

# Summary of investigation

January 2023 – February 2025

## Organisation or person investigated

The Rt. Hon. Owen Paterson (“Mr Paterson”)

## Matter(s) investigated

Whether Mr Paterson carried on the business of consultant lobbying without being registered.

## Registrar’s decision

That Mr Paterson carried on the business of consultant lobbying while not being registered.

## Summary of rationale for decision

Section 1(1) of the Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 (“the Act”) states that a person must not carry on the business of consultant lobbying unless entered in the Register of Consultant Lobbyists (“the Register”).

Section 2 of the Act defines consultant lobbying. A summary of this definition is: UK VAT registered organisations and individuals who communicate personally with Government Ministers or Permanent Secretaries (and equivalents) concerning specified matters on behalf of a third party and in return for payment.

Mr Paterson was a paid consultant for Randox Laboratories Ltd (“Randox”). He personally made six direct communications to the then Secretary of State for Health and Social Care between 26 January 2020 and 24 October 2020. The communications were in relation to Mr Paterson’s client, Randox, and the communications related to matters specified in section 2(3) of the Act. Mr Paterson was VAT registered at the time of the communications. The above six communications were registerable.

Mr Paterson was not registered on the Register at the material time when the communications were made and so was in breach of section 1(1) of the Act. The Registrar has therefore issued to Mr Paterson a penalty notice under section 16 of the Act in the sum of £7,500.

# Office of the Registrar of Consultant Lobbyists

## Chronology

Date	Action
13-12-22	Letter from the Registrar to the Department for Health and Social Care (“DHSC”) requesting copies of communications from Mr Paterson to Ministers concerning Randox.
12-01-23	Email from DHSC providing copies of communications from Mr Paterson to Ministers.
24-01-23	Letter from the Registrar to DHSC regarding the communications.
24-01-23	Letter from the Registrar to Devonshires, representing Mr Paterson (“Devonshires”), regarding Mr Paterson’s communications with the then Secretary of State for Health and Social Care.
03-02-23	Letter from Devonshires, inter alia, requesting the Registrar to issue a statutory Information Notice prior to Mr Paterson responding to the Registrar’s questions in his letter of 24 January 2023.
07-02-23	Registrar issues a statutory Information Notice seeking a response to the questions asked in his letter of 24 January 2023.
09-02-23	Letter from Devonshires stating that their client is not a consultant lobbyist but otherwise not providing answers to the letter of 24 January 2023.
09-03-23	Letter from the Registrar to DHSC seeking to confirm the provenance of the messages provided on 12 January 2023.
09-03-23	Letter from Devonshires, inter alia, stating that Mr Paterson has no records and cannot recall the details of the exchanges and asking the Registrar to close the investigation.
22-03-23	Letter to the Registrar from DHSC confirming that the messages provided on 12 January 2023 were between Mr Paterson and the then Secretary of State for Health and Social Care.
23-03-23	Letter from the Registrar to Devonshires responding to points raised in their letter of 9 March 2023 and requesting evidence regarding their assertion that Mr Paterson’s communications to Ministers were incidental <sup>1</sup> to his consultancy business.

