



## Public Administration and Constitutional Affairs Committee

### Oral evidence: Committee on Standards in Public Life, HC 1028

Tuesday 1 December 2020

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Members present: Mr William Wragg (Chair); Ronnie Cowan; Jackie Doyle-Price; Rachel Hopkins; Mr David Jones; Navendu Mishra; David Mundell; Tom Randall; Lloyd Russell-Moyle; John Stevenson.

Questions 1 - 46

### Witnesses

I: Lord Evans of Weardale, Chair, Committee on Standards in Public Life; and Dr Jane Martin CBE, Member, Committee on Standards in Public Life.

### Examination of witnesses

Witnesses: Lord Evans of Weardale and Dr Jane Martin CBE.

Q1 **Chair:** Good morning and welcome to a hybrid public meeting of the Public Administration and Constitutional Affairs Committee. I am in a Committee Room in the Palace of Westminster with a small number of staff required to facilitate this meeting—suitably socially distanced from one another, of course. Our witnesses and colleagues are in their homes and offices across the UK, and the Committee is most grateful to everybody for their time at such a busy period.

Our witnesses today are Lord Evans and Dr Jane Martin, the chair and a member of the Committee on Standards in Public Life respectively. Can I open up the questions, please, with a question to Lord Evans? In a recent lecture, you highlight the risk of a “post-Nolan age” where the only check on conduct in office is electoral. How concerned are you?

**Lord Evans of Weardale:** I was given the opportunity of giving the Hugh Kay lecture this year and I thought that it would be an opportunity to give something of an overview of the standards world as we currently see it from the perspective of our committee. We had noticed that in our conversations with others, particularly journalists and academics, this “post-Nolan” phrase had become quite widespread, so I wanted to reflect on that. We had also been struck that we had received quite a lot of e-



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mails and letters from members of the public expressing concerns about standards.

I hope that in the lecture I gave a fairly balanced response to that, which is to say that standards systems are quite well established in this country and quite well entrenched, and that we have institutional protections to high standards, which I think is exactly what one would hope to see. On the other hand, standards issues always need to be addressed and we need to be thinking about where the current challenges are. If there are these concerns among the public and in the context of the media and so on, how far are those well grounded and what do we need to do?

We also, at the same time, took the opportunity to launch our new investigation inquiry, which we are calling Standards Matter 2, which is really to look across the whole of the standards landscape and ask, "Where might the arrangements not really be up to current expectations? Are there areas where there are weaknesses and, if so, are there recommendations that we should bring forward to try to address those?" That was the context in which I was speaking.

**Q2 Chair:** Does this potential emergence, at least, of a "post-Nolan world" represent a failure of the Nolan principles to sufficiently regulate public life or more of a fundamental social and political change, do you think?

**Lord Evans of Weardale:** There are quite a lot of factors in that question. On the Nolan principles, I would say that I think they stand up pretty well. We are now 26 years after they were first articulated by Lord Nolan in his report in 1994. Certainly, the polling and the conversations that we have suggest that they are still seen by most members of the public as being good indicators of the sorts of standards that people would expect to see upheld.

For instance, last year, given it was the 25th anniversary, we thought, "Let's talk to a group of sixth formers." We had a group of sixth formers from across the country, from a lot of different schools—different sorts of schools, different regions. We spent the day in the Palace of Westminster talking about standards issues and saying, "From your perspective, what do you think of the Nolan principles? Are these the sorts of things that you would expect Members of Parliament, politicians, officials and so on would be upholding?" They were very positive about the standards, so I think that the standards in themselves stand up well. It was interesting; last year we undertook an inquiry into artificial intelligence and standards. Again, they fit as a set of expectations well with even those more modern challenges. So, I do not think that they are defective.

There is a question as to whether the issues of the day are always directly and explicitly addressed in the standards. If you look at matters like intimidation of those in public life, bullying and harassment and so on, which it is clear members of the public are concerned about and I know that Parliament has been doing a lot of work on that, those are not explicitly addressed in the standards. We have given thought as to whether we want to revise them, but the downside of that is that they are well established.



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They reach into lots of aspects of public life. I was a school governor, and you are expected to sign up to the Nolan principles. If you look at the Buckingham Palace annual report, it has the Nolan principles in it, which I think is voluntary rather than compulsory. They reach right across society and that is a positive thing.

I don't think we ought to junk them, but they are not directly enforceable in themselves. They have teeth when they inform codes of conduct and regulations and employment arrangements for people in all sorts of different institutions. I do not think we see the principles themselves as enforceable, but they provide a true north in terms of standards, which other organisations can then adapt to their particular circumstances. That is when they get teeth.

**Q3 Chair:** Do you think that the means through which public life has been regulated, if we put it that way, needs to change at all to deal with any emerging trends and, if so, how?

**Lord Evans of Weardale:** I think that is one of the questions that we would want to give thought to and take evidence on in the new inquiry that we are just launching. If you look at the way in which our standards system has developed in the last 25 years, it is a very good story in many ways. There are all sorts of pieces of standards architecture and infrastructure that were not there 25 or 30 years ago but which are now well established: the Parliamentary Commissioner for Standards, new arrangements in local government, the Civil Service Code, the Civil Service Commission, the Electoral Commission, the governance code, and the Commissioner for Public Appointments. There is a really good story of people taking seriously standards concerns and creating the infrastructure to support them.

Arguably, it is not absolutely comprehensive and one of our aims is to look at the areas where things are still what we might call unfinished business. We probably ought to look more widely and say, "Do we need to take a completely different approach in terms of a statutory ethics regulator or something?" I am absolutely not arguing for that, but there are people who do and we ought to, as an advisory committee, take the evidence and see where it leads us. I am conscious that Dr Martin may also want to say a word or two on these things. She has extensive experience in areas of the public sector where I am less familiar.

**Dr Martin:** I will only add that one of the issues that we are seeing most recently is the breakdown of some of the conventions across Government that we would expect to see. I would only amplify what Lord Evans has said, which is that we certainly should look at the rules, but there is an argument that Government should not be too rule bound but also, of course, that some of these things are, in fact, difficult to legislate for. The British constitution, of course, has relied on convention forever, so the way in which these conventions—the norms if you like—are interpreted in respect of the principles and the rules that are in place is particularly important. That is something that we will certainly be thinking about when we do our review.



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**Chair:** Thank you, Dr Martin, and with that thought it moves us neatly to my colleague Ronnie Cowan.

