

Committee on Standards

Oral evidence: Code of Conduct, HC 671

Tuesday 8 December 2020

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Members present: Chris Bryant (Chair); Mrs Jane Burgess (Lay Member); Andy Carter; Mrs Rita Dexter (Lay Member); Sir Bernard Jenkin; Dr Michael Maguire CBE; Dr Arun Midha (Lay Member); Mr Paul Thorogood (Lay Member).

Questions 69-132

Witnesses

I: Pippa Crerar, Political Editor, *Daily Mirror*, David Walker, Author and Journalist, and former Contributing Editor, *The Guardian*, and Esther Webber, Red Box Reporter, *The Times*.

II: Alexandra Runswick, Senior Advocacy Manager, Transparency International UK, and Dr Hannah White, Deputy Director, Institute for Government.

Written evidence from witnesses:

[Alexandra Runswick](#)



Examination of witnesses

Witnesses: Pippa Crerar, David Walker and Esther Webber.

Chair: Welcome to this session of the Standards Committee. We are, as you know, doing an investigation into the Code of Conduct and the whole structure behind the Code of Conduct in the House of Commons, including elements of the Ministerial Code, the guide to the rules and the way we order all our business. It is great to have three celebrated, renowned, important and significant journalists joining us today: Esther Webber, Pippa Crerar and David Walker. Thank you very much for your time. Do not feel that you have to answer all our questions, unless you have something additional that you would like to ask. We are grateful to you for your time, and we hope that you will help us put together a robust set of evidence that can lead to a good report and some changes in the future. We shall kick off with some questions from Sir Bernard Jenkin.

Q69 **Sir Bernard Jenkin:** Good morning, everyone, and thank you for being with us this morning. To bowl you an opener, what would you say is the current level of public confidence in the House's standards system at the moment?

Esther Webber: I would say my general impression is that it is fairly low, but I think that is partly to do with the fact that we mainly hear from members of the public and readers who are unhappy in some way. You are far more likely to get feedback from people who think it is a flawed system than from those who think it is working fine. There is a base level of suspicion from the public saying that MPs are not properly held to account for their behaviour. On the other hand, when you see examples of it happening—perhaps a recall petition or something like that—you get positive feedback saying, "Quite right, too!" or "This is how it should work." I would say that is my rough impression to start with.

Pippa Crerar: I agree with Esther that public confidence is quite low in the system, but I would add that that is partly because the public do not really know what the system is—*[Inaudible]*—

Chair: You froze, Pippa.

Pippa Crerar:—works, let alone the Code of Conduct, the complaints system and the rules that you all follow. That is a communications problem for all of you. As Esther said, notably high-profile examples of the system working mean people are aware that something has gone wrong, so people have that perception of it. Ultimately—keeping the first answer brief—there is a problem with people knowing the content of the code and the system that implements it. It can be very confusing for people that there are a broad range of bodies, organisations and individuals, from your Committee to the Parliamentary Commissioner for Standards and the different codes that exist, and even up to IPSA, ACOBA and all the



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different bodies that implement some form of rules for MPs. It can be very confusing for the public.

David Walker: I underline that. Even the tiny proportion of the public who are aware that there is an ethics structure in Parliament are somewhat confused by the overlap between yourselves, the Commissioner and so on, as Pippa has just outlined. I suppose the other main point that doubtless you will consider—I know Sir Bernard is paying attention to this—is the overlap between what you might call the specific issues of ethics and the general perception of politics, Parliament and MPs: the language they use, the way you treat each other and so on. The public's view of probity issues is highly coloured by their perception of political life, as manifest in what they learn about what happens on the Floor and in the Committees of the House of Commons. Doubtless we will talk a bit later about the role of the media, but the colouring of politics as it is reported is obviously part of the explanation for the—let's face it—very low level of public confidence in our political representatives.

Q70 **Sir Bernard Jenkin:** Can I follow that up by asking about what you understand different parts of the public feel about this, because it was very striking, in the way that the Prime Minister struck down the report from the Prime Minister's adviser on ministerial interests, that that was a political calculation that somehow wasn't going to cost him very much among the people he regards as his key supporters. When we say "the public" we probably talk about people who read *The Times* and *The Guardian* who complain to your newspapers; but really how much of the public just regards this as part of the weather—that this is what politics is like and we never expect it to be any different? As a supplementary to that, you might just ask yourself what incentive there is on MPs to clean up their act if there really is not much electoral incentive? How do we deal with that?

Pippa Crerar: Does it not need to be the other way round? Should there not be an onus on you as public representatives—effectively public servants who represent constituents and, of course, are paid by them—to be the ones to act first? If we all sit there and say, "Oh well, there's nothing I can do about it, the public think we are all crooks or liars" or whatever it is, anyway, nothing is ever going to change.

Q71 **Sir Bernard Jenkin:** That was not quite my question. My question is am I right in that perception of the public?

Pippa Crerar: I do think that the example you gave of the Prime Minister and the Priti Patel report and Sir Alex Aitken is a very telling one, because obviously—

Sir Bernard Jenkin: Alex Allan, we should say.

Pippa Crerar: Sorry, Alex Allan, of course. In my previous answer I set out that I don't think the public necessarily understands the differences between the different parts of the system. I would be very surprised if very many members of the public—even those reading *The Times*, *The Guardian* or other newspapers—necessarily completely understand the



difference between, for example, the Ministerial Code and the fact that the Prime Minister implements that, and the parliamentary Code Of Conduct as well, or the areas of overlap. That is what I mean about simplifying it. I think it is going to be a lot easier for the public if they understand, if you have all these different structures, what they are each responsible for and where they overlap. You have each individual area set out on its own web page—what it does and what the rules are and how it applies; but what is the link-up between all of them? I just think that the confusion doesn't create faith in the system, but I do think the onus is on MPs, on you, to make a start to change that.

Sir Bernard Jenkin: Esther, David?

Esther Webber: I think part of the problem, there, with the Priti Patel report, is the role of confirmation bias. Many people already have a view that politicians can do what they like, and the rules don't apply to them, and they would never apply ethical frameworks to themselves. So then when something like that happens, I think the overwhelming response is kind of shocked but not surprised. This fits exactly with their kind of worst stereotype of the way Ministers and MPs behave, but they still find it reprehensible, and that is something we see again and again, I think, when you get someone who is not investigated, or when the outcome is not upheld. People have very little faith in the outcome and the ability of politicians to see that through.

David Walker: A specific issue for you, surely, is the overlap or the confusion between the Ministerial Code on the one hand and the code governing MPs on the other. I do not think the public grasp that there are two separate exercises and structures, and what you might be able to do to align the two codes is obviously a big question. Bernard evinces, if I may say, a certain degree of lack of confidence in the public and, indeed, in his own colleagues. I think the idea of independence is still strong. Although, let us face it, Alex Allan was not a household name, I think there was some dismay that someone who was ostensibly independent produced advice and that advice was summarily rejected by, in this case, the Prime Minister.

The public would have some confidence in the idea that there are independent people and independent parts of our political system that can be prayed in aid in judging cases of ethics. Again, perhaps one question for you is how you introduce or amplify the independent element, given that Parliament is sovereign and clearly there is some clash between any idea of independence and the right of Parliament as the supreme lawmaker in the country.

