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## Summary

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The allegation I investigated was that the Member had used House-provided stationery in a way that was contrary to the published Rules, which put the Member in breach of the requirements of Paragraph 16 of the Code of Conduct.

5 I upheld the allegation.

I considered the timing, tone, and content of the letter and concluded that was a general update that highlighted his own work on issues of local interest, which was sent shortly before an election. I considered that to be a breach of the House's rules on the use of House-provided stationery and a breach of paragraph 16 of the Code of Conduct for Members.

10

The Member told me that he believed that the letter was an urgent update on a single issue, and he believed he was complying with the rules. However, he accepted my decision, acknowledged and apologised for his breach of the Code, and refunded to the House authorities the sum of £759.03 to reimburse the public purse the value of the misused stationery.

15

During the course of my inquiry, I also became aware that the Member may have offered tours of Parliament in a manner contrary to the rules. I established that the Member had offered tours as a raffle prize on multiple occasions. I considered this to be a breach of the House's rules on tours and a further breach of paragraph 16 of the Code of Conduct for Members.

20

The Member told me that he had not realised that offering tours as a prize was a breach of the rules, but he accepted my decision, acknowledged and apologised for his breach of the Code. The Member also undertook to stop this practice.

I considered the Member's remedial actions on both points to be an appropriate outcome and concluded the matter by way of the rectification procedure available to me under Standing Order 150.

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## Mr George Freeman MP: Resolution Letter

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### Letter from the Commissioner to the complainant, 7 July 2020

I wrote to you on 6 January, to tell you that I had begun an inquiry into your allegation that Mr George Freeman MP had breached paragraph 16 of the House of  
5 Commons Code of Conduct for Members by misusing House-provided stationery.

Having investigated this matter, I found that Mr Freeman had acted in breach of the Code of by sending a general update that highlighted his own work on issues of local interest shortly before an election. It was my finding that this should not have been done using publicly funded resources. I therefore uphold your allegation.

10 My full decision and rationale will be published on my webpage in due course, which will include the correspondence I exchanged with Mr Freeman. Until my decision is formally published, please continue to respect the confidentiality of my inquiry.

15 Mr Freeman has accepted my decision. He has acknowledged his breach of the rules, apologised, and will refund the value of the misused stationery to the House authorities. I have therefore concluded the matter by way of the rectification procedure available to me under Standing Order No 150. I will notify the Committee on Standards in due course of this outcome. The matter is now closed.

*7 July 2020*

## Written evidence

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### 1. Letter from the complainant to the Commissioner, 8 November 2019

I recently received a paper correspondence from George Freeman, MP for Mid-Norfolk (please see enclosed letter and envelope), which I believe is in  
5 contravention of the rules for the use of stationery and postage-paid envelopes provided by the House of Commons, and for the use of the crowned portcullis (please see <https://www.parliament.uk/documents/facilities/Accommodation-and-Logistics/Stationery-rules-March-2015.pdf>).

I have never received a House of Commons letter-headed correspondence from Mr  
10 Freeman before, and was suspicious that it was sent on the day that the Prime Minister brought a motion for an early general election before the House. It is therefore highly probable that this letter was issued as a precursor to Mr Freeman's election campaign. This is in direct contravention of the rules: stationery and  
15 postage-paid envelopes should not be used "in a way that can be construed as campaign expenditure within the scope of the Political Parties, Elections and Referendums Act 2000". I have also been informed that residents of other constituencies have similarly received letters from their Conservative MPs, which suggests that the letter I received was part of a centrally organised political campaign.

20 Furthermore, the content of the letter suggests that it is an update of Mr Freeman's local activities and was not in response to any direct correspondence from myself (I have emailed him before about various issues, but he has never responded). This correspondence therefore appears to be a newsletter, which again is in breach of the  
25 rules that stationery and postage-paid envelopes should not be used "for newsletters (including annual reports general updates constituents on a range of issues)".

I am deeply concerned by this apparent misuse of Parliamentary resources in order for Mr Freeman to present himself in a favourable light on the eve of an election  
30 campaign, and to therefore give his party a political advantage. I thus ask you to investigate this matter urgently and take appropriate action.

**Enclosures: Letter from Mr George Freeman MP to constituents, dated 28 October, and a House of Commons provided envelope**

**My campaign to stop the rat-running through our villages**

I'm writing to you as a local resident to report back on the work I'm leading with local Parish Councils, councillors and residents to tackle the growing scourge of rat-running which we can all see increasing in our beautiful part of Norfolk.

5 Whilst I'm pleased that Highways England will finally be getting on with the £300m A47 improvements between North Tuddenham and Easton that I fought hard to secure, I'm very concerned about the potential for the eventual completion of the NDR (through the Western Link), along with the A47 works starting next year, leading to a surge of rat-running through our area.

10 That's why I recently convened with residents the community meeting at St Peter's Church in Kimberley to agree a Plan to tackle the growing problem of rat-running.

### **Background: A Prosperous and Vibrant Rural Norfolk.**

15 As you will have seen, I have long been campaigning for much needed improvements to Norfolk's infrastructure. With the exciting growth of the nearby Norwich Research Park and many small businesses in our area, I believe the area between Dereham-Norwich-Wymondham has the potential to become the "Norfolk Research Triangle" with a bright future based on lots of small start-up businesses clustering around the NRP, creating exciting jobs and opportunities and spreading new jobs and prosperity even further afield to the likes of Watton and other "left behind" towns which are struggling and need a boost.

20 **BUT.** We must make sure that, to shape this prosperity, we have a clear Plan to ensure we keep vibrant villages and thriving towns and maintain our quality of life and beautiful countryside, which is what makes Norfolk so special.

25 We need to attract investment and entrepreneurs to create exciting new businesses and jobs, but we also need to make sure we get the necessary connectivity infrastructure for both prosperity and healthy rural life: good digital, road, rail, cycle and footpath links.

