that you had in respect of ham did not relate to sale issues. Is that what you are saying to the Committee?

**Mr Paterson:** 100%.

**Alberto Costa:** That's fine. Thank you, Mr Paterson.



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**Mr Paterson:** It is an absolute classic case. These witnesses should have been contacted months ago.

**Alberto Costa:** That will be a matter for the Committee. You have answered my question, and I am grateful.

**Chair:** And I think you have put that argument more than once—let me put it that way.

**Mr Paterson:** In fairness, these are highly respected public figures. Chris Elliott is genuinely really irritated that he has not been asked these questions.

**Chair:** Thanks. I am going to try to keep us moving, if that is all right with everybody.

Q55 **Allan Dorans:** Good morning, Mr Paterson. Did either Radox or Lynn's Country Foods gain any advantage, financially or otherwise, that they would not have gained without your intervention? Was that directly related to your paid advocacy on their behalf?

**Mr Paterson:** No. On none of these issues—we made this clear in my statement and my letters—were we selling. We have been round this. We were drawing attention to a new technology that they make, which is already being used. The equipment had already bought a couple of years before. On the issue of the Radox one, which was calibration equipment, it was absolutely clear to me, Rory Stewart and Mark Campbell that we were introducing a technology that was made by Radox, but they were not the only ones. It was absolutely understood that we were delivering what the Secretary of State asked for. She wanted MPs to come forward with new firms, new suppliers and new technologies. Then—

Q56 **Chair:** Sorry, we are going to come on to that very question a little later. You state in your evidence that she did that. I can find no record of her doing that publicly. How did she do it? Was it in an email? Was it in a speech?

**Mr Paterson:** Well, she confirmed it in her witness statement.

Q57 **Chair:** No, she doesn't, you see. It is an assertion that you make, but I don't know what it is based on.

**Mr Paterson:** Again, it is a good example—get her in and ask her the question, as a witness.

**Chair:** What is your evidence that she was asking people for this? It is on the back of that that you are saying you were not initiating—

**Mr Paterson:** She told us in her witness statement.

Q58 **Chair:** No, she doesn't, you see.

**Mr Paterson:** Well, she slimmed it down. Get her in. It is another classic example. If these witnesses had been talked to—



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**Chair:** It is evidence that you are relying on, so you need to say—

**Mr Paterson:** I am reporting to you emphatically that she said that when she came into the Department, she thought—again, a sort of cosy bureaucracy—that she was looking to open up to new suppliers and new ideas and new technologies.

Q59 **Chair:** Where did she say this?

**Mr Paterson:** She said it in her statement.

Q60 **Chair:** You are saying that you were responding to her request. Where did she make this request?

**Mr Paterson:** She said, “I encourage MPs to bring new tech suppliers, technologies and charities to the attention of the Department in order to diversify and deliver better value for money and better outcomes.” That is exactly what we were doing.

What was quite clear, to answer the question from Mr Dorans, was that this had a huge, long process to go through. She went on at some length about this in her evidence to us. If they had taken the idea up, which they didn't, it would have gone out to an NGO—Oxfam, Médecins sans Frontières; it would have been used in Tanzania or somewhere—for a year or even longer, and then it would have come back and there would have been a lengthy procurement process, with tendering and all the rest of it, because other people make this technology. Radox would have competed.

**Chair:** Lots of people want to ask questions. I am keen to get on to Mehmuda in a moment, as I know there are questions she wants to ask. Andy, if you could be brief.

Q61 **Andy Carter:** It is related to the point that you just raised. In the early stage of covid, I recall receiving emails and, I suspect, WhatsApp messages from Secretaries of State asking for contacts around the UK for testing and all kinds of things. When you were having the conversation with the Secretary of State that you referred to, was that a verbal conversation or an email that was sent out? How did that work?

**Mr Paterson:** No, this is her witness statement.

Q62 **Andy Carter:** You say in the witness statement that she asked for it.

**Mr Paterson:** Yes, she was very clear. She was actually looking—

Q63 **Andy Carter:** Was it a verbal conversation? Was it an email? How did that happen?

**Mr Paterson:** What had happened was that Mark Campbell, who, again, you ought to interview, had written her a letter. He goes to Africa quite a lot. Talking to him recently, he is really exercised by the sort of moral angle of this. It is a complete waste of taxpayers' money and all these huge efforts that have gone into improving health outcomes if you do not quality control and calibrate equipment. It is really basic stuff.



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He had come back and written to her and wanted to draw the attention of the Department to the fact that there was this tech around. In this case, actually, lots of other people would have done it. I raised that with her in a vote, because we see each other, as you know, when Parliament is normally functioning. I raised the issue. She said, "I think it sounds interesting—go and see Rory Stewart." I can't remember the exact details of the conversation at the vote.

We went to see Rory Stewart and he makes it completely clear that we were there to talk about the health outcomes that could be delivered by calibrating equipment three times a day. It was understood by all of us that Rory Stewart was not sitting there, as I said, in the sort of caricature of a newspaper—he did not have an order book.

**Chair:** I think we understand.

**Mr Paterson:** I have got to be honest—I am disappointed. It seemed to me a really sensible thing to offer, and would have delivered outcomes. Perhaps—you would have to go back to DFID and ask them—they were going down another route at the time, perhaps they would have got someone else in. But I didn't pursue it. They didn't want to pursue it, so I left it alone.

**Chair:** I am going to move on to Mehmuda. We may come back to an element of that a little bit later.

Q64 **Mehmuda Mian:** Hello, Mr Paterson. I have a few questions in relation to Lynn's Country Foods. In her memorandum, the commissioner found that you had breached the paid advocacy rule in respect of approaches to the FSA regarding Lynn's Country Foods, first of all in your meeting on 15 November 2017. Then she refers to your email following that meeting on 15 November 2017, your phone call and subsequent email on 8 January 2018, and then your further meetings on 15 January 2018 and then your meeting on 9 July 2018.

**Mr Paterson:** I have been listening carefully, but I don't actually have them in front of me.

**Chair:** There will be a test afterwards.

Q65 **Mehmuda Mian:** Essentially, all your meetings with the FSA relating to Lynn's Country Foods—I think there were four. I just want to ask you for an explanation of why you disagree with the Commissioner's findings in relation to those meetings. You have provided some explanation, and I am aware that we are short of time, so could I ask you to be succinct in your response?