Q72 **Sir Bernard Jenkin:** Thank you. I have one last related question on the Ministerial Code. It was set up so that, constitutionally, it is for the Prime Minister to decide who should be in his Cabinet and who should be a Minister, and it is for the Commons to decide whether that person has the confidence of the House of Commons. The role of the adviser was set up with that constitutional fact in mind. Are we saying that that should change and the Prime Minister should be instructed to get rid of a



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Minister, even if that Minister would have the confidence in a vote in the House of Commons?

David Walker: That is the key question: whether Parliament is prepared to accept independent adjudication of issues that, as you rightly say, constitutionally are within the purview of MPs collectively to decide. Your question is whether public confidence in politics and Parliament is so low that thinking about a drastic revision of our constitutional conventions is the only way forward if we are to secure higher levels of confidence. That is the key question. Again, I am sure your next question would be, how do you secure accountability for that independent element? There is clearly a paradox there.

Pippa Crerar: I would add, very simply, that I think there is never going to be full public confidence in the current system while MPs are being seen to mark their own homework. I appreciate that you have lay members of the Committee, which I think is really important, but I am not sure that everybody in the public necessarily knows that that is the case.

I do not want to name individual MPs, but you will have seen several cases recently where the public have been dismayed that no action has been taken, or where particular behaviour by a particular MP has caused public outrage and they do not see anything being done about it. Of course, you all know that things happen behind the scenes and that, in some cases, they are criminal matters that are obviously not anything to do with you. But any system where the public thinks that MPs are in charge of sanctioning their own, which feeds into the idea that Esther mentioned earlier of, "One rule for us and one rule for everyone else," is a problem.

Q73 **Michael Maguire:** Pippa, can I follow up on that? Does that mean there is a need for greater publication of the role of the independent members and what we do, for example the lay members of the Standards Committee?

Pippa Crerar: Yes. Anything that sheds light on how it all works is a good thing—the mechanisms by which it works. I am currently Press Gallery chair, but I am not here to speak formally on behalf of the Press Gallery, because we do not have a formal view on this, but I did consult with colleagues on the committee in the last couple of days to see what their views were. I was surprised by how many colleagues thought that the only way, if you are serious about winning public confidence, is to have a fully independent process and to have only lay members, ultimately. That is not to say that there cannot be an oversight Committee in the Commons. In terms of your specific question, Michael, I think that it is anything that you can do to highlight your role, because I am not sure that people know that the lay members exist.

David Walker: We have to be realistic—I think Pippa hinted at this—that whether or not the independent members have a greater profile, and they probably should have, it is the kind of decisions that are made in specific cases. Let us face it: there is an appetite for punitiveness on the part of the public. I will give this example from your neighbours in the House of



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Lords: people's perception of Michael's fellow countryman, Lord Maginnis, feeds into a sense that the sanctions involved are not particularly onerous. If there were some greater sense on the part of the public that those who are found guilty of offences are punished in a more direct and hurtful way, it would perhaps go some way to restoring confidence in the system.

Q74 **Chair:** Can I slightly challenge that? I will come to Arun in a moment. The predecessor Committee to this decided in one case that a Member should be suspended for such a long time that it invoked the recall petition process. Then there was no recall petition, because not enough people signed up to it. People in the constituency seemed less concerned than the House of Commons.

David Walker: In democracies, we always have problems with the public. You do not have to invoke that phrase of Bertolt Brecht. Yes, there is a problem. If, as a corporate body, the House of Commons is not perceived to be utterly serious about sanctioning what it decrees to be offences against its code, there is an issue. At the moment, the perception does not include that.

Esther Webber: I would stick up for the recall system to a degree, because even if the threshold was not reached in that case, at least that decision is being taken by constituents. Some of the things that erode trust are things such as an investigation taking so long that an MP is able to step down before it ever gets to that point, or outcomes not being known at all—cases being decided behind closed doors. The recall petition is actually a good aspect of the way the system works, and there are other parts that are weaker.

Q75 **Dr Midha:** I want to slightly push back on David's answer and support Chris's point. I am a lay member. There are seven lay members on the Committee. This is the only Select Committee that has lay members and MPs, and we have a majority vote as well. In the example that Chris gave, the decision of the Committee was a recall, and it was the population of that constituency who decided not to invoke that. I am struggling to work out what more the Select Committee could have done in that context to develop a perception that promoted the idea that we were taking things very seriously. That said, can I pick up something that Pippa said about not understanding the content of the Code of Conduct? That is a very good point.

David, you talked about issues around behaviours and so forth as well. I would be interested in understanding whether you can identify any specific gaps in the code, in terms of what the public should expect MPs to do. Perhaps I could be a bit specific, in terms of the Black Lives Matter movement and other events that have raised the issues of equality, diversity and so on over the summer. Do you think that this is the time when MPs should be setting a significant example about their opposition to racist attitudes by perhaps developing the code a bit more and focusing on that issue?

Esther Webber: That is a really interesting point, because I know, certainly on the House of Lords side of things, there have been cases that



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have not been able to get taken forward because they do not apply to the work of that person as a member of the House of Lords. There is something there worth re-examining, because obviously the MPs' code covers MPs in their capacity as MPs and should not impinge on their right to free speech. I think that does create a gulf of understanding if the public finds out that they cannot complain about something that an MP has said in the public domain. I think that may be one of the things that is less well understood.

Pippa Crerar: On that point about the content of the code, I re-read it last night as a reminder. *[Interruption.]* I'm a sucker for punishment, eh?

Chair: Homework!

Pippa Crerar: Yes, exactly, homework. I was very struck by how the early pages—a sort of overview at the beginning, which was based on the standards by which you expect to live in your profession—were very general and broad-brush, but actually get to the heart of it, and then, obviously, you have the pages and pages of detail.

In terms of some of the detail, you did ask for specific examples. I know that the Committee, in its previous incarnation has had this debate, about whether the list of rules needs to be shorter. I don't think that it necessarily needs to be shorter, because, obviously, it is a very complex situation, and you cannot expect the code to necessarily apply to every single transgression, but I do think it could be simpler.

For example, I do not understand why Parliament here couldn't follow the lead of—I think I have this right; apologies if I haven't, and you'll probably know better—the Scottish Parliament and Welsh Assembly, where it actually just says, "Declare everything." Rather than having very finely stipulated examples of what you should and should not declare and how often, just declare the lot, so it is simple, transparent and open.

In terms of financial interests, in particular, how often are they currently declared? For example, does the Commissioner announce when they are updated? No, I do not think so; they are marked on the list, but you do not advertise that in the way that, for example, IPSA does by publishing expenses every quarter, or whatever it is. All of those things would help with the transparency aspect of this and the implementation of it, as much as the content.

Then, on MPs themselves, presumably you are all experts in the rulebook—I would like to think you are, anyway—but is it worth having some sort of reminder for you of what the fundamental principles of it are? That could be posters around the Commons, on your lanyards, on your own webpages, or whatever it is, so that your constituents can see the principles that you have signed up to.

Esther Webber: I worked on one particular case where I think the breach of the code partly arose because the Member in question said he wasn't



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aware that these rules applied. He didn't seem to have been properly trained or inducted in the code, or else he was making excuses.

