



House of Commons
Committee on Standards

Boris Johnson

Fourth Report of Session 2017–19

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

*Ordered by the House of Commons
to be printed 5 December 2018*

Committee on Standards

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

Current membership

[Kate Green MP](#) (*Labour, Stretford and Urmston*) (Chair)

[Mrs Tammy Banks](#) (Lay member)

[Mrs Jane Burgess](#) (Lay member)

[Miss Charmaine Burton](#) (Lay member)

[Douglas Chapman MP](#) (Scottish National Party, Dunfermline and West Fife)

[Sir Christopher Chope MP](#) (Conservative, Christchurch)

[Mrs Rita Dexter](#) (Lay member)

[Dr Arun Midha](#) (Lay member)

[Bridget Phillipson MP](#) (Labour, Houghton and Sunderland South)

[Sir Peter Rubin](#) (Lay member)

[John Stevenson MP](#) (Conservative, Carlisle)

[Mr Gary Streeter MP](#) (Conservative, South West Devon)

[Mr Paul Thorogood](#) (Lay member)

Powers

The constitution and powers of the Committee are set out in Standing Order No.149. In particular, the Committee has power to order the attendance of any Member of Parliament before the Committee and to require that specific documents or records in the possession of a Member relating to its inquiries, or to the inquiries of the Commissioner, be laid before the Committee. The Committee has power to refuse to allow its public proceedings to be broadcast. The Law Officers, if they are Members of Parliament, may attend and take part in the Committee's proceedings, but may not vote.

Publications

Committee reports are published on the Committee's website at www.parliament.uk/standards and in print by Order of the House. Evidence relating to this report is published on the [publications page](#) of the Committee's website.

Committee staff

The current staff of the Committee are Robin James (Clerk), Medha Bhasin (Second Clerk) and Jim Camp (Committee Assistant).

Contacts

All correspondence should be addressed to the Clerk of the Committee on Standards, House of Commons, London SW1A 0AA. The telephone number for general enquiries is 020 7219 3259; the Committee's email address is standards@parliament.uk.

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Report

1. This Report arises from a complaint by Mr Anthony Crook that Rt Hon Boris Johnson MP had breached the rules of the House by failing to register remuneration within the required deadline. The Parliamentary Commissioner for Standards has conducted an investigation and supplied us with a memorandum giving the results of that investigation, which is appended to this Report.¹

2. The Commissioner has established the facts of the case with Mr Johnson, who does not dispute these. The factual background is set out in detail in the Commissioner's memorandum and we shall therefore merely summarise it here.

3. The Code of Conduct for Members of Parliament requires Members within one month of their election to the House to register their current financial interests, and any registrable benefits (other than earnings) received in the 12 months before their election. After that, Members are required to register within 28 days any change in those registrable interests.²

4. The Register of Members' Financial Interests as it stood at the start of the Commissioner's investigation contained nine payments registered by Mr Johnson after the required 28-day deadline. The Commissioner states:

The first of Mr Johnson's late entries in the Register of 1 October 2018 was made on 20 December 2017. Five of the entries made on that date were outside the 28 day time limit. Mr Johnson next made a late registration on 12 March 2018. On 22 August 2018, he made two more late registrations. On 17 September 2018 he made his ninth late registration in nine months. [...] The delay in registering these payments varied; the least delayed registration was one week late, the longest was eleven weeks. The late registrations are, for the most part, royalties or for the sale of rights on books already written.³

5. The nine late registrations had a total value of £52,722.80.⁴

6. In his response to the Commissioner's initial approach to him, Mr Johnson stated that:

I have reviewed my register entries for the dates you specify. [...] I accept that [...] payments may have inadvertently been declared outside of the permitted time. I apologise for any unintended delay in registering changes to my financial interests.⁵

7. Mr Johnson added that:

the specific instances that you have highlighted are primarily the result of a delay in up to date financial statements being received and duly processed

1 Appendix; written evidence accompanying the Commissioner's memorandum is published on the Committee's website.

2 See Appendix, paras 5–8

3 Appendix, paras 14, 16–17

4 Appendix, summary

5 Written evidence item 3 (Letter from Mr Johnson to the Commissioner, 24 October 2018)

and declared, for which I accept full responsibility and have now taken steps to minimise any likelihood of this happening again including now receiving fortnightly statements.⁶