**Mr Paterson:** In your bundle, we have given you a summary of some of these issues where there are some contentious emails, and my reply to them. You do have that as a crib sheet.

Q66 **Mehmuda Mian:** I am asking you because you are here to give evidence.

**Mr Paterson:** Very simply, Lynn's brought it to my attention that Kerry Foods was selling a ham as nitrite-free that was not—it was carcinogenic.



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At the time, there was increasing interest in debate in nitrite-free products. Lynn's was extremely alarmed that this product, which was emphatically carcinogenic, was targeted specifically at young children, and it was not what it was sold as. It was a carcinogenic product.

Chris Elliott, whom we have just touched on, was very exercised by this. In the bundle, there is an enormous amount of material on nitrite, and he had been spending a lot of time on this. He is the absolute top expert. Lynn's had gone to the FSA in Northern Ireland, which had been frankly pretty ineffective and had done nothing, so they raised it with me. I really thought it was shocking; Chris Elliott says it is the worst case of selling in 35 years. They were targeting young children with a television video with a product that was carcinogenic.

I raised that with the FSA in the UK, so I took it up a stage. It was not me who raised it—it had already been lodged with the FSA. They raised it with the Republic of Ireland authorities and, pretty rapidly, that was sorted and we achieved success. Kerry's changed the formulation and the marketing, and I think they continue to happily sell ham; it is just sold as it actually is, as a product.

That was the original issue. Where the memorandum is still unbelievably wrong is that I am accused of moving on to the issue of the formulation of Lynn's proposed bacon product, which was a completely separate product. That was raised by the FSA, and the rules are absolutely clear: if a public authority raises an issue, you are allowed to discuss it, and I was involved in the discussions. They went on at great length. Quite a lot of them I was not involved in, because they were very technical. In the end, bluntly, the FSA and Lynn's battled themselves to a sort of 1-1 draw, and Lynn's agreed to put ascorbic acid covering the very natural processes they were using. I did not raise that, and Chris Elliott is quite clear about that, as is Declan Ferguson, in my letter of 2 July 2021, page 22, at 9.3.

I am completely clear that there was an issue with a carcinogenic product being targeted at young children. I listened carefully to Chris Elliott, who was really shocked and pretty aerated about it, and that clearly fell within paragraph 9. During those discussions, the FSA raised the whole issue, which got completely snarled up and went on for some time, about the manner in which Lynn's produced their proposed product, but I did not raise that.

**Mehmuda Mian:** Can I just raise a couple of other issues? You say in your written evidence that no commercial benefit could accrue to Lynn's from raising the issue of the Kerry Foods mislabelling because it is not a competitor. You have stated, "Kerry Foods' product is ham. Lynn's Country Foods' primary product is bacon. There was no commercial advantage to be gained by Lynn's Country Foods." However, in your email to the FSA on 17 January 2018, you said that any backlash—i.e. from the mislabelling—will "dilute customer confidence further. It will actually destroy the potential health benefits that the Finnebrogue products and similar future competitive products could bring to the health of the nation by removing nitrites with their long-associated health



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concerns.”

That seems to suggest that the Lynn’s product is a competitor to the Kerry Foods product. Would you agree, or have I misunderstood that?

**Mr Paterson:** No, Lynn’s were developing a bacon at the time, as were several other companies around Europe. Kerry’s product was ham, and Kerry’s has continued to sell the ham—it is still available. It was not knocking a competitor out of the market at all. It was just making sure that the competitor properly manufactured and marketed the product.

Q67 **Chair:** So you’re saying that it was a competitor? Because your argument is that it was not a competitor.

**Mr Paterson:** Kerry’s is a great big meat company, as are Nestlé and others. They are in the world of selling meat.

Q68 **Chair:** So they are a competitor. You accept that they are a competitor?

**Mr Paterson:** Again, you’d have to ask Lynn’s exactly which products were being sold by which company. At the time, I was concerned about the carcinogenic ham being targeted at young children. The formula was changed and the marketing was changed. At the time, Lynn’s were developing a nitrite-free bacon, which is a completely separate product.

Q69 **Mehmuda Mian:** Finally, in your written evidence you say that you did not approach the FSA regarding the Prosur ingredients in Lynn’s products, and that it was the FSA that approached “Lynn’s and me” about this matter. Can I clarify whether the FSA contacted you personally about the Prosur issue?

**Mr Paterson:** No, I think that emerged in meetings. I think Mathew Forde’s evidence is good—it’s worth reading. These meetings lurched sideways very rapidly into a discussion of the Lynn’s process. It became evident that the FSA officials were very resistant to the idea that long-standing, very traditional methods of making cured meats were, in fact, carcinogenic. There was real resistance to the idea of recognising that new process. I’ve got to be honest—those meetings were pretty acrimonious. Everyone got quite cross. That was the nub of it: the FSA did not recognise the health risks. Some 16,000 people a year die of colorectal cancer. It is a very unpleasant disease.

I began, quite clearly, raising the issue of a ham product that was using a dangerous process and being improperly sold, and that was settled quite rapidly and satisfactorily. In fairness to Kerry’s, they reacted, changed their process and their marketing—as I said, they are happy selling ham. They got completely snarled up in this very cross, acrimonious discussion of how Lynn’s arrived at their product. I was bit of a bystander, frankly, but I wanted it to be resolved. I didn’t start it.

Q70 **Chair:** But you were there?

**Mr Paterson:** I was there, yes.

Q71 **Chair:** Can I just go back to something I don’t quite understand? How



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was it that the FSA chair was speaking to you about it?

**Mr Paterson:** Because the FSA in Northern Ireland were pretty ineffective and hadn't done anything. So, Lynn's raised it with me—

**Q72 Chair:** I understand why they would want to talk to somebody. Just take me through how it ended up being you. Your email to the FSA chair said that you had called following a letter to you from Professor Elliott, which itself was prompted by a letter to the Lynn's CEO from the FSA. We have a sort of circle going on here. A meeting was made even more urgent, in your words, by the fact that a "rapid alert system for food and feed notification was now in place." I don't understand why you were the person having that conversation, other than the fact that you are an expert in the field. The danger is, of course, that it is a conflict of interest, because you are paid by Lynn's.

**Mr Paterson:** No, I think what had happened was that Lynn's had approached the FSA in Northern Ireland—again, you would have to get them in and ask them; I think it is in the witness evidence. Then, I think Chris Elliott had approached them, but they hadn't done anything, and this product continued to be sold and was about to be launched into GB, which was also what exercised Chris Elliott.