Chair: Yes, sometimes the rules change, don't they? Some people do not keep up. I think there is an important role for us in terms of making sure that people do understand. A classic instance is that for most of the first 10 years of my being an MP, pretty much every fundraising dinner I went to auctioned tea for two in the Commons. That is expressly forbidden now, and I think there might be Members out there who do not know that, because they learned the rules when they first arrived.

Q76 **Dr Midha:** David, I have one question. I know that Pippa very helpfully looked at the general, but I would be very interested in your views about that specific issue about equality, diversity and racism, and the opportunity—or not—to develop the code in that way.

David Walker: This answer is not going to be very helpful, because it says that were the Augean stables to be completely sanitised and clean, there would still be the issue of public perception of what politicians say and do.

Just on the issue of diversity, you could reconstruct the code and, on diversity, the House of Commons, in its corporate existence, could be really first-class in terms of its awareness and consciousness. But there could be a single statement by a Minister—let's think of the weekend: rightly or wrongly, George Eustice is perceived by some to be condoning racist behaviour—and the general perception of MPs as a class changes.

So the problem will always be for you, for the custodians of ethics, that the normal operations of politics are detrimental to public perception of the sanitisation that you are trying to effect. I'm not sure how you get round that, because were the daily conduct of the business of the House of Commons completely above reproach, there would still be the issue of politics, political discourse and all the things that politicians, pursuing sincerely their beliefs and values and party affiliations, will say and do. Whether you can address, and whether you should address, the language of politics and the content of politics is a really big question, but I think there is a real risk, if you are talking about public perception on diversity, that you are on a hiding to nothing—potentially.

Dr Midha: Thank you very much.

Q77 **Sir Bernard Jenkin:** We are wandering into a very vexed area about wokeness. There are certain attitudes and behaviours that some on the political spectrum think are absolutely outrageous and should be completely banned, and other people say, "No, that's who I am and I should be allowed to say what I want." I mean, you have football teams taking different views about whether they should take the knee. And I dare say that that spectrum of opinion exists in Parliament.

Is this something that the Standards Committee should get involved in? How do we draw the line? Obviously, I can think of certain words where it's one strike and you're out, but isn't it about the attitude of the person



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using the word? Then there is the whole respect agenda at the University of Cambridge, which is greeted by many as stifling free speech. How do we integrate the Standards Committee and the code with this, or are we on very dangerous territory?

David Walker: If you confine the Standards Committee to, as it were, the technical terrain of a code of conduct and specific breaches of it—in particular, pecuniary ones—you are in a fairly narrow ambit, which is perfectly proper but might not address the wider question of public confidence in the conduct of MPs at large, which would take you to the wider territory that Bernard has just outlined.

Esther Webber: I think that that capacity is already there to some extent. People may argue that it is not being enforced properly, but if a complaint were to be raised about an MP in this respect, and the investigation can find that they acted in a way that was racially aggravated or that violated, say, sex discrimination measures, then even though MPs aren't subject to those laws as such, it is within the power of the investigator to make those observations.

I have certainly heard of people taking forward complaints on that basis, so I think that that capacity is already there in the system. In terms of its use, and justice being seen to be done in cases where there has genuinely been discrimination or offensive language that amounts to bullying or abuse, if that is properly said and highlighted, I don't see why it should not be tackled within the existing system.

Mrs Dexter: May I make a point? A specific MP was referred to in the discussion. To be fair to him, which I would like to be, he was criticised at the weekend for failing to condemn, which I think is a slightly different thing from being seen to be condoning. It is interesting, in the discussion about the use of language, that in this discussion we have already nudged the defence on a bit from failing to condemn to being seen to be condoning. He is not here to speak for himself, and I would just like there to be some clarity. I don't think he was accused of, or was seen to be, condoning, but there was some criticism about failing to condemn. They are subtleties, and in many ways, importantly, different things.

Q78 **Chair:** Okay. Moving on from this issue, I am slightly conscious of the fact that if I had a fiver for every time I had been called something homophobically abusive on the parliamentary estate over the last 20 years, including by several journalists, I would have earned more than I have ever had to declare. Can I just ask you—especially Pippa, since you read the code again last night—whether there are any aspects of the registration and declaration regimes that you think are unnecessarily onerous, or that just seem odd or weird now?

Pippa Crerar: Well, really just what I have already said. I can't understand why the financial declaration aspects of it are quite so complicated when they could be quite simple. You have the rules surrounding the thresholds—how much you earn over certain times and how much needs to be declared. I don't know whether you have an



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answer now, but why can't you just say, "Declare the lot"? I just think that makes it simpler for people to understand—by that I mean politicians and members of the public.

It is as much about—I'm not sure "enforcement" is the right word—implementation of the code, certainly from our perspective as journalists, so that we feel we have access to information where it is appropriate and where, for example, particular investigations are ongoing or where we just want to check the Register of Members' Financial Interests for gifts, hospitality or whatever. I am sure you have all looked at it recently. It is basically one long list. The easiest way of getting someone's name is alphabetically, but you can't cross-reference, and it is very difficult to look at previous entries. It could definitely do with a bit of upgrading, in terms of being on some sort of spreadsheet or something.

Q79 **Chair:** Yes, there is ongoing work on that. That point is well made. It should be easier to access, but it is not that we particularly want to do your job for you.

Pippa Crerar: I know, and we have ways of doing it ourselves, but it is not just about us; it is about members of the public wanting to know what their MP has declared.

Q80 **Chair:** Indeed. The difficulty about declaring the lot is, does that mean that you declare a cup of coffee with a journalist or not? "The lot" means that, yes, you do. That's the problem.

Pippa Crerar: Maybe you need a minimum threshold then.

Q81 **Chair:** That's why we end up with the minimum thresholds, and then it is random, really, about where they should be set. Esther, do you have a take on this?

Esther Webber: I guess I have probably done more work on the behaviour and conduct side, rather than financial interests. The one thing I would say is that I think there is a perception, maybe among some of the less experienced MPs, and maybe other lay people as well, that declaring something means that it is automatically okay, and that that is all you need to do. Actually, that doesn't cover the fact that you could declare something and still be using that gift or referring to that donor in an inappropriate way. I am not saying that I necessarily know what the solution to that is, but there possibly needs to be a better awareness that declaring is not the be-all and end-all.

Chair: Okay. Unless David wants to add to that, I was going to move on to Paul.

Q82 **Mr Thorogood:** Hello, my name is Paul Thorogood. I am a lay member on the Committee and have been since 2017. Clearly, fairness is important to any process like this. If I could come to David first, how fair do you think the current process of determining breaches and imposing sanctions is on Members and to complainants?



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David Walker: I suppose you address the question of confidentiality and how far any investigation is known to involve an individual.

There is a point I wanted to make, which perhaps picks up on a remark of Chris's, but maybe addresses this too. You are dealing here with a situation of non-reciprocity. You are very worried about the conduct of MPs, but often the judges of the conduct are themselves not subject to any parallel process of ethical evaluation—I suppose I am thinking specifically of people in journalism and the media. In the conversation between Pippa and Chris about a cup of coffee, the journalist would never dream of declaring an interest in his or her expenditure of money. That is deemed to be part of normality on the part of media.

But there is a question here for you. Those with whom MPs deal should surely behave ethically. If they, for whatever reason, cannot be subjected to a code of conduct, then at least there should be an awareness of this asymmetry in the relationship between elected representatives in Parliament and others.