30 It is possible. Plenty of places around the country have managed to combine good quality growth and heritage and habitat. So can we. That's why I launched **The Norfolk Way**, a non-party not-for-profit project that promotes better planning for rural Renaissance. To see more on the various projects I've run through it in the last ten years, do visit the website at [www.thenorfolkway.co.uk](http://www.thenorfolkway.co.uk)

### **Infrastructure: A47, A11, Digital Connectivity.**

Good connectivity is key to vibrant rural communities. That's why I've been so committed to leading the work with fellow MPs and councillors to deliver:

- A11 dualling
- Norfolk as the first county with fast broadband
- 5      • Major investment to the NRP
- Upgrade of the Norwich-Cambridge Railway

It is also why I brought the then Prime Minister, David Cameron, to Hockering back in 2014 as part of the successful A47 Alliance campaign to secure the £300 million required to dual the North Tuddenham and Easton stretch, and the infrastructure for growth to the North of Norwich.

### **Stopping the rat running**

Without a proper plan for mitigating the inevitable consequences of major construction on our stretch of the A47 dualling and the proposed Norwich Western Link (the preferred option for which envisages it will join the A47 at a new junction at Wood Lane/Berrys Lane in Honingham), we risk simply shifting the rat-running from the communities to the west of Norwich to those between the All and the North Tuddenham-Easton stretch of the A47-clogging up the roads and increasing pollution and environmental damage in these villages. This is completely unacceptable and would negatively impact not only the environment and the lives of those living there, but also our prospects of capitalising on Norfolk's reputation as being one of the most attractive places to visit and live and work.

### **The Plan**

At our recent Summit we agreed a Plan that I've proposed and volunteered to help deliver:

- 25      • To create a proper campaign Task Force to co-ordinate the various villages affected (Kimberley, Carleton Forehoe, Barnham Broom, Coston, Weiborne and East Tuddenham in particular)
- To work with local councillors, County and District Council officers, Highways England officials, the A47 Alliance and countryside groups to oversee:
- 30

- A proper traffic mitigation Plan around the works to prevent our area being despoiled by a plague of rat-running over the next few years as the A47/Western Link works are done.

5 I will send out updates to anyone who is interested in our work in the Task Force - please feel free to circulate this letter physically or digitally, and encourage anyone who you think might be affected to contact me with via george@georgefreeman.co.uk or at my office in Wymondham at 8 Damgate Street, Wymondham, NR18 0BQ.

*8 November 2019*

## 10 **2. Letter from the Commissioner to Mr George Freeman MP, 6 January 2020**

I would welcome your help with an allegation I have received from [name redacted] about your compliance with the rules regarding the proper use of House-provided stationery, and a concern that I have regarding your compliance with the rules regarding access to and use of parliamentary buildings. I enclose a copy of [name redacted] letter and the enclosures for your perusal and also a screenshot, taken on 15 6 December 2019, of your website.

I am writing to you now to seek your assistance with my inquiry.

### **My inquiry**

20 My inquiry will initially focus on the allegation that your actions have put you in breach of paragraph 16 of the Code of Conduct for Members (copy enclosed). Specifically, I will initially investigate the issues below, but the scope of my inquiry may reduce or expand as the inquiry progresses.

25 1. Whether you have used House-provided stationery in a way that is contrary to the Rules for the use of stationery and postage-paid envelopes provided by the House of Commons, and for the use of the Crowned Portcullis by sending a general update to constituents that was intended to confer an undue personal benefit and/or an undue advantage on a political organisation.

Or

30 2. Whether you have used House-provided stationery in a way that is contrary to the Rules for the use of stationery and postage-paid envelopes provided by the House of Commons, and for the use of the Crowned Portcullis by using the stationery in connection with work for a political party that was intended to confer an undue personal benefit and/or an undue advantage on a political organisation.

And

3. Whether you have provided access to the parliamentary estate in a manner that is not compliant with the Rules on use of parliamentary buildings by offering tours of the House as a raffle and/or auction prize and which was intended to confer an undue personal benefit and/or an undue financial benefit on a third party.

### **The Code of Conduct**

Paragraph 16 of the Code of Conduct states:

10 “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.

Further to the Code the Rules for the use of stationery and postage-paid envelopes provided by the House of Commons, and for the use of the Crowned Portcullis (copy enclosed) state the following:

#### “Principles

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

#### Rules

30 3. House-provided stationery and pre-paid envelopes are provided only for the performance of a Member’s parliamentary function. In particular, this excludes using stationery or postage:

i. In connection with work for or at the behest of a political party (including fund-raising for a political party, advocating membership of a political party or supporting the return of any person to public office);

5 ii....

iii. For newsletters (including annual reports or general updates to constituents on a range of issues)”

Further to the Code the Rules on use of parliamentary buildings (copy enclosed) state the following:

10 5.iii Tours of the Parliamentary Estate, raffles and auctions

Members must not offer tours of the House or of the Elizabeth Tower or Big Ben in raffles or auctions.

15 Members are reminded that tours on the parliamentary estate which would otherwise be available at nil cost (for example, public tours of the Visitor Route) should under no circumstances be offered as raffle or auction prizes.

### Next steps

I would welcome your comments on the allegations outlined above and, in particular, I would appreciate your comments on the following questions:

20 1. Were you aware of the rules regarding the use of House provided stationery and the limitations of its use for general updates and work in connection with a political party.

25 2. Did you take advice from the House authorities before using House-provided stationery for the purpose of sending out this communication. If you did, please describe the advice given and copies of any correspondence you exchanged with House officials on the matter.

3. Whether you consider this letter could reasonably be construed as a general update on a range of issues. If you do not, please let me know the reason(s) for that belief.

4. Whether you consider this letter could reasonably be construed as being in connection with work for a political party. If you do not, please let me know the reason(s) for that belief.

5 5. Whether you consider that the content, and potentially the timing of this letter, could reasonably be considered as conferring an undue benefit to yourself or a political organisation. If you do not, please let me know the reason(s) for that belief

6. Please let me know how many letters were distributed as part of this mailing. It would be helpful to know whether all of the letters were distributed using House-provided second-class postage-paid envelopes.

10 7. Were you aware of the rules regarding access to and use of parliamentary buildings and specifically the rule prohibiting tours being offered as a raffle or auction prize.

