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Summary

5 The broad allegation I investigated, following a complaint from a member of the public, was that through errors and omissions the Member had failed to conscientiously register his financial interests in line with the requirements of the House. This allegedly put the Member in breach of the requirements of paragraph 14 of the Code of Conduct.

I upheld some aspects of the allegation.

10 I concluded, and the Member agreed, that a property in London was not removed from the Register of Members' Financial Interests ("the Register") within the 28-day time limit required by Paragraph 2 of Chapter 1 of the Guide to the Rules relating to the Conduct of Members, and that a further property interest, Copperthwaite Moor, was not added to the Register inside the same time limit. I was satisfied that the late action in respect of each interest amounted to a breach of the requirement set by the House and a breach of paragraph 14 of the Code.

15 I was concerned that the Member's earlier entry in the Register (prior to 11 December 2020) was too vague about his wider property interests and was not in line with the requirements or spirit of the Guide. However, based on the information available to me, I was satisfied that since 11 December 2020 the Member's property interests have appropriately registered in line with the requirements laid down by the Guide. On that basis, I decided that prolonging this inquiry to determine how and when the Member's property interests changed between 2015 and 2020 was not proportionate or necessary.

25 The Member accepted my decision, acknowledged his breaches of the Rules, and apologised for these breaches. The Member also agreed to add some additional wording to his Register entry to make a link between two other interests clearer. The Member also undertook to amend his Register entry promptly when two pending future changes come to pass and agreed to the annotation of the Copperthwaite Moor interest in the Register to show it has been subject to an inquiry. I considered the Member's apology and remedial actions to be an appropriate outcome and I have concluded the matter by way of the rectification procedure available to me under Standing Order No. 150.

Mr Richard Drax MP: Resolution Letter

Letter from the Commissioner to the complainant, 26 April 2021

5 I wrote to you on 28 January 2021 to tell you that I had begun an inquiry into your allegation that Mr Richard Drax MP had breached paragraph 14 of the House of Commons' Code of Conduct for Members by failing to register his financial interests in line with the requirements of the House.

10 Having investigated this matter I found that Mr Drax has breached the Code on two occasions. I concluded, and Mr Drax agreed, that his interest in Copperthwaite Moor had been registered outside the 28-day time limit required by Paragraph 2 of Chapter 1 of the Guide to the Rules relating to the Conduct of Members. I also concluded, and Mr Drax agreed, that his interest in a property in London had not been removed from the Register of Members' Financial Interests within the same time limit. I was satisfied that the late action in respect of each interest amounted to a breach of paragraph 14 of the Code and I therefore uphold your complaint in
15 respect of these two interests.

My full decision and rationale will be published on my webpage in due course, which will include the correspondence I exchanged with Mr Drax.

20 Mr Drax has accepted my decision. He has acknowledged his breaches of the rules, apologised, and agreed to the annotation of the Copperthwaite Moor interest to show it has been subject to an inquiry. 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.

26 April 2021

Written evidence

1. Letter from the complainant to the Commissioner, 31 December 2020

I am writing to you in your capacity as Parliamentary Standards Commissioner as a result of reading the following articles, which clearly raise matters of major concern about the conduct of a Member of Parliament, namely the Hon. Richard Plunkett-Ernle-Erle-Drax, the MP for South Dorset.

I should point out that I am not one of Mr Drax's constituents and that I am writing to you in my capacity as a British citizen who is concerned that public servants should be as open as possible about their financial interests so that any perception of conflicts of interest can be avoided. [personal data of the complainant redacted]. I am also a former journalist, and still very active as a freelance.

I wish to make a complaint about the declaration in the Register of Members' Interests by Richard Drax MP as published on 7 December 2020 (although please see my further comments at the end of this letter). From the evidence in the above articles there appears to be a range of omissions and errors in the declaration that, taken together, make the entry in the Register seriously misleading and in breach of its guiding principles. The Register notes that its main purpose "is to provide information about any financial interest which a Member has, or any benefit which he or she receives, which others might reasonably consider to influence his or her actions or words as a Member of Parliament." The Guidelines state that an MP should inform the Register of any changes within 28 days of their being made.

I note that as this Member has very extensive land, property and business interests in both his constituency and the neighbouring constituency, it therefore follows that the declaration needs to be as detailed and accurate as possible in order to avoid any perception of a conflict of interest between these local financial interests and his role as an MP. I have specific concerns in the following categories:

Category Six: Land and Property in the UK and Elsewhere

In his most recent declaration, Drax did not mention that he has inherited Drax Hall, a 621- acre sugar plantation with a 17th C manor house in Barbados worth, according to the authorities there, £4.7m. He has inherited or been gifted the plantation from his father, who died on 4 July 2017.

The Will of Henry Walter Plunkett-Ernle-Erle- Drax (easily obtainable from the Probate Service) also shows other transfers of land and property to his son, Richard Drax, which are not referred to in the Register.

The newspaper articles also refer to the following that have not been declared in the Register that would appear to have been required under the Guidelines:

Drax inherited the Ellerton Abbey Estate in Swaledale, North Yorkshire from his father. The land is not registered at the Land Registry and is farmed by a tenant. It has an arrangement with a family trust but is bequeathed to Drax.

5 Drax was also bequeathed by his father land called Copperthwaite; his father bought this in 1970. These 520 acres are not registered at the Land Registry.

Drax was bequeathed his father's 'rights and benefits' of memberships of Lloyds and Equias (a debt holding company for Lloyds). However, this has not been stated in any part of the public domain, including the Register.

10 Another apparent omission concerns a holiday rental on [location redacted] that Drax owns: this is worth an estimated £4.5m and is not a personal residence. The Register states that an MP should identify all land and property ownership by the local authority area in which it is owned, but he does not mention this property in the Register for 7 December 2020. The well-known [location redacted] is in the local authority area of Bournemouth, Christchurch and Poole (BCP) Council and not in the
15 Dorset Unitary Council area, where other land and properties are declared as being located.

Category Seven - Shareholdings

20 In Drax's declaration, Abbotts Court Farm Company (Holdings) Limited is listed as a holding company for family businesses. This has been on the Register since June 2015. However, there is no company of that name. There is an Abbot's Court Farm (Charborough) which was formed in 1967 and is an unlimited company. Its returns say that it is held by a company that is actually dormant.

25 The second company that Drax declares is a limited company, AMF Holdings Co Ltd (06892084) (slightly mistitled in the Register), which he describes as a holding company for family businesses. However, it appears to have been dormant since it was registered in 2009.

30 Also not declared in the Register is an unlimited company, Anderson Manor Farm (00802810), which was formed in 1964. Now the sole director, Drax has taken over the 100 shares over from his deceased parents. According to the Guidelines, this should be declared.

35 The third company that Drax lists is Morden Estates Ltd, a limited company that is active. According to Drax, Morden Estates rents out properties from the family portfolio. According to the Register, the company provides Drax, now the sole shareholder and director, with the residency of the family trust-owned Grade 1 listed mansion and park in return for ten hours work a week worth £47,000+ per annum. This is an unusual arrangement, but would nonetheless appear to fall within the Guidelines.

The entities within the Charborough Estate (an umbrella term) are administered by Trustees. There are at least six Drax family UK Trusts but the details are private.

5 According to the newspaper articles mentioned above, the main financial entity for the family farming business is called ACF (Drax Farm). It is listed by Dunn & Bradstreet as an independent proprietorship. ACF (Drax Farm) does not appear to publish any accounts nor does it state who legally owns this entity. It is not a company but apparently is a key part of the Estate structure. As such, surely this should be declared?

10 In short – and this is the substance of my complaint to the Commissioner – because of Drax’s use of private trusts, financial entities and unlimited companies that do not file accounts and use Small and Medium Enterprise (SME) exemptions, his declarations in the Register are clearly not acceptable under its own guiding principles, especially those concerning openness and accountability.

15 Given the dearth of information noted in the articles and above, it would be quite impossible for an everyday person to identify any possible conflicts of interest between Drax’s work as an MP and his financial interests. The Charborough Estate with its trusts and diverse financial entities has relationships with the EU (via Defra) and with numerous public bodies, planning authorities, the Purbeck local plan, local authorities, tenants, businesses etc. But the key point here is: so might Richard Drax
20 in his capacity as an MP.