Q4 **Ronnie Cowan:** Continuing with that, at this Committee we talk a lot about principles and conventions. Can principles and codes of conduct remain effective if those in office are determined to interpret them as liberally as possible?

**Lord Evans of Weardale:** I think that is a very important question. Codes of conduct are probably linked to enforcement procedures of one sort or another. From that point of view, they do have teeth. Conventions may well not be and in any walk of life—I don't think this is unique to politics—if people are determined to bend the rules or to try to play right up to the edge of the rules, it is very difficult to do anything about that. You have to draft the rules very carefully to try to ensure they are in the right places, but the Nolan principles are a matter of personal responsibility for anybody in public life. From that point of view, if you purely rely on a compliance system, I think that is second best to people recognising why these arrangements and principles are actually of value in themselves. The purpose of them is not to set up some set of arbitrary rules. They are there in order to ensure that the citizens of this country get the best from their public service, which they are paying for and which they are engaged with and which they rely on. What we want is the best possible delivery of good public services, fairly and honestly in a way in which people can have confidence. That is the purpose of these.

Q5 **Ronnie Cowan:** Lord Evans, you said there we have to ensure this happens, but it does not ensure that it happens and that is part of the problem. Recently, you said there is a culture of impunity seeping into British governance.

**Lord Evans of Weardale:** I think that what I said is that there are those who would say that there is a culture of impunity seeping into British governance, and I am rather keen that we should look at those suggestions in the course of our next inquiry. There are definitely voices of concern being raised, but I would also say that we are not a country where corruption is widespread and so on. There are concerns that have been expressed over the last period about particular issues, some of which are in the political sphere, but these principles are for the whole of the public service. They apply just as much to police officers in Northamptonshire or to civil servants wherever they work in the country as they do to elected politicians and to Government Ministers. If one is trying to get an overview of standards, one needs to think about this. Certainly, what happens in Government and what happens in Parliament is very important. It is part of a much wider picture.

Q6 **Ronnie Cowan:** Dr Martin, do you have anything to add to that?

**Dr Martin:** Yes. It is perhaps worth introducing the point here of how important independence is. Of course, what we are talking about here operates in a political system. It would be naive of us to ignore that fact. We have to recognise the sovereignty of politicians and Parliament, of course, and that is why it is important to get the balance right between the



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role of politicians in the system but also the role of independent advisers and adjudication, if I can put it that way, getting that balance right so that the liberal or otherwise view of politicians is not the one thing that we are relying on.

**Q7 John Stevenson:** Continuing this theme, accountability, Lord Evans, is often a matter of party politics. Is it inevitable, then, that where there is an alleged breach of the standards it can become weaponised for partisan gain or resisted on the same basis?

**Lord Evans of Weardale:** There is no question that in politics people do seek to weaponise standards issues. If you can make allegations, particularly at sensitive points, then that has a political impact. That is part of the reality that we are faced with.

One of the elements that helps to counter that is, of course, independent review and investigation. You see this, for instance, in the context of the House of Commons standards regime, where at the moment if there is an allegation about a Member of Parliament that is then picked up to be investigated by the Parliamentary Commissioner for Standards, there is no public announcement of that. You may say that is very good because it means that you are not having individuals being falsely accused or where the process itself is being pointed to as a demonstration that something has gone wrong.

On the other hand, the Parliamentary Commissioner for Standards has said that a number of the people she is investigating actively wish it to be announced that she is investigating them because they can then say, "Look, there is an allegation. It is being independently investigated so we will find out the truth, but don't prejudge it". It is a delicate issue, but I do feel that independence quite often is a protection against this because it does mean that these allegations, while thrown around, actually will come at some point to independent judgment and then the truth will be revealed so that people can be confident that if there is a problem it has been identified, and if there isn't a problem or it is a vexatious problem, it has been dismissed.

**Q8 John Stevenson:** Continuing with that theme, then, do you think the next logical step is to bring in some sort of statutory regulatory regime, which might help to depoliticise the whole situation?

**Lord Evans of Weardale:** There is an argument for a statutory regime, although there would be some interesting questions about how wide that would be. If you went for a statutory regime, is this going to cover everybody in public life, in which case it is going to be the largest and most elaborate regulator in the history of the world? Or is it going to be sectoral? Where is it going to apply? I think that there would be very real issues about which parts of public life this would be looking at, what the procedures would be, and so on.

I don't necessarily think, although we want to take evidence on this, that a statutory response to this is the best because the standards go rather beyond. If you look at the Nolan standards, leadership for instance, having



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a statutory framework that investigates suggestions that people have not been showing leadership is quite a hard one to understand or to conceptualise.

I would not jump to the judgment that a statutory arrangement is the best. If you look at where Parliament has gone to in the last 10 years, the procedures have moved on enormously. That is not with statute, it is because of political pressure or public pressure and political determination that this is going to be resolved. There are other ways that these issues can be addressed and there is probably a need for different sorts of arrangements in different environments. Any institution has its own particular pressures. There are particular pressures in a political environment, in the medical world, in policing. They all have a different arrangement and to have a single statutory regulator would be extraordinarily difficult.

Q9 **John Stevenson:** Thank you. Dr Martin, do you have any observations, particularly with regard to the political sphere?

**Dr Martin:** It is fair to say that to depoliticise the system is, in one sense, not desirable for anybody. This is a political context, as I said before. The question is whether we have the right checks and balances in place. Of course, the idea of an office for Government ethics has been mooted and it is certainly something that we will consider as part of the review that we have just opened. At the end of the day, our judgment will be informed by what we should be doing to get the balance right to ensure that the public has the appropriate trust in the system. We have to wait and see on that, but there are certainly ideas, such as the office for Government ethics, that we should consider to strengthen the system.

Q10 **Mr Jones:** Lord Evans, do you believe that the Ministerial Code, at least in its present form, is fit for purpose?

**Lord Evans of Weardale:** The Ministerial Code, of course, like many bits of the machinery, has evolved over the years. Thirty years ago, there wasn't a ministerial code in those terms. The procedure for Ministers was not published, so things have moved on a long way. The Ministerial Code is renewed and reconstituted by each incoming Prime Minister. From that point of view, it is not a piece of text that has been sitting on the shelf for the last 30 years. It gets revisited.

It is odd in the sense that it mixes a rulebook, an instruction manual, for Cabinet Government on the one hand with ethical and standards provisions on the other. That means that it covers a variety of bases and it is arguable as to whether that is ideal.