You might well ask at some point why journalists have escaped, almost completely, any form of ethical regulation. I don't want to go into all the issue around IPSO and all that, but it is the case that individual newspapers may try and discipline their journalists, or at least subject them to a particular regime: the BBC does, and the *Mirror* does, perhaps—I don't know. But journalists in general are not subject to anything like the degree of scrutiny or regulation which MPs are, so there is this asymmetry which I think is a problem. That addresses the question of confidentiality.

The scent of corruption stinks in the nostrils of journalists all too regularly, so a key question is how known any investigation would be, because, immediately, people would assume guilt and there would be a problem, but if it's perceived to be confidential, then you stand accused of a cover-up. Until, in a sense, journalism is more responsible, there is a real problem with that one.

Pippa Crerar: Can I come in? There are two separate things. One is on the point about journalists and what sort of parallel code we work live and work by. You obviously mentioned IPSO, but it is worth pointing out that we are not paid by the public, and we don't represent the public in the same way that politicians do, so I think there is a different issue—

David Walker: No, we often represent private interests and private power.

Pippa Crerar: Yes. However, I am not sure whether colleagues are aware, Chris, but we actually rewrote the Lobby rules that we follow at the beginning of 2019, which are on our website, and I could share them with the Committee if you are interested. They stipulate what is effectively our code of conduct. Our sanction regime does come under the auspices of the House. As chair of the Press Gallery, I have been in to see the Speaker a couple of times about minor transgressions that colleagues have made—being in the wrong part of the estate, photography and that sort of thing—



which are quite clearly set out in our rules, so we come under the auspices of the Speaker's authority and indeed, the Serjeant at Arms. Even as a group of political journalists, we do have a code of conduct, although I accept it is not as detailed or as potentially transparent as for publicly appointed, publicly serving MPs.

The second point about confidentiality is really interesting. As far as I am aware, the Committee has been doing something on this as well. Correct me if I am wrong, but you have raised concerns about confidentiality for MPs under investigation. I think the conclusion was—certainly it is one that I would share—that unless a case involves sexual harassment or bullying, the Commissioner should at least be able to confirm or deny whether investigations are ongoing.

I think Jacob Rees-Mogg, the Leader of the House, confirmed last week that the Government would bring forward a motion to implement that recommendation. It is worth flagging that that is happening, and that is something that we would support, in terms of a move towards greater transparency.

Chair: Great. It is clearly ludicrous that Margaret Ferrier, for instance, has said publicly that she has referred herself to the Commissioner, but the Commissioner can say nothing about it. There is always the difficulty, as Esther referred to, of police investigations. Sometimes they take a very long time, and that is difficult. We would always wish them to be quicker, but I am not sure that they would take our interference in their processes very well. Paul, did you want to come back?

Q83 **Mr Thorogood:** Actually, I would like an answer to my question. It is all very interesting, and thank you very much. Obviously, there was a residual response there. I am really interested in whether you think that the process—the way in which breaches are determined and the way in which sanctions are imposed—is fair, both for Members and to complainants? Your views on that would be interesting.

Esther Webber: So far, we have talked a lot about the relationship between journalists and MPs, and MPs and the public, but one of the key questions here is also the relationship between MPs and staff. A lot of work has been done, as we know, over the past couple of years trying to make it a fairer system for staff to complain where they think that there has been wrongdoing by MPs.

One of the points that we just mentioned was about expanding transparency in the system. There is scope to go even further. One of the things that was said was that transparency should not apply to bullying and harassment cases, but I think there is a case for saying that that should depend on the say-so of the complainant, if a complaint is upheld. At present, you have a system where a bullying complaint could be upheld and unless it has the most serious sanctions attached to it, nobody would ever know, including that MP's constituents.



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I think that is a problem with the system. It speaks to fairness because it means that people who complain about MPs tend to be putting a lot more on the line than that Member, in terms of risking their career and the potential outcome. Even though a lot of progress has been made, there is still a power imbalance in the system and that needs to be acknowledged.

Pippa Crerar: Paul, on your fairness point, a lot of it is about whether justice is seen to be done, if you like. Certainly, the public perception is often—I might be wrong here—that these investigations often take too long and the sanctions are not necessarily particularly severe. For example, somebody could stand up in the House and make an apology and often, as I am sure you will have heard, they do not sound particularly heartfelt.

Chair: That winds us up as much as it does anybody else.

Pippa Crerar: As for the process taking too long, I can think of one very high-profile case—I can name them if you want, but I am sure that you will know who I am talking about—where MPs apparently seem able to delay things almost indefinitely. Then you are in a position where justice is never done, because an election comes or the MP stands down or whatever. In those terms, the perception is that it is unfair.

David Walker: I suppose I slightly feel that this is angels on the head of a pin. The real question in the House of Commons, it seems to me, is about the articulation of the interests and rights of the permanent staff of the institution, and then that category of people who are more transient and with whom questions of alleged bullying and sexual harassment often arise. Regulating MPs' transient staff too much runs the risk that MPs' capacity to function is reduced, and that would be a sad thing.

My solution would partly be to strengthen the corporate identity of House of Commons staff. They are, I know, civil servants, but we have seen that civil servants are not necessarily well represented as a corporate body. Personally, I would prefer to go in that direction rather than the detail of a code that could never cover all instances, but that would still leave the transient staff of MPs in their offices as a problem. I am not able to offer a ready solution to that, because, as I say, too much detailed regulation of those relationships potentially runs the risk of reducing the capacity of MPs to function, which would be a sad thing.

Chair: Jane, did you have a question?

Mrs Burgess: I am one of the lay members. My question has probably already been answered and I am conscious of time. It was about openness and transparency, but I think a lot has been said about that, so I suggest we move on.

Chair: Fine. Michael, then.

Q84 **Michael Maguire:** I am also a lay member. I am interested in what you think the role or responsibility of the media is in reporting on standards issues. In particular, how do you strike a balance between reporting on



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allegations in the public domain and allowing due process to take place? Perhaps we will begin with David.

David Walker: I am sorry, but my answer is that the media in Britain—in England particularly—is irresponsible. Many journalists feel it to be their duty to be as sensationalist as possible. They feel no obligation to due process and no obligation to responsibility. They do not care about the medium and long-run consequences of their actions, which is to diminish politics in the public eye and to reduce the potency and effectiveness of Parliament.

That is a generalisation, but I believe it is a generalisation borne out by the historical record, and indeed, for those of you who are MPs, the daily conduct of not necessarily the parliamentary Lobby, which, let's face it, is a small and—I'll use the word properly—elite group of journalists who do try to effect some responsibility, but they answer to editors and sub-editors. But they have fellow journalists and fellow columnists, and those people do not feel any responsibility about a structured response to evaluating the behaviour of MPs. They think that the story is it and, if it is a story of corruption, they will pursue it and use extreme language and so on. Unless and until there is more and better media regulation, which is a whole other story to get into—

Chair: We are not getting into that, David.

David Walker: Indeed. I fear that irresponsibility is built in.

Esther Webber: I would have to disagree. A number of journalists in the Lobby put a lot of effort into reporting certain misconduct stories. Sometimes these are stories with potential legal ramifications, where we have been asked not to publish something, or where lawyers have tried to intercede.

When I approach stories like this, it will always be, "Is there a public interest in reporting this?"—and I do not just mean that the public are interested. Also, often when these types of stories come to us, it is because people who have complained feel desperate. They might feel that they are not getting heard elsewhere or that the system is not working for them. That is a conflict.

