

Written evidence regarding Mr Geoffrey Cox

1. Letter from the Commissioner to Rt Hon Geoffrey Cox QC MP, 13 May 2019

I would welcome your help with an inquiry I have started concerning your compliance with the House of Commons' Code of Conduct for Members in connection with the registration of your financial interests (paragraph 14 of the Code). It concerns your registration on 4 April 2019 of a change that occurred on 1 November 2017.

The Registrar of Members' Financial Interests has drawn this matter to my attention because I had investigated the registration of the same financial interest after you informed the Registrar on 15 January 2019 of a change which had occurred on 1 September 2018.

You have since informed the Registrar that the interest became registrable ten months earlier than that, on 1 November 2017.

During my inquiry I asked you to confirm that your register entry was completely up-to-date. You did so on 10 February 2019 it is unfortunate that this information was incorrect.

I have decided to begin an inquiry on my own initiative using the powers available to me under House of Commons' Standing Order No.150.

The Code of Conduct for Members

Paragraph 14 of the current Code of Conduct for Members states:

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

The Guide to the Rules relating to the conduct of Members – on registration

The main purpose of the Register of Members' Financial Interests (the Register) is

"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".

After the publication of the first Register of a Parliament, it is the responsibility of Members to notify changes in their registrable interests within 28 days of each change occurring.

The detailed rules on the registration of financial interests are found in chapter 1 of the Guide to the Rules relating to the conduct of Members (copy enclosed).

Paragraphs 47-50 deal with Land and property (category 6).

Next steps

I enclose a copy of the material the Registrar has shared with me, before I go any further, I would like to give you the opportunity to submit any other information you think might be relevant.

Important information

As you know, my inquiries are conducted in private and I no longer publish the fact that I am conducting an inquiry into an allegation into an alleged breach of the Code of Conduct. My office will not comment on any aspect of the inquiry to third parties. They will answer direct factual questions about the processes I follow and the standards system more generally but will neither confirm nor deny that I have begun an inquiry.

Procedure

You can see a copy of the Commissioner's Information Note, which sets out the procedure for inquiries via this link: [\[hyperlink\]](#). Please note that this has not yet been updated to reflect the changes flowing from the House's decision of 19 July 2018.

This letter and any subsequent correspondence between us in connection with this inquiry is protected by parliamentary privilege. It should be kept confidential until the outcome of my inquiry is published. All the relevant evidence, including our correspondence, will be published when I have concluded my work.

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

Action

I would be grateful to have your response to this letter as soon as possible and no later than 21 May 2019.

Enclosures with letter of 13 May 2019: Letter and email exchanges between Rt Hon Geoffrey Cox QC MP and the Registrar's office

Letter to the Registrar of Members Financial interests from Rt Hon Geoffrey Cox QC MP, 19 March 2019

As a result of a query raised with my office about my recent retrospective registration of my former jointly owned residence in London, I am writing to let you know the following.

My wife and I moved out of this flat in or about November 2017 to allow [name redacted], to live in it. ...At no point did we receive rental income for the flat. When [name redacted] moved out in June, the flat was redecorated, overseen by my wife ...before being let out as currently registered. We continued to pay the bills and council tax on the flat as before.

It would seem that, in retrospectively registering the flat, I should have included the period during which the flat was being redecorated. I apologise for this further inadvertent error, and I would ask the register is corrected, if you agree that this interpretation is correct.

19 March 2019

Email to the Registrar of Members' Financial Interests form Rt Hon Geoffrey Cox QC MP, 4 April 2019

I am writing to you regarding my declaration of my interest in a property registered on 15 January 2019.

Due to the circumstances of which you are aware I was under the impression that it was not necessary to register my interest in this property prior to it being let in September 2018.

However, as you have indicated to me that in your view, despite these circumstances, my interest should have been registered from an earlier date I accept your conclusion and apply to register my interest in the property from November 2017.

4 April 2019

Email to Rt Hon Geoffrey Cox QC MP from the Registrar of Members' Financial Interests, 5 April 2019

Thank you for this. I will inform the Commissioner. She is out of the office for the next week, so it may be a few days before you hear from her.

5 April 2019

Email to Rt Hon Geoffrey Cox QC MP from the Registrar of Members' Financial Interests, 5 April 2019

This is to let you know that I have informed the Parliamentary Commissioner for Standards that your entry in relation to your London home should have recorded November 2017 as the date when it required registration, as this was the date when you moved out. I have conveyed your apologies to the Commissioner, who has asked for the entry to be corrected in the Register. Your register entry will therefore appear as below in the Register to be published today.

Cox, Mr Geoffrey (Torridge and West Devon)

1. Employment and earnings

Practice at the Bar of England and Wales. All earnings in this capacity were received subject to a deduction of 13.5% for the costs of my chambers.