The other aspect of it that is at least worth considering is how you respond to alleged breaches of the Ministerial Code. At present, the procedure is that the Prime Minister—who is responsible for the code and whose Ministers are responsible to the Prime Minister on this sort of issue—is the person who decides whether there should be an investigation. The Prime Minister is then the person who decides what the response to that should be. That inevitably, going back to the previous question, puts the Prime



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Minister in a slightly invidious position. On the one hand, there may be political pressure or political need to defend a Minister and, on the other hand, there is a responsibility to uphold standards. You are kind of facing in two directions potentially as the Prime Minister on this.

If you compare, for instance, what has happened in recent years in the House of Commons and what has happened now in the House of Lords, there has become institutionalised a much more independent process of looking at alleged breaches of standards or conduct by MPs and peers. I think that has commanded quite a lot of support by those who are interested in these issues because it sort of depersonalises it and to some extent depoliticises it.

There is an argument that says that perhaps the decisions to investigate allegations under the Ministerial Code might be done independently. We don't have a person in the role at the moment, as we all know. We have a role for an independent adviser on ministerial interests, but they are very much constrained to respond only when asked to do so by the Prime Minister. Might it be sensible for them to be able to start their own investigation and then to advise the Prime Minister on the basis of the facts discovered? That seems to me to be a reasonable question. There is then the question of what the appropriate response should be.

It is for consideration where you take that and it is one of the issues that we are intending to look at and to take evidence on in our forthcoming review. I don't want to jump to the conclusions of that review, but I do think that there are questions as to whether the Ministerial Code has kept up with similar arrangements elsewhere in our political life.

**Dr Martin:** I would only add that it goes without saying, doesn't it, that the accountability of Ministers is extremely important and significant? The accountability of all politicians is important, but Ministers have such authority and make big decisions about the way in which we all live our lives that it is a very important point. I have nothing to add to what Jonathan has said on the Ministerial Code as such, only that we recognise how important it is and we will be looking very closely at it in our review.

Q11 **David Mundell:** Lord Evans, as a point of clarification, can I begin by confirming the remit of your committee within the devolved Administrations in the United Kingdom?

**Lord Evans of Weardale:** Yes. It is explicitly the case that our committee does not have a remit that reaches into devolved matters. There are devolved bodies that undertake similar roles to the one that we have. Some of the areas that we consider do spread across the various devolved Administrations and, therefore, on those sorts of issues we do invite evidence. For instance, the Scottish National Party is giving evidence on a report that we are looking at, and I am in correspondence at the moment with the SNP on a number of things. Our remit across the whole of the United Kingdom is only on specific areas and generally these are devolved matters.



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**Q12 David Mundell:** In relation to the Ministerial Code that applies within the Scottish Government, you would not have any remit in that regard? For example, if there was significant divergence there, that would not be a matter in which you would take an interest?

**Lord Evans of Weardale:** That would not be a matter for my committee. If it is a devolved matter, it would not be a matter for my committee. So, specifically relating to the Scottish Government, no, it would not.

**Q13 David Mundell:** You are a committee for public life in England or in relation to reserved matters in the United Kingdom, you are not a committee for standards in public life generally across the United Kingdom?

**Lord Evans of Weardale:** There are a number of issues. For instance, we are looking at the moment at the regulation of election finance, and those rules operate, I think, across the whole of the United Kingdom. We are taking evidence on that where it comes to, for instance, general elections. If it were a matter of election finance specifically relating to devolved Governments, then that would not be one for us.

**Q14 David Mundell:** You will be aware that there is an ongoing Scottish Parliament inquiry in relation to issues in respect of the former First Minister of Scotland. There was a criminal trial in relation to the same individual. Whatever the not guilty or not proven verdict in relation to the trial, a number of very concerning suggestions were made about conduct within the Scottish Government. That is not a matter that you would take any interest in?

**Lord Evans of Weardale:** It is not an area we would take an interest in. Of course, we are an advisory committee only and we do not investigate individual cases. Those are investigated elsewhere for particular casework. We regularly have referred to us, including this week, cases with an exhortation that we should investigate them, but that is a misunderstanding of our remit because we do not have the authority to investigate cases.

**Chair:** Thank you for clarifying that, Lord Evans, it is helpful.

**Q15 David Mundell:** Yes, it is. In relation to the Ministerial Code as it applies in relation to the United Kingdom Government and its enforcement, can that command public trust if the Prime Minister decides whether Ministers are investigated or whether any action is taken as a result?

**Lord Evans of Weardale:** As I said, we are going to be taking evidence on these issues, but if you compare what happens with regard to the Ministerial Code with what happens in Parliament, for instance, which has many of the same issues of potential vexatious allegations, and also the very positive political reality that MPs are accountable to their own electors and not to some unelected committee like mine or something, then it is striking that the Ministerial Code does not have the same element of independence that is the case for, for instance, MPs. There may be good reasons for that and certainly when our committee last looked at this we did make a recommendation some years ago, about 11 years ago, that the initiation of inquiries should be independent and rest with the adviser. That



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recommendation was not taken up by the then Labour Government, so this is an issue that has been around for a long time. It certainly raises a question, but I would not want to prejudge the answer before we have undertaken the investigation and taken the evidence.

**Q16 David Mundell:** Indeed. That was to be my next question, whether you would support the establishment of an independent investigatory body that removed that discretion over whether an investigation into a breach has taken place.

**Lord Evans of Weardale:** We try not to take policy positions as a committee without having taken evidence. Although the committee has the great advantage of very experienced, independent members who have independent judgment on these issues and have seen standards issues across a variety of areas, and although we also have politically appointed members who bring a very important perspective from elected politics into the consideration of the committee, as a matter of general practice we don't decide what we think on a matter without having actually gone out and talked to experts, taken evidence, very often done focus group work with members of the public and so on, so that we are not just going away into a room and coming out with the answer. We are trying to reach out to the wider body of those who are interested or affected by these matters and then to come to our best judgment.

**Q17 David Mundell:** Dr Martin, would you like to add anything on either of those points?

**Dr Martin:** I have nothing to add, thank you.

**Q18 Navendu Mishra:** Could I go to Lord Evans first regarding the Ministerial Code? Should the punishment of breaches of the Ministerial Code remain with the Prime Minister?

**Lord Evans of Weardale:** I think that you are right to separate out the two elements, which is the investigation and then the response to that investigation. The Prime Minister, of course, is in a very particular position in regard to Ministers because he is the Prime Minister, it is his Government that he leads and, therefore, you can make a strong argument to say it is a matter for the Prime Minister to decide who he thinks should be in his Government. The idea that this should be delegated to another body would be quite complicated in procedural terms, but it is not impossible. You could envisage ways it should be done and, therefore, we would want to look at this.