I acknowledge that, because you have to decide whether anything that you would do would interfere with the due process of, for example, the ICGS. I at least would make the case that we do take that seriously because we know it can have lasting consequences for the MP and for the complainant.

Pippa Crerar: It won't surprise you to hear that I agree with Esther. While of course anybody can find examples of irresponsible journalism, which I regret as much as anybody else, I do think there is a lot of serious and responsible journalism done, particularly from within the Press Gallery, where people take issues surrounding confidentiality, particularly of witnesses, incredibly seriously. I refute the idea that these are investigations prosecuted through the media. There is a very high-profile



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case at the moment of a Conservative politician who is being investigated for very serious allegations. We know the identity of that politician, as I'm sure you do, but we wouldn't think for a minute about revealing it, because there are other legal processes ongoing and, more importantly, we would be concerned about the impact on the alleged victims.

I think there is a lot of responsibility and people are careful about not breaching either the rules which exist or, indeed, the ethical standards that have been put in place. I obviously can't speak to every organisation, but certainly, with me and my team, I regularly challenge them on stories they come to me with about MPs' misbehaviour or failing to live up to the rules. We are careful about how we handle those stories.

I do think more transparency would help. We have already touched on the point that all but the most serious investigations should be a matter of record and that should be happening. If the ultimate aim of all this is restoring public faith, then yes, journalists have to play their part, but this is about politicians and I think greater transparency and more independence are the best ways of trying to do that.

Chair: One of the things our Committee members often talk about is whether there is ever a right of appeal. There's no right of appeal in the court of public opinion. I suppose that's one of the things we are quite concerned about. Andy Carter has some questions.

Q85 **Andy Carter:** On the point on transparency and independence, perhaps Pippa can tell me what public right of reply it is right to expect MPs to have when they are under investigation. I want to pick up on the right balance between allowing someone the ability to respond publicly to allegations or speculation and not prejudicing due process.

Pippa Crerar: When you talk about public right of reply, do you mean in the media or in the systems that you have in the House?

Andy Carter: Particularly through the media.

Pippa Crerar: I would expect every journalist writing an expenses story about a politician—I know that expenses isn't your remit—or a more serious allegation that potentially you were monitoring, to approach that individual and include their statement in the story. If they aren't approached or have provided a statement that isn't included, that media organisation is not living up to the standards that it should be. I'd say the vast majority of journalists, especially those in the Press Gallery, would do that and would approach the politician. I'm sure you could find cases where they haven't, but they should have done. What was the second part of your question?

Q86 **Andy Carter:** It was about trying to ensure there is a fair and due process and that the outcome isn't prejudiced by the reporting.

Pippa Crerar: There are several separate things here, aren't there? If you are talking about a criminal process, which is not your immediate terrain, we are bound by the law and would be incredibly careful about prejudicing a trial. There are very strict internal regulations on that by lawyers at all of



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our media organisations. We recognise that contempt of court is a very serious crime and we would not want to be in a position where we are prejudicing a trial.

At the other extreme, there are fewer firm rules in place and you are relying to a certain extent on how any organisation chooses to cover a story. The right of reply is an important aspect of that. With the amount of information you produce—currently, for example, we don't know whether an investigation is necessarily happening—we would struggle to report that. But there are plenty of cases where we do know what is going on and, because we do not want to prejudice outcomes, we are careful about identifying individuals. As Esther and I have said, it is not just about individual politicians but the alleged witness or alleged victim if, indeed, there is a victim in the particular misdemeanour.

It is difficult to provide a catch-all answer. Often these things are done on a case-by-case basis depending on what the transgression or alleged transgression is and the level of information we have about it. Esther probably has some views on that.

Esther Webber: I don't really have anything to add. The right of reply is clearly required by our rules for the most serious allegations that would typically come days in advance rather than on the same day. One of the things with less serious investigations is that someone may be named in the press and everyone decides that they have done it and they have no recourse to address that impression.

At the moment, that does not arise so much because of all the investigations being confidential. We only know about a very, very small number that have come to light usually because an aspect of the system is not working. In those cases, I would not always assume that the court of public opinion, as it is sometimes called, goes one way.

It is a two-way street, as we saw with the findings about Priti Patel. There was definitely a sizeable minority of readers who agreed that Priti Patel had been hard done by: "Bullying is in the eye of the beholder and people were being too soft." We have seen that with some serious allegations when the public have a fierce sense that people should be innocent until proven guilty. There is an onus on us to explain. An investigation having started, all of us reporting on it should not assume any wrongdoing. No real investigation of those allegations can ever be made unless the investigation has started. We do handle things carefully and the court of public opinion is not always of one mind.

David Walker: Public opinion is shaped by newspapers other than the esteemed organs employing Pippa and Esther. It is interesting that you do not have before you representatives of the *Daily Mail*, Guido Fawkes or the new media channels about to be established by, for example, Esther's employer. They are determined to take a raucous and additionally critical view of our politics and of our Parliament. Let's face it: a right of reply on page 92 of the *Daily Mail* if you're lucky. That's a non-starter in terms of re-equilibrating any public perception of wrongdoing that has been



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emphasised up front in the way that stories tend to get reported. That is not to say that there aren't instances of wrongdoing, but the way there are treated generally comes from an initial bias that all politicians are, ipso facto, greedy, crooks, liars et cetera.

Andy Carter: Thank you. I'll leave it there.

Chair: Incidentally, Pippa, I have one point to correct you on: we have responsibility for expenses misdemeanours as well. IPSA has a specific role as the regulator, but several of the instances that we have dealt with over the past few years have been expenses related. That is part of our remit as well, but perhaps that exposes the fact that there is such a panoply of different organisations and structures that it is very difficult for the public to get a full grasp of them all. The thing about the whole expenses saga was that abiding by the rules was never enough, because basically people did not believe in the rules. The biggest question mark was about the rules in the first place, as it were.

Michael Maguire: Chris, can I just come back to Pippa on one question which she asked earlier?

Chair: Yes, but very quickly, because I am conscious that we have got another panel of people who want to give evidence.

Q87 **Michael Maguire:** It is to do with what you were saying about independence; I just want to be clear what you mean by that. I am looking at this in the context of this Committee. Is this about, for example, publishing more the fact that there are lay members and it is the only Committee with lay members on it? Or do you see the direction of travel where this is taken out of the hands of MPs completely?

Pippa Crerar: Ultimately, I think that if you want to guarantee public confidence in the system, then it has to be a fully independent one. That is not to say, like I said earlier, that there cannot be an oversight role by Members of Parliament, but I think ultimately the body has to be independent.

Q88 **Sir Bernard Jenkin:** May I just clarify that what you mean is that the ICGS procedure, which finishes up appealing to a separately appointed body of jurists if you like, is a superior system to the procedure we have for the code, which is adjudicated finally by the Committee on Standards, including MPs?

Pippa Crerar: If the aim of all this, and your biggest concern, is public faith in the system, then MPs cannot be seen to be marking their own homework. If the way to do that is having a fully independent system, then my answer is yes.

There may be some sort of mix between the two that satisfies your desire for MP involvement, but that maybe switches the oversight; do it round the other way. But ultimately, if your aim is to give the public more faith in the system, then my personal view is that it has to be seen as being more independent, yes.