So they said, "What can be done about this?" I said, "Well, you've raised it with the FSA in Northern Ireland. It's appropriate for me to raise it with the FSA at UK level, because this is a national issue." And you can see the difficulty in some way. The FSA in Northern Ireland is probably quite a small regional office and they would be going to what at the time was another member state—the Republic of Ireland. So the FSA at UK level did and, in fairness to the Republic of Ireland's FSA equivalent—I think it is actually called the Food Standards Authority—they sorted it, and that was quite satisfactory.

It then got completely snarled up in this discussion and the merits of the Lynn's process, which the FSA did not understand.

**Q73 Chair:** I am kind of going back to the question that Rita asked earlier, which was about—the only person who is sort of barred by their rules of the House to take part in that conversation is the person who, as an MP, is paid by Lynn's Foods.

**Mr Paterson:** Not according to paragraph 9. I am paid for my judgment; as Iain Duncan Smith says, as MPs we are paid for our judgment. And my judgment was that this was bad: this was a serious wrong, and it was right to raise it.

**Q74 Chair:** Okay. Time flies, so I want to keep us moving, if I can. Feel free not to repeat arguments that you have made already, Mr Paterson.

**Mr Paterson:** I'll try.

**Chair:** And we'll try not to repeat questions that we have asked already. Michael.

**Q75 Dr Maguire:** Good morning again, Mr Paterson.



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The Commissioner found that you breached the paid advocacy rule in relation to Radox and DFID—in your approach to the Secretary of State in person on 12 October 2016, by letter on 13 October 2016, in your meeting with the Minister of State on 12 January 2017 and in your letter of 16 January 2017.

Briefly, can you explain why you disagree with the Commissioner's findings?

**Mr Paterson:** This is on DFID?

Q76 **Dr Maguire:** Sorry. This is in relation to Radox and DFID, yes. You made these approaches and—

**Mr Paterson:** I didn't make approaches. It's in the bundle. Mark Campbell had written. And then you have the parliamentary timetable. There was the recess and then the very brief sitting in September, or whatever it was. So, in parliamentary terms, it was quite a quick follow-up. But I did not make the approach; that was quite clearly from Mark Campbell. But, even if I had, in my opinion I am covered by paragraph 9.

Q77 **Dr Maguire:** Can you walk us through the process whereby you became aware of the issue of poor calibration in lab equipment through your conversation with the Secretary of State?

**Mr Paterson:** Mark Campbell raised it with me on one of my visits. He explained to me the issue and he said that he had written in but not heard anything.

Q78 **Dr Maguire:** How long was it before you approached the Secretary of State?

**Mr Paterson:** I honestly can't remember, because he wrote—

Q79 **Dr Maguire:** Are we talking weeks, months, days or what?

**Mr Paterson:** I just can't remember, because I was going over on quite a regular basis. But it would probably have been quite soon before I saw her. It is one of those classics, you know—"I'll see you in the vote. A quite interesting idea had come up, which is worth pursuing". I can't remember the exact date when Mark Campbell raised it with me.

Q80 **Dr Maguire:** I suppose the point I am trying to get clear in my own mind is that I don't get the same sense of urgency here that you raised, for example, in relation to milk contamination, where you felt it was a big issue and you had to move very quickly. Here, this seems to have operated on a bit slower time. Is that fair?

**Mr Paterson:** Yes, that's right, because Parliament wasn't sitting and it was hard to get hold of people, and we were away. This was obviously going to be a much longer process; this was introducing an idea. And Mark is very clear about that that—this was selling an idea. And Priti, when she gave evidence to us in her statement said this would be farmed out for a year or two.



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You are quite right; this was a much longer-term programme. But I still think it's a deadly serious issue—"deadly" in the true sense of the word. I think that Mark's figures are that 78% or 80% of clinical decisions are based on analysis; some of you are very senior members of the NHS and could probably confirm that.

It just seemed to me wrong that there was this huge, generous effort—and, of course, we had all the discussions about the 0.7%, didn't we?

**Q81 Dr Maguire:** Let us be clear: there is a difference between addressing a serious wrong and selling an idea. Do you accept that?

**Mr Paterson:** No. It is a serious wrong if these laboratories are giving false results because there is not proper quality control or calibration of the equipment, which could be done to deliver better health outcomes and, bluntly, in some cases, save lives. It seemed to me to be wrong, and, by bringing this to the attention of the relevant Ministers, something good could be done about it.

**Q82 Dr Maguire:** In relation to that, there are two things that strike me. First, what evidence of a serious wrong did you provide in your approach? Secondly, why did you mention Radox and their products in that approach?

**Mr Paterson:** I had to mention Radox because they produced the kit that calibrates the equipment. It had to be explained who they were and what they did.

The key thing is that there were three witnesses at that meeting; every one of us is absolutely clear that this was not a selling meeting. It was introducing the idea of the equipment. If you get Mark Campbell—again, you can ring him now if you want; I have my mobile on me—he would say, very emphatically, that he was driven by the moral angle. There was a huge effort to improve health outcomes that was wasted because there was not proper quality control. This was absolutely clear to us.

Rory Stewart was the Minister; he would never have had the meeting—he makes it clear that officials thought it was all completely proper. The meeting could not have happened if we were just punting, or—that very unhappy phrase used by the Commissioner—"pitching" a product. If you get Priti in as a witness, she will tell you that any of this stuff would have gone out for trial, had extensive testing, and would have come back and gone through a rigorous procedure—

**Chair:** Sorry to interrupt you, Mr Paterson, but I do not think that anybody is suggesting the stereotype, that you referred to earlier, of you going into a meeting and being offered a contract by the Secretary of State for £27 million that day.

**Mr Paterson:** I do not agree, actually, because that is exactly what the Commissioner said. She says in her letter to Dr James, dated 2 September, in the second paragraph: "During the investigation I received emails from Mr Paterson that showed he contacted officials from the Department of International Development..." Well, I didn't—I contacted the



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Secretary of State. It continues, “to arrange a meeting for Randox, for whom he is a paid consultant, to pitch their product.”

That is a complete caricature of, frankly, one of the newspapers, which we are now not mentioning. That is not what it was about. This was absolutely about health outcomes, as all three people who attended the meeting knew. If you do not believe me: ask them. Get the witnesses in.