There is a stronger argument in respect of the investigation and then presenting the facts so that the Prime Minister can then take a judgment on it. As I say, we haven't come to a decision on this because we haven't done the work yet, but it is exactly the sort of question that I do think that we should be thinking about when we embark on this new inquiry. Of course, one of the important parts of that is inviting anybody who has a view on this, whether it is a politician or a civil society organisation or a party or whatever, to provide submissions so that we get a wide



perspective on the issues. Submissions are welcomed and our consultation is open as we speak.

- Q19 Navendu Mishra:** On the point of the alleged breach, it would seem that it is only public pressure that obliges the Prime Minister to go into an investigation. There are concerns raised by Members on both sides of the House and leading public figures that perhaps the Prime Minister's control of whether an investigation takes place or not is questionable. I believe that in 2008 the Public Administration Committee created a report and questioned this as well. There are lots of concerns, especially in what has happened in recent days and the resignation as well, so it is quite right that people raise those concerns and perhaps your committee looks at them.

I will move on to my next question, and I will come to Dr Martin in a moment. If a Minister is found to have breached the Ministerial Code, should they always be required to resign or perhaps be dismissed, or do you think there are a wider range of sanctions that could be used?

**Lord Evans of Weardale:** This is a very good and important question because the tradition, the convention, has been that you have to resign. That is an anomaly in comparison with most areas. If you look again at what has happened now, the Parliamentary Commissioner for Standards has a variety of responses and that makes sense. The breach might be small or it might be very serious, and if it is a small breach is it necessary, therefore, to resign or should there be a public reprimand or something of that sort? It is certainly something that we should look at. Again, looking at the disciplinary arrangements for the medical profession, there are a range of responses. You don't always get struck off as a doctor if you breach in a minor way a particular code. I think that we should look at those other bodies and the way in which they have come to their decisions and see if that would apply effectively to this. There is quite a strong *prima facie* argument, but we would like to see the evidence.

- Q20 Navendu Mishra:** Thank you. I think that the point you make about the medical council is quite valid. Do you think that the sanctions should be set out in the code, perhaps, so that it is written and it is clear? Or should it be left to the Prime Minister and his or her discretion?

**Lord Evans of Weardale:** Personally, I think that there are attractions in having as much visibility and clarity as possible. So, "If it were published, there are a range of sanctions and this is the menu" would seem to me to have considerable attraction if that is the route we want to go down. I think that is what is done by the Parliamentary Commissioner for Standards and it just demonstrates that these are the sorts of consequences that would be envisioned. That clarity and transparency is, in principle, attractive.

- Q21 Navendu Mishra:** Your point about transparency and clarity is very important and it would seem the Home Secretary has breached the code and nothing has been done about it. Dr Martin, would you like to contribute on either of those points about the breaches of the Ministerial Code and whether the sanctions should perhaps be more clear in written format as part of the code?



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**Dr Martin:** I would add on sanctions that, as you said yourself, this is clearly about accountability. The public will often draw the conclusion that nothing happens, the “so what?” question, so to ensure that we have sanctions that are appropriate and proportionate is important. I recently led on the work for the committee on local government and it was a very moot point about the sanctions that might be applied locally with elected members and still is, in fact. I was struck by the number of councillors who said to us that they preferred to see sanctions because it protected those of them who were doing a good job. Most politicians most of the time and most Ministers most of the time are doing a very good job, so when there are breaches of the code it protects everybody if we can see what the sanctions are and helps uphold the system.

Q22 **Rachel Hopkins:** [*Inaudible*]*—*events such as the Home Secretary not receiving any sanction, so to speak, Gavin Williamson, the Secretary of State for Education, the exams issues there. How concerned are you that these recent events have done lasting damage to public confidence in the ministerial standards?

**Lord Evans of Weardale:** First of all, I would say that historically all the evidence is that people have always felt that standards in this country have been in decline and that goes back at least 70 or 80 years. It probably goes back a lot further than that. In some ways, you can make a strong argument that says there are better standards in many areas than there were previously. One of the problems with transparency is it suddenly reveals to people what has always been going on. I wouldn't necessarily say we are in a worse position than we have ever been. I don't believe that to be the case.

I think that there has been concern over this last period because of a number of high-profile cases. Why do I say that? Partly because of media coverage, but that is always the case. We have also had a very large number of e-mails and messages to our own website, so there is a concern out there. But I do not feel that as a result of that the situation is irreversible or that we are doomed to decline on these issues. We need to recognise that overall British public life is still, broadly speaking, remarkably strong and uncorrupt in comparison with that in many countries. Of course, in order to maintain that we need continually to be addressing issues so that we do not inadvertently go in the wrong direction on these things.

I am not despairing on all this. I do think we should always be careful about what the issues are. If you look historically over the last 30 years, the areas of concern move. In the 1990s, cash for questions was a big thing, you had the MPs' expenses scandal 15 or 20 years ago, and so on. At the moment, there are a number of issues around the Ministerial Code, which is part of the reason that we want to look at it and see if there are ways in which we could reinforce that in order to respond to public concern. So, I am not despairing.

Q23 **Rachel Hopkins:** Dr Martin, do you have any thoughts?



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**Dr Martin:** I have nothing to add to that, no. We have a good track record and we have to remember that the cases that cause most concern are not the norm. They are not common, but when they do happen we have to have the right armoury to deal with them.

**Lord Evans of Weardale:** I would also say, because I want to make this point, we really owe a debt of gratitude to the media on some of this. It is not something I would always have said in all areas of my former career, but the energy with which responsible parts of the media monitor these issues and draw them to public attention is a safeguard in our national life. There are a number of safeguards and there are institutional safeguards and all the rest of it, but having a free and vigorous press that can investigate areas of concern and illuminate them I believe is an important safeguard in this area as well.

Q24 **Rachel Hopkins:** I take that point, and if we are reflecting on recent events—and I hear what you are saying about different issues exercising the public over time—is there a public confidence in the ministerial standards? That is what I was trying to push at. Do you see what I mean?

