

Improving Standards in Public Life – Seminar Summaryⁱ

On 3 March 2022, the APPG on Anti-Corruption & Responsible Tax hosted a virtual seminar on the topic of improving standards in public life. The panelists presented a series of recommendations around transparency, accountability, scrutiny and political culture, to build consensus on how public figures can uphold the highest standards in their Parliamentary duties. After brief presentations from the panel, a lively discussion ensued, with politicians and representatives from civil society and thinktanks reacting to the recommendations. Thank you to our expert panelists and to all who joined this engaging debate on how to strengthen our democracy.

Panelist Remarks

Lord Jonathan Evans – Chair of the Committee on Standards in Public Life

- Highlighted 3 things that are needed to the Nolan principles: codes, as well as scrutiny and education – this is not just a question of a strict compliance regime.
- The Committee recommends stronger rules on the ministerial code, business appointment rules, lobbying rules, and the political packing of assessment panels.
- The Committee also recommends greater independence, including a statutory basis for ethics regulators, and in the appointment of ethics regulators. Also, the government compliance system is patchy and informal, when compared to best practice in the private sector.

Chris Bryant MP – Chair of Parliament’s Committee on Standards

- Argued that there is a distinction between principles and rules. Nolan principles are very important, but it is important to think about how these apply to Parliamentary politics. Each principle must be couched within the real world. The objective is to turn principles - that are aspirational, into rules that can be investigated if they are not followed.
- Highlighted the importance of political culture, by exploring the example of APPGs. Country APPGs infiltrated by agents of foreign powers. There are more APPGs than Members of Parliament, some to advance interests of sector or company. This is pernicious and dangerous.
- Raised the issue of transparency: register of members’ financial interests is difficult to consult and interrogate. Ministerial transparency registers are fragmented and difficult to access.
- Argued that there should be a single system for the whole of Parliament (Lords and Commons).
- Conflict of interest is the key issue. These should be resolved in interest of the public rather than in private interest.

Bronwen Maddox – Director of Institute for Government

The current situation in Ukraine makes us more appreciative of our system of government at home.

Welcomed the Committee on Standards in Public Life’s recommendations. At the Institute for Government, made similar recommendations:

- Argued for legislative changes. This includes giving various standards bodies a legislative underpinning, so that the PM is not required to instigate investigations, that this be within

the powers of the independent advisor. There should also be an advisory committee on business appointments. Also, the Prime Minister should have the obligation to devise a code based on principles of public life.

- Highlighted the need for more transparency, for instance in the declaration of meetings. When in opposition, members have to declare things immediately, but Ministers have more time. Trust of the public can only be upheld if decisions on public appointments are published.
- The ministerial code needs tightening and clarifying. Currently, it includes both standards and processes. These should be separated. The Prime Minister needs to be seen to uphold the code and explain what happens when Ministers depart from it.
- People in public life should formally commit to standards, and the Prime Minister should take the lead. This represents a cultural change, there are limits to what codification can do alone.

Dame Margaret Hodge MP – Chair of APPG on Anti-Corruption and Responsible Tax

- Recounted time as Chair of Public Accounts Committee. Interest in this matter started with the sweetheart tax deal between HMRC and Goldman Sachs, moved from this to illicit finance, and now relationship with Russia.
- Argued that there is a link between a culture where wrongdoing in the financial crime is a more accepted orthodoxy, and corruption in the public domain - both services and politicians.
- Historically, corruption has been at the fringes. Now, this has come to the fore through discussions on Russia's role and influence: revolving door, contracts, public appointments. But this goes beyond Russia (and China).
- There are pillars that hold up our democracy, and these have been eroded, such as Parliament, the press, the judiciary, and the Civil Service.
- Argued for four principles of pragmatic reform: transparency; regulation; enforcement; and accountability.
- On the international stage, the UK has lost respectability, and is no longer a trusted jurisdiction.

Interventions from the audience

Nigel Mills MP chaired the discussion.

Andrew Mitchell MP agreed with Margaret Hodge MP: there is a difference between how we are seen overseas and how we view ourselves. Parliament has been ahead of government on this issue. Gave a series of examples where MPs had to challenge the government on the floor on questions that are now government policy: Magnitsky sanctions, open registers of beneficial ownership. Companies House needs to be turned from library into investigative body. He emphasised that the government is still delaying this. Parliament as legislature is there to keep government on the straight and narrow. Recounted that when he was in government, on the frontbench, making a mistake at the dispatch box was terrifying.

Lord Howarth made two suggestions. The cabinet manual has not been updated since 2011. A draft version must be presented to Parliament soon. Also, there needs to be radical reform of lobbying legislation. Used to think that were not infested by lobbyists, it is time that this law be recodified.

Caroline Lucas MP concurred with Andrew Mitchell MP on the importance of telling the truth at the dispatch box. The Prime Minister is both judge and jury. If he chooses not to correct the record, there is no way to hold him to account.

Lord Rooker welcomed suggestions made thus far, such as joining up the Lords and Commons on Standards, and identified more areas for improvement. There are problems with the level of parliamentary scrutiny allowed by the government in both houses. Regulators are not systematically checked by Parliament. There is a case for big regulators, who are serious financial players, to be examined by, for example, a Lord's Select Committee.

George Turner, from Tax Watch UK, argued that Government is not the private sector, it belongs to all of us. Up to now proposals have pertained to unelected elites policing other unelected elites. Where is the role of the public? What really needs to happen is that regulatory bodies need to have a mechanism where the public can participate.

Tom Brake, from Unlock Democracy, called into question that the government will act on the recommendations. He asked: 'How do we make this something the government actually wants to implement?'

Responses from the panel

Lord Evans reminded the seminar that much of the time, the public is not interested in standards issues. Over the last 6 months, the issue has become salient. There are avenues for making sure issues are visible: through formal committees, but there is also an important role for the media. Democratic pressure is critical. He also highlighted the importance of accountability to Parliament, which is currently not being effectively tackled.

Bronwen Maddox argued that a high degree of pressure on the government is the only thing that can make them cede power. The government would be foolish not to recognise the degree of public feeling on these issues, currently. In response to 'Who regulates the regulators?', she emphasised the importance of Parliament. The UK's willingness to take compliments for quality of government is surprising. The whole system has loopholes and opportunities for self-interest that eat away at the country's reputation.

Margaret Hodge MP argued that party politics is one of the impediments to Parliament fulfilling its role. Breaking party loyalties is challenging. She maintained that civil society organisations and the press have an essential role to play too. This is a moment of opportunity created by the breaking of Covid rules.

Lord Evans welcomed the support to the series of recommendations put on the table. If anyone wants to advocate for them, this would be helpful, as they need to be kept in the political eye.

Nigel Mills MP closed the discussion. The government has seen the public anger generated by the Owen Patterson case. It would be morally wrong and politically catastrophic not to act on this issue.

He thanked everyone for their contributions, and hoped that the recommendations will be implemented. The issue of standards is not about simply sticking to the rules, but also about the public seeing that public service and integrity are at heart of what we do.

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