Q83 **Dr Maguire:** Why do you think there were procurement people in that meeting?

**Mr Paterson:** To evaluate whether there was any sense in the proposal.

Q84 **Dr Maguire:** Do you think they may have perceived it to be a sales pitch?

**Mr Paterson:** I don't know if they were procurement people. All I know is that the meeting was held in—this is completely irrelevant—a completely wonderful Admiralty building, with the Grinling Gibbons carvings; I remember sitting in front of it, bizarrely, talking about health outcomes in Africa. There were some officials on a screen, who I think were in Edinburgh. I haven't got the notes, so I am not sure what their status was. If you look at Rory's evidence, he is quite clear that it was all about the principle of good laboratory testing, as someone who was concerned to make sure that UK tax funds being spent overseas achieve better health outcomes. He is absolutely clear in his evidence. There are three people who were in that meeting who have given you evidence.

I have not raised this yet, but I spent 25 years in business and have spent 24 years as an MP, and in that time no one has ever questioned my word—I have always been trusted. I put this to the Commissioner during our unsatisfactory television interview, and she flatly would not answer. I asked her why she didn't believe me—“Why am I lying? Why do you not trust me?” Lots of people, as the Chair will know, disagree with my views on many subjects, but why am I treated as a liar? She sat there in complete silence. That could not happen in a court of law. If these three witnesses—me, Rory Stewart and Mark Campbell—are wrong, fine: bring along another witness that contradicts us.

Q85 **Dr Maguire:** Just so that I am clear: when you approached the Secretary of State, Rory Stewart, were you introducing the company with new technologies in response to DFID's general request, or were you giving evidence of a serious wrong? What was the evidence that you gave them?

**Mr Paterson:** Mark had the evidence, and he had raised this with me verbally. He raised the issue. You will have to ask him, but I think that he had just come back from Tanzania. He had seen—he quotes it in the statement that I gave this morning—people standing in queues outside hospitals and testing centres.

He knew—he said it was awful. He got back on the aeroplane knowing that they had such faith and confidence that this wonderful kit that had been sent out by western taxpayers was going to deliver health outcomes, but that all this awful stuff about prenatal and postnatal death—these awful



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mortality rates you have still in these countries—was not going to be improved, because the results were wrong.

Q86 **Dr Maguire:** What we have here is an idea for a new technology that you bring to the Minister, and a Radox solution to that, which is a product.

**Mr Paterson:** Yes, which would have to compete with lots of other—

Q87 **Dr Maguire:** Was that a statement of fact?

**Mr Paterson:** Yes. It is very clear—

Q88 **Dr Maguire:** Just in that context, you said that this was in response to a Minister requesting companies with new technologies to come forward. Do you accept that a Member would not have been permitted to do so by them if it was in breach of the paid advocacy rule?

**Mr Paterson:** No, because we have paragraph 9. I really believe that this was evidence of a serious wrong or substantial injustice. I think that it was wrong that the health outcomes were so bad that some of them could have been fatal, and I think that it was a serious injustice to British taxpayers, who put this generously huge amount of money into health programmes that could be so much more effective. The idea is to get the technology into the minds of the officials, and then it would be over to them. It was absolutely clear that the Minister was not going to sign this off; it would have gone off for trial.

Q89 **Dr Maguire:** Leaving the procurement process to the side, what we have is a company that has approached a Minister, a Secretary of State, with evidence of a new product to assist the Department in the delivery of its objectives. The company get no response. Then, you intervene and get a meeting with Ministers and the Secretary of State in order to give an answer to the problem, which is their product. Do you see how that could be perceived as paid advocacy?

**Mr Paterson:** Yes, and I totally understand that. That is why I said that you have to ask why I broke my absolute, cast-iron rule not to raise these sorts of issues apart from on these three occasions. In my judgment, this was a serious wrong and a substantial injustice.

Q90 **Dr Maguire:** I will finish—

**Mr Paterson:** Within the rules, exceptionally, I am allowed to raise that. It was completely clear—the other two witnesses make it quite clear—that everybody knew that I was a paid consultant. Everybody knew that we were presenting a technology. This was not intended to be a selling expedition. It could not be; how could you, in one meeting?

Q91 **Chair:** I am just going to pursue a couple of things. I think that you said yes to Dr Maguire when he asked the question about whether you could understand how there might be a perception of paid advocacy here: the company writes to the Secretary of State and does not get an answer or meeting, and three months later, you, who are paid by the company, bump into the Secretary of State, raise the matter and get a meeting.



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**Mr Paterson:** No, I made the decision to raise it with her as a continuation of his approach.

Q92 **Chair:** I understand that. However, can you see how an outside person, who might be sceptical about every MP, might go, "So Randox have their man in Parliament, and it's great, because they can get a meeting; the chap just goes up to the Secretary of State in the Division Lobby and gets a meeting"?

**Mr Paterson:** Yes, but that is why, as I point out, it is so rare. I did it on only three occasions. I could be bothering all sorts of Ministers every day on behalf of Randox or Lynn's. I do not go near them. That would be quite wrong.

It comes back to judgment. I decided that these three issues, according to my judgment—I go back to the 25 years in business and the 24 years in Parliament—were serious wrongs. I was right, despite the paid advocacy, to raise this, and I was okay on paragraph 9.

Q93 **Chair:** Okay, and I am sorry to repeat this, because I have told you not to repeat yourself.

**Mr Paterson:** All three cases are quite similar, obviously, so it is quite hard not to repeat.

Q94 **Chair:** No, this is explicit. In your letter to the Commissioner, you say that DFID explicitly requested that Members of Parliament introduce companies with new technologies. How did she do that? Was it an email? Was it a letter to all MPs? What was it?

**Mr Paterson:** I do not remember, but Priti Patel confirmed that in her witness statement.

Q95 **Chair:** Well, no, she doesn't, you see. She says something slightly different. She says, "I encouraged MPs to bring new suppliers, technologies and charities". Your version is that DFID explicitly requested it, so I presume you mean there was a moment at which a letter went out or something.

**Mr Paterson:** The problem, to be blunt, is that her written witness statement is considerably shorter than the oral statement she gave us, so it is an absolutely classic example that you need to call her in and ask for the evidence. She told me quite clearly that she and Rory were very actively looking for new suppliers, new ideas and new technologies—absolutely. How that was promoted at the time, I don't remember.