**Lord Evans of Weardale:** Judging from our mailbox, there is disquiet among quite a number of people. If you say, “Is there more disquiet than there was 10 years ago?” I think that is quite difficult. The current area where there is discussion in the last few months about the Ministerial Code and ministerial accountability is the issue of the day, in a sense, on the standards agenda at the moment. Has it undermined public trust? Well, your judgment on that is probably at least as good as mine. I am conscious that you are all in touch with constituents on a weekly basis, so you probably have a better set of sensors out into the community than our committee, although we do obviously when we are looking at particular issues try to do focus groups and some public opinion polling. I wouldn’t look to us to give you, as it were, hard data on levels of public trust. We used to do that, but that was stopped about seven or eight years ago. We had a revisiting of the role of our committee and a very considerable cut in the budget, and the work that had been done on a series of reports on levels of public trust was stopped. So, we are not in a position to provide data on that.

Q25 **Rachel Hopkins:** Thank you. Reflecting on my reference earlier to Secretary of State Williamson regarding the exam scandal, is there sufficient clarity about when civil servants rather than Ministers should be held responsible? If not, how might that be clarified?

**Lord Evans of Weardale:** I don’t think there is great clarity. There have been a number of conventions, at least as often honoured in the breach as in their implementation, about resignation arrangements. None of them I think have been codified and at least as far back as the time that Michael Howard was the Home Secretary there have been some big public rows about who should resign. This has been an issue for 20 years, probably longer.



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I personally think that it would be useful to have greater clarity as to who is responsible for what, if that can be done, and, therefore, who it is reasonable to say has failed on any particular case. Nevertheless, it still remains the case that a Secretary of State is accountable to Parliament for the handling of their own departmental briefs, although good practice of having both a Secretary of State and a Permanent Secretary sitting together in front of Select Committees I think is very good because the reality is that it is a team effort. The political accountability, the parliamentary accountability, ultimately does rest with the Secretary of State, but equally there can be failings in the Civil Service as well. I don't think that it is clear and I think that it would be helpful if there were greater clarity over that.

**Q26 Rachel Hopkins:** Thank you. Dr Martin, do you have anything to add to that?

**Dr Martin:** Of course, it is the case at the moment that Permanent Secretaries can ask for written ministerial directions for clarity on certain issues if they have concerns. Other than that, Lord Evans has set out the position absolutely spot on.

**Q27 Rachel Hopkins:** Can I probe that point? You say that that is something they can do, and I am aware of them, but to ask for plenty of written ministerial directions may also be a difficult part of that relationship. Permanent Secretaries would be very loath to push forward on one of those, surely.

**Dr Martin:** It does seem to suggest, doesn't it, that things are not running as smoothly as they might when a Permanent Secretary feels the need to do that? As you say, there seem to be a number of them at the moment.

It is worth me drawing on some of my experience in local government here over the years, where I know that the relationship between the leader of the council and the chief executive is absolutely critical to the way in which councils operate and how effective they are. I can see you nodding; I am sure you and others have much experience of this. The same thing applies here, doesn't it? The relationship between a Minister, who is ultimately responsible and accountable for policy and decision-making, and the chief officer, if I can put it that way, their Permanent Secretary, to administer that is absolutely critical. There needs to be mutual respect on both sides. We have a Civil Service that is greatly valued and said to be one of the best in the world, so they deserve respect for the way in which they seek to administer, but at the same time, of course, the elected politicians need to be respected for their role as well. I would only come down on the point that that relationship is critical and that might be something that we should look at in our review and may need to be further codified potentially.

**Chair:** Thank you. We do not have many Lord Carringtons these days and good resignations. There is a thought for us, perhaps.

**Q28 Lloyd Russell-Moyle:** Can I follow up on that last one? In terms of written ministerial directions, should it be that civil servants are able to be held to account for the actions if they do not have those written directions? Are



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they partly culpable? If, for example, you have a hostile environment or other things that are shown to have broken the law, as the EHRC has said, and they did not get written directions so, therefore, implemented something that was illegal, are they responsible equally with the Ministers?

**Lord Evans of Weardale:** There are two things here that we need to separate out. I would see it as the responsibility of a civil servant, the Permanent Secretary, to make sure that if policies are being implemented it is very clear that the appropriate decisions have been made, the appropriate advice has been taken, and then that that is recorded. On policy decisions of that sort, I think there is an issue of good governance within Departments. We saw the criticism of that that was made by Lord Butler's report into the processes leading to the Iraq War, for instance, where good governance did not appear to be operating. It wasn't quite clear how decisions were being made and accountabilities were vague. So, there is that good governance point.

The formal process whereby a Permanent Secretary asks the Secretary of State for a ministerial direction, as I understand it, is a slightly narrower one, which is the responsibility of the Permanent Secretary as the accounting officer for the money that is allocated to that Department brings with it certain responsibilities for ensuring value for money and so on. There is an expectation on accounting officers that they will account for that. That is their job.

Where they feel that they are being asked for spending decisions and decisions that would in normal circumstances be ones that they would not take as the accounting officer because they would not be able to demonstrate value for money from public money being spent and so on, they can then seek a ministerial direction that tells them to do it, even though in their own judgment as accounting officer they might hesitate to do so. I think that is the sort of direction that is being discussed here.

I would have to say that if I were the National Audit Office or, indeed, a Select Committee and I saw a number of those directions being issued from one Department, I would see that as a bit of a red flag. It might be the right thing, but there is clearly tension between the judgment of the accounting officer as to whether money is being well spent and the way in which money is being spent. That immediately raises a question.

Q29 **Lloyd Russell-Moyle:** It is, of course, only for accounting decisions, not necessarily the legality decisions. Issues like Windrush and the hostile environment is a very good example where the EHRC has found that there were unlawful practices there. The Minister and the civil servants together have implemented this policy. A Minister actually didn't really implement them, but a Minister has gone. The Secretary of State at the time resigned, but there was very little accountability held at the Civil Service level, was there, apart from, of course, the latter civil servant in that Department then accusing the first BAME woman Home Secretary of bullying him and resigning himself, but not on a related issue? Should a civil servant be able to be held accountable because they did not seek written direction or they did not seek something to clarify in writing that they were not happy



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following through those actions that have been later found illegal? Do you see what I mean? It is not just spending decisions, I get your point on spending decisions, but when you are talking about policies that were unlawful.

**Lord Evans of Weardale:** Yes, I understand. I am not sure that you are directing this question in the right place. I am not sure that in the context of our responsibility as a committee this is an area on which we would have authority. I would suggest that these sorts of questions might be better directed, for instance, at the Cabinet Secretary and so on rather than at us. Although I used to be, as it were, a "Permanent Secretary sort of" our committee does not really get into the minutiae of how the relationship between Ministers and civil servants works. That is not our patch, although I think that it is a very important area.

