



10 DOWNING STREET
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31 May 2022

THE PRIME MINISTER

Dear Lord Gerdie,

I am very grateful for your Annual Report and for its thorough account of the valuable work that has been undertaken during the last year. Your work is an important part of the system that upholds the integrity of government.

Last week, Her Majesty's Government published a statement setting out its position on the framework for the Ministerial Code and the role of the Independent Adviser. I am grateful for your engagement as the work developed. The changes made over the last year to the Office of the Independent Adviser have been the most significant innovations in this regard since the role was introduced in 2006. The way that you have conducted your role, with integrity and wise judgement, has helped to allow these reforms to be made.

Your report raises one further area on which I am grateful for the opportunity to set out my judgement. Last week, I made a statement to Parliament, followed by a press conference, setting out the Government's response to the publication of the findings of the Second Permanent Secretary's investigation. I was not explicitly asked about the Ministerial Code on either of those occasions. But you have rightly raised the question which deserves a full answer.

When we spoke earlier today, you confirmed that you had not raised with me directly your advice to make a public comment, nor were you asking me to adjudicate on the Ministerial Code. Notwithstanding, I understand your frustration that there may have been a failure of communication between our offices, such that I was not aware of the weight you put on the absence of an explicit reference to the Ministerial Code.

I am in no doubt about either the importance of the Ministerial Code in maintaining standards in public life, or the fact that, as Prime Minister, the standards and expectations within it apply equally to my own conduct just as they apply to all Ministers who serve in Her Majesty's Government. It is a longstanding convention that the Ministerial Code is issued by the Prime Minister and that, as the head of Her Majesty's Government, it is constitutionally the Prime Minister who should be the

ultimate arbiter of the Code. That does not, of course, mean that the Prime Minister should not be subject to the same expectations that I set for other Ministers. As you

know, I have previously sought your independent advice, and acted upon it, in order to ensure that my responsibilities under the Code were properly discharged. Turning to recent events, I have taken full responsibility for everything that took place on my watch, and reiterate my apology to the House and to the whole country in respect of the gathering on 19 June in the Cabinet Room for which I received a fixed penalty notice.

I have also been clear that there was no intent to break the regulations; at the time I did not consider that the circumstances in which I received a fixed penalty notice were contrary to the regulations. I have accepted the outcome and paid it in compliance with legal requirements. Paying a fixed penalty notice is not a criminal conviction. I have corrected the record in Parliament, where it transpired that the information I previously conveyed in good faith was not ultimately correct: this correction to Parliament is in line with the Ministerial Code.

In relation to the fixed penalty notice for my attendance in the Cabinet Room on 19 June 2020, I believe that, taking account of all the circumstances, I did not breach the Code. In coming to that conclusion, (a) I have duly considered past precedents of Ministers who have unwittingly breached regulations where there was no intent to break the law; (b) I have been fully accountable to Parliament and the British people and rightly apologised for the mistake; (c) I have corrected the Parliamentary record in relation to past statements; and (d) I have followed the principles of leadership and accountability in doing so. In my view, the same principles apply to the fixed penalty notice paid by the Chancellor of the Exchequer.

All Ministers of the Crown are expected to maintain high standards of behaviour and to behave in a way that upholds the highest standards of propriety. The Seven Principles of Public Life (Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty and Leadership) continue to form the bedrock of standards in our country and in this administration. The Ministerial team and I remain committed to them, as laid out in the Ministerial Code.

A handwritten signature in black ink, appearing to read 'Chris Geidt', with a long horizontal flourish extending to the right.

Lord Christopher Geidt