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Q89 **Sir Bernard Jenkin:** Do the other panellists agree with that?

David Walker: Yes, as an empirical judgment, I fear that's right, but it doesn't get you off the paradox, which I mentioned earlier. Our stock of citizens above suspicion is running dry. Who is the independent person or people accountable to? And that is a difficult problem.

Q90 **Sir Bernard Jenkin:** Are you aware of the membership of the new independent expert panel that will be adjudicating the independent complaints and grievance process?

Esther Webber: Yes. It is a unique feature, the situation we are in at the moment, that for the first time this independent expert panel is being constituted and, as I understand it, it will start taking decisions early next year.

I don't think there is a very good degree of awareness around that panel, even among people who work in Westminster, and we do not know how it will work yet. The ICGS has made enormous progress—this independent complaints system—but that does not mean it is perfect. We should be open to taking lessons from it and saying, "What are the parts of it that are working and that can be tried elsewhere, and which parts are not working?" That could be one kind of point of comparison when thinking about this.

Sir Bernard Jenkin: Thank you.

Chair: I suspect that it is when the first decision is made by the panel that it will come to prominence, and either everybody will say, "Well done—what an admirable job you are doing", or they will say, "This is a complete and utter stitch-up. You've all been appointed by MPs and in the end nothing's got any better."

Incidentally, one thing that I would say we do better than the Ministerial code is that the whole of the independent Commissioner's report in Parliament is published—the whole of it—whereas in the Patel case an edited version was published. That is another element of transparency that I think maybe needs to change.

But we have taken more than an hour of your time and you probably need to go and write articles about us. We are enormously grateful to you for giving your time today; thank you very much. We will try to do our best at not seeming to be marking our own homework. It is quite difficult, because I think there is a feeling generally on the Committee that probably an independent body might be a bit more light-touch than we sometimes want to be.

It is a difficult balancing act, and I think we are all conscious that there does need to be quite a lot of reform. It is just trying to work out a system that is readily comprehensible to those whom it most directly affects, and to you and to the public, and that, I would say, commands as much confidence from the public as is possible, because I think 100% confidence is never going to be achievable. That is chasing after wind or "How do you solve a problem like Maria?" Anyway, thank you very much



to all three of you, Esther, Pippa and David.

Examination of witnesses

Witnesses: Alexandra Runswick and Dr Hannah White.

Chair: Thank you, Alexandra Runswick and Dr Hannah White, for joining us today. We are enormously grateful to you. I think you might have picked up some of the conversation that we had earlier today. I know that you both follow this subject matter quite intensely anyway, so we are looking forward to hearing what you have got to say to us. I am going to start with Bernard.

Sir Bernard Jenkin: Good morning and thank you for being with us. Can I start with Transparency International?

Chair: Actually, sorry, Bernard, I have made a mistake. Can I start with Arun?

Q91 **Dr Midha:** Welcome both. I am Arun Midha, and I am a lay member of the Committee. I want to pick up two areas. First of all, do you think there are any gaps in the code, in terms of the public's expectations? More specifically, I would be interested in your views about whether there is a need to tackle racism and discrimination more specifically in the code, given what has been happening over the summer?

Dr White: Thank you for inviting me to give evidence to you today. I think that at the moment the code is quite unclearly drafted. In common with much of House of Commons procedure, what happens is that you start with something and then bolt other things on over time. As something seems like a good idea, you add it in.

At the moment, to the layperson or the public looking at the code, it is quite unclear that the Parliamentary Commissioner can't investigate breaches of either the behaviour code or the Nolan principles. It is only those other paragraphs. She can obviously bear those things in mind when investigating an alleged breach, but I think that the code is too focused on money and financial and interest declarations, and it ought explicitly to cover behaviour. I think that racist or discriminatory behaviour would be an example of the sorts of behaviour that she ought to be able to investigate. I think that that is something that ought to be covered.

Overall, if you weren't going to change what the code covers, you ought to be clearer about what it covers. In my view, it ought to cover behaviour. If you think about the term "code of conduct" from the public's point of view, what you might expect to be included in it isn't really reflected in what the code actually does.

Alexandra Runswick: From a corruption point of view, just to mirror Hannah's statement, obviously we are very interested in the financial



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aspects of the code. In terms of whether or not there is a need to add definitions around racism and more behavioural codes, I think it is really important that we regularly review the code and that there are opportunities to explore issues that we might want to add into it. As a corruption organisation, we wouldn't take a view on what the wording of an anti-racism clause should be, for example. In terms of where we think—*[Inaudible.]* The wording in the code is just too vague and too broad.

One of our particular concerns is around paid advocacy and the fact that there are far too many gaps in the definition, particularly with the use of the phrase "exclusive benefits". We think that there are many situations where it is perfectly possible—*[Inaudible]*—should be captured by that definition. We have seen that with lobbying registers around the world, where the problem is that if you try to define specifically on the role rather than the activity, you actually miss a lot of the activity that you are trying to capture.

Chair: Could you explain that a bit more?

Sir Bernard Jenkin: I will be dealing with this later by the way.

Dr Midha: Shall we move on? It is an interesting point, but it will be picked up later.

Q92 **Sir Bernard Jenkin:** I would like to pick up on what Hannah was saying. I regularly raise the question of what the code really means. We list selflessness, integrity, objectivity, accountability, openness, honesty and leadership. Those are the behaviours and attitudes that we want to promote, but we do not spend any time doing that. We spend our time enforcing financial rules about conflicts of interest. How should we better communicate or discuss or make current among Members of Parliament how we uphold those values?

Dr White: I think that—forgive me; this is perhaps a rather radical suggestion—what we really need is a single parliamentary code. That would encompass the Code of Conduct in the Commons, the Code of Conduct in the Lords, the behaviour code and everything. I know that is not within your power to deliver, because the House of Lords is a separate entity, but I think that it would be much better in terms of clarity for the public and, crucially, for Members of both Houses if we had a standard set of rules, and importantly principles, that they are expected to cover.

I do not understand why we would think, other than the historic constitutionally separate development of the two Houses, there should be a different set of rules for elected Members and appointed Members of the House of Lords. Obviously, then, we have the Ministerial Code, which is separate again. Different things are expected of people in different circumstances. You all have complicated careers; you move in and out of Government. Different things are expected of you at different times, which I think is really problematic, so I would argue for simplicity; redrafting, as I said before; and constant communication.



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The Parliamentary Commissioner's office is small and its resources are rightly focused on investigations. They do not have a lot of time. Other than responding to members of the public or Members who are seeking clarification of the rules individually, they do not have a lot of time and resource to spend on making the rules generally more clear to people. What I have heard from looking at reports of the Commissioner and so on, is that they spend quite a lot of their time trying to explain to people why they cannot investigate a breach of the Nolan principles, for example. A little bit of investment in proactive communication to the public would be justified.

For Members, it is really difficult to find the moment to talk to them about this. As the Chair said in the last session, people tend to come in and look at the rules and then assume they do not change in the course of their career. Actually, when Members arrive in Parliament, they have a lot of other priorities. They have a bulging postbag after the election, picking up from their predecessor. They are trying to sort out their office. They are trying to understand the principles of parliamentary procedures and how to achieve what they want to achieve as Members.