Further Matters

25 Under Category One Drax declares: “Some income received directly, some received via family trusts either to me or to family members.” The Guidelines (9d) state the Member should provide “the size of the payment received, and the nature and value of any taxable benefits and any payments in kind. (Earnings should be given gross, i.e. before tax or other deductions, wherever possible. Fees should be given before the addition of VAT).”

30 I note that in his reply to the newspapers, Drax responds only to the need to declare his Barbados holdings. He states that he does not yet legally own the Barbados holdings “as these are still going through the probate process and have not yet transferred to my name. Once that process is completed, I will of course register it in proper accordance with the rules.” However, I can see no reference to an exemption for probate in the Guidelines. Where the MP is also executor of a will, of which they are clearly the absolute beneficiary, the onus is surely on that MP to
35 declare his newly acquired interests as soon as the grant of probate is issued? In Drax’s case the plantation element of probate was reset in the Barbados under the Commonwealth Probate Act, and as he has some time ago apparently registered the plantation as a business in the Barbados Companies House and has been recognised as the owner of the plantation for land tax purposes, the probate process is clearly
40 well advanced.

5 Furthermore, looking through Companies House documents for the above companies I noted that Drax is now a sole director and shareholder consequent upon the resignation of his deceased parents and the departure of his former land agent in 2018. He has made these transfers to his ownership without any reference to being the executor of a will which makes such changes necessary.

I also note that other issues were raised with Drax by the newspapers but he chose not to respond. Again, this fails to meet the spirit of the Guidelines, particularly those requiring openness and accountability.

Addendum

10 As I was about to send this complaint I noticed that an updated version of Drax's declaration was published online on 29 December. This does include a belated effort to fill in some of the omissions and errors noted above. However, it also raises further issues. Namely:

15 I note that Drax has now added to the Register the plantation he inherited in Barbados, although the new entry refers to Drax Hall only as a 'business property' and suggests it is still in probate.

20 Drax has added other land and property identified in the newspaper articles as previously missing: this includes agricultural land in North Yorkshire that he now admits he inherited on 8 April 2019. However, according to the Register guidelines, he should have registered the property within 28 days of taking ownership. It is not indicated whether this property includes both of the Swaledale estates referred to in the newspaper articles - the Ellerton Abbey farming estate of 2200 acres and the Copperthwaite Allotment, a grouse moor of 520 acres.

25 Another long term omission to which he refers is a 'residential property in Dorset' which I assume is the £4.5m holiday let on [location redacted] which he has apparently owned since 2009 and which he lets out at up to £6,750 per week in peak season.

Drax also refers to two commercial properties in Dorset that have not previously been included in the Register but does not say whether they are in his constituency.

30 Drax has registered that his personal Trust owns a commercial property in Surrey. This has not appeared in the Register before. When was it acquired – within 28 days preceding declaration?

35 Finally, Drax has corrected declaration errors that he made under the shareholding section of the Register, including adding a company that should have been previously registered (see above).

5 While all this looks like a belated effort to remedy previous deficient declarations, no doubt stimulated by the newspaper revelations noted above, it also reveals further examples of long-term omissions. Taken together with the other omissions from and errors in the Register, it serves only to reinforce the essence of my complaint that this, taken as a whole, represents a serious failure “to provide information about any financial interest which a Member has, or any benefit which he or she receives, which others might reasonably consider to influence his or her actions or words as a Member of Parliament”.

I look forward to your prompt reply in this matter.

10 **Enclosure 1: Article in The Observer, 12 December 2020, by Paul Lashmar and Jonathan Smith**

Enclosure 2: Article in The Observer (2), 12 December 2020, by Paul Lashmar and Jonathan Smith in Barbados

15 **Enclosure 3: Article in Sunday Mirror, 12 December 2020, by Paul Lashmar, Jonathan Smith & Alan Selby**

31 December 2020

2. Letter from the Commissioner to Mr Richard Drax MP, 28 January 2021

20 Following receipt of an allegation from [the complainant] about your compliance with paragraph 14 of the House of Commons Code of Conduct for Members, I have decided to open a formal inquiry. I enclose a copy of [the complainant's] submission and the text of the newspaper articles referenced within his submission.

The scope of my inquiry

25 My inquiry will focus on whether you have acted in breach of paragraph 14 of the House of Commons' Code of Conduct for Members by failing to conscientiously register your financial interests in line with the requirements of the House. I will also invite you to highlight any occasions when you have failed to declare an interest in line with the requirements of the House. If the scope of my inquiry changes, I will update you in writing.

The relevant rules of the House

30 The overarching rules are found in the House of Commons' Code of Conduct for Members. Paragraph 14 of the Code 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

5 The Guide to the rules relating to the conduct of Members (“the Guide”), which is appended to the Code and which I have included with this letter, contains more detail about the registration and declaration of financial interests. Paragraph 5 of the Introduction to the Guide outlines the principles that underpin the registration and declaration of interests:

10 *5. The overall aim of both registration and declaration is to provide information about any financial interest which might reasonably be*
15 *thought by others to influence a Member’s actions, speeches or votes in Parliament, or actions taken in his or her capacity as a Member of Parliament. Financial interests include material benefits and payments*
20 *in kind. Each Member is responsible for making a full disclosure of such interests, which is achieved by registering and declaring them in accordance with the requirements of the House. The aim of this is openness. Neither registration nor declaration imply any wrongdoing.*

20 Paragraphs 2 and 4 of Chapter 1 of the Guide highlight some of the basic expectations of the House in relation to the registration of interests:

25 *2. The House requires new Members, within one month of their election, to register all 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*
30 *any change in those registrable interests. Such a change includes both the acquisition of a new interest and the ceasing of any registered interest, for example because an employment has ceased or because a holding has reduced in value or been sold.*

30 *4. The paragraphs below set out the requirements of the House under ten categories. When considering registration, Members are also required to keep in mind the overall purpose of the Register, which is to provide information about any financial interest or other material benefit which a Member receives which might reasonably be thought*
35 *by others to influence his or her actions, speeches or votes in Parliament, or actions taken in his or her capacity as a Member of Parliament. If a Member has any financial interests which meet that purpose but which do not fall clearly into one of the defined categories, he or she is nonetheless required to register them, normally under the Miscellaneous category.*

Paragraphs 2 and 3 of Chapter 2 of the Guide highlight the basic expectations of the House in relation to the declaration of interests:

5 2. *The declaration of interests ensures that Members, the public and others are made aware at the appropriate time, in proceedings of the House and on other occasions, of any interest relevant to those proceedings or to the actions or words of a Member. The requirement to declare an interest complements the registration requirements and applies from the time the House first sits after the Member is elected and to almost every aspect of a Member's parliamentary duties. It covers a broader range of interests than registration.*

10 3. *Declarations must be informative but succinct. A Member who has already registered an interest may refer to his or her Register entry. But such a reference is unlikely to suffice on its own, as the declaration must provide sufficient information to convey the nature of the interest without the listener or the reader having to have recourse to the Register or other publication.*

Next steps

20 I would welcome your comments on the allegation that there are omissions and errors in your entry in the Register of Member's Financial Interests ("the Register"), which amount to a breach of paragraph 14 of the Code of Conduct for Members. I would also be grateful for your answers to the following specific questions. Please provide any evidence to support your responses when you reply to this letter. Any other points you wish to make to help me with this inquiry would also be welcome.

25 1. Before you finalised the updates to your Register entry on 11 December 2020, did you take any advice from the Registrar or another House authority? If so, please could you share a copy of that advice with me.

30 2. The complainant, and the accompanying newspaper articles, allege that the Drax Hall Plantation in Barbados has transferred to your ownership and that you are paying tax on the business. I note your public comments that this business has not yet cleared probate and is not officially under your ownership. I have also noted that Drax Hall Plantation was registered with The Barbados Corporate Affairs and Intellectual Property Office on 26 Feb 2020 (registration number 72131). On 11 December 2020 you added a new interest in the Register under Category 8 Miscellaneous; "Currently administering a business property in Barbados, title to be transferred to me in due course". Please can you tell me:

- 35
- a) Is the new interest, specified above, the Drax Hall Plantation in Barbados?
 - b) If the interest is the Drax Hall Plantation in Barbados, please can you confirm that this business currently remains in probate.