Q30 **Lloyd Russell-Moyle:** I have asked those questions to the Permanent Secretary and been given a very perfunctory answer. It is not very clear. Let's move on, but thank you for your answer.

The Government have made several recent ministerial appointments supporting the Covid response, including a number of peers. The Commissioner for Public Appointments has expressed concern about the rise of these unregulated ministerial appointments. Of course, bearing in mind that we are in the middle of a Covid crisis, do you both share his concern that these appointments have been totally unregulated, not even one bit of due process?

**Lord Evans of Weardale:** We haven't taken specific evidence on this, but we did have the Commissioner for Public Appointments come to address our committee recently. Of course, we have looked with great interest at his recent report and the exchange of correspondence he had with my committee. Insofar as the commissioner has concerns, we would definitely share them because he is an experienced person of sound judgment. From that point of view, I am sure he is raising genuine issues.

As a general principle, we think that public appointments should be done on the basis of merit and on a free, fair and open basis. Obviously, there are times when there are immediate and great operational pressures, and we recognise that and would not want to challenge that at all. Even then, there are urgent procedures through the Commissioner for Public Appointments to make sure that loopholes are not being exploited.

I feel uncomfortable at the concerns expressed by the commissioner. I do think that we need to be very careful not to lose the fair and open procedures for public appointments. While it is absolutely right and proper that Ministers should make those appointments and that there is no reason at all why somebody who is politically aligned should not be appointed, they should be appointed on the basis of being the best candidate and not because they happen to be a friend of the Minister or something. That is where the issue arises.

Therefore, there are two areas where I think that my committee would have a bit of disquiet. One is on appointments to public posts that are



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normally part of the public appointments system but which have been done where there is pressure on that. The other is that an increasing number of posts are not part of the public appointments system and, therefore, aren't being done on the basis of fair and open competition, which is a really important safeguard and goes back at least 150 years. It is one of the great Victorian innovations for public service.

For instance, departmental boards are not public appointments in the sense that they are not regulated by the Commissioner for Public Appointments. Traditionally, these tended to be filled with businessmen who would help on project management and so on, but in recent months they have tended to be filled by former political advisers. They might be the best candidates out there, but nobody will know that because there hasn't been proper accountability for how they were appointed. I think that is a retrograde step, personally, not because any individual person is not a great candidate but that there should be a proper process for being able to demonstrate that. Those processes exist through the Commissioner for Public Appointments but have not been applied to those jobs.

- Q31 Lloyd Russell-Moyle:** Dr Martin, I know we are in the middle of a crisis and that is one of the excuses, but in local government, which is your background, there are many crises that hit local government: the director of children's services has to resign and there is a vacancy, or you need to bring someone in. Would you ever expect in local government for you to suspend due process of appointments and allow the leader of the council to appoint their mate because they say they are the best person? Or would that always be a red line in local government?

**Dr Martin:** It is not something that I am aware of, certainly not on a grand scale. You will be aware, as I am, that sometimes these things do hit the headlines and these things can happen, but generally speaking I think that it is fair to say that it is not something that I am aware of. It is true that in an emergency situation—and let's be honest, this pandemic is the emergency situation when emergency measures were put in place, let's not forget—we have to respect that situation and realise that there was great urgency. None the less, there are ways in which due diligence can be observed. Time does not need to elapse, if I put it that way, in order for due diligence to be observed. So, it does raise questions.

- Q32 Tom Randall:** Following on from that point, the former Cabinet Secretary Lord Sedwill told us that the need to respond to the Covid-19 pandemic meant that it was necessary to suspend the usual appointments process in the circumstances. Is that assessment something you would agree with, Lord Evans?

**Lord Evans of Weardale:** It may have been required. I am not in a position to judge exactly, but I am sure that if Simon Case said that, he would have based that on a very sensible judgment.

It should not be seen as a precedent and we need to be very careful as to whether this really is as urgent as to mean that you cannot apply due diligence to it. I would strike a note of caution, but pragmatically I do



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understand that if you are in the middle of a serious global crisis, then you may need to be able to act very quickly. As far as possible, that should be limited, possibly time limited. There are urgent procedures and those should be used wherever possible. I don't want to give a black and white, "No, this is wrong" but I just think that there should be very careful scrutiny of it to make sure that this is not setting precedents that are available for people then to say, "We don't need to go through all that process, this is very urgent". There are urgent procedures and those should be applied so there is some proper process rather than just people being shoved into jobs. Even if many of the people are exactly the right people, it is better if people know they are the right people because there has been proper, open competition.

**Q33 Tom Randall:** In terms of that balance between speed and propriety, are there any other ways in which that balance might be struck other than time limiting appointments?

**Lord Evans of Weardale:** As I say, there is an urgent procedure and a number of posts each year are put through that and those are published on the Commissioner for Public Appointments website. That is very desirable. Is it the end of the world if somebody gets put into a job as an urgent matter in a crisis situation? No, it is not. The danger is if that then starts to become normalised. Anyone can say, "Well, it is urgent and we must get this done" but I think if we went down that road we would be going backwards.

**Q34 Tom Randall:** These appointments that we have been discussing are outside of the Civil Service Code, but the Cabinet Secretary told us that they are subject to the Nolan principles. To what extent do you think the Nolan principles on their own can provide the sufficient regulatory framework for what are significant public appointments?

**Lord Evans of Weardale:** Not very far. They are high level principles. It is very difficult to see how you apply as a practical measure a requirement to provide leadership and so on. Selflessness. So they are not justiciable in the legal sense and there is not a mechanism for enforcing them. As a matter of principle, yes, they are subject to those principles but that becomes a bit of a dead letter if there is not any code or any way of responding to concerns.

**Q35 Tom Randall:** Dr Martin, did you have any thoughts on these published appointments and the application of the Nolan principles?

**Dr Martin:** I would only add that we have a very well-respected and well-understood process for public appointments. This is not something that suddenly we are making up on the hoof, to put it crudely, these are well-established procedures. It does seem unlikely that we cannot find a way of applying them appropriately.

**Q36 Mr Jones:** Lord Evans, we have already discussed the concerns the Commissioner for Public Appointments expressed to you about Ministers appointing key allies to key positions and I think you indicated that that was a matter of concern to you too. Given that Ministers remain responsible



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to Parliament, does this, in the long run, matter very much?

**Lord Evans of Weardale:** It does matter and that has been the view taken by Governments over the decades, of all political parties. It is very important that the public should be assured that jobs are being allocated on the basis of a fair and open competition and the best person is getting that job. Members of the public are being served in whatever way by these roles and it is reasonable that they should expect that they are served by the best possible candidate. It may well be that in any particular place that candidate is a known ally of the Minister. Absolutely nothing wrong with that at all, but they should be getting the job not because they are a friend of the Minister but because they are the best person for the job.