15 8. Whether you consider that offering tours of the House as a raffle prize could reasonably be considered as conferring an undue benefit to yourself and/or a third party.

9. Please can you confirm how many times you have offered a tour of the House as a raffle or auction prize in the last twelve months.

20 It would be helpful to receive any supporting evidence you have at the same time as receiving your response to these questions. Any other points you may wish to make to help me with this inquiry would also be most welcome.

### **Outcome**

There are three possible outcomes to my inquiry:

1. The allegations concerning your conduct are not upheld and no further action is needed.

25 2. Some or all of the allegations concerning your conduct are upheld, and it is decided that this amounts to a breach of the Code, but the matter can be rectified using the powers available to me under Standing Order 150.

30 3. Some or all of the allegations concerning your conduct are upheld, and it is decided that this amounts to a breach of the Code, and the matter is serious enough to warrant being put before the Committee on Standards.

### Important information

As you will be aware, my inquiries are conducted in private. Following the decision taken by the House on 19 July 2018, I will not publish the fact that I am conducting an inquiry into an allegation of an alleged breach of the Code of Conduct. My office  
5 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

10 I enclose a copy of the Commissioner's Information Note, which sets out the procedure for inquiries. Please note that this has not yet been updated to reflect the changes flowing from the decision of 19 July 2018. I am also writing to [name redacted] to let him know that I have decided to begin an inquiry into this matter.

15 This letter and any subsequent correspondence between us in connection with this inquiry is protected by parliamentary privilege. Until such time as a final report is published, I must ask that you respect that confidentiality and do not disclose the contents of our correspondence to any third party. I have made a similar request of [name redacted]. My decision and all the relevant evidence, including our correspondence, will be published at the end of the inquiry.

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

25 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 20 January 2020.

30 **Enclosure: Text from Mr George Freeman MP's website accessed on 6 December 2019**

Raffle Prize

23 October 2019

I am hugely supportive of local community projects and school events - and that's why I regularly offer a prize of Afternoon Tea and a Tour of Parliament with myself.

5 Recently I donated such a prize to Old Buckenham High School's raffle, and was pleased to welcome constituent, [name redacted] and her family, to Parliament yesterday for a tour of the Palace of Westminster.

If you are a constituent and are interested in having one of these prizes for a local community or school event, then please do not hesitate to contact me, using my email: [george.freeman.mp@parliament.uk](mailto:george.freeman.mp@parliament.uk)

10 *6 January 2020*

### **3. Letter from Mr George Freeman MP to the Commissioner, 16 January 2020**

Thank you for your letter of 6th January 2020 with details of a complaint from one of my constituents that my letter to constituents of the 28th October (on the eve on the prorogation of Parliament) contravened parliamentary rules.

15 For a host of reasons set out in my letter below I hope, and believe, I can demonstrate that this is absolutely not the case.

20 First, let me say that I have always been someone who has taken parliamentary standards extremely seriously. Indeed, I welcome your letter as an opportunity to set the record straight. (I believe for various reasons that the complaint you have received from one of my constituents is based more on political opposition and irritation at receiving a constituency Report so close to the Prorogation deadline).

25 I take the process very seriously, having first stood as a Member of Parliament ten years ago on a platform of trying to restore public trust in our political system after the Expenses Scandal. Over my ten years as an MP, I have always treated matters such as this with the upmost importance and have done everything I possibly can to comply with the rules for parliamentary standards. As my office staff will testify, I am a stickler for the rules and I am genuinely saddened that, despite my very stringent efforts, such a complaint has been made and I am determined to set the record straight. I hope I can start by giving some much-needed background to the  
30 constituency correspondence in question.

[content irrelevant to the inquiry redacted]

My subsequent letter to residents in the affected area was therefore the first step in the process of ensuring that my suggestion of a newly created Taskforce reflected the views and concerns of all those in the affected areas. My letter was in no way party political. In fact, it made no reference to party politics at all and, indeed, offered  
5 no promise of a resolution: it simply sought to update and engage local residents with the Taskforce's workplan in order to energise it and give it the strongest possible weight with which to represent them.

Given this letter was on such a specific issue, it also in no way qualified as a general update, let alone a political one, according to my understanding of the term. I believe  
10 I would have been utterly negligent in my sworn duty as a Member of Parliament if I had not written to my constituents to update them on this matter in a non-political way. I therefore had to ensure news of the meeting had been shared with those living in the affected communities, as had I not done so, important time could have been lost. Time that the Taskforce has used, I understand, to confirm their organisational  
15 structure with other local communities, as well as consider their next steps going forward.

It is for this same reason that I do not believe the timing of this letter could be construed as having been orchestrated to confer undue benefit to myself. As you will be aware, the likelihood of a General Election fluctuated significantly in the months  
20 prior to the one that took place. When it was eventually called, there was not the usual lead-in time before Parliament was prorogued. (The Bill was tabled on Wednesday 30th October, with Royal Assent granted on Thursday 1st November, and Parliament dissolved on the Tuesday 5th November, meaning only two working days available to complete all outstanding parliamentary correspondence).

25 I would also highlight that during the General Election campaign I was assiduous in sticking to the rules. I made absolutely clear to the Taskforce that I could not assist their efforts during the campaign period. Indeed, it was not until after I had been re-elected that I once again committed to attending a Taskforce meeting (it is scheduled for Friday 7th February), in strict accordance with parliamentary rules.

30 In addition to explaining the urgency of providing constituents with an update on the taskforce, I would also highlight the following points by way of explaining why I believe this complaint is not well founded and does not justify further action:

- Although c3,000 households received this or similar updates before Parliament prorogued, there have been no other complaints.
- It is my belief and understanding from local feedback that this complaint  
35 is from a constituent of a different political affiliation and was made to seek to embarrass and undermine me as a Candidate.

- None of my correspondence on this issue in any way mentions references or suggests any party-political angle or seeks in any way to connect my work as the MP before Prorogement with constituents voting intentions.