- c) In line with paragraph 56c of the Guide, please can you confirm the date when you started administering this business property.

3. The complainant, and the accompanying newspaper articles, allege that you inherited Ellerton Abbey Estate in Swaledale, North Yorkshire and Copperthwaite Allotment Grouse Moor in 2017. I note that on 11 December 2020 you amended your entry in the Register by adding a new property interest under Category 6; "From 8 April 2019, agricultural land in Yorkshire". Please can you tell me:

- a) Is the information provided by the complainant, and newspaper articles, regarding the Ellerton Abbey Estate in Swaledale, North Yorkshire and Copperthwaite Allotment Grouse Moor accurate? If so, please confirm the date that the ownership of these pieces of land transferred to you.

- b) Is your new entry of "From 8 April 2019, agricultural land in Yorkshire" intended to cover either the Ellerton Abbey Estate in Swaledale, North Yorkshire or Copperthwaite Allotment Grouse Moor or both pieces of land? If your new entry is intended to cover both pieces of land, did you consider registering these interests separately and, if so, why did you decide against doing so?

- c) The complainant states that Ellerton Abbey Estate is farmed by a tenant. Do you receive any rental income from this land?

- d) Does the Ellerton Abbey Estate include any separate property interests that should be registered?

- e) Do you receive any income from Copperthwaite Allotment Grouse Moor?

4. The complainant, and the accompanying newspaper articles, allege that you are a Member of Lloyd's. Please can you tell me whether this information is accurate and, if it is, whether you have received any earned income that should be registered.

5. The complainant, and the accompanying newspaper articles, allege that you own a property in [location redacted]. I note from 11 December 2020 you have amended your entry in the Register to include a specific interest, under both limbs of paragraph 47, of "A residential property in Dorset". Please can you confirm whether this interest is the same property as the one referenced by the complainant and by the newspaper articles.

6. On 11 December 2020 you amended your entry in the Register for Abbots Court Farm to read "ACF Co Holdings Limited; holding company for family businesses. This company owns Abbots Court Farm (Charborough)". I note that this entry concerns two distinct businesses; ACF Co Holdings Limited (Companies House registration number 06892065), which lists you as a Director and sole shareholder;

and Abbot's Court Farm (Charborough) (Companies House registration number 00923636), which lists you as a Director. I also note that your amended register entry refers to ACF Co Holdings Limited being a holding business for multiple family businesses. Please can you provide further information as follows:

- 5 a) In line with paragraph 54b of the Guide, please can you provide a brief description of the business conducted by Abbot's Court Farm (Charborough).
- b) Are there any other family business held by ACF Co Holdings Limited in which you have an interest that should be registered?
- 10 c) In your role as a Director, do you receive any earned income from either company that should be registered under Category 1 of the Guide?
- d) Given the overall aims of the registration of interests, did you consider whether your interest in Abbot's Court Farm (Charborough) merited its own separate entry under either category 7 or 8? If you did consider this option, please outline why you decided against registering this interest separately.
- 15

7. On 11 December 2020 you amended your entry in the Register for AMF Holdings Limited to read "AMF Holdings Limited; holding company for family businesses. This company owns Anderson Manor Farm". I note that this entry concerns two distinct businesses; AMF Holdings Limited (Companies House registration number 06892084), which lists you as a Director; and Anderson Manor Farm (Companies House registration number 00802810), which lists you as a Director and sole shareholder. I also note that your amended register entry refers to AMF Holdings Limited being a holding business for multiple family businesses. Please can you tell me:

20

25

- a) In line with paragraph 54b of the Guide, please can you provide a brief description of the business conducted by Anderson Manor Farm.
- b) In line with paragraph 54d of the Guide, please can you confirm the date that your interest in AMF Holdings Limited was acquired (if after the 2015 Election) or reached the threshold for registration (if after the 2025 Election).
- 30
- c) Are there any other family business held by AMF Holdings Limited in which you have an interest that should be registered?
- d) In your role as a Director, do you receive any earned income from either company that should be registered under Category 1 of the Guide?
- 35

- 5 e) The confirmation statement of 26 November 2019 at Companies House lists you as the sole shareholder for Anderson Manor Farm. Is this information accurate? If it is accurate, does the wording of your register entry need to be changed to reflect that AMF Holdings Limited does not own Anderson Manor Farm?
- 10 f) Given the overall aims of the registration of interests, and in light of your answer to question 7e above, did you consider whether your interest in Anderson Manor Farm merited its own separate entry under either category 7 or 8? If you did consider this option, please outline why you decided against registering this interest separately.
- 15 8. The complainant has drawn my attention to the Charborough Estate and the reported existence of several family trusts. I note that your Register entry of 7 December 2020 lists under category 6 (land and property); "Woodlands, farmland, residential and commercial property, including land used for renewable energy projects in Dorset. Some income received directly, some received via family trusts either to me or to family members". Your Register entry of 4 January 2021 no longer includes this broad interest but has a new interest listed under Category 8 (Miscellaneous); "Beneficiary of a family trust which owns residential property, agricultural land, woodlands and commercial property in Dorset. There are a significant number of properties in each category and some are in joint ownerships with family members and other trusts. They form part of the wider family property businesses known locally as the Charborough Estate. The trust also owns commercial property in Surrey". Please can you tell me:
- 20
- 25 a) The background behind the decision to move this interest from category 6 to category 8.
- 30 b) Your previous interest registered under category 6 suggests direct personal, or shared ownership, of land and property. The new miscellaneous interest that was registered on 11 December 2020 suggests indirect ownership of land and property. Can you confirm whether a change in ownership of property and land has occurred? If so, what was the date of this change (if after May 2015)?
- 35 c) Can you confirm that none of the land and property referred to in the new miscellaneous interest of 11 December 2020 meets the requirement of registration under category 6?
- d) Is the Morden Estates Company Limited involved in the management of the property businesses known as the Charborough Estate described in the new miscellaneous interest of 11 December 2020?

9. The complainant also alleges that "the main financial entity for the family farming business is called ACF (Drax Farm). It is listed by Dunn & Bradstreet as an

independent proprietorship” and that this business should also be registered. Please can you confirm whether this information is accurate and if your entry in the Register needs to be amended further.

5 10. Your entry in the Register of 7 December 2020 records a Category 6 interest of “A residential property in London”. This interest no longer appears in the Register of 4 January 2021. Please can you confirm when your ownership of this interest changed?

10 11. In light of the information provided by the complainant, and the information contained in the newspaper articles, are there any other interests that you now wish to register?

12. Remembering that the declaration (ad hoc disclosure) of interests “...covers a broader range of interests than registration”, please can you check your diary and correspondence and confirm that appropriate declarations have been made in line with the requirements of Chapter 2 of the Guide.

15 **Important information**

20 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 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.

25 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. The same requirement extends to [the complainant].

Procedure

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.

30 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.

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.

5 Information provided to me during the course of my inquiry will be retained, and disposed of, in accordance with the House of Commons' Authorised Records Disposal Policy.

Potential outcomes

10 Inquiries are generally concluded in one of three ways. If the evidence does not substantiate the allegation, it will not be upheld. If the evidence demonstrates a breach of the rules, I may, in circumstances defined by Standing Order No. 150, uphold the allegation and conclude the inquiry using the rectification procedure, without making a referral to the Committee on Standards. Where an allegation is not upheld or is rectified, the investigation material, including our correspondence, will be published on the Parliament website.

15 If I uphold the allegation, and it is either unsuitable for the rectification procedure, or you do not accept my decision, I must make a referral to the Committee on Standards. My memorandum to the Committee will be published as an appendix to the Committee's own Report.

20 Regardless of the outcome of my inquiry, I must emphasise that all the relevant evidence, including our correspondence, will be published when this inquiry is concluded. I routinely redact the personal data of third parties unless it is relevant to my decision(s). Please tell me if you provide sensitive material that you think I should redact. I will consider carefully any such request.

Action

25 I would be grateful to have your response to this letter as soon as possible and no later than 15 February 2021. If you feel that you will need more time to reply to this letter, please let me know as soon as possible.