Q96 **Mrs Dexter:** Can I ask why she told you, and who else did she tell?

**Mr Paterson:** Because I was interviewing her for a witness statement.

Q97 **Mrs Dexter:** No, in the first instance, when she issued this "We're interested in new technologies."

**Mr Paterson:** I can't remember. You would have to ask her that.

Q98 **Andy Carter:** You may not know the answer to this, but are there other



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companies that make similar kit to the Radox one that you talked to the Minister about?

**Mr Paterson:** To DFID?

**Andy Carter:** Yes, to DFID.

**Mr Paterson:** Yes, definitely.

**Andy Carter:** That they would be able to go and look at?

**Mr Paterson:** Yes.

Q99 **Andy Carter:** I make the point because as a Minister—as an MP—you are not necessarily engaged in understanding the entire sector until ideas are brought to you. I just want to be clear that this is not a specific, “Only Radox make this kit.” Other people make it as well.

**Mr Paterson:** This one of the three, there were definitely other suppliers, so I do not know what happened. Perhaps they were already well down the road with another supplier and were doing this.

Q100 **Andy Carter:** Do you know if Radox secured any contracts on the back of these meetings, specifically for this one?

**Mr Paterson:** No, I do not think it went anywhere. They were already plugged into all the tendering procedures; they were registered and all that, and they do work for other DFID activities. Again, you would need to talk to Mark Campbell, but I am certain that this was not a unique, very exciting new Radox development. I think quite a lot of other companies around the world did it, so again, we were using the idea. Perhaps the reason it did not go anywhere was that they were already well down the road with someone else.

Q101 **Mrs Dexter:** I think I may have the simplest question, just to prepare you for that. We want to talk a bit about the use of your parliamentary office, and we want to start with your understanding of the restrictions on the use of Members’ offices. I am going to move on to the question of numbers, but it is the question of the rules in the first instance that we are interested in, and your understanding of the restrictions on the use of Members’ offices. Can you tell us about that, please?

**Mr Paterson:** The rules are, bluntly, very unclear. I was looking at this earlier, actually, because as you sent the letter, I thought this was probably going to come up. If we rummage around—here we are, “Rule on use of resources.” If you look at the Members’ rules, which are page 60 in the memorandum, paragraph 5, it is frankly pretty woolly: “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.” On this, the number of meetings—



**Mrs Dexter:** I will come on to the number of meetings in a moment.

**Mr Paterson:** If I could just raise this, the Commissioner has then effectively created a new rule on page 65. She creates something called, “Nonetheless, other than in very rare and exceptional circumstances”. That is not actually in the rules, and she has a tendency to do this, which is to create new rules. I am completely clear. It is just common sense. It is perfectly obvious, if you have a company, you don’t do a sort of marketing bid; you don’t have an AGM or something like that. But the occasional meeting, particularly under the extraordinary circumstances of Brexit, I think is absolutely allowed. And the Whip who has written, who is quite a senior Whip, Rebecca Harris, has given you a very clear steer on that—that she knows of absolutely no rule whereby you are not allowed to have people in your office with whom you have some relationship. For example, there are a lot of people who farm here. How many meetings have there been with the farm manager? There are trade unions here. How many chief executives come in? Lots have been involved in charities. The chief executive comes in. That seems to be completely sensible. Again, it’s all down to judgment; you don’t abuse it.

Q102 **Mrs Dexter:** Quite so. On the one hand it may be a woolly rule, but it’s a rule that gives Members the opportunity to use their discretion. But I think the question here is about the use of that discretion and whether it exceeded reasonable boundaries. Your observation that the Commissioner has created another rule—

**Mr Paterson:** Well, there’s nowhere in the rules that says “very rare and exceptional circumstances”. That’s her words. No one has ever told me that.

Q103 **Mrs Dexter:** Indeed, so I’m sure the Committee will address themselves to whether they agree with that. I think we have established, as a result of the recent correspondence, that there was a total of 27 meetings. I think in your letter, which I read last night, you suggested that, for example, pre-meetings should be excluded from that. If you excluded things like pre-meetings, it boiled down to five or six. Am I remembering that correctly?

**Mr Paterson:** Five—yes, you’re quite right.

Q104 **Mrs Dexter:** With respect, that might be you creating a new rule, as in “pre-meetings don’t really count”. We have 27 dates that are not in dispute. Your point is about whether they should all be counted. Is that right?

**Mr Paterson:** Yes, and again this goes back to the circumstances in which a lot of this was pulled together. Alex in my office had just the week before Christmas and the week before the new year to scramble this together. Don’t forget that my diary is not a wholly accurate record of what actually happened. It was a record of what was planned to happen. Given the utter chaos of Brexit, some of these meetings did not happen. You talk about pre-meetings. We were scrupulously honest. If it was discussed at some time with Alex—we gave every single mention of



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Randox and Lynn's, probably to my disadvantage. We have just been talking about the DFID meeting. Mark Campbell came, dropped his coat off, and we walked over to DFID. Is that a meeting? We have been scrupulously honest and put it down as a meeting. Personally, I don't think it is. There were life sciences receptions where we met Naren Patel in the Lords to plan the sort of people coming. That was a mention of Randox, so it has to go in. And then you have the monthly meetings with Jago Pearson. He doesn't have an office in London; he would drop in about once a month. There are 10 of them, as you can see quite clearly, in 2019. We could easily have gone—if you go down now to Portcullis House, well, actually, we're still in covid, aren't we? But normally, at this time on a Tuesday morning, it would be buzzing with people. It's just easier to give him a cup of coffee in my office, and that would be purely a catch-up: what's going on, who's up and down in the Government, who's up and down in the Labour party—

Q105 **Chair:** That would take you hours!

**Mr Paterson:** It did; well, we managed, I'm pleased to say, to do these meetings in about half an hour. In answer to your question, this is the nature of the meetings. In the letter, we have said we think there are five what you might call substantive meetings—like the FSA meeting. That was a really serious meeting. We got the FSA in—Professor Poppy—and people from Randox to make the presentation. That is what I count as a serious meeting. If you take the 27—taking off your coat prior to a meeting—if you want to chuck in everything and the kitchen sink, 27, out of 173 weeks, is one meeting every 6.4 weeks.

Q106 **Chair:** Sorry, what was the 173?