8. In further correspondence with the Commissioner, Mr Johnson provided an assurance that all payments within the identified time-period had now been declared. He stated that he had confirmed with his bank and accountant a new system of fortnightly statements that would be copied to him and his office which would enable him to be sure that in future monthly remuneration could be registered in a timely way. He added that he had now appointed one member of staff with sole responsibility for ensuring that the relevant information was available to ensure timely declarations.⁷

9. The Commissioner has noted that “most of the late registrations are of payments which might reasonably be regarded as unpredictable, in the form of royalties and payments arising from the sale of books already written”. However, she also comments that “these payments cannot have been entirely unexpected and, given that the House has made explicit that it expects Members to fulfil their responsibilities “*conscientiously*”, it would have been prudent for Mr Johnson to have had an administrative system in place to ensure his compliance with those roles. It appears that he did not arrange that until after I had begun my inquiry.”⁸

10. The Commissioner continues:

Although Mr Johnson has told me that the late registrations were “*inadvertent*”, the fact that the late registrations had happened on four separate occasions and involved nine payments, suggests a lack of attention to, or regard for, the House’s requirements rather than oversight or inadvertent error.⁹

11. The Commissioner concludes that Mr Johnson acted in breach of the House’s rules on the registration of his financial interests. She has referred the matter to the Committee on Standards, rather than using the procedures open to her to rectify the matter herself, because -

[...] the rectification procedure is available only where the financial interests are minor or the breach of the rules were inadvertent. Neither of those criteria are met in this instance.¹⁰

12. Mr Johnson’s breach of the rules relating to registration is not in dispute. In considering what sanction would be appropriate, we have followed our usual practice and taken into account both mitigating and aggravating factors.

13. There are several mitigating factors. There are no grounds for supposing that Mr Johnson in any way intended to deceive the House or the general public about the level of his remuneration. Once the issue of late registration had been raised with him, he

6 Ibid.

7 Written evidence item 5 (letter from Mr Johnson to the Commissioner dated 5 November 2018)

8 Appendix, para 19

9 Appendix, para 20

10 Appendix, para 23

responded promptly and helpfully to the Commissioner, and he has apologised to her for his breach of the rules. He has also put in place what we trust will be effective measures to ensure that no further breach occurs.

14. Aggravating factors are the size of the sums involved (a total of approximately £53,000, which as the Commissioner points out is equivalent to almost 70 per cent of a Member's annual salary) and the number of breaches (nine altogether, over a period of nine months). We agree with the Commissioner that this suggests that the breaches were not completely inadvertent but rather arose from an over-casual attitude towards obeying the rules of the House and a lack of effective organisation within Mr Johnson's office. Whatever the involvement of his office staff, the responsibility for obeying the rules rests with Mr Johnson himself, as he accepts. We also take account of the fact that Mr Johnson has been a member of the House during four Parliaments, and so could be expected to understand the rules; and that until recently he was a senior Minister, indeed the holder of one of the great offices of State, and for that reason could be expected to set an example within the House.

15. We conclude that Mr Johnson breached the rules of the House by failing to register remuneration within the required timetable on nine occasions.

16. We recommend that Mr Johnson should make an apology to the House, on a point of order, for this breach of the rules. We recommend that in that apology he should address the specific comments we make in this Report, and that he should undertake to ensure that his future registrations of remuneration are made in a timely way. We further recommend that the relevant payments be italicised in the Register to indicate that they are late entries.

Appendix: Memorandum from the Parliamentary Commissioner for Standards - Rt Hon Boris Johnson MP

Summary

The allegation I investigated was that the Member had made repeated late registrations of his financial interests in the preceding 12 months.

When I wrote to the Member to initiate my inquiry, he replied promptly acknowledging that he had, on nine occasions, failed to register remuneration he had received within the 28 days required by the House. The Member apologised for those breaches of House's requirements and explained that he had taken steps to obtain fortnightly financial statements in order to avoid a recurrence. The Member said that it had never been his intention to mislead nor to avoid disclosure. He also told me that all his financial interests had been registered.

When the Member next wrote to me, he told me that he had received the first of his fortnightly statements and had registered some subsequent payments, one more of which was registered outside of the 28-day time-limit. The Member said that he had noted suggestions made by the Registrar in relation to the creation of separate accounts or amending payment days and said that he was open to these options if proven necessary.