30 If you would prefer me to communicate with you by a different email address, please do let me know. It would also be helpful if you were willing to provide a telephone number through which I might contact you.

Due to the current lockdown restrictions, my team are working from home only, so I would be grateful if you could send your response electronically to; standardscommissioner@parliament.uk.

Thank you for your cooperation with this matter

Enclosure 1: Letter of complaint from the complainant, 31 December 2020

Enclosure 2: Articles from The Observer, 12 December 2020

Enclosure 3: Article from The Sunday Mirror, 12 December 2020

5 **Enclosure 4: Mr Richard Drax MP's entry in the Register of Members' Financial Interests, 7 December 2020**

1. Employment and earnings

10 Director of Morden Estates Company Limited, The Estate Office, Charborough Park, Wareham, Dorset, BH20 7EN; property company that manages a number of family-owned properties. Since 1 October 2014, accommodation at a property in Dorset has been provided to me with an annual value of £47,500 per annum. I received no other remuneration from this company. Hours: approx. 10 hrs per week. (Updated 5 June 2015)

2. (a) Support linked to an MP but received by a local party organisation or indirectly via a central party organisation

15 Name of donor: Peter Old

Address of donor: private

Amount of donation or nature and value if donation in kind: £2,500

Donor status: individual

(Registered 02 January 2020)

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

25 Woodlands, farmland, residential and commercial property, including land used for renewable energy projects in Dorset. Some income received directly, some received via family trusts either to me or to family members: (i) and (ii). (Updated 5 June 2015)

A residential property in London: (i).

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

Morden Estates Company Ltd; property management company (see category 1 above).

Abbotts Court Farm Company (Holdings) Limited; holding company for family businesses.

- 5 AMF Co Holdings Ltd; holding company for family businesses. (Registered 05 June 2015)

Enclosure 5: Mr Richard Drax MP's entry in the Register of Members' Financial Interests, 4 January 2021

1. Employment and earnings

- 10 Director of Morden Estates Company Limited, The Estate Office, Charborough Park, Wareham, Dorset, BH20 7EN; property company that manages a number of family-owned properties. Since 1 October 2014, accommodation at a property in Dorset has been provided to me with an annual value of £47,500 per annum. I receive no other remuneration from this company. Hours: approx. 10 hrs per week. (Updated 05 June
15 2015)

2. (a) Support linked to an MP but received by a local party organisation or indirectly via a central party organisation

Name of donor: Peter Old

Address of donor: private

- 20 Amount of donation or nature and value if donation in kind: £2,500

Donor status: individual

(Registered 02 January 2020)

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

- 25 Woodlands in Dorset: (i) and (ii). (Updated 05 June 2015)

A residential property in Dorset: (i) and (ii). (Updated 05 June 2015 and 11 December 2020)

Two retail commercial properties in Dorset: (i) and (ii). (Updated 05 June 2015 and 11 December 2020)

From 8 April 2019, agricultural land in Yorkshire: (i). (Registered 11 December 2020)

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

5 Morden Estates Company Ltd; property management company (see category 1 above).

ACF Co Holdings Limited; holding company for family businesses. This company owns Abbots Court Farm (Charborough). (Updated 11 December 2020)

AMF Holdings Limited; holding company for family businesses. This company owns Anderson Manor Farm. (Registered 05 June 2020; updated 11 December 2020)

10 8. Miscellaneous

15 Beneficiary of a family trust which owns residential property, agricultural land, woodlands and commercial property in Dorset. There are a significant number of properties in each category and some are in joint ownerships with family members and other trusts. They form part of the wider family property businesses known locally as the Charborough Estate. The trust also owns commercial property in Surrey. (Updated 05 June 2015 and 11 December 2020)

Currently administering a business property in Barbados, title to be transferred to me in due course. (Registered 11 December 2020)

28 January 2021

20 3. Letter from Mr Richard Drax MP to the Commissioner, 12 February 2021

Thank you for your letter of 28 January. On the second page of your letter you ask for my comments on the allegations by [the complainant] that there have been errors and omissions in my entry in the Register of Member's Financial Interests.

25 I am pleased to have this opportunity to clarify these matters. As requested, I will make an initial comment here and explain further in reply to your numbered detailed questions - set out below in italics.

30 I agree that there was an omission in my entry in the Register. When it was brought to my attention on Friday 27 November 2020, I immediately contacted my advisers to review my declarations on the Register to ensure they were accurate. On Wednesday 9 December 2020, I contacted the Commons Registrar in order to update my entry and rectify the omission. I do not agree that there are numerous omissions and errors in my entry in the Register as alleged in the complaint which is based on newspaper articles containing many inaccuracies.

When I was first elected, I carefully consulted with colleagues and the Commons Registrar to ensure that I made the appropriate declarations in the Register, and since then I have endeavoured to keep them up to date, in accordance with paragraph 14 of the Code of Conduct. Following the deaths of my parents in quick succession, my father in 2017 and my mother in 2018, some assets which they left to me passed through the probate process, which is ongoing. One of these, a piece of agricultural land in North Yorkshire, was transferred to me on 8 April 2019. While my entry on the Register declared farmland in Dorset, it did not refer to Yorkshire. When it was brought to my attention that I had not updated the Register within 28 days of the change, I immediately reviewed my entry on the Register with my advisers and at the earliest opportunity updated the Register in consultation with the Commons Registrar to rectify this oversight. The new version was published on 22 December 2020.

I turn now to your numbered questions. Some short answers are inserted into the text of the italicised questions.

1. *Before you finalised the updates to your Register entry on 11 December 2020, did you take any advice from the Registrar or another House authority? If so, please could you share a copy of that advice with me.*

Yes, I took advice from the Registrar, and put her in touch with my solicitor, [name redacted]. I enclose a copy of the exchange of emails with the Registrar between 9 and 17 December 2020. The new entry was thoroughly discussed and agreed with her. At one point, the Registrar advised me to disclose less information rather than more. I have no objection to you speaking to the Registrar who will confirm the content of our discussions. I have not taken advice from any other House authority.

2. *The complainant, and the accompanying newspaper articles, allege that the Drax Hall Plantation in Barbados has transferred to your ownership and that you are paying tax on the business. I note your public comments that this business has not yet cleared probate and is not officially under your ownership. I have also noted that Drax Hall Plantation was registered with The Barbados Corporate Affairs and Intellectual Property Office on 26 Feb 2020 (registration number 72131). On 11 December 2020 you added a new interest in the Register under Category 8 Miscellaneous; "Currently administering a business property in Barbados, title to be transferred to me in due course". Please can you tell me:*

- a) *Is the new interest, specified above, the Drax Hall Plantation in Barbados?*

Yes.

- b) *If the interest is the Drax Hall Plantation in Barbados, please can you confirm that this business currently remains in probate.*

Yes. We are regularly checking with the Barbados lawyers to ensure we are informed as soon as the transfer takes place, so that I can update the Register within 28 days.

5 c) *In line with paragraph 56c of the Guide, please can you confirm the date when you started administering this business property.*

10 In telephone conversations with the Registrar, which I believe were on 9 and 10 December, I was advised that the appropriate time to add the property to the Register was when it was legally transferred to me, and not before. Due to speculative articles in the press, I felt it appropriate to make a voluntary disclosure sooner but the Registrar said she would need to go away and think about it because it would affect my fellow MPs if they were expected to declare assets before they were legally transferred to them. She concluded that I could declare that I was administering the property in category 8 but said that when any addition is made to the Register, the rules require a date also to be entered.

15 It was not clear to either of us what date to declare as the commencement of this interest. My father died on 4 July 2017 leaving the property to my mother for her life, after which it would pass to me. My mother's life interest in the property was brought to an end on 18 May 2018. I am an executor of my father's estate which in the case of Drax Hall has required obtaining a UK Grant of Probate and then having it resealed in Barbados. Documents have been prepared in order to transfer the property to me, but, partly due to the Covid pandemic, the process of transferring it has not yet been completed. Presently my interest in the property is as my father's executor administering it as part of my father's estate, which interest does not need to be declared on the Register. The correct date to be entered on the Register is the date of the legal transfer which is expected to occur at some time this year (2021).