<sup>1</sup> There is an incidental exception under the Act

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Date	Action
30-03-23	Email from Devonshires requesting an extension to the deadline for a response. Over the following weeks the Registrar corresponded with Mr Paterson's representative in relation to the deadline for a response.
06-04-23	DHSC letter confirming the provenance of the communications provided on 12 January 2023.
29-08-23	Letter from Devonshires stating their intention to respond to the issues raised by the Registrar and requesting copies of the DHSC communications referenced in the Registrar's letter of 24 January 2023.
11-09-23	Letter from the Registrar to Devonshires providing the DHSC messages referenced and requesting a response to his letter of 23 March 2023 by 27 September 2023.
03-10-23	Letter from Devonshires neither providing evidence nor answering the questions in the Registrar's 23 March 2023 letter.
30-10-23	Registrar issues a statutory Information Notice seeking the information and evidence requested on 23 March 2023.
21-11-23	Devonshires requests an extension to respond to the statutory Information Notice to 15 December 2023.
21-11-23	Registrar agrees to the extension.
15-12-23	Devonshires responds to the Registrar's letter of 23 March 2023 and states an intention to appeal against the statutory Information Notice.
15-12-23	Devonshires submits an appeal to the First-tier Tribunal (General Regulatory Chamber) ("GRC") against the Information Notice of 30 October 2023.
03-01-24	Government Legal Department ("GLD"), representing the Registrar, writes to the GRC regarding Mr Paterson's appeal of 15 December 2023 to inform them it was made 18 days late.
03-01-24	Letter from the Registrar to Devonshires stating that Mr Paterson's appeal is out of time and that, assuming the letter of 15 December 2023 is as full and accurate an account as their client is able to give, the Information Notice is closed.
03-01-24	Letter from Devonshires to the Registrar, inter alia, offering a meeting with Mr Paterson.
02-02-24	GRC dismissal of Mr Paterson's appeal is received by GLD (although dated 18 December 2023).

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Date	Action
08-04-24	Letter from the Registrar to Devonshires stating that he is “minded to” conclude that Mr Paterson has conducted consultant lobbying activity in relation to the communications subject to his investigation and requesting any further representations and evidence prior to making any formal provisional decision.
19-04-24	Letter from Devonshires to the Registrar requesting an extension to respond to the Registrar’s letter of 8 April 2024.
19-04-24	Letter from the Registrar to Devonshires agreeing to the deadline extension.
30-04-24	Letter, witness statement and evidence from Devonshires to the Registrar disputing that Mr Paterson had conducted consultant lobbying.
03-07-24	Letter from the Registrar and a Notice of Intention to issue a civil penalty.
09-08-24	Letter from Devonshires to the Registrar making representations against the Notice of Intention and providing a further witness statement from Mr Paterson.
23-08-24	Letter from the Registrar to Devonshires stating, inter alia, that he would make enquiries of Radox and requesting a letter of consent from Mr Paterson to facilitate this.
30-08-24	Email from Devonshires to the Registrar, agreeing to provide consent.
02-09-24	Letter from the Registrar to Devonshires outlining the areas of intended enquiry with Radox.
03-09-24	Email from Devonshires to the Registrar attaching a letter sent by Mr Paterson to Radox on 30 August 2024, giving consent.
04-09-24	Email from the Office of the Registrar of Consultant Lobbyists (“ORCL”) to Devonshires requesting consent for Radox to respond to the Registrar’s enquiries on a wider basis, as outlined in the Registrar’s letter of 2 September 2024.
12-09-24	Email from ORCL to Devonshires requesting confirmation of receipt of the email of 4 September 2024.
13-09-24	Email from Devonshires to ORCL saying they will respond early next week.
18-09-24	Email from Devonshires to the Registrar, referring him to the consent letter of 30 August 2024 provided on 3 September 2024.
23-09-24	Letter from the Registrar to Devonshires requesting their client to provide a

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Date	Action
	consent letter to Randox, covering the scope of the enquiries set out in the letter of 2 September 2024.
26-09-24	Letter from Devonshires to the Registrar, inter alia, agreeing to provide a letter of consent as requested.
27-09-24	Letter from the Registrar to Devonshires asking for confirmation of when their client's consent letter has been sent to Randox.
1-10-24	Mr Paterson sends to Randox a letter of consent to respond to the Registrar's enquiries.
2-10-24	Letter from the Registrar to Randox, requesting information regarding Mr Paterson's consultancy work for them.
29-10-24	Letters from the Registrar to three Randox directors asking whether Randox intends to reply to the information request of 2 October 2024.
12-11-24	Letter from the Registrar to Devonshires offering their client an opportunity to prompt Randox to respond.
25-11-24	Letter from Devonshires to the Registrar, inter alia, saying that Mr Paterson had also tried to contact Randox with no response and attaching a statement previously provided by a Randox employee from 2021.
26-02-25	Letter from the Registrar to Devonshires, concluding the investigation. Penalty notice issued.

26 February 2025

Office of the Registrar of Consultant Lobbyists

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