The nine late registrations made by the Member at the time I began my inquiry had a total value of £52,722.80 which represents almost seventy per cent of a Member's salary. The number of late registrations suggested a lack of attention to the House's requirements, rather than inadvertent error. In light of that, this matter could not be concluded by way of the rectification procedure.

For this reason, I am submitting this Memorandum to the Committee on Standards for consideration.

Introduction

1. This memorandum reports on my inquiry into a complaint that Rt Hon Boris Johnson MP had on several occasions in the preceding twelve months been late in registering remuneration he had received in the Register of Members' Financial Interests. While Mr Johnson has apologised for these late registrations, in light of the number (nine) and value of the late registrations (£52,772.80), the matter is brought to the Standards Committee for their consideration.

The Complaint

2. On 8 October 2018 I received a letter from Mr Anthony Crook concerning Rt Hon Boris Johnson MP. He asked me to investigate the registration of Mr Johnson's financial interests, drawing particular attention to the timing of Mr Johnson's registration of the first payment under a monthly contract he had entered into with *The Daily Telegraph*

newspaper. Mr Crook also said; “I can see that this is by no means the first time within the past year or so that there has been a failure on his part to comply with the rules, which apply to all MPs.”¹¹

3. Before I initiate an inquiry, I consider whether there is sufficient evidence to justify an inquiry into whether the named Member may have breached the rules of conduct as alleged. In this case, the facts were that Mr Johnson’s entry in the Register of Members’ Financial Interests of 1 October 2018 contained nine entries where the date of registration was more than 28 days later than the date of receipt of the payment.¹² I therefore considered there was sufficient evidence to justify beginning an inquiry and I wrote to Mr Johnson to initiate the inquiry on 16 October 2018.¹³

4. Mr Crook referred in his letter of complaint to the rules requiring former Ministers to consult the Advisory Committee on Business Appointments before accepting outside employment. I have not investigated that matter because those rules flow from the Ministerial Code and allegations of breaches of that Code are outside my remit.

Relevant rules of the House

5. The Code of Conduct for Members of Parliament approved by the House on 17 March 2015 said in paragraph 13:

Members shall fulfil conscientiously the requirements of the House in respect of registration of interests in the Register of Members’ Financial Interests. They shall always be open and frank in drawing attention to any relevant interest in any proceeding of the House or its Committees, and in any communications with Ministers, Members, public officials or public office holders.

The Code of Conduct was revised on 19 July 2018. The same provision appears in the revised Code, at paragraph 14.¹⁴

6. The main purpose of the Register of Members’ Financial Interests (the Register) is described in paragraph 5 of the introduction to the Guide to the Rules relating to the conduct of Members (the Guide) as:

to provide information of any pecuniary interest or other material benefit which a Member receives which might reasonably be thought by others to influence his or her action, speeches or votes in Parliament, or actions taken in his or her capacity as a Member of Parliament.

7. In paragraph 2 of chapter 1 of the Guide, it is stated

The House requires new Members, within one month of their election, to register their current financial interests, and any registrable benefits (other than earnings) received in the 12 months before their election. After that, Members are required to register within 28 days any change in those registrable interests

11 WE1

12 https://publications.parliament.uk/pa/cm/cmregmem/181001/johnson_boris.htm

13 WE 2

14 <https://publications.parliament.uk/pa/cm201719/cmcode/1474/147401.htm>

8. Employment and earnings are registered in category 1 of the Register. Paragraph 6 of chapter 1 of the Guide defines the thresholds for registration in this category.

Members must register individual payments of more than £100 which they receive for any employment outside the House. They must also register individual payments of £100 or less once they have received a total of over £300 in payments of whatever size from the same source in the same calendar year.

My Inquiry

9. In the course of my inquiry I have considered evidence from Mr Johnson. I did not consider it necessary to seek the advice of the Registrar of Members' Financial Interests on this occasion. Mr Johnson has seen a draft of this Memorandum and had the opportunity to comment on its factual accuracy.