**Mr Paterson:** That's the weeks. The Commissioner took the period from 24 October 2016 to 12 February 2020. Personally, I don't think one meeting every 6.4 weeks is excessive, given the circumstances. Don't forget the complete chaos. There was—

Q107 **Mrs Dexter:** If I may, I'd like to ask you about the circumstances, because we are interested in them.

**Mr Paterson:** Alex has done an analysis. She said I had 229 meetings in my office, of which only five, at the time—her time period was October 2016 to 31 December 2017. That works out at 2.5%, or one every three months. That cannot be abuse of an office.

Q108 **Mrs Dexter:** I think it is for the Committee to weigh five against 27. We have had these new calculations presented relatively recently. Your proposition is that some meetings should not count. We will take a view on that. It is not a rule that it should not count; it is a proposition.

**Mr Paterson:** No, but we have given every single mention of Randox.

**Mrs Dexter:** I understand.

**Mr Paterson:** Dinner at the House of Lords with Naren Patel planning the life sciences reception is different to a meeting with the FSA.



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**Q109 Mrs Dexter:** I would like to address a point that you have made very strongly and about which you have provided what I would call references. I regard Graham Stringer, for example, as somebody who has provided you with a reference rather than being a witness, as he was not present at anything himself.

The question arises about whether you made the right judgment about having some meetings here, with companies that you were paid by, because parliamentary business was so overwhelming. You have put the case that because of Brexit, the election and so on, you were required to be here, maybe more often than the norm, and maybe in more unpredictable patterns than the norm. The question that arises from that is whether for that period, and in the light of that, you should have, as it were, deferred your business activities, so that you were free to concentrate fully on your parliamentary activities, as they were at that time so consuming.

The case you seem to have made to us is that your use of parliamentary facilities, in terms of your office, was justified because of the weight and unpredictability of parliamentary business. An alternative view might be that it was not sensible to try to combine those two things at that time and that rather than using parliamentary facilities, it would have been better to take a break. What do you think about that?

**Mr Paterson:** I don't think that was put to anybody. There are numerous people who have meetings, as I say, with unions, publishers or whatever it is, in their offices. What your question doesn't touch, which is very clear in Rebecca Harris's evidence, is that it was absolute chaos. You couldn't plan anything.

**Q110 Mrs Dexter:** Indeed, so maybe the solution to that was not to have business meetings in your parliamentary office, and that that would have had an appearance of being not in accordance with the rules that allow for some reasonable discretion—

**Mr Paterson:** But the number of meetings I had was tiny.

**Q111 Mrs Dexter:** Well, on one count it is five, and on another it is 27.

**Mr Paterson:** There are MPs having meetings every single day. If this is imposed, this is going to cause chaos.

**Q112 Chair:** Can I just suggest, Mr Paterson, that you are making an elision between any meeting an MP has and a business meeting? My gentle suggestion would be that if a Member meets with the chief executive of a charity, or for that matter with a chief executive of a company, as long as there is no commercial relationship between the two, that is absolutely fine. The point is that you were paid by these people. Indeed, one of them—I can't remember which it is—says that they don't have an office in London, so they had to use your office.

**Mr Paterson:** That is not quite right. It was in order to meet me, because I was tied here, as Rebecca Harris has witnessed. We were under instruction not to leave the premises. For someone like me, getting



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through the crowds took a long time, because I would get accosted by the pros and the antis. So, that is not quite right. Rebecca is very clear. She was a working Whip. We were told to be here.

**Chair:** I don't think she could've read the report into Margaret Hodge, which very clearly went through this previously. I will just read a bit for you. It is a response, really, to your point earlier about making up a rule. It says: "We consider the following to be aggravating factors:

The number of occasions on which Dame Margaret allowed her parliamentary office to be used for the review was large: around 20.

The Code of Conduct makes clear that Members are expected to observe the rule of the House that their use of parliamentary resources is always in support of their parliamentary duties...Dame Margaret should have realised that the use of parliamentary facilities to support the Garden Bridge review was potentially problematic, and sought the advice of the appropriate authorities at the outset. As a consequence of her failure to recognise her breach of the Code, she did nothing to prevent the impression being given that her work on the review was conducted on behalf of, or in some way connected with, the House of Commons.

Although Dame Margaret initially intended to carry out her review work without charge"—this is the key point—"she subsequently accepted payment for it, without seeking advice from the House authorities".

The payment issue makes the question of using your office problematic. Can you see that at all? Incidentally, did you know about the Margaret Hodge case?

**Mr Paterson:** This is a theme coming out in your questions, that MPs should not have outside paid interests, which is a totally legitimate view—

**Chair:** It is not my view, as it happens, and I think the Commissioner says at the very beginning that it is perfectly legitimate. The thing is, you then have to police the boundaries very carefully.

**Mr Paterson:** When you look at the meetings, such as the one with the FSA, I have absolutely no doubt that it was completely proper to get the FSA in rapidly to discuss the milk issue, and this was the appropriate venue to do it. It was a completely appropriate use of my office. I have no doubt about that.

As Brexit went on, it is very hard to exaggerate how chaotic it was. The Order Paper was worthless, because it was torn up and thrown out. We might have a meeting at No. 10, but that would be cancelled and we would have to come back here and go to a Committee Room. With the deepest respect to the Commissioner, she does not really understand how the whipping system works or how Parliament works. It was complete chaos.

It is no good saying that there was a Whip at 9.30, so you didn't have a meeting at 9 o'clock in the morning. We had to prepare for meetings, we had meetings in Committee Rooms and we all had to scoot back. You often



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had to make a speech, and you would have to sit in the Chamber—you're not allowed to just bowl up and speak. It is not a question of turning up like at the People's Congress and pushing an electronic button at 9.30.

Q113 **Chair:** I think that point is well made, and all the MP members of the Committee would completely concur with that—though Allan was not here in the House during that period. None the less, we all understand it. An MP's diary is not necessarily what ends up happening on the day.

**Mr Paterson:** To answer your question directly, there is really a tiny number of meetings over this period. The vast majority of meetings were outside, off the premises, but with me breaking my neck, Brexit and everything else. You must read Rebecca's evidence that people were tied here. It is also worth looking at other evidence—Iain Duncan Smith has been around for a long time, and you mentioned Graham Stringer and Oliver Letwin, who is dismissed as "a former MP", but has been quite a senior MP for a long time. He said that it is absolutely normal to have meetings. If you go to Portcullis House now on a normal day—once covid is over—there will be a mass of people having these sorts of meetings. That is not an abuse—that cannot be an abuse of parliamentary property—and it is much better for your time.