#### Raffle Prizes

- 5 On the separate subject of raffle prizes, I am assiduous by abiding by both the letter and spirit of the rules and do not believe that I have not contravened the rules on raffle prizes. I occasionally offer charities and good causes a raffle prize, but any prize offered has always been an 'Afternoon Tea and Tour of Parliament with George'. This involves the winning parties joining me for Afternoon Tea and a chat.
- 10 Given most have never visited Parliament before, as a courtesy I show them around some interesting things of local or personal interest on the estate which is not part of the official tour following the tea.

It has nothing to do with any formal tours of the Houses and I am never the beneficiary of any funds raised.

- 15 I have merely offered such prizes at the request of non-political good causes locally, which I believe it is my duty to support as the representative of my area.

- To conclude, I am very sorry and disappointed that these allegations have been made. I deny them in the strongest possible terms. I have never sought to go against any rules of the House and have always done everything I possibly can to ensure
- 20 that I, my staff, and office are fully compliant with all the rules.

I have included detailed answers to all your questions in a separate document and can, of course, discuss any of these issues further at a time of your convenience.

I look forward to hearing from you very soon.

#### **Enclosures: Questions and Answers document**

- 25 **Were you aware of the rules regarding the use of House-provided stationary and the limitations of its use for general updates and work in connection with a political party.**

- I have always done everything I can to make sure I comply with the rules regarding House stationary. I was aware of the rules around general updates and work in
- 30 connection with a political party and firmly believe I have always been compliant with those rules.

**Did you take advice from the House authorities before using House-provided stationary for the purpose of sending out this communication. If you did, please describe the advice given and copies of any correspondence you exchanged with House officials on this matter.**

5 My parliamentary staff and I consulted the House guidelines and we believed this communication was well within those guidelines. We didn't feel the need to consult externally with House authorities given the belief that we were firmly within the rules. If we had had any doubts about that, we would have consulted House authorities in person immediately. However, this communication was purely  
10 regarding a pressing and urgent constituency issue. It was not a general update or party political in nature. Therefore, we were sure that it was compliant and proceeded on that basis.

**Whether you consider this letter could reasonably be construed as a general update on a range of issues. If you do not, please let me know the reason(s) for that belief.**

15 No, I do not believe that the letter could be construed as a general update. I am absolutely vigilant about this rule. I only ever send my general constituency updates by email, so there can be no suggestion of breaching the rules. I have built up a careful GDPR-compliant email master-list over the last ten years specifically to  
20 ensure that no rules are broken. If I had thought this rat-run issue qualified as a general update, I would have used the general master-list according to that standard protocol. I considered it to be a parliamentary matter and therefore using parliamentary stationery and envelopes was the correct way to send it out.

**Whether you consider this letter could reasonably be construed as being in connection with work for a political party. If you do not, please let me know the reason(s) for that belief.**

25 No, I do not. My constituency work is entirely non-party political. The rat-run letter to my constituents followed a meeting on this specific issue in Parliament on the 4th October 2019 – at St Peter's Church in Kimberley. The meeting was called at the  
30 insistence of local constituents concerned about the issue and had, I would estimate, approximately 25 people in attendance – representing in the region of 10 villages from the area. (A link to a web-story I did shortly afterwards with a picture from the event can be found here and, since then (with the exception of the Election period), I have been liaising with a Taskforce of representatives from those communities on  
35 this issue). This letter was a much-needed update to my constituents following that initial meeting, given how urgent and pressing this issue is for my constituents. It was not party political in nature at all.

**Whether you consider that the content, and potentially the timing of this letter, could reasonably be considered as conferring an undue benefit to yourself or a political organisation. If you do not, please let me know the reason(s) for that belief.**

5 No, I do not. This was an urgent constituency matter that people needed to be updated on. It was my duty as a Member of Parliament to do so.

The General Election was called suddenly. We did not have the usual lead-in time before Parliament was prorogued. Urgent constituency business, therefore, needed to be cleared properly before that time, including vital updates on any recent  
10 meetings. My constituents affected by this Rat Run issue could not afford to wait weeks to get this news. Failing to update them would have been a dereliction of my duty as a constituency MP. I believed I was acting within the rules and fulfilling my obligation as a Member of Parliament to my constituents, as I have always sought to do.

15 **Please let me know how many letters were distributed as part of this mailing. It would be helpful to know whether all of the letters were distributed using House-provided second-class postage paid envelopes.**

1147. The vast majority, if not all, went in House-provided second-class postage-paid envelopes. Some may have gone in House-provided first-class postage-paid  
20 envelopes if any had been mixed into other boxes or our supply of House-provided second-class postage-paid envelopes had run out.

**Were you aware of the rules regarding access to and use of parliamentary buildings and specifically the rule prohibiting tours being offered as a raffle or auction prize?**

25 Yes, I was aware of the rules and have always sought to follow those exactly. To my knowledge, I have never undermined those rules in any public communication I have put out.

**Whether you consider the offering tours of the House as a raffle prize could reasonably be considered as conferring an undue benefit to yourself and/or  
30 third party.**

It is very important to clarify this: I do not offer tours as a raffle prize.

Instead the prize offered has always been an 'Afternoon Tea and Tour of Parliament' which is compliant with House rules. Given most have never visited Parliament

before, as a courtesy I show them around following the tea. It has nothing to do with any formal tours of the Houses and I am never the beneficiary of any funds raised. I have merely offered such prizes at the request of good causes locally, which it is my duty to support as the representative of my area.

5 **Please can you confirm how many times you have offered a tour of the House as a raffle or auction prize in the last twelve months.**

Approx. 10

*16 January 2020*

**4. Letter from the Commissioner to Mr George Freeman MP, 27 January 2020**

10 Thank you for your letter and enclosures of 16 January 2020, in response to my initiation of the inquiry into the complaints regarding your use of the House provided stationery.

15 As you will recall, in my first letter to you, of 6 January 2020, I explained that I might seek the advice of the House authorities as part of my inquiry. In accordance with my usual practice regarding inquiries into the use of House resources, I have today written to the Director of Customer Service and Delivery, [name redacted], seeking his advice. I enclose a copy of that letter for your information.