Q37 **Mr Jones:** Dr Martin, have you anything to say on that?

**Dr Martin:** I would add that clearly the principle of merit is terribly important. There is also a point about diversity, and I mean diversity in the widest possible sense that Government are governing on behalf of the people. Of course one of the things is to "get things done" but good government means listening to different views, different experiences, I could go on. To make sure that we have a Government that are not just reinforcing what I think sometimes is known as group think is a good thing. That is another way in which we can do this if we exercise a proper and fair process.

Q38 **Jackie Doyle-Price:** I just want to come back to these issues where we have seen during the pandemic a lot of concern raised about how contracts have been dished out. Clearly there was a need to be fleet of foot to respond to public pressure.

Lord Evans, do you think it was necessary for the usual framework of standards to be put aside to deal with that immediacy?

**Lord Evans of Weardale:** I understand entirely that in those circumstances there was acute pressure from the facts on the ground and also political pressure to get things done. I am very pleased that the National Audit Office has looked at these matters and that seems to me to be a very important part of accountability and therefore the fact that we had the National Audit Office independently reviewing this and making recommendations about the procedures seems to me to be the system working as it should do. I am not an expert on what happened in detail on any of these matters and it is not a matter our committee has considered in any detail because it is not in our remit. The important thing here from our point of view is that there has been proper scrutiny and there should be accountability through the National Audit Office who, of course, act in support of Parliament in helping to call the Government to account.

Q39 **Jackie Doyle-Price:** Dr Martin, anything to add to that?

**Dr Martin:** It is a cause for concern, notwithstanding the acute pressure that must have been apparent at the time, and it is good to know that it is the role of the NAO and it is doing a good job there as ever.



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This is about taxpayer's money and if some of the headlines are to be believed there are some questions to be asked about that. We did a report not too long ago about the public service providers where we looked at the standards regulation for many of the voluntary, private, commercial organisations that provide public services, in order to ensure that the Nolan principles were being embedded there. There were some good things that came out of that.

I don't have the report in front of me at the moment but it is available. It does underline the ways in which we can ensure that procurement is carried out effectively. Not only the procurement process, which is critical, but also the way in which those who are being contracted with then can give some assurance on the way in which the Nolan principles are being embedded.

- Q40 Jackie Doyle-Price:** There is a risk then that just the fact that you have to be fleet of foot creates an opportunity, which bad people will always exploit. By that I do not necessarily mean those who are making the procurement decisions but those who are lobbying for contracts. The NAO's job is to basically judge the integrity of that decision-making. To what extent can we use these principles of good behaviour about taxpayers' money to influence contractors to stop them doing that behaviour, if you look at it from that end of the prism?

**Lord Evans of Weardale:** One of the recommendations that my committee made, before my time but a good recommendation in my view, was that the Nolan principles or the principles of public life should be woven into contracts for those people who are delivering public services and thereby spending public money. It is not a recommendation that the Government have adopted. I do not think there has been a great deal of movement on that. That is regrettable because it should be made absolutely explicit to those people who are going to be spending public money that they should do so on the basis of accountability, openness, honesty and so on, which are the principles that everybody else in public life are meant to work to.

Our committee's remit extends to those companies. From that point of view we have made recommendations on this and we regret that Government have not chosen to fully implement those, because that would be at least a clear declaration to companies that there are expectations on them that go beyond the ones that they would have if they were doing something that was purely a private matter.

- Q41 Jackie Doyle-Price:** I like that idea because this is taxpayers' money and, to be honest, once you have a commercial contract it ceases to be taxpayers' money on the part of the person who is delivering the service, it becomes theirs. The fact of the matter is it is voted for that purpose and needs to be scrutinised.

Who would be responsible for implementing your recommendations? The National Audit Office as well?



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**Lord Evans of Weardale:** The onus probably would rest on whoever was letting the contract. If you let a contract to a private company to say, "Please deliver X" then you would presumably have performance criteria. So if you want a bridge, then you have to build a bridge. Therefore I would have thought initially at least the commercial relationship is going to be with whoever is providing the public money for this and they ought to be there making sure that it is not only being delivered but delivered in a way that meets the additional requirements of public money.

Q42 **Jackie Doyle-Price:** Dr Martin, do you think it would be more difficult or easier to extend that approach to local government contracting?

**Dr Martin:** I would put it slightly differently. Some of you may know that I was the local government ombudsman for a while and one of the trickiest issues that I came across was dealing with social care, which was being provided by private contractors. You will be familiar with all of that, I am sure. One of the things that we would say to councils quite frequently is that you can outsource the provision but you cannot outsource the responsibility and accountability. I think that applies here.

I would say again, my personal knowledge of local government is that the arrangements work pretty well and social care, as you can imagine, is a very particular kind of issue. But it applies across the piece, of course. You cannot outsource responsibility and accountability. That is where the scrutiny—I would suggest, although this would need to be looked at carefully—is on the Department letting the contracts and ultimately back to the Minister.

Q43 **Jackie Doyle-Price:** Lord Evans, I want to come back to the review. I listened very carefully to what you said this morning and it just strikes me that the time at which the committee was born was a very different political culture from what we have now. We had a culture that was very much two party politics where we now have multiparty politics. The committee was born in response to so-called sleazy behaviour by Members of Parliament where there were questionable interests. That seems to be less of an issue today. The issue seems to be more about behaviour. The multipartyism, plus having referenda that have been very binary, have driven a culture that is very populist. That is perhaps playing out in some of the behaviours that we are seeing or the misbehaviours that we are seeing. To what extent is your review going to reflect on that? The more you think about it, it is a very different world.

**Lord Evans of Weardale:** Yes. I just want to respond to one of the little things you put in there, which is that the issues of the day in the 1990s are not the issues of the day today. That is true but that is partly because of the fact that there are better systems in place. It would be interesting to see whether we do get any cases that are redolent of cash for questions over the next few years and whether any of these issues are fully closed down. We will see.

On the wider question, the way in which people operate, particularly in the political sphere, is obviously affected by the political environment. There



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has been a great deal of division played out very graphically in the second half of last year in the parliamentary assembly. That is relevant to the way in which people feel that they want or need to act. I agree with that and it does change the issues that then arise. I hope that will be reflected in some of what we do.