Often, I think, standards can come third, fourth or fifth in the pecking order of priorities. By the time that the initial inductions that are offered to Members have passed, and they have not taken them up, they are all then into the throes of doing their jobs. So it is about frequent and often-repeated opportunities, and being proactive, which is a theme I would like to emphasise—not just addressing these things when something starts to go wrong.

Q93 Sir Bernard Jenkin: You have answered two very large questions. On the first, I am delighted that you are being radical in saying that we should look at how to merge all the codes in some way. I will leave that on one side. I will pick up on your suggestion that we want to be more proactive to engage Members of Parliament. You have studied other systems. Where is there an example of a system that engages its subjects, if you like, much more actively in promoting the right attitudes and behaviours, rather than just the enforcement of rules?

Dr White: If you look at the devolved legislatures, which were set up more recently, there is more of an expectation that a Member, when first elected, will do a basic set of induction training and that standards matters are included in that. In the Westminster Parliament, these things often come down to the attitude of the Whips and what the Whips decide to make compulsory for their party members.

It is not inconceivable to me that requirements might be put on Members before they can start being paid a salary. You could say, "There is a certain set of online learning that you need to complete." That could include fire safety training—which I understand Members are pretty bad at taking up, even though it is a legal requirement in most other workplaces—and basic standards training. You could make it a requirement for Members to have done that before they start drawing a salary when they are first elected as an MP.



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Q94 **Sir Bernard Jenkin:** You are concentrating very much on the induction. Are you giving up on the old farts like me? Is the older generation beyond the pale and beyond rescue? How do you engage the older generation in the conversation? They are probably quite resistant to being involved.

Dr White: Again, I am making up your system on the hoof here, but I would do it at the beginning of every Parliament and it would be compulsory at the beginning of every Parliament. You would capture the things that had changed in the course of the previous Parliament. You could put an emphasis on those for those esteemed long-standing Members, such as yourself.

Q95 **Sir Bernard Jenkin:** But the enforcement of rules is much easier to chase. We all know bad behaviour when we see it, but it is not necessarily anything to do with rules. How do you deal with that?

Dr White: I completely agree with that. That is a much more complicated and wider question of culture change. There is a number of important things to think about, including setting the tone from the top. Your Committee is crucial in terms of setting the tone from the top. You were talking with your previous witnesses about what the responsibility of your Committee is. Is it just to look at the code that we have and ask how we technically administer this code, or is it to be much more ambitious and say, "We want to address these important questions about the standards that we think are fitting of our Parliament, to advocate for those and to be a standard-bearing Committee as well as a Standards Committee"?

It is really unfortunate how often—I cover Westminster Parliament most closely—Parliaments only change in response to a scandal. They do not change proactively and think actively about what should be different because society has changed. The Code of Conduct was set up in response to the cash for questions scandal. You can see that in the code. You can see the focus on what went wrong in that scandal.

The most recent problems that the House has had have been to do with behaviour and power dynamics. The expectations of society have changed. What is seen as unacceptable now may have been unacceptable but was tolerated 10 or 20 years ago. Therefore, I think it is incumbent on you, as a Committee, to consider that societal change and what you think expectations now should be, and to ensure that is reflected in the code, rather than just seeing yourselves as guardians of previous decisions that the House has made in response to past circumstances.

Q96 **Sir Bernard Jenkin:** You say that you are making some of this up on the hoof. I think the Committee would be very grateful if you could prepare a memorandum and develop all these thoughts, because I think they are extremely helpful and very useful.

Dr White: I would be glad to.

Q97 **Mrs Dexter:** May I ask one question that arises from the exchange that has just taken place? Hannah described the idea of a single code as "simple" and Bernard described it as "radical". I think I am on the "It



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feels simple to me” end of the equation, but can I ask Hannah, if it is, in your view, a simple thing, why has it not been achieved? It seems to me that there is a constituency of support for that idea, whether it is simple or radical. Why has it not happened until now?”

Dr White: The simplicity is where you would end up. Having a simple set of rules that is consistent across Parliament is the aim. What is radical is the idea of considering that and how you would get there. I think it has not happened for two reasons. First, because of the constitutional separation between the Houses and the fact that each House’s exclusive governance of its own proceedings is a very important principle of our constitution. Therefore it has not been seen as acceptable in each House to consult each other on these matters and to think that the answer might be something that was consistent.

Both Houses like to see themselves as unique, and they are in many ways, but the important thing to bear in mind in relation to standards issues, as with many other issues, is that there are things that are unique about our Parliament but there are also things that are completely standard and normal, and you are just another big organisation. It is a mistake to think of yourselves as too unique. I think that it absolutely ought to be possible with the political will—I mean small “p” political—to come up with a set of rules that both Houses could agree to. That would be a fantastic aspiration, which I would encourage you to aim towards.

Q98 **Sir Bernard Jenkin:** Would that involve, de facto, incorporating the Ministerial Code into our own code, and if the Ministerial Code does not operate properly, we move in?

Dr White: The Ministerial Code introduces another level of challenge again, as you were discussing with your previous set of witnesses, because it is constitutionally important for the Prime Minister to determine who sits in his Cabinet and, as you say, for the House to determine whether it has confidence in those Ministers and that Government. I would personally start with a whole Parliament code. I do think—maybe we will come on to talk about this—that the way in which the Ministerial Code is operated has real consequences for Parliament and the way in which the Members’ code is perceived, because the public do not draw a distinction between the two.

Q99 **Sir Bernard Jenkin:** There is an irony in the present system that if you are an Opposition spokesman and you are taken to the opera or a football match as part of your role as shadow DCMS Secretary you have to declare that in the register of Members’ interests, but if you go as a Minister you attend in your ministerial capacity, and no declaration in the register of Members’ interests is required. There is some private declaration made within Government, but doesn’t the inequality between Ministers and non-Ministers have to be addressed somehow? How would you address it?

Dr White: I would aim for consistency. It is completely illogical that Ministers, for whom the risk of some kind of inappropriate influence is much higher because they are decision-makers, have to adhere to a lower



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standard because the code is administered politically—there is political decision making—in comparison with MPs, as you were saying.

The Prime Minister's adviser on the Ministerial Code was put there as a kind of attempt to ensure consistency in standard setting and so on, but in the situation that we have just seen it was clear that the judgment of the adviser differed from the judgment of the Prime Minister. We have had a number of cases where the Prime Minister has chosen not even to investigate certain allegations. That is problematic, and would be less likely to happen under the Members' code. We might not know that an investigation was happening, but it is more likely to be because it is not a political system.

Q100 Sir Bernard Jenkin: Alex, do you want to comment on any of this before we go onto the next question?

Alexandra Runswick: I would echo what Hannah said around some of the challenges with the Ministerial Code, particularly the fact that an investigation being triggered is dependent on the Prime Minister taking the view that there is an issue that needs to be investigated. That is an issue that many anti-corruption campaigns have been raising for some time, and international anti-corruption watchdogs have raised concerns about that element of our system.

Sir Bernard Jenkin: And indeed a Committee that I used to chair.

Alexandra Runswick: Indeed. There are increasing numbers of gaps as the systems have evolved—*[Inaudible.]*

Chair: Alex, we are losing some of what you're saying. You keep on breaking up. Are others having the same problem?

Sir Bernard Jenkin: Yes. Could you try killing your camera, then the sound may work?