30 3. *The complainant, and the accompanying newspaper articles, allege that you inherited Ellerton Abbey Estate in Swaledale, North Yorkshire and Copperthwaite Allotment Grouse Moor in 2017. I note that on 11 December 2020 you amended your entry in the Register by adding a new property interest under Category 6; "From 8 April 2019, agricultural land in Yorkshire". Please can you tell me:*

35 a) *Is the information provided by the complainant, and newspaper articles, regarding the Ellerton Abbey Estate in Swaledale, North Yorkshire and Copperthwaite Allotment Grouse Moor accurate? If so, please confirm the date that the ownership of these pieces of land transferred to you.*

40 No. My father did not have any interest in Ellerton Abbey Estate at his death, so this did not pass to me. Ellerton Abbey Estate is held in a trust for members of my family. I am excluded from any benefit from the trust. I do not have any interest in this property.

5 Copperthwaite Moor (sometimes known as Copperthwaite Allotment) did pass to me under my father's Will. It was registered in my name on 8 April 2019. While farmland in Dorset was already declared in my entry on the Register, farmland in Yorkshire was not. Due to an accidental oversight arising from the death of my parents in quick succession, I did not update the Register within 28 days of the change, for which I genuinely apologise. When it was brought to my attention that I had not updated the Register, I immediately reviewed my entry on the Register with my advisers and at the earliest opportunity updated the Register in consultation with the Commons Registrar to rectify this oversight. The new version was published on 22 December 2020. I also publicly acknowledged this omission in a statement to the newspapers on 2 January 2021.

15 b) *Is your new entry of "From 8 April 2019, agricultural land in Yorkshire" intended to cover either the Ellerton Abbey Estate in Swaledale, North Yorkshire or Copperthwaite Allotment Grouse Moor or both pieces of land? If your new entry is intended to cover both pieces of land, did you consider registering these interests separately and, if so, why did you decide against doing so?*

It only covers Copperthwaite Moor.

20 c) *The complainant states that Ellerton Abbey Estate is farmed by a tenant. Do you receive any rental income from this land?*

Not applicable for the reasons set out above. But, so that there is no misunderstanding, I can confirm that I do not receive any income, rental or otherwise, from this land.

25 d) *Does the Ellerton Abbey Estate include any separate property interests that should be registered?*

Not applicable, for the reasons set out above.

e) *Do you receive any income from Copperthwaite Allotment Grouse Moor?*

30 Yes, a small amount from Copperthwaite Moor which is well below the threshold for the Register.

4. *The complainant, and the accompanying newspaper articles, allege that you are a Member of Lloyd's. Please can you tell me whether this information is accurate and, if it is, whether you have received any earned income that should be registered.*

No, it is incorrect. I am not a Member of Lloyd's. My father had no interest in Lloyd's at his death.

5. *The complainant, and the accompanying newspaper articles, allege that you own a property in [location redacted]. I note from 11 December 2020 you have amended your entry in the Register to include a specific interest, under both limbs of paragraph 47, of "A residential property in Dorset". Please can you confirm whether this interest is the same property as the one referenced by the complainant and by the newspaper articles.*

Yes, this is [location redacted]. It was previously declared in category 6 under "residential ... property ... in Dorset". However, as advised by the Registrar when I updated my entry in December 2020 (see the Registrar's email of 11 December), I have listed my personally held assets in category 6 and my indirectly held assets in category 8, so [location redacted] now appears separately.

[content redacted]

6. *On 11 December 2020 you amended your entry in the Register for Abbots Court Farm to read "ACF Co Holdings Limited; holding company for family businesses. This company owns Abbots Court Farm (Charborough)". I note that this entry concerns two distinct businesses; ACF Co Holdings Limited (Companies House registration number 06892065), which lists you as a Director and sole shareholder; and Abbot's Court Farm (Charborough) (Companies House registration number 00923636), which lists you as a Director. I also note that your amended register entry refers to ACF Co Holdings Limited being a holding business for multiple family businesses. Please can you provide further information as follows:*

- a) *In line with paragraph 54b of the Guide, please can you provide a brief description of the business conducted by Abbot's Court Farm (Charborough).*

There are two companies but only one business: ACF Co Holdings Limited is a holding company which owns Abbots Court Farm (Charborough), which runs a farming business. In common with most diversified modern farming businesses, it undertakes a range of agricultural activities.

- b) *Are there any other family business held by ACF Co Holdings Limited in which you have an interest that should be registered?*

No. ACF Co Holdings Ltd owns the shares in Abbots Court Farm (Charborough). It has no other investments or assets.

c) *In your role as a Director, do you receive any earned income from either company that should be registered under Category 1 of the Guide?*

No, in my role as a Director, I do not receive any earned income or benefit in kind from ACF Co Holdings Ltd or its subsidiary.

5 d) *Given the overall aims of the registration of interests, did you consider whether your interest in Abbot's Court Farm (Charborough) merited its own separate entry under either category 7 or 8? If you did consider this option, please outline why you decided against registering this interest separately.*

10 I considered my disclosures carefully in conjunction with the Registrar and believe the current disclosure is full and accurate. It is clear from the Register that these companies own and operate Abbot's Court Farm at Charborough. It would be incorrect to disclose Abbot's Court Farm (Charborough) in category 7 as although I am the sole shareholder of ACF Co Holdings Limited, I do not own more than 15% of the shares in the company Abbot's Court Farm (Charborough) (see a and b above). If I declared Abbot's Court Farm (Charborough) again in category 8 it would add nothing because my declaration in category 8 already makes it clear that I indirectly own agricultural land and I have specifically referred to the Charborough Estate.

20 7. *On 11 December 2020 you amended your entry in the Register for AMF Holdings Limited to read "AMF Holdings Limited; holding company for family businesses. This company owns Anderson Manor Farm". I note that this entry concerns two distinct businesses; AMF Holdings Limited (Companies House registration number 06892084), which lists you as a Director; and Anderson Manor Farm (Companies House registration number 00802810), which lists you as a Director and sole shareholder. I also note that your amended register entry refers to AMF Holdings Limited being a holding business for multiple family businesses. Please can you tell me:*

a) *In line with paragraph 54b of the Guide, please can you provide a brief description of the business conducted by Anderson Manor Farm.*

30 There are two companies but only one business: AMF Holdings Limited is a holding company which owns Anderson Manor Farm, which runs a small diversified farming business.

35 b) *In line with paragraph 54d of the Guide, please can you confirm the date that your interest in AMF Holdings Limited was acquired (if after the 2015 Election) or reached the threshold for registration (if after the 2015 Election).*

It was acquired on 8 March 2018.

c) *Are there any other family business held by AMF Holdings Limited in which you have an interest that should be registered?*

No.

5 d) *In your role as a Director, do you receive any earned income from either company that should be registered under Category 1 of the Guide?*

No.

10 e) *The confirmation statement of 26 November 2019 at Companies House lists you as the sole shareholder for Anderson Manor Farm. Is this information accurate? If it is accurate, does the wording of your register entry need to be changed to reflect that AMF Holdings Limited does not own Anderson Manor Farm?*

The Register is correct. The Companies House disclosure was incorrect, but has now been amended. I am the sole owner of the holding company, not the subsidiary.

15 f) *Given the overall aims of the registration of interests, and in light of your answer to question 7e above, did you consider whether your interest in Anderson Manor Farm merited its own separate entry under either category 7 or 8? If you did consider this option, please outline why you decided against registering this interest separately.*

20 I considered my disclosures carefully in conjunction with the Registrar and believe the current disclosure is full and accurate. It is clear from the Register that these companies own and operate Anderson Manor Farm. It would be incorrect to disclose Anderson Manor Farm in category 7 as although I am the sole shareholder of AMF Holdings Limited, I do not own more than 15% of the shares in the company Anderson Manor Farm (see a above). If I declared
25 Anderson Manor Farm again in category 8 it would add nothing because my declaration in category 8 already makes it clear that I indirectly own agricultural land and I have specifically referred to the Charborough Estate.