Q114 **Chair:** I don't think that the meetings would be of MPs with their commercial clients. Do you see the distinction that I am drawing, or not?

**Mr Paterson:** I don't know. I don't talk to other MPs about their private arrangements. I think that many MPs would be very surprised if there was going to be a new rule limiting access to offices or Portcullis House for things like cups of coffee.

**Chair:** Where you have a commercial relationship—that is the issue here.

**Mr Paterson:** No one has raised that with me. If ACOBA had raised that with me, I would have paid close attention. It has never been raised with me.

**Chair:** But that is why we had the Margaret Hodge case, and Margaret Hodge was forced to apologise to the House. This is not a new rule. That is the only point that I am making.

Q115 **Mrs Dexter:** On the question of whether anyone raised things with you, in one sense, this code of conduct, which is approved by Parliament, is the way in which things are raised with you. There are rules in there about use of facilities. They do require a level of interpretation—they are not black and white—but that is probably a good thing. But they do involve the application of, "How does this look?" or, "Does it look right to the public, or even to the sometimes very irritating Guardian?", particularly where it involves paid interest. The code is the way, among other ways, MPs are intended to know what is right and what is less right—wrong might be the wrong way of expressing that. We understand the point that you are making.

**Mr Paterson:** You make a terribly important point. The public view of this is very important, but it is also important to stress that nobody had raised



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the issue of meetings in an office before until the Commissioner did. The meetings that I have are pretty spare.

Q116 **Mrs Dexter:** Nobody has raised it with you personally, maybe.

**Mr Paterson:** No, and it was never raised by ACOBA, or in discussions with the Registrar. This has never been an issue, because the meetings are really pretty minimal, and the circumstances in the recent years were so totally chaotic, and with my neck, it all meant that—I personally do not see that there is a huge issue.

I wasn't launching a marketing campaign. I wasn't running an AGM or something mad like that. These were quite small meetings. We have touched on some of them already. We had to have the FSA meeting very rapidly, and it was quite right to do it here.

**Chair:** Arun has some questions, then I have two final things to do, but I am hopeful that we might be able to finish in the next 10 minutes or so. You may also have some final comments that you want to make.

Q117 **Dr Midha:** My questions are hopefully very quick. They are on declarations of interests. You've said to the Committee that you are a paid consultant here. The Chair has mentioned the terminology of working "with" and "for". There is a letter to the Secretary of State dated 13 October 2016, saying, "Following our brief chat last night, I previously mentioned to you that I work with Randox Laboratories in Northern Ireland".

You used the term "with", as opposed to "for". My understanding is that "for" means being paid, while "with" doesn't imply being paid. Do you have any views on that, about why you used the term "with" over "for"?

**Mr Paterson:** I think that letter was knocked out in a real rush. As I said, I think that was when I had the temporary Members' staff, who I am not blaming, but all of that was done in a rush.

The key point is that I will have told—I definitely told Priti—that I was a consultant. It is an understood expression. Now perhaps I should have used "for", "with", or "by", or whatever.

Q118 **Dr Midha:** The second question is about declarations of interest. It is quite clear—Rita has mentioned this—that Members are required to declare relevant interests in any communication with Ministers, Members and public officials. In your opening statement, you talked about four emails where you did not feel it was important. Do you feel that is still the case, or do you think that you should have declared at every opportunity—whether it was in a physical meeting with a Minister or in an email—the paid interests?

**Mr Paterson:** The witness statements are absolutely clear. Every single witness said that I did declare, even when it was embarrassing.

**Dr Midha:** So those four emails—



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**Mr Paterson:** Just two seconds. Mark Campbell says I declared my interest, even when it got off the meeting to an awkward start, and I think one of the Lynn's witnesses says that. The email is a confirmation of a meeting in which every single person at the meeting knew I was a consultant.

Even the FSA internal memo picked up—well, not “even”; they quite rightly made a note because I'd said it. I think it is a completely artificial device by the Commissioner to try to catch me out on the four emails confirming the meetings. Every single person there knew that I was a consultant.

**Dr Midha:** Thank you.

Q119 **Chair:** I just have two more things. First, I'm sorry to take you back to this issue of the rapid alert system for food and feed certification, or RASFF, process. You probably know these acronyms far better than I do. How and when did you hear about that notification about the Prosur ingredient?

**Mr Paterson:** That would have been in the course of one of these meetings. I think it came up quite early. As I said, the Kerry's thing was sorted pretty quickly, so it would have been quite soon after that. You really need to get—

Q120 **Chair:** So you heard it from Professor Elliott?

**Mr Paterson:** I honestly cannot remember. You would have to talk to Declan Ferguson and Chris Elliott on the timing of it. I think it is in the written evidence. It will—

Q121 **Chair:** It is a bit unclear, that is why I am asking. Was your call on 8 January 2018 prompted by that RASSF notification?

**Mr Paterson:** What particular—can we just refer to the call?

**Chair:** It is a key call with the chair of the FSA. I don't understand why you are the person to have had that call.

**Mr Paterson:** All my dealings with the FSA were to do with stopping the Kerry's product being sold and getting the FSA to talk to the Irish authorities to get the formula changed and the marketing changed, which is effectively done. So well done the FSA—they did a good job. Well done the Irish authorities—they did a good job. We then got snarled up in all this stuff on the formulation and the misunderstanding about what Lynn's were actually doing. When that actually happened, I don't remember.

Q122 **Chair:** Was it Lynn's that asked you to call, or was this off your own bat?

**Mr Paterson:** Going back, Lynn's told me this product had been brought to the attention of the FSA in Northern Ireland, who they thought had been very ineffective. I would just say, in fairness to the FSA in Northern Ireland, they are quite a small regional office and it is quite hard for them to take on another member state.



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**Chair:** You said earlier.

**Mr Paterson:** So I thought it was quite appropriate, under paragraph 9, that I took it further up the chain within the FSA. So I have not initiated this; I took it up the chain, to Heather Hancock, and they were very effective. It was sorted. But we then got everyone's fingers drawn into the mangle about this very acrimonious discussion about the nature of Lynn's formulation, which was not me. I did not raise that.

Q123 **Chair:** Right, okay. But I still don't quite understand: did you have a conversation with Lynn's that led to you making that phone call?