Evidence

Register of Members' Financial Interests, 1 October 2018

10. Mr Johnson's entry in the Register of Members' Financial Interests included the following:

1. Employment and earnings

Payments from Hodder and Stoughton UK, Carmelite House, 50 Victoria Embankment, London EC4Y 0DZ, via United Agents, 12–26 Lexington St, London W1F 0LE:

29 September 2017, received £15,372.17 for royalties on book already written. Hours: no additional hours. (Registered 20 December 2017)

17 October 2017, received £1,167.40 for Bulgarian and Hungarian subrights and royalties on book already written. Hours: no additional hours. (Registered 20 December 2017)

8 February 2018, received £499.49 for Czech subrights on book already written. Hours: no additional hours. (Registered 12 March 2018)

30 March 2018, received £6,013.27 for royalties on book already written. Hours: no additional hours. (Registered 17 April 2018)

17 April 2018, received £560.13 for Czech subrights on book already written. Hours: no additional hours. (Registered 09 May 2018)

10 July 2018, received £11,290.17 for French and US royalties on books already written. Hours: no additional hours. (Registered 22 August 2018)

Payments from HarperCollins UK, 1 London Bridge Street, London, SE1 9GF via United Agents, 12–26 Lexington St, London W1F 0LE:

26 September 2017, received £1,382.58 for advance on book already written. Hours: no additional hours. (Registered 20 December 2017)

11 January 2018, received £5,970.76 for US and Dutch royalties on book already written. Hours: no additional hours. (Registered 05 February 2018)

5 July 2018, received £37.82 for French royalties on book already written. Hours: no additional hours. (Registered 22 August 2018)

Payments from HarperCollins UK, 1 London Bridge St, London SE1 9GF, via Rogers, Coleridge and White Ltd, 20 Powis Mews, London W11 1JN:

30 September 2017, received £42.79 for royalties on books already written. Hours: no additional hours. (Registered 20 December 2017)

30 April 2018, received £244.91 for royalties on books already written. Hours: no additional hours. (Registered 09 May 2018)

5 September 2017, received £63.72 from Penguin Books Ltd, 80 Strand, London WC2R 0RL, via United Agents, 12–26 Lexington St, London W1F 0LE, for royalties on book already written. Hours: no additional hours. (Registered 20 December 2017)

From 11 July 2018 until 10 July 2019, articles for the Telegraph Media Group Ltd, 111 Buckingham Palace Road, London SW1W 0DT, for which I expect to receive £22,916.66 a month. Hours: 10 hrs a month. First payment received on 13 August 2018. I consulted ACoBA about this appointment. (Registered 17 September 2018)

3. Gifts, benefits and hospitality from UK sources

Name of donor: Surrey County Cricket Club

Address of donor: The Kia Oval, Kennington, London SE11 5SS

Amount of donation, or nature and value if donation in kind: Two tickets with hospitality to Test Match at the Oval, value £1,800

Date received: 8 September 2018

Date accepted: 8 September 2018

Donor status: company, registration IP27896R

(Registered 01 October 2018)

6. Land and property portfolio: (i) value over £100,000 and/or (ii) giving rental income of over £10,000 a year

From 1 November 2016, house in London, owned jointly with my wife: (i) and, from 1 March 2017, (ii). (Registered 20 March 2017)

Evidence from Rt Hon Boris Johnson MP

11. Mr Johnson acknowledged, in his response to my letter of 16 October 2018, that he had been late in registering nine payments in the Register as it stood on 1 October 2018. He said that these payments “*may have inadvertently been declared outside of the permitted time*” and apologised for “*any unintended delay*”. Mr Johnson said that the “*specific instances that [I had] highlighted [were] primarily the result of a delay in up to date financial statements being received and duly processed and declared*”.¹⁵

Statement of facts

12. Mr Johnson was first elected as a Member in June 2001, representing Henley for seven years. He was re-elected in May 2015, and has, therefore, been a Member, subject to the Code of Conduct for ten years.

13. I am aware that, since May 2015, it has been the routine practice of the Registrar and her team to offer to meet all newly elected Members (including those who, although former Members, were not Members of the most recent Parliament) within one month of their election on a one-to-one basis to explain their responsibilities in respect of registration and their wider responsibilities under the Code of Conduct for Members. Mr Johnson was aware of the requirement to register his financial interests within 28 days of any change; he acknowledged this in his letter of 24 October 2018.

14. The first of Mr Johnson’s late entries in the Register of 1 October 2018 was made on 20 December 2017. Five of the entries made on that date were outside the 28 day time limit. Mr Johnson next made a late registration on 12 March 2018. On 22 August 2018, he made two more late registrations. On 17 September 2018 he made his ninth late registration in nine months.

15. The total value of these late registrations was approximately £53,000, which represents almost seventy per cent of a Member’s annual salary.