20 I will write to you again when I have the Director's advice and to give you an opportunity to comment. In the meantime, our correspondence remains protected by parliamentary privilege and I must ask that you continue to maintain the strict confidentiality of the inquiry.

Thank you for your continued co-operation with this matter.

*27 January 2020*

25 **5. Letter from the Commissioner to the Director of Customer Service and Delivery, 27 January 2020**

I would like to ask for your advice on a complaint that I have received regarding Mr George Freeman MP who is the Member for Mid-Norfolk.

30 I am currently considering whether Mr Freeman has breached Paragraph 16 of the Code Conduct by using House-provided stationery in a fashion that is contrary to the Rules for the use of stationery and postage-paid envelopes provided by the House of Commons, and for the use of the Crowned Portcullis, and if his provision of access to

the Parliamentary estate was in a manner that is not compliant with the Rules on use of parliamentary buildings.

5 I enclose a copy of the relevant correspondence, including Mr Freeman's response to my initiation of this inquiry. I would be grateful if you would tell me how you would have advised the Member at the time, had he sought your advice about using House-provided stationery and postage pre-paid envelopes for this mailing and if he had sought your advice on the offering of afternoon tea and a Parliamentary tour as a raffle prize.

10 I appreciate that the published guidance regarding the use of stationery cannot cover every eventuality, and it would be useful to have your observations on the factors you have taken into account in reaching a view in this instance.

It would be very helpful to have your response to this letter as soon as possible please and ideally no later than 12 February 2020 please.

Thank you for your ongoing assistance with these matters.

15 *27 January 2020*

#### **6. Letter from the Director of Customer Service and Delivery to the Commissioner, 4 February 2020**

Thank you for your letter dated 27 January 2020, regarding the complaint made against Mr. George Freeman MP.

20 Our starting point on advice to any Member regarding use of stationery and postage-paid envelopes provided by the House of Commons is as below, and refers to guidance available at [intranet link].

25 *"The House provides the stationery budget to assist Members in performing their parliamentary duties but the rules cannot be expected to cover every eventuality; ultimately it is incumbent on the Member to always behave with probity and integrity when using House-provided stationery and postage and they should regard themselves as personally responsible and accountable for the use of it."*

30 In this or similar cases, given that there is allowance for "correspondence with constituents, including contact by Members about a specific issue with people who have not previously contacted them", we would have been minded to advise that there was scope for this letter to be printed on House stationery but with the advice

that some lines or sections may need to be removed or rewritten first to avoid this being construed as a general update or campaigning.

Namely, but not necessarily including all examples, we would have looked to advise the Member that:

- 5
- lines such as "*I fought hard to secure(...)*" and "*I have long been campaigning for much needed improvements to Norfolk's infrastructure*" could be construed as campaigning and should, therefore, be removed. Similar advice would apply to the section starting "*That's why I've been so committed to leading the work with fellow MPs and councillors to deliver*"

10

*A11 dualling [...] Upgrade of the Norwich-Cambridge Railway*" and the paragraph immediately following.

    - Given this 'Infrastructure' section does not seem to link to the 'specific issue' of 'rat-running' we would also have advised removing this to avoid this becoming a general update.

15 I can confirm Mr. Freeman did not approach the Access and Services team seeking advice on the rules regarding offering afternoon tea and a Parliamentary tour as a raffle prize. If the Member had, the following advice would have been given:

*Tours of the House or of the Elizabeth Tower or Big Ben must not be offered in raffles or auctions.*

20 *Tours of the parliamentary estate which would otherwise be available at nil cost (for example, public tours of the Visitor Route) should under no circumstances be offered as raffle or auction prizes.*

25 *Members are reminded that the rules of the House apply to any tours which they or their office arrange, and that the Parliamentary Commissioner for Standards may investigate if there is sufficient evidence of a breach of the rules.*

This advice is also available on the intranet [[intranet link](#)]

Should you wish any further information on this please do not hesitate to contact me.

*4 February 2020*

### **7. Letter from the Commissioner to Mr George Freeman MP, 6 February 2020**

As promised in my letter of 27 January, I am now able to share with you the response from the House's Director of Customer Service and Delivery, [name redacted], which we received yesterday.

I would be grateful to receive any observations that you may care to make about [name redacted]'s advice by return and no later than Friday 21 February please.

In the meantime, and as previously, our correspondence remains protected by parliamentary privilege and I must ask that you continue to maintain the strict confidentiality of the inquiry.

Thank you for your continued assistance with this matter.

*6 February 2020*

### **8. Letter from Mr George Freeman MP to the Commissioner, 21 February 2020**

Thank you for your further letter to me, dated 6th February 2020, sharing the response from the House's Director of Customer Services and Delivery. I'd be very happy to make additional observations in light of [name redacted] advice and appreciate having the opportunity to do so.

Firstly, let me reiterate my sadness that such a complaint has been made. As I stated previously, I have always taken parliamentary standards extremely seriously. I first stood as an MP on a platform to restore public trust in our political system after the Expenses Scandal and I have always been a stickler for the rules. It is a great disappointment to be the subject of this complaint - the first such complaint I have faced in my ten years as an MP.

Following [name redacted] response, it is evident that there are three key strands for me to respond to here:

1. Neither I nor my team directly approached the House authorities for advice.
2. If we had done so, my team and I would have been told that an update on a specific issue was okay, but that some stylistic changes would be required to prevent it being misconstrued as general campaigning.

3. The offering of Afternoon Tea and a Tour as a raffle prize.

I will take each point in turn.

- 1. Neither I nor my team directly approached the House authorities for advice**

- 5 As outlined previously, neither my parliamentary team nor I chose to consult directly with the House authorities for advice. This was because we believed, having consulted the guidelines, we were well within the rules and, therefore, allowed to send this letter to my constituents - given it was an urgent constituency matter.