**Mr Paterson:** I had a conversation with Lynn's about the fact that they approached the FSA in Northern Ireland, which had got nowhere, and I then offered to take it up further up the chain. So it was already lodged with the FSA system, and I took it further up the chain to the UK level, which was probably where it was right to approach the Irish anyway.

**Chair:** I have one final question. I see Michael has a hand up, and Andy has to leave because he has a question in the Chamber.

**Mr Paterson:** Eek!

Q124 **Chair:** My single question is this. I know you object to the fact that the Commissioner was surprised that you did not have a contract, and there is no requirement in the House rules that you should have a contract—none at all. Indeed, there used to be a time when you had to lodge your contract with the Registrar and the problem was that the Registrar ended up with a vast cupboard full of contracts, which might or might not be out of date, and so on. That was why that rule was changed several years ago, so I am not finding anything in regard to that—I am not criticising you for not having a contract. But I just wonder whether you think a contract would be a good idea; and, if there were contracts for either Lynn's or Radox, what would they say the service that you are providing was?

**Mr Paterson:** I do not see that a contract would serve any great purpose. It has never been raised by me, ACOBA never asked for a contract, and the Registrar has always been very happy with my entry, so I was genuinely surprised that this whole issue was raised. And I do not think it is terribly relevant that the Registrar was surprised; she may be surprised there is a wasp on the window. No one had ever raised that with me. My value to these companies is my knowledge, through my years in business and experience here, and all the contacts I have made, in the UK and around Europe and elsewhere, associated with the industries they are involved in: basically, giving them some strategic advice, but not—absolutely not—getting into the nitty-gritty of any state-funded contracts.

**Chair:** Thanks. Does anybody else want to ask a question?

Q125 **Dr Maguire:** I am just interested in your reason and your view on the very different interpretation of what happened at the meetings. You talked about people you put forward—you give statements to yourself—



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and the views within the internal FSA emails. I am thinking back to page 29 of the Commissioner's report. There is an internal email in paragraph 97 where the author says: "I personally felt that as the meeting revealed that (a) the issue was essentially all about the NI company trying to clear the market for the launch of its own product(s)," and so on—you can read that yourself. I could be wrong, but my understanding is that the author of that email is Colin Clifford, who was at the meeting.

**Mr Paterson:** Well, I would be very interested to know. It shows why this is a very inadequate inquiry.

Q126 **Dr Maguire:** Do you have a view as to why this is such a different interpretation?

**Mr Paterson:** I have no idea who wrote this. We would love to have known and we would love to have questioned them. Of course, it is taken out of context, because this was resolved. The Republic of Ireland company did properly change their formulation and their marketing, and then went back to selling, so whoever the anonymous scribe is, was wrong.

**Dr Maguire:** I do not think they were anonymous actually.

**Mr Paterson:** We do not know who it is.

**Dr Maguire:** The author of the email was Colin Clifford, who was at the meeting.

**Mr Paterson:** Well, that is news to me; I did not know that.

**Dr Maguire:** It is in the unredacted version of the material that I saw.

**Mr Paterson:** I do not remember who Colin Clifford is. In that case, get him in and ask him questions. We did not know about this or challenge my witnesses as to why. Personally, I think this is a section from an email, taken out of context. The whole thing had moved beyond that and was eventually resolved quite satisfactorily. That might have been his interpretation of what was going on at the time; he turned out to be wrong. The Republic of Ireland company did properly change their formula, and in the end, there was an agreement as to what the Lynn's process was and how it should be marketed. So, this is a temporary snapshot of what, as I have told you, were some pretty acrimonious meetings, because there were some serious misunderstandings. This is very clear evidence of a misunderstanding by an FSA official. Get him in.

Q127 **Chair:** Mr Paterson, we are very grateful for the time that you have given us today and for the obvious determination that you have shown in all of this. We will meet further today to decide our next steps, and we will then be in touch with you. Unless you have anything else to say now, I will suspend the meeting.

**Mr Paterson:** You do not want me to repeat things, but briefly, I am completely clear that I acted responsibly and, very clearly, within the rules. My actions were really exceptional, to take up these three issues. I



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am absolutely confident that under paragraph 9—using the word “exceptionally”—I was acting properly.

On the other accusations, I think the issue of the office is, frankly, massively exaggerated given the circumstances of the time, the fact that I had broken my neck, and the really tiny number of meetings of any real consequence in my office. The device to try to prove through four emails that I did not declare an interest is totally artificial. It is absolutely clear that I was punctilious in every meeting in declaring an interest. As I said at the beginning, I have to win this. If you come down on the side of the memorandum, my reputation is ruined. I have spent 25 years in business and 24 years here building up a reputation that is of huge consequence to me, so I will take this further, I am afraid.

I will have to take this out of the Commons and of Parliament if there is not a fair process. I do not run the process—as the Commissioner kept saying it is inquisitorial—but my suggestion is that if you do not believe me, I would love to know why, but please talk to my witnesses. I have said this morning that I would be very happy to ring up Mark Campbell and Chris Elliott on my mobile phone immediately. If you do not believe me, please talk to them. In any normal process, surely, the witnesses will be listened to, and if they are not countered, their word has to be taken as the truth. They support my narrative and not the narrative and conclusions of the memorandum.

**Chair:** Okay. The one thing I can assure you is that we have read all the documentation and will, as I said right at the beginning, do our level best to be fair and judicious. We have no prejudice in any of this at all, and we are very conscious, on every occasion when we meet as a Committee, that we are dealing with someone’s reputation, which is a precious thing. I can assure you that nobody on the Committee wants to trample on anybody’s reputation in any way whatsoever.

I should just say that, because the House goes into recess on Thursday, although the Committee will continue meeting a bit today, we will not be meeting again until Parliament comes back after the conference recess, so I am sorry that that means another period of delay. I would often much prefer all these things to happen much swifter, but unfortunately, we will not sit again until after recess.

**Mr Paterson:** Is there a mechanism to come before you again?

**Chair:** I cannot prejudge what the Committee will decide now. We will not come to final—

**Alberto Costa:** I think the answer to that is, yes, if we decide that.

**Chair:** Yes, there is a mechanism if that is what we decide—that is a fair point—but I am not pre-judging the discussion we will have.

**Mr Paterson:** I understand.

**Chair:** I thank you, Mr Paterson, and your legal representatives. I will



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suspend the Committee.