30 8. *The complainant has drawn my attention to the Charborough Estate and the reported existence of several family trusts. I note that your Register entry of 7 December 2020 lists under category 6 (land and property); "Woodlands, farmland, residential and commercial property, including land used for renewable energy projects in Dorset. Some income received directly, some received via family trusts either to me or to family members". Your Register entry
35 of 4 January 2021 no longer includes this broad interest but has a new interest listed under Category 8 (Miscellaneous); "Beneficiary of a family trust which owns residential property, agricultural land, woodlands and commercial property in Dorset. There are a significant number of properties in each category*

and some are in joint ownerships with family members and other trusts. They form part of the wider family property businesses known locally as the Charborough Estate. The trust also owns commercial property in Surrey". Please can you tell me:

- 5 a) *The background behind the decision to move this interest from category 6 to category 8.*

10 This rearrangement of the Register was made on the advice of the Registrar. She expected to see property wholly owned or part owned by me in category 6 and a brief description of any trust interests under category 8, giving an outline (no more) of the property in the trust.

- 15 b) *Your previous interest registered under category 6 suggests direct personal, or shared ownership, of land and property. The new miscellaneous interest that was registered on 11 December 2020 suggests indirect ownership of land and property. Can you confirm whether a change in ownership of property and land has occurred? If so, what was the date of this change (if after May 2015)?*

No, there was no change in ownership. The previous wider disclosure in category 6 was necessary because the interests of my minor and dependent children were attributed to me but they are now adult and independent.

- 20 c) *Can you confirm that none of the land and property referred to in the new miscellaneous interest of 11 December 2020 meets the requirement of registration under category 6?*

Yes.

- 25 d) *Is the Morden Estates Company Limited involved in the management of the property businesses known as the Charborough Estate described in the new miscellaneous interest of 11 December 2020?*

Yes.

- 30 9. *The complainant also alleges that "the main financial entity for the family farming business is called ACF (Drax Farm). It is listed by Dunn & Bradstreet as an independent proprietorship" and that this business should also be registered. Please can you confirm whether this information is accurate and if your entry in the Register needs to be amended further.*

ACF (Drax Farm) is a trading name sometimes used for Abbot's Court Farm (Charborough). They are one and the same, so I considered it correct to use

the latter as it relates directly to the disclosure at Companies House. To use the former would have been misleading.

- 5 10. *Your entry in the Register of 7 December 2020 records a Category 6 interest of "A residential property in London". This interest no longer appears in the Register of 4 January 2021. Please can you confirm when your ownership of this interest changed?*

10 This refers to a property that shortly after being elected as an MP became my London residence. As it is used wholly for my personal residential purposes, it does not need to be disclosed, and it was removed from the register - see paragraph 49(a) of the Guide.

11. *In light of the information provided by the complainant, and the information contained in the newspaper articles, are there any other interests that you now wish to register?*

No.

- 15 12. *Remembering that the declaration (ad hoc disclosure) of interests "...covers a broader range of interests than registration", please can you check your diary and correspondence and confirm that appropriate declarations have been made in line with the requirements of Chapter 2 of the Guide.*

20 I confirm I have considered this very carefully and to the best of my knowledge I have always declared any interest in line with the requirements of Chapter 2 of the Guide.

25 In summary, I accept that I failed, within 28 days, to include Copperthwaite Moor in the Register of Members' Financial Interests. Save for that omission, the Register has always been accurate and up to date. When the omission was drawn to my attention, with the assistance of the Commons Registrar, I quickly corrected the entry. The Register is now, again, up to date and complete.

30 In light of the omission I have reviewed the arrangements for managing my property and business interests. Recognising that changes may happen occasionally in the future, I have introduced systems to ensure that any such changes are reported to the Registrar within the 28 day window.

I note from the penultimate page of your letter that you may consider it necessary to interview me. I would of course be happy to meet you.

Enclosure: Correspondence between Mr Drax MP, the Registrar of Member's Financial Interests, and Mr Drax's representatives

12 February 2021

4. Letter from the Commissioner to Mr Richard Drax MP, 16 February 2021

Thank you for your thorough letter of 12 February 2021, in response to my initiation of an inquiry into the allegation about your entry in the Register of Members' Financial Interests.

As you will recall, in my first letter to you, of 28 January 2021, 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 relating to the registration of interests, I have today written to the Registrar of Members' Interests, [name redacted], seeking her advice. I enclose a copy of that letter for your information.

I will write to you again when I have the Registrar's advice and to give you an opportunity to comment on that advice. 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.

Enclosure: Letter from the Commissioner to the Registrar of Members' Financial Interests, 16 February 2021

I would welcome your help with an inquiry that I am conducting in relation to Mr Richard Drax MP about an allegation regarding his entry in the Register of Members' Financial Interests. For reference, I enclose a copy of the correspondence that I have exchanged with Mr Drax to date, including the original complaint.

In light of the information attached, I would welcome your general advice regarding Mr Drax's register entry and also any specific comments on Mr Drax's letter of 12 February 2021 please. I would also be grateful if you could please consider specifically:

1. Does Mr Drax's interest of "Currently administering a business property in Barbados, title to be transferred to me in due course", registered under Category 8, need a start date under the requirements of the Guide?
2. Mr Drax has told me that he receives a small amount of income from Copperthwaite Moor, which is currently registered under Category 6i only ("From 8 April 2019, agricultural land in Yorkshire"). In light of Mr Drax's other property interests, should this interest also be registered under Category 6ii?

3. In relation to question number 8, which I put to Mr Drax on 28 January 2021, are you satisfied that the Register adequately captures when and why these changes occurred?
- 5 4. Mr Drax has confirmed that the Morden Estates Company Limited is involved in the management of the Charborough Estate. The Register currently lists, under Category 1, Mr Drax's interest in the Morden Estates Company Limited. The Register lists Mr Drax's interest in the Charborough Estate separately under Category 8. If asked, would you have advised Mr Drax to amend his register entry to make clear the link between these two interests?
- 10 Please could you return your comments to me by 2 March 2021. I intend to share a copy of your advice with Mr Drax for his comments in due course.

Thank you for your assistance with this matter.

16 February 2021

15 **5. Email from the Registrar of Members' Financial Interests to the Commissioner, 1 March 2021**

Thank you for your letter of 16 February asking for my advice on this inquiry. I have responded to your numbered questions in order.

20 **1. Does Mr Drax's interest of "Currently administering a business property in Barbados, title to be transferred to me in due course", registered under Category 8, need a start date under the requirements of the Guide?**

If a Member asks me if they should register property which they expect to inherit, my advice (and, I believe, that of my predecessors) has always been to wait until probate has been completed. If an interest becomes relevant to proceedings etc before then, it is may be appropriate to make an a hoc disclosure (a "declaration").

25 Mr Drax and his advisers were particularly anxious to mention the Barbadian property in the Register in "an abundance of caution", despite my advice that it was not necessary at this stage. Against this background I did not press him for further details, and I did not include a start date when I transcribed this entry for him. I do not believe Mr Drax should be penalised for this omission.

30 **2. Mr Drax has told me that he receives a small amount of income from Copperthwaite Moor, which is currently registered under Category 6i only ("From 8 April 2019, agricultural land in Yorkshire"). In light of Mr Drax's other property interests, should this interest also be registered under Category 6ii?**

5 Yes, Mr Drax should register under Category 6(ii) the fact that he receives income from Copperthwaite Moor. Under the category for land and property, he is required to register any income of over £10,000 a year – or any income at all from land and property if his portfolio as a whole generates income above £10,000 a year. As Mr Drax has already registered income from two other properties, he should record in the Register that he derives income from Copperthwaite Moor, although there is no need to name the property.

10 **3. In relation to question number 8, which I put to Mr Drax on 28 January 2021, are you satisfied that the Register adequately captures when and why these changes occurred?**

15 If I understand correctly, Mr Drax tells you that one reason why he had changed his description of his interests under Category 6 was that he was in the past holding interests on behalf of dependent children. That was not apparent from his earlier entry, and so I do not think that any specific wording is needed to show that those interests have now transferred to his children. Mr Drax also took my advice that properties not directly owned should be transferred to the Miscellaneous category (Category 8, rather than Category 6), and that is where they are currently listed. The Register does not explain these changes but I would not necessarily expect it to do so. The Register does not always show the back story of a change.