10 I would point out again that the timing of the General Election was very sudden. The likelihood of one had fluctuated significantly in the months prior to the General Election actually taking place and, when it was eventually called, there was very little time to ensure that the letter was completed and dispatched prior to dissolution. (The Bill was tabled on Wednesday 30th October, with Royal Assent granted on Thursday 1st November, and Parliament dissolved on Tuesday 5th

15 November, meaning only two working days available to complete all outstanding parliamentary correspondence).

Inevitably, with such a large mailing to be completed and a very quick turnaround required, snap judgements had to be made by me and my team. Given that we felt we were within the rules, we did not believe we needed to directly consult with the

20 House authorities. If, for any reason, it is determined that this letter contravened the rules (which, I state again, I believe it does not), I am truly sorry. However, to take me and my team to task on fine interpretative judgments would, I feel, be very unfair given the difficult circumstances at the time - and the fact that we worked round the clock to ensure everything was completed prior to dissolution so as to ensure we

25 were within the rules. I hope it is clear that we worked to a very tight turnaround and in the spirit of the rules.

- 2. If we had done so, my team and I would have been told that an update on a specific issue was okay, but that some stylistic changes would be required to prevent it being misconstrued as general campaigning.**

- 30 To be clear, in no way did I intend for my letter to be party political, or for it to further any personal campaigning. It was intended to update residents in the concerned areas of a specific issue, that of a potential increase in rat-running through their communities, following a public meeting that I attended at the request of local Parish councillors. I fundamentally believe that it was my duty to do that - in
- 35 order to raise awareness of the issue and, in turn, give local constituents ample time to consider their own views before acting upon them (whether that be by contacting

the mentioned Taskforce or by individually submitting their views to the subsequent consultation periods). A failure to do this would have, in my opinion, been completely negligent as their representative.

5 All references to my historic efforts in this area were to provide context - highlighting why it was that I had chosen to contact them about the issue of rat-running. Given that this problem is only coming to the fore now, this was the first time I had ever directly written to many of these people on such a matter. It was imperative that they knew why this issue was important in my eyes (both at a local level, and more widely for Norfolk and the East) in order to explain why I felt they  
10 needed to be aware of it, and why I felt their interest in it was required, given the setting up of the Taskforce and the consultation periods.

Similarly, the 'Infrastructure' section in general was included for context also. As alluded to in the previous paragraph, the rat-running matter is not an isolated issue. It has arisen as part of a much broader picture of infrastructure delivery in the East  
15 - one that aims to bring the region into the 21st century. This section was therefore very much required, I believe, to provide an accurate reflection of the situation at the time.

I would stress once again that I made no promise of a satisfactory resolution in my letter. This was because at no point was I looking to promote myself as a candidate  
20 in a General Election. The letter simply looked to update constituents on the issue in question, the formation of the local Taskforce and its workplan so as to energise it and give it the strongest possible platform from which to represent them. The fact that I did not actively engage with the Taskforce during the General Election period, I believe, emphasises my respect for the protocols in place and, I hope, indicates my  
25 good intentions here with the letter. Certainly, it was with the upmost good intentions that I set about dispatching it.

[name redacted] himself states in his letter that 'the rules cannot be expected to cover every eventuality' and that a degree of subjectivity is always involved. The specific phraseology around 'I fought hard to secure', 'That's why I've been so  
30 committed' etc. are part of my personal literary style. I am very grateful to him for highlighting the potential interpretative issues around them. I will, of course, re-evaluate my prose style and the specific word-choices I instinctively use. But, as we all know, there is sadly no definitive parliamentary or government guidebook detailing approved nouns, verbs or adjectives. Whether one verb is political or non-political is always an intensely - and inevitably- subjective judgement. I am very  
35 happy to reconsider my word-choices. But following uncodified rules around personal prose style will always be difficult for any MP. If I have got it wrong, it was never at all intentional.

### 3. The offering of Afternoon Tea and a Tour as a raffle prize

On the subject of the Afternoon Tea and Tour of Parliament raffle prizes, I must emphasise that there appears to be a misunderstanding- and that I have acted strictly within the rules. At no point were official parliamentary tours included. No  
5 House tour guides (nor the Tours Office itself) have ever been involved either. They have always been informal affairs in which I have welcomed the guest/s to Westminster for Afternoon Tea and a chat before taking them to look at certain things that are of local and personal interest. They are most certainly not of the quality of any of the official tours and, to be frank, to insinuate that they are would  
10 be a great disservice to the official House tour guides. Given these important differences therefore, I do not believe that I have ever contravened the rules and regulations regarding tours.

My duty as a Member of Parliament is to represent all my constituents and to allow anyone who sees me to feel they are welcome in Westminster and part of our  
15 collective democratic process. To be unable to walk through my own place of work with a constituent following an Afternoon Tea for fear that - on the most legalistic interpretation possible - some could misconstrue such a walk as an 'official parliamentary tour' would clearly be absurd. As I have made clear, no one believes more strongly than I do in following the rules of the House. Indeed, restoring trust  
20 is why I gave up my career and became a Member of Parliament. But I also believe in basic humanity, decency, generosity and kindness. Walking with a constituent who has travelled hundreds of miles to see me - and will, most likely, never have the means to come to Westminster again - through my workplace is a courteous and decent thing to do. To set a precedent denying that will, I fear, further reduce trust  
25 in politics and make MPs even more remote and alienated from common-sense codes of behaviour and the most basic sort of humanity. I firmly do not believe it is unreasonable of me to offer Afternoon Tea and this respect and kindness to my constituents and local charitable causes.

I hope these comments, in addition to those in my previous response to you of 16th  
30 January 2020, are helpful and will determine that the complaint in question is baseless. I would highlight again that, although this letter/similar updates were sent to approximately 3000 households, only one person saw fit to raise this complaint - which I suspect they have simply done because of political opposition and irritation. (Even had all of the stylistic amendments outlined by [name redacted] been  
35 implemented, I believe this complaint would have been made.)

I would, however, be happy to discuss these matters further at a time convenient to you if useful.

*21 February 2020*

### **9. Letter from the Commissioner to Mr George Freeman MP, 4 March 2020**

Thank you for your letter of 17 February, providing your comments on the advice from the Director of Customer Service and Delivery.