Payments from Messrs. Janes, solicitors. Address: 17 Waterloo Place, London SW17 4AR:

16 May 2018, received £4,500 plus VAT for legal services provided between 1 September 2017 and 31 May 2018. Hours: 9 hrs approx. (Registered 13 June 2018)

13 June 2018, received £5,750 plus VAT for legal services provided between 14 March and 22 May 2018. Hours: 10 hrs approx. (Registered 13 June 2018)

Payments from Bachubhai Munim & Co Advocates & Solicitors, 312, Tulsiani Chambers, Nariman Point, Mumbai 400 021:

31 July 2018, received £12,500 (no VAT) for work undertaken between 1 November 2017 and 30 June 2018. Hours: 25 hrs. (Registered 08 August 2018)

15 October 2018, received £51,843.59 (no VAT) for work undertaken between 1 December 2017 and 9 July 2018. Hours: 100 hrs. (Registered 24 October 2018)

Payments from Oracle Solicitors, 182-184 Edgware Road, London W2 2DS:

15 May 2018, received £119,733.33 for legal services provided between 1 May 2016 and 30 April 2018 and continuing. Hours: 300 hrs approx. (Registered 17 May 2018)

31 August 2018, received £88,602.67 plus VAT for legal services provided between 1 March and 9 July 2018. Hours: 300 hrs. (Registered 05 September 2018)

Payments from LK Baltica Solicitors, 4th Floor, Kings Buildings, 16 Smith Square, London SW1P 3HQ:

14 March 2018, received £2,500 for legal services provided between 1 and 31 March 2018. Hours: 5 hrs approx. (Registered 09 April 2018)

13 April 2018, received £3,000 for legal services provided between 1 March and 30 April 2018. Hours: 5 hrs approx. (Registered 09 May 2018)

15 May 2018, received £6,737.50 for legal services provided between 1 February and 30 April 2018. Hours: 10 hrs approx. (Registered 17 May 2018)

16 July 2018, received £2,475 plus VAT for work undertaken between 1 April and 30 June 2018. Hours: 5 hrs. (Registered 08 August 2018)
Payments from Messrs Rainer Hughes, Oak House, 46 Crossway, Shenfield, CM15 8QY:

16 July 2018, received £1,000 plus VAT for work undertaken between 21 September and 12 December 2011. Hours: 2 hrs. (Registered 08 August 2018)

28 September 2018, received £425 from Harley Solicitors, of 64 Harley St, London W1G 7HB, for work undertaken between 22 and 24 September 2015. Hours: 1 hr. (Registered 24 October 2018)

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

Joint ownership of farmland in West Devon: (i) and (ii). (Updated 18 January 2019)

From November 2017, joint ownership of a residential property in London: (i) and (ii). This is a late entry to which the rectification procedure was applied on 25 February 2019. Paragraph 16 of chapter 4 of the 2015 Guide to the Rules refers. (Registered 15 January 2019; updated 4 April 2019)

7. (i) Shareholdings: over 15% of issued share capital

Thomas More International Ltd; international law firm. (Registered 05 June 2015)

Thomas More Property Holdings Ltd; property holding company. (Registered 05 June 2015)

5 April 2019

Email to Rt Hon Geoffrey Cox QC MP from the Registrar of Members' Financial Interests, 5 April 2019

You will recall that you inquired into the late registration of a property by Rt Hon Geoffrey Cox QC, whose Register entry is as below. Mr Cox has now told me that he realises that he ought to have registered this with effect from November 2017, for which he has apologised.

I have explained to Mr Cox that you are currently out of the office so it may be a few days before he hears from you.

5 April 2019

2. Letter from the Rt Hon Geoffrey Cox QC MP to the Commissioner, 20 May 2019

Thank you for your letter dated 13 May 2019.

When I wrote to you on the 10 February, I was under the impression that my register was up to date.

I was obviously quite aware that I had registered my former residence in London as let to tenants from 1 September 2018 and that I leased, with IPSA's approval, my current accommodation in London in or about November 2017. However, I simply did not believe that the property was registrable during the earlier period.

It was only after discussion with the Registrar regarding the interpretation of the rules that I understood that in her judgement I should have registered the property from an earlier date. When she informed me that she had concluded that it was necessary to register my interest in that property from November 2017, despite the circumstances of its occupation at the relevant time, I accepted her advice and did so.

This was because I was firmly of the view that the property had only to be registered if it was rented out. It was quite clear to me that the property had to be registered if a rent was derived from it. But I was not conscious of an obligation to do so in the circumstances of its occupation at the time, of which you are aware.

I understand that there has been no ruling or guidance on the matters relevant to these circumstances until this case.

I would be pleased to discuss with you further the detailed reasons why I took this view, or any other matter, should it be helpful

20 May 2019

[3. Letter from the Commissioner to Rt Hon Geoffrey Cox QC MP, 11 June 2019](#)

Thank you for your letter dated 20 May 2019, explaining that until recently you had understood that your former residence in London had to be registered as a financial asset only if it was rented out. After your discussion with the Registrar, you accept that this was incorrect and have acted on her advice regarding the registration of your property from November 2017.

The rules do require Members to register land and property which has a value of more than £100,000 unless it is "used wholly for their own personal residential purposes, or for those of their spouse, partner or dependent children." I understand that this exception was not met from November 2017, after which other family members sometimes used your former residence.

My Decision

The late registration of your former London residence in the Register of Members' Financial Interests is a breach of paragraph 14 of the Code of Conduct for Members.

Concluding my inquiry

I am satisfied that there was no intention to conceal your ownership of the property and, in other circumstances, I might end this inquiry by way of the rectification procedure. However, the same property was the subject of an inquiry which I concluded using that procedure on 20 February 2019, and I have decided that I should refer a formal Memorandum to the Committee on Standards. I enclose a draft of that Memorandum, setting out the facts and explaining why I have found your conduct to be in breach of the Code of Conduct for Members. It will be for the Committee to decide the outcome. The content of the Memorandum is, of course, for me alone, but I would like to give you an opportunity to comment on its factual accuracy before I proceed.

Next steps

At the end of your letter of 20 May, you kindly offered to meet. That is not necessary from my perspective, but if there is anything you would like to discuss, please contact my PA, [redacted] using the contact details below. Please let me have any comments you wish to make by 19 June 2019.

11 June 2019