20 **4. Mr Drax has confirmed that the Morden Estates Company Limited is involved in the management of the Charborough Estate. The Register currently lists, under Category 1, Mr Drax's interest in the Morden Estates Company Limited. The Register lists Mr Drax's interest in the Charborough Estate separately under Category 8. If asked, would you have advised Mr Drax to amend his register entry to make clear the link between these two interests?**

30 Yes, I think it would be a helpful clarification if Mr Drax amended his Register entry to show the Morden Estates Company's involvement in managing the Charborough estate. The connection is implied at present and it would be better if it were made explicit. If he wishes, and always assuming this is accurate, Mr Drax could amend his Register entry to read as follows:

Director of Morden Estates Company Limited, The Estate Office, Charborough Park, Wareham, Dorset, BH20 7EN; a property company that manages a number of family-owned properties, including some which form part of the Charborough Estate.

35 I hope this is helpful. Please let me know if you need anything else.

1 March 2021

6. Letter from the Commissioner to Mr Richard Drax MP, 2 March 2021

5 As promised in my earlier letter of 16 February 2021, I am now able to share with you the response from the Registrar of Members' Financial Interests, [name redacted].

I would be happy to receive any observations that you may care to make about [name redacted]'s advice no later than 16 March 2021 please. I would particularly welcome your comments on points 2 and 4 of [name redacted]'s advice.

10 It would also assist me if you could please confirm the date when you stopped holding the property interests referred to in point 3 of [name redacted]'s advice (you will recall that [name redacted]'s advice relates to question 8b of my initial letter of 28 January 2021 and the information that you submitted in reply on 12 February 2021)?

15 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.

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.

20 *2 March 2021*

7. Letter from Mr Richard Drax MP to the Commissioner, 12 March 2021

Thank you for your letter of 2 March. You ask for my observations on the Registrar's advice, particularly inviting my comments on points 2 and 4 and asking for a date in relation to point 3.

25 As a general observation, I would confirm that the Registrar's replies chime with my own (and my solicitor [name redacted]) recollection of our discussions, and I am pleased to accept her advice. I now turn to specific issues.

Point 2. Copperthwaite Moor

30 I agree that this interest should also be registered under category 6(ii). The income from this land is well below £10,000 and in fact I have not received any income from the property yet. It is not therefore registrable on its own. However taken together with other properties I own, I agree that the income exceeds £10,000 altogether and it should also be registered under category 6(ii). That it was not was due to a misunderstanding of the Guidance which spoke of it forming part of a portfolio

which produced more than £10,000 income. We read that as referring to a portfolio in the same geographical area (i.e. Yorkshire) whereas I now understand it refers to any other property anywhere (i.e. including Dorset). I therefore agree that "and (ii)" should be added at the end of this entry.

5 **Point 3. In relation to question number 8 of 28 January 2021**

I confirm that the Registrar has understood my response correctly.

10 You ask for the date when I stopped holding the property referred to in point 3 of the Registrar's advice. The same property that was previously disclosed under category 6 is now disclosed under category 8. There has been no change of
15 ownership in the sense of property being transferred. What has changed is that I understood that when my children were minor or dependent, I was obliged to declare the property as if it were my own in category 6, but when they ceased being dependent, I was obliged to declare it in category 8 as indirectly held property. There was therefore no date on which I stopped holding the property but if it is relevant, my last child to leave full time education did so in June 2020.

Point 4. Morden Estates Company

20 As the address of Morden Estates Company disclosed on the Register is The Estate Office, Charborough Park, and we were advised that the disclosure should be concise, we did not feel it was necessary to expressly state that the company is involved in the management of the Charborough Estate. However, I am happy to take the Registrar's advice. I would just suggest one factual amendment so that the entry reads (with underlining¹ to show the additional wording):

25 *Director of Morden Estates Company Limited, The Estate Office, Charborough Park, Wareham, Dorset, BH20 7EN; a property company that manages a number of family-owned properties **which form part of the Charborough Estate.***

Attached is a complete copy of the Register with the two amendments shown in red and underlined. I trust this answers your questions fully but if you have any further questions, please do let me know.

30 [content not relevant to the inquiry redacted]

Could I take this opportunity to thank the Registrar for the assistance she has given me in this matter and may I end this letter by apologising for the inadvertent omissions in the Register.

¹ In red text below

Enclosure: draft of Mr Drax's amended entry in the Register of Members' Financial Interests

12 March 2021

8. Letter from the Commissioner to Mr Richard Drax MP, 19 March 2021

5 Thank you for your letter of 12 March 2021 with your comments on the earlier advice provided by the Registrar of Members' Financial Interests ("the Registrar"). I have reviewed that information and consequently believe that we can now bring my inquiry to a close.

1. My decision

10 I have considered the content of our correspondence, the published rules and guidance concerning the registration of interests, and the Registrar's earlier advice, carefully before coming to a decision. I have decided that your failure to register your interest in Copperthwaite Moor within the time limit set by the House amounts to a breach of paragraph 14 of the Code of Conduct for Members of Parliament ("the Code"):

15

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.

20

2. Rationale

Paragraph 2 of Chapter 1 of the Guide to the Rules relating to the Conduct of Members ("the Guide") lays out the House's time limit for the registration of new interests:

25

The House requires new Members, within one month of their election, to register all 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. Such a change includes both the acquisition of a new interest and the ceasing of any registered interest, for example because an employment has ceased or because a holding has reduced in value or been sold.

30

35 You have confirmed that you acquired your interest in Copperthwaite Moor on 8 April 2019 but did not update the Register of Members' Financial Interests ("the

Register”) until 11 December 2020. The registration of this interest is outside the 28-day time limit set by the House and I am satisfied that the late registration of this interest amounts to a breach of the House’s requirements and a breach of paragraph 14 of the Code. However, I also recognise that in your response to the start of my inquiry, you immediately accepted that this interest had been registered late, apologised for this, and offered an explanation why the oversight occurred. I am grateful for these prompt steps.

3. Other matters

a) *Drax Hall plantation in Barbados*

10 I accept and I am satisfied with your explanation that this interest has not passed to you yet in full, and that your current registration of the interest under Category 8 Miscellaneous is a voluntary registration intended to aid transparency following earlier media coverage. I also accept the Registrar’s advice that given the unique circumstances a “start date” for this interest, as would usually be required by paragraph 56(c) of the Guide, is not necessary. I do not propose to take any further action on this element of the complainant’s complaint.

b) *Ellerton Abbey Estate*

20 I accept and I am satisfied with your explanation that you do not hold any interests in this Estate. I do not propose to take any further action on this element of the complainant’s complaint.

c) *Copperthwaite Moor*

25 I believe that following the Registrar’s advice it is now common ground that in due course the income received from this property interest will need to be registered under paragraph 47(ii) of the Guide, category 6(ii). This is because, as you have already accepted, that although the individual income from this property is likely to be less than £10,000, for the purposes of registration, property income needs to be considered cumulatively with income received from other properties. You do not need to take any action until you start to receive income from this interest.

d) *Membership of Lloyds*

30 I accept and I am satisfied with your explanation that you are not a Member of Lloyds. I do not propose to take any further action on this element of the complainant’s complaint.

e) *Residential property in Dorset*

I accept and I am satisfied that this property is registered in line with the requirements laid down by the Guide and in line with the usual custom and practice exercised by the Registrar in relation to the specific location of the property. As per my comments in section (i) below, I do believe that this interest should have listed separately before 11 December 2020, but I do not consider it is proportionate or necessary to take any retrospective action in relation to this.

f) ACF Co Holdings Limited / Abbots Court Farm

Although I agree with the complainant that before 11 December 2020 this interest was mis-registered due to a spelling error, I am otherwise satisfied that this interest is appropriately registered in line with the requirements laid down by the Guide. I do not consider it proportionate to determine that the previous minor spelling error amounts to a breach of the rules. I do not propose to take any further action on this element of the complainant's complaint.

g) AMF Holdings Limited / Anderson Manor Farm

I am grateful for your explanation that the information held at Companies House was inaccurate and has been amended. On that basis, I am satisfied that this interest is appropriately registered in line with the requirements laid down by the Guide. I do not propose to take any further action on this element of the complainant's complaint.

h) Morden Estates Company Limited

I believe it is common ground that to aid transparency and for the avoidance of any future doubt, your current interest in the Morden Estates Company should be voluntarily amended to highlight the direct connection to the Charborough Estate and I am satisfied with your proposed additional wording as per below:

Director of Morden Estates Company Limited, The Estate Office, Charborough Park, Wareham, Dorset, BH20 7EN; property company that manages a number of family-owned properties which form part of the Charborough Estate. Since 1 October 2014, accommodation at a property in Dorset has been provided to me with an annual value of £47,500 per annum. I receive no other remuneration from this company. Hours: approx. 10 hrs per week.