We are not necessarily the body that can address all of those issues, there are issues for the Parliament and issues for the parties and so on in all of this, but I don't think you can divorce standards of behaviour in the sense that our committee is concerned with from the wider political and social context. There has been a lot of tension and anger over the last two or three years and that plays out.

We have seen that also in other areas. We did a report three years ago on intimidation in public life. That is an issue that has grown over the last four years. It has changed enormously and is a really troubling phenomenon. It may be partly as a result of political polarisation but also opportunity. Social media has completely changed your ability anonymously to attack people in public roles, not just politicians but office holders and so on. We are in a different world and we need to reflect on that and decide whether our standards arrangements are fit for this new world or whether they need to be changed.

**Q44 Jackie Doyle-Price:** You mentioned the role of political parties there, which is obviously crucial because ultimately it is the behaviour of the leaders of political parties that effectively set the terms of engagement and the rules of the game. While we had a two party system that was managed in a civilised way but we have seen the rise of the Brexit Party from nothing, you can see the whole way that our media works now, things can happen very quickly and that drives particular behaviours with political leaders because they are always trying to manage their own position. Again, these are natural reactions. If we can't rely on the leaders of political parties to set reasonable terms of engagement, to whom can we?

**Lord Evans of Weardale:** Anybody who is leading a political party have been put in a position of leadership. I absolutely agree with you that if political leaders of all parties do not advocate and model appropriate behaviours and standards then that will have a poisonous effect on public life.

I was reflecting on this when I took this job a couple of years ago, the two critical anchor points for standards in this country are, on the one hand, the leaders and the leadership coming from the top and, on the other hand, the accountability to the voter at the grassroots. If ordinary voters decide, "We not going to vote for X or Y because we think they are a charlatan" then that is a very powerful bit of accountability. Going back a few years, we have seen a few MPs who have been kicked out because they were seen as being crooks. I think that is very healthy, because people are defending their own interests if they decide not to elect crooks. Ultimately in the whole of the national life there is leadership from the top and there is accountability at the grassroots level and that is what sets the anchor points for the standards system.



**Q45 Jackie Doyle-Price:** Dr Martin, you mentioned in your earlier comments about the emphasis on getting things done. That is what I am getting at with these sorts of observations on political culture because although we still have the vast majority of electors who vote for the two main political parties, the referendum was an outlet for a general frustration with politics and the fact that politics does not reflect how a lot of people think about the world. They took advantage of that outlet. I feel that has left quite a lasting impact on our political culture.

Do you have any reflections about how the review should take that into account and whether we need to think about how those sorts of methods of decision-making perhaps are having an impact on behaviour too?

**Dr Martin:** Clearly it is all part of the mix, you are right to point that out. I will just make reference to one or two local government examples just to start off with where we have seen that some councils—and I am not going to name names—in recent years have gone all out for the getting things done approach and it seems to be falling apart a bit now.

I would say that ethical politics—because I think that is what we want to talk about, isn't it?—is a peculiar beast, and I use that term quite deliberately. We must recognise how we can nurture it. This might sound a bit lofty but it is about reminding ourselves of what politics is about. You are right to point out that now we have more diversity in political parties as well as polarisation and strength of views. The whole nature of what politics is about, reaching agreement, so consensus and so on, if we are to get things done becomes even more important.

Of course on political parties we should say that they all have disciplinary procedures, we are seeing all that played out in front of very eyes, aren't we? The importance of sanctions, as we have talked about throughout this session, remains as important for bad and repeated behaviour. Not in the least because it is about protecting those who are doing a good job and reinforcing the good, reinforcing the very excellent work that is done day in and day out, not only by politicians but by people in the public service. We need to be accentuating the positive as much as dealing with the difficult things, and intimidation is one of those.

It is worth saying that one of our recommendations from the report on intimidation was to get all parties to sign up to a joint code on top of their disciplinary procedures. We have been working with the Jo Cox Foundation on that and there will be something coming out later this year. I can't really say more about that now.

We have been trying to reinforce, in ways that are simple and easy to understand, the ways in which political parties of all shades—and I recognise that is difficult for the burgeoning independent sector but nonetheless if we can create and accentuate the norms around ethical politics then hopefully we will start to shift the culture.

**Q46 John Stevenson:** Lord Evans, on a number of occasions you referenced the House of Commons Standards Committee, I sat on it in the last Parliament and during that time Parliament agreed that lay members were



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given the vote on decision making. This effectively means, as they have a majority on the committee, they could suspend a Member of Parliament from sitting in Parliament. How do you feel about people who are unelected having that power and would you see that principle being extended elsewhere?

**Lord Evans of Weardale:** It is very important that Parliament maintains its sovereignty and, of course, legitimacy comes from the electorate electing people. One has to be careful as a non-elected official not to abrogate responsibilities that do not rest with me. We quite often get urged by members of the public to step in and stop the Prime Minister from doing this, that or the other. That is a completely nonsensical suggestion because the Prime Minister is accountable to Parliament and MPs are accountable to their electorates and we are not. We need to be careful about non-elected power because it is contrary to the fundamental building blocks of the constitution.

The Commons arrangements, as I understand them, have an independent Parliamentary Commissioner for Standards who announces investigations and MPs have voted to establish an independent expert panel in the Commons that will determine sanctions against MPs should a case of bullying or harassment be upheld under the code there. In cases where that independent panel recommends the most extreme sanctions, such as suspension or expulsion, then the House must approve the recommendation via a motion in the Chamber. While it has been said that there will be no debate on that, nevertheless ultimately that sanction does come back to the House to vote on. I can see in a constitutional and parliamentary context that is important because I do not think one should overrule people by a process.

There does need to be that safeguard but I do applaud the independent elements that the House authorities have introduced in order to depoliticise. As a Member of the House of Lords, I don't feel that the procedure last year over one of the problem areas where a Lord was accused of some quite serious conduct breaches was particularly edifying. I don't think it commanded public support and public trust. I am pleased, therefore, that in the Lords a greater element of independence has also been introduced in the process because otherwise it can look as though it is people either marking their own homework or supporting their mates. We always need to bear in mind, particularly in cases of bullying and harassment, that there are victims out there as well and this is not just about whether the alleged perpetrator has fair process but also whether people who are potentially deeply wounded by things are also defended by the system.

**Chair:** Thank you very much. I thank both Lord Evans and Dr Martin for their time this morning in coming before the Committee. Indeed, if there is anything further you wish to draw to our attention you are most welcome to write to us. Thank you to colleagues and the broadcasting team. Thank you all.