#### **5 My decision**

I have considered carefully the content of the correspondence in question, the published Rules concerning both the use of House provided stationery and access to the parliamentary estate, the Director's advice, and your comments before coming to a decision. I have also had regard to the outcome of earlier inquiries into similar matters. I have decided that in using House-provided stationery and envelopes for this correspondence you have acted in breach of the House's Rules for the use of stationery and postage-paid envelopes provided by the House of Commons, and for the use of the Crowned Portcullis. I have also decided that offering tours of Parliament as a raffle prize you have acted in breach of the House's Rules on use of parliamentary buildings.

#### **Rationale: Stationery**

The relevant rules make clear that they cannot cover every eventuality and that it is for each Member always to behave with probity and integrity when using House-provided stationery and postage. When making a decision about whether a particular mailing should have been posted at public expense, I look at the communication as a whole and make my own independent judgement about its aims, tone, and content.

Paragraph 3 of the stationery rules prohibits the use of House provided stationery for circulating "...newsletters (including...general updates to constituents on a range of issues)". Your letter covers several topics, including:

- The Norwich Research Park;
- Job creation and investment growth;
- The Norfolk Way project; and
- Digital connectivity.

This is against the rule outlined above. The inclusion of more than one topic changes the letter, which you describe as a “constituency report”, from an update on a specific issue, as allowed by paragraph 8 of the stationery rules, to a general update on a range of issues, which is prohibited by paragraph 3.

5 Paragraph 2 of the stationery rules states that Members “must not exploit the  
system...(by breaching the rules in paragraph 3 below) to confer an undue  
advantage on a political organisation” and paragraph 3 continues by expressly  
prohibiting the use of House provided stationery “in connection with work for or at  
10 the behest of a political party (including...supporting the return of any person to  
public office)”.

Paragraph 3 of the stationery rules also clearly states “House-provided  
stationery...(is) provided only for the performance of a Member’s parliamentary  
functions”.

15 I am therefore also concerned by the timing of your letter. You state that the content  
of your letter concerned a time-critical matter, which necessitated the immediate  
use of House-provided stationery in order to perform an urgent parliamentary  
function. You state that due to the urgency of the update, the letter was dispatched  
after the Early Parliamentary General Election Act 2019 received Royal Assent on  
31 October, but before Parliament was dissolved at midnight on 5 November.

20 The letter closes with encouragement to recipients to contact you via your  
parliamentary email account to be added to a mailing list for updates on future  
proposed activities connected to the road improvements that are due to start in  
2022. This is the only practical component of the letter. However, with Parliament  
about to be dissolved, and therefore access to your parliamentary email account  
25 restricted, and with no guarantee of your return to office, it is reasonable to conclude  
that the timing of the letter would have been unlikely to have assisted you in the  
performance of your parliamentary function. As to the urgency of the update, it is  
unclear what detriment the recipients would have suffered had they received this  
mailing at the beginning of the new Parliament.

30 As highlighted by the Director, your letter does, however, include several positive  
references and endorsements concerning your past work as well as a paragraph  
devoted to your own project, The Norfolk Way, which is highlighted by means of a  
different colour font. Earlier decisions on similar cases have highlighted the concern  
that can arise when value orientated statements are included in correspondence.  
35 These value orientated statements are more than mere stylistic idiosyncrasies due  
to their intent and the potential impact they may have on the reader. Although I am  
not persuaded that the specific statements in your letter were likely to have  
conferred a substantial boost to your standing or profile, I am satisfied that there

was intent to highlight to the recipient the personal value that you have added as the local elected representative in a mailing to constituents received in the immediate period running up to a general election.

5 I have concluded that your correspondence is a general update that highlighted your own work on issues of local interest shortly before an election. That should not have been done using publicly funded resources. Paragraph 16 of the Code of Conduct for Members of Parliament requires Members to ensure that their use of “...allowances...provided from the public purse is in accordance with the rules laid down on these matters”. In this instance, I have decided that a breach of the stationery rules has occurred and that, as the stationery allowance is provided from 10 the public purse, this breach is therefore contrary to paragraph 16 of the Code.

### **Rationale: Tours**

The Rules on use of parliamentary buildings state at section 5(iii);

“Members must not offer tours of the House....in raffles or auctions.”

15 You acknowledge that you have offered tours as a raffle prize on multiple occasions. This is clear breach of the rule stated above.

You were only able to offer the tour as a raffle prize because your status as a Member allows you, and your visitors, access to the parliamentary estate, which is maintained by the public purse. The Code of Conduct has long prohibited using 20 publicly funded resources to “...confer any undue personal or financial benefit on themselves or anyone else...”. It is my opinion that your actions have provided an undue financial benefit on third parties who were able to raise funds by raffling access to Parliament. I am satisfied that this is contrary to paragraph 16 of the Code of Conduct for Members of Parliament.

### **25 Next steps**

As you may be aware, having decided that a breach of the Rules has occurred, I can, with the co-operation of the Member concerned, rectify less serious breaches using the powers available to me under Standing Order 150 or for more serious breaches, or in instances where the Member rejects rectification, refer the matter to the 30 House’s Committee on Standards.

Therefore, before I can decide how to conclude this inquiry, I need first to ask you to consider my decision and to tell me whether you accept it. I understand that you will be disappointed by my decision, but I would ask you to reflect carefully on my

reasoning above before replying. Please let me have your comments by 13 March 2020.

*4 March 2020*

#### **10. Letter from Mr George Freeman MP to the Commissioner, 13 March 2020**

5 Thank you for your letter of March 4th in connection with the issues covered in our previous correspondence. I'm very grateful to you for setting out your findings, and the basis of them, in such detail.

10 I am mortified that you have decided to find me in breach of the House rules, which I now realise, from reading your letter, that my staff and I had not properly checked, in the hurry to clear all constituency correspondence in the tiny window between announcement of the General Election and Dissolution. That is our mistake.

#### **Constituency Correspondence**

15 I have checked again with my team and we understood the rules to mean that: any correspondence issued on Parliamentary paper in the course of being a constituency MP must not refer to or in any way make Party political points, which I have been studiously careful never to do.