Aside from this addition, I am satisfied that this interest is otherwise appropriately registered in line with the requirements laid down by the Guide. I do not think the current omission of this information is sufficient to consider that a breach of the rules has occurred, and I do not propose to take any further action on this element of the complainant's complaint.

i) Charborough Estate/other property interests

I have considered this interest carefully and I have also reviewed your other property interests and how the registration of these interests changed on 11 December 2020.

- 5 I have carefully considered your explanation for why some of your property interests moved from Category 6 to Category 8 in December 2020. I accept your explanation for the reason for this change but based on your explanation I consider it is likely that revisions were probably needed before 11 December 2020. These revisions should have included the addition of the trust's property holding in Surrey.
- 10 The Guide requires that property interests be individually listed in the Register, including the date of acquisition, and that changes be updated within 28 days. In my view, your earlier entry in the Register (prior to 11 December 2020) was too vague about your property interests in Dorset and was not in line with the Guide. However, I am satisfied that your interest in the Charborough Estate, and other
- 15 property interests, are now appropriately registered in line with the requirements laid down by the Guide. On that basis, I have decided that prolonging this inquiry to determine how and when your property interests changed between 5 June 2015 and 11 December 2020 is not proportionate or necessary. I do not propose to take any further action on this element of the complainant's complaint.

20 *j) ACF (Drax Farm)*

I accept and I am satisfied with your explanation that this is a trading name and not a registerable interest. I do not propose to take any further action on this element of the complainant's complaint.

k) Residential property in London

- 25 I accept your explanation that this property has always been used wholly for your residential purposes. As this exemption was in place at the time of your first election, this does raise the issue of why this property was registered. However, as the property did not need to be registered, and remains in your ownership, I do not think that its removal from the Register can in any way give rise to a breach of the
- 30 rules.

l) Declaration of interests

Based on the information available to me, I have not seen any evidence that you have failed to declare these interests as required by the Guide.

4. Next steps

5 As you may be aware, having decided that the rules have been breached, I can, with the co-operation of the Member concerned, rectify less serious breaches using the powers available to me under Standing Order number 150. For more serious breaches, or in instances where the Member rejects rectification, I would refer the matter to the Committee on Standards.

10 I have decided that a referral to the Standards Committee is not necessary and that I can resolve these two breaches of the rules through rectification. To do so, the Committee would generally expect the Member to have accepted my decision, acknowledged and apologised for their breach of the rules, and to have taken any steps necessary to rectify their breach.

I consider that you have already sufficiently apologised for, and acknowledged, the late registration of your interest in Copperthwaite Moor. To rectify this inquiry and bring this matter to a close, I therefore only require you to:

1. Confirm if you accept my decision.
- 15 2. Reconfirm that you are happy with the additional wording to be added to your interest in the Morden Estates Company.
3. Undertake that in future property interests will be updated and registered in line with the requirements of the Guide and that if in any doubt you will promptly consult with the Registrar.
- 20 4. Confirm that you will update your Register entry in respect of Copperthwaite Moor within 28 days of starting to receive income from that interest.
5. Confirm that you will update your Register entry in respect of your interest in the Drax Hall Plantation in Barbados within 28 days of a change occurring.

25 If you are content for me to conclude the inquiry in this way, please write to me with the undertakings outlined above by Friday 2nd April. I will then ask the Registrar to update the Register with the additional wording we have agreed for the Morden Estates Company. At the close of my inquiry, and in line with my usual practice, I will then ask the Registrar to annotate the entry relating to Copperthwaite Moor to highlight that interest has been subject to an inquiry.

30 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.

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 know, 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.

19 March 2021

9. Letter from Mr Richard Drax MP to the Commissioner, 29 March 2021

Thank you for your letter of 19 March confirming that you can now bring your inquiry to a close.

10 I accept all your conclusions but have just one point of clarification to make in relation to the residential property in London at paragraph 3(k) in your letter. As I mentioned in my letter of 12 February 2021 in my reply to Question 10, this property became my London residence shortly after I was elected as an MP. Prior to that, it had been let out, so my understanding is that it was correctly registered
15 initially but should have been removed sooner. I hope that this answers your query as to why the property was registered at all, and I do apologise for this oversight.

I confirm that I am content for you to conclude the inquiry using the rectification procedure. As requested, I therefore:

1. Confirm that I accept your decision.
- 20 2. Reconfirm that I am happy with the additional wording (set out in paragraph 3(h) of your letter) to be added to my interest in the Morden Estates Company.
3. Undertake that in future property interests will be updated and registered in line with the requirements of the Guide and that if in any doubt I will promptly consult with the Registrar.
- 25 4. Confirm that I will update my Register entry in respect of Copperthwaite Moor within 28 days of starting to receive income from that interest.
5. Confirm that I will update my Register entry in respect of my interest in Drax Hall in Barbados within 28 days of a change occurring.

Finally, I would like to thank you for dealing with this inquiry so expeditiously.

29 March 2021

10. Letter from the Commissioner to Mr Richard Drax MP, 6 April 2021

Thank you for your letter of 29 March 2021 accepting my earlier decision and providing the undertakings that I requested. I would normally be in a position at this point to bring my inquiry to a close. However, the additional information that you have provided to me about your property in London means that I cannot currently close my inquiry.

My interpretation of the new information that you have provided to me is that your property in London was correctly registered upon your election in 2010 but should have been removed from the Register soon after its registration. This is because you have told me that shortly after your election the property stopped being let out to a third party and became used solely for your residential purposes. In line with Paragraph 2 of Chapter 1 of the Guide to the Rules relating to the Conduct of Members (“the Guide”), this update to your register entry should have been made within 28 days of the change occurring. However, your property in London remained registered until the 21 December 2020 edition of the Register.

If my understanding of the facts is correct, this belated update is significantly outside the House’s 28 day time limit and as such amounts to a further breach of paragraph 14 of the Code of Conduct for Members of Parliament (“the Code”):

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.

This is because, in my view, the extended delay in removing this interest means that you have not conscientiously fulfilled the requirements of the House.

Next steps

As you are already aware, having decided that the rules have been breached, I can, with the co-operation of the Member concerned, rectify less serious breaches using the powers available to me under Standing Order number 150. For more serious breaches, or in instances where the Member rejects rectification, I would refer the matter to the Committee on Standards.

Despite the extended delay in removing this property interest from the Register, and despite my earlier finding of a similar breach of the rules in relation to your interest in Copperthwaite Moor, I am still satisfied that a referral to the Standards Committee is not necessary or proportionate. I am therefore also willing resolve this second

breach of the rules through the rectification process. To do so, the Committee would generally expect the Member to have accepted my decision, acknowledged and apologised for their breach of the rules, and to have taken any steps necessary to rectify their breach.

- 5 I consider that your earlier undertakings are sufficient remedial steps (particularly the third undertaking) and therefore to rectify this breach of the rules I would only need to receive confirmation that you accept my decision, your acknowledgement that the rule has been breached, and an apology for the breach. If you are content for me to conclude the inquiry in this way, please write to me by 16 April 2021.
- 10 Alternatively, if I have misunderstood the content of your letter of 29 March, please do let me know as soon as possible.

- 15 As per my earlier letter, 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.

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.

- 20 As you know, 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.

6 April 2021

11. Letter from Mr Richard Drax MP to the Commissioner, 12 April 2021

- 25 Thank you for your letter of 6 April 2021.

I accept your decision that not removing the residential property in London from the Register when I started using it myself following my election as an MP constitutes a breach of the rules and I apologise for this oversight.

12 April 2021