16. The delay in registering these payments varied; the least delayed registration was one week late, the longest was eleven weeks.

17. The late registrations are, for the most part, royalties or for the sale of rights on books already written. The largest single payment registered late was the first payment of a monthly-contract which Mr Johnson entered into on leaving the Government.

Analysis

18. It is a matter of fact that Mr Johnson has registered remuneration from several sources outside the time-limit the House has decided.

19. Most of the late registrations are of payments which might reasonably be regarded as unpredictable, in the form of royalties and payments arising from the sale of books already written. However, these payments cannot have been entirely unexpected and, given that the House has made explicit that it expects Members to fulfil their

responsibilities “*conscientiously*”, it would have been prudent for Mr Johnson to have had an administrative system in place to ensure his compliance with those rules. It appears that he did not arrange that until after I had begun my inquiry.

20. Although Mr Johnson has told me that the late registrations were “*inadvertent*”, the fact that the late registrations had happened on four separate occasions and involved nine payments, suggests a lack of attention to, or regard for, the House’s requirements rather than oversight or inadvertent error.

21. Mr Johnson has told me about one step he has taken to a “*minimise any likelihood of this happening again*”. That is, to obtain fortnightly statements. This clearly was not arduous or difficult to arrange. Provided those statements are checked promptly, this system should enable Mr Johnson to fulfil his responsibilities conscientiously in future.

Conclusion

22. Mr Johnson has acted in breach of the House’s rules on the registration of his financial interests. Those breaches concern late registration, rather than a failure to register. The total amount of money involved represented a significant proportion of the annual parliamentary salary. On the other hand, the individual payments were made irregularly and, as Mr Johnson has pointed out, their timing was not closely linked to recent hours of work. Having made five late registrations in December 2017, Mr Johnson did not take steps to avoid a recurrence until I initiated an inquiry in October 2018. The steps Mr Johnson has since taken appear sufficient to avoid a recurrence and he has expressed a willingness to adopt additional measures if they prove necessary. Mr Johnson apologised as soon as this matter was drawn to his attention and he has co-operated fully and promptly with my enquiries.

23. I am referring this Memorandum to the Committee on Standards because the rectification procedure is available only where the financial interests are minor or the breach of the rules were inadvertent. Neither of those criteria are met in this instance.

Kathryn Stone OBE

Parliamentary Commissioner for Standards

26 November 2018

Formal Minutes

Tuesday 4 December 2018

Members present:

Kate Green, in the Chair

Tammy Banks	Bridget Phillipson
Jane Burgess	Sir Peter Rubin
Charmaine Burton	John Stevenson
Douglas Chapman	Gary Streeter
Rita Dexter	Paul Thorogood
Arun Midha	

Draft Report (*Boris Johnson*), proposed by the Chair, brought up and read.

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

Paragraphs 1 to 16 read and agreed to.

A paper was appended to the Report.

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

Written evidence received by the Parliamentary Commissioner for Standards (Items 1 to 8) was ordered to be reported to the House for publishing with the Report.

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

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

[The Committee adjourned.]

Published written evidence

The following written evidence was received and can be viewed on the [publications page of the Committee's website](#).

[Written evidence received regarding Boris Johnson MP](#)

- 1 Letter from Mr Anthony Crook to the Commissioner, 4 October 2018
- 2 Letter from the Commissioner to Rt Hon Boris Johnson MP, 16 October 2018
- 3 Letter from Rt Hon Boris Johnson MP to the Commissioner, 24 October 2018
- 4 Letter from the Commissioner to Rt Hon Boris Johnson MP, 29 October 2018
- 5 Letter from Rt Hon Boris Johnson MP to the Commissioner, 5 November 2018
- 6 Email from the Registrar to Rt Hon Boris Johnson MP, 2 November 2018
- 7 Letter from the Commissioner to Rt Hon Boris Johnson MP, 7 November 2018
- 8 Letter from Rt Hon Boris Johnson MP to the Commissioner, 20 November 2018

List of Reports from the Committee during the current Parliament

All publications from the Committee are available on the [publications page](#) of the Committee's website. The reference number of the Government's response to each Report is printed in brackets after the HC printing number

Session 2017–19

First Report	Dame Margaret Hodge	HC 591
Second Report	Independent Complaints and Grievance Policy: Implementation	HC 1396
Third Report	Ian Paisley	HC 1397