20 We genuinely were not aware that the rules mean that MPs can never describe their previous work in a way which might be deemed to present their work in a favourable light, which is a whole new constraint we genuinely weren't aware of. Had I or my staff been aware of that we would have taken additional care in editing the constituency update on the rat-running Task Force in the East of my constituency in a way that studiously avoided any possibility of being seen as presenting my work in a favourable light.

#### **Raffling a tea and tour with the constituency MP**

25 Equally, we were genuinely not aware that the rules on tours apply not just to official tours of the House by House staff (which I would never dream of entering as a raffle prize), but also to tours with, and conducted by, me personally in order to help a constituency charity.

30 In mentioning my staff, I am not in any way detracting from what I take very seriously as my responsibility as the Member, but pointing out that all of us have been shocked to discover that our understanding of the rules was incorrect. In light of your letter I have asked my staff to compile a dossier of all the rules governing all

aspects of both our constituency and Westminster work and to make sure we are all familiar with them.

5 Please accept my sincere apologies. I am genuinely mortified to discover that I have inadvertently breached House rules. I hope that you can see from our correspondence that it was a genuine misunderstanding rather than an attempt to circumvent them in any way.

I hold the authority of the House - and you as our Commissioner - in the highest possible esteem and regard. Please do pass my apology on to the Chair or Secretary of the Committee on Standards if appropriate.

10 I appreciate your explanation of your discretionary powers under Standing Order 150 and would ask in the circumstances if you would feel able to exercise them in my favour in this instance?

*13 March 2020*

#### **11. Letter from the Commissioner to Mr George Freeman MP, 30 March 2020**

15 Thank you for your letter of 13 March, providing your comments on my decision letter of 4 March.

20 I do not consider that the breaches of the rules on stationery and tours are so serious that they warrant a referral to the Committee on Standards, and I am content to resolve this matter by rectification under Standing Order 150. The rectification process requires the Member to accept my decision and to apologise for the breach of the rules. I am happy that your letter of 13 March satisfies both those requirements. I am also satisfied with the sensible administrative steps that you have taken in your office in order to avoid a future inadvertent breach.

25 The final part of the rectification process requires your confirmation that you are willing to repay to the House the sum of £759.03. This repayment is to cover the cost of the paper, envelopes, and second-class postage used for the 1,147 letters sent as calculated at the costings below. For avoidance of doubt, I can confirm that no repayment is needed in respect of the tours as there is no suggestion that you benefited financially from the breach of the rules and your apology for the breach is  
30 sufficient.

- HC19-116GATOP headed paper at £9.03 per pack of 250 (total cost of £41.42)

- HC23-249WS branded window envelopes at £10.45 per box of 250 (total cost of £47.94)
- 2nd class postage at 61p each (total cost of £669.67)

Payment can be made using one of the following methods;

- 5
- Pay by cheque [details redacted],
  - Complete a BACS transfer [details redacted],
  - Pay by card (Amex not accepted) [details redacted].

10 If you are willing to agree to rectification, please write to me by 15 April, including confirmation of your preferred repayment method. If we are able to rectify and close this matter, I will share my written evidence pack with you, so that you can check its factual accuracy before publication. I will also report the outcome to the Committee on Standards in due course as a matter of routine.

You are, of course, entitled to decline my proposed rectification, in which case I will refer this matter to the Committee on Standards for their review.

15 In the meantime, our correspondence remains protected by parliamentary privilege and I must ask that you continue to maintain the strict confidentiality of the inquiry.

As you may be aware, due to the current health crisis, my team are currently working from home only, so I would be grateful if you could please send your response electronically to [standardscommissioner@parliament.uk](mailto:standardscommissioner@parliament.uk).

20 Thank you for your continued co-operation with this matter.

*30 March 2020*

## **12. Letter from Mr George Freeman MP to the Commissioner, 14 April 2020**

25 Thank you for your letter of the 30th March confirming your proposal to handle the complaint about my use of House stationery for my pre-Prorogation Update to villages affected by rat- running.

I am grateful for your making clear that you do not judge the breaches of the House rules on stationery to be serious enough to merit referral to the Committee on Standards.

5 Whilst I still maintain that the mailing was not intended to be anything other than an update to a small group of villages affected by a looming deadline on traffic mitigation measures, I respect and accept your decision to find me in breach of the letter of the guidance on use of house stationery because of my reference in the background intro of the update to my other related campaign work on the A47 - the cause of the rat-running.

10 Similarly, I am bound to accept your decision to require me to repay the cost of the stationery. Given that you had found the breach not to be serious or substantial enough to merit referral, and that there is no evidence I benefited particularly from it (my election result in terms of % swing was exactly in accordance with regional averages for that part of the country) I had hoped you might defer the cost or at least  
15 a proportion of it to reflect that the breach was not substantial and that my letter was, in large part, compliant with the rules both as they were and as I understood them to be.

20 With that in mind I wanted to ask and suggest if a proportion of the £759 costs of the letters pro- rata to the extent to which you judged them to be in breach of the rules - 30%? 50%? - might be judged acceptable as a fair fine?

[content not relevant to the inquiry redacted]

I am grateful for your assiduousness in dealing with this and hope that you will be able to judge this suggestion both fair and acceptable.

*14 April 2020*

25 **13. Letter from the Commissioner to Mr George Freeman MP, 16 April 2020**

Thank you for your letter of 14 April and for confirming that you are willing to repay the cost of the stationery used in your mailing as the final part of the rectification process, which will bring my inquiry to a close. The amount of £759.03 is not a fine based on any benefit that you gained from the misuse of the stationery but a  
30 repayment to the public purse. As such is not possible to reduce the amount to be repaid.

[content not relevant to the inquiry redacted]

In the meantime, our correspondence remains protected by parliamentary privilege and I must ask that you continue to maintain the strict confidentiality of the inquiry.

5 As you may be aware, due to the current health crisis, my team are currently working from home only, so I would be grateful if you could please send your response electronically to [standardscommissioner@parliament.uk](mailto:standardscommissioner@parliament.uk).

Thank you for your continued co-operation with this matter.

*16 April 2020*