Alexandra Runswick: Apologies for my poor internet connection. I was just saying that as the codes have evolved in different ways, there are increasingly going to be problems with issues falling between different gaps and systems working in different ways. If we look at the issue of bullying—*[Inaudible.]*

Chair: Oh dear, we have lost you again, I'm afraid.

Alexandra Runswick: Let me try to leave and rejoin.

Chair: Okay. Rita, do you want to move onto the next question, and we can come back to Bernard later when we have Alex again?

Mrs Dexter: Chair, I think my questions are also for Alex.

Chair: Of course. Andy, do you want to come in on this?

Q101 Andy Carter: Yes, I will. I really wanted to ask about the alignment between the Codes of Conduct for the Lords and the Commons. We have



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talked a little bit about that. I wonder if I could move on to whether you think there need to be changes to the process of determining breaches and imposing sanctions. Do you think it is fair to Members and complainants?

Dr White: The inevitable problem with any standards system you would set up in Parliament is the imbalance of power between elected Members and staff. Where it is a question of staff complaining about Members, there will inevitably be that imbalance. For a member of staff putting forward a complaint, they are potentially damaging their career, because it is important, as a member of staff in Parliament, to be able to work with all Members equally. So, I think that is just a fact, which is really difficult to get over in any system like the one you're operating in. Anything you can do to address that is important.

It is really positive, as has been discussed this morning, that there seems to be political will to improve and restore the transparency of the PCS's investigations, because of all of the reasons that have been discussed around public awareness—if a problem has arisen, then an investigation is happening and Parliament isn't just ignoring that fact. Also, sometimes if someone has reported an issue, other people may have had a similar experience, and it is important for clusters of problems to be identified. That is more likely if there is transparency around the fact that a certain Member is being investigated.

Chair: Have we got you back, Alex?

Alexandra Runswick: Hopefully.

Andy Carter: Would you mind picking up on that as well?

Alexandra Runswick: Could you tell me what the question was? I wasn't here for it.

Q102 **Andy Carter:** Yes, of course, sorry. I am really keen to understand, do you think there needs to be changes to the process of determining breaches and imposing sanctions, so that it is fair to both Members and complainants?

Alexandra Runswick: I agree with Hannah's points around transparency. We feel that particularly—*[Inaudible.]*

Andy Carter: It was going so well.

Alexandra Runswick: Sorry, have I broken up again?

Andy Carter: You need to keep your answers to 7-second sentences.

Alexandra Runswick: Transparency in investigation is very important. We agree with the Committee's recommendation on sanctions that we need to fill the gap between an apology, which the public often feel is not really a sanction at all, and some of the more extreme sanctions that can be imposed on MPs. But yes, the most important thing is to really introduce transparency in the investigations.



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Q103 **Andy Carter:** Thank you. If I can just go on to talk about the role of the Commissioner, how do you think we can hold the Commissioner to account effectively while maintaining her independence in this role?

Alexandra Runswick: It is a challenge. I think it is always about having a balance between independence and accountability. Obviously, the Commissioner reports to the Committee. She does publish her reports in full, so there is an element in which transparency in itself is a form of accountability. There could also possibly be an annual report to Parliament, for example. Looking at it from an anti-corruption point of view, it is the independence that is the most important thing for us to maintain.

Q104 **Andy Carter:** Thank you. Hannah, did you want to pick up on the Commissioner's role?

Dr White: I agree with Alex that this is an issue where transparency is the most important thing. There is an important role for your Committee in providing accountability for the work of the Commissioner. Just to build on what I was saying previously, in response to your question, I think that the ICGS approach of removing Members entirely from the process of determining sanctions would be beneficial for the code more generally. It is important to keep a Standards Committee which oversees the system as a whole, and provides that accountability that you're talking about.

As for having a system where MPs are separate—there is a direction of travel that the Committee has already been on by adding lay members, increasing the number of lay members, and giving them a casting vote. It makes sense for that direction of travel to continue so that the system is seen as independent, and so that, importantly, you can have an appeals process, which I know is something that you as a Committee have been thinking about. That is important in terms of fairness. Obviously, constitutionally, it is difficult. You cannot have judicial review or anything of a decision when it involves parliamentary privilege, so having an appeals process that does not involve Members having to think about other Members would be really desirable.

Q105 **Andy Carter:** I am quite interested to hear your thoughts on an expert panel. Do you think it is right—and I often hear this from colleagues—that an expert panel that doesn't consist of anybody who actually understands the role of MPs isn't necessarily an expert panel, because they are not really able to understand the issues that MPs face in their work as legislators? Is that a fair criticism?

Dr White: I can see that criticism, absolutely. However, I think that, just as any Member, when they become a Member of the House, starts to appreciate fully what the exact role of a Member consists of, it is not impossible for a committee of experts to talk a lot to Members of Parliament—to talk to you, to refer to the Standards Committee—in order to understand circumstances in which a breach might have occurred, and to consult you and say, "This is what's being said, and this is what we're thinking." I don't see that as inappropriate, as long as the decision makers, in the end, are those experts who are independent. It doesn't



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seem, to me, to be self-evident that you can only understand the complexities of a job by doing it.

Q106 **Chair:** Can I push back slightly on two things? This is the power to remove an elected representative. Recently, for instance, the Committee decided that someone should be subject to the recall. We suspended somebody long enough for the recall to be invoked, and then the constituency decided, "Well, we're not very interested in that, thank you very much."

Dr White: The same as with the ICGS—a final decision, which would have implications for whether an elected Member could continue to represent their constituents, should finally be made by the House, in the same way as it would be with the ICGS. Constitutionally, that is important. I agree with you that that is a good example of a case where the Committee chose to impose a serious sanction.

Democratically, it is absolutely right that it was then up to the constituents to decide whether they felt it was serious enough to have a by-election. It is important that they should have a right to do that, and that should have gone to the constituents of the Member concerned. You could look at other instances in the past where the Standards Committee has not imposed a sanction as serious as people might have expected. Indeed, under previous versions of the rules, the Committee has not even allowed an investigation to take place, for different reasons. Sadly, one-off examples do not mean that you can necessarily ensure that there is confidence in the system.

Q107 **Chair:** I would love to have a single Lords-Commons system. I suspect the difficulty is not about the exclusive rights of the two Houses. That may be an issue, but we get on very well with our counterpart Committee in the Lords. They do not have a constituency that they can be recalled by or not be recalled by, so inevitably the sanctions have to be structured in a very different way.

Dr White: Again, I think that you could still have the option for a long suspension or an expulsion in the House of Lords, as I believe exists now. I do not think the fact that there is a difference in the ultimate sanction should mean that the process and the principles that everybody is expected to abide by should not be consistent between the two Houses.

Q108 **Chair:** One of the other worries I have is that one of the things about recall is that it does not apply equally across the whole country, because some people represent marginal seats where the people who voted for the other candidates amount to more than the people who voted for them—if you add them all together—because of the first-past-the-post system. By contrast, others live in seats where they have substantial majorities and get 65% or 70% of the vote. That is where, in a sense, the role of the political parties and the Whips play just as significant a role in standards setting. Or is that unfair?

Dr White: I think parties have an absolutely crucial role to play. It is unfortunate that that is a consequence of the first-past-the-post system,



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and I do not think today is the day to get into a debate about our electoral system.

Chair: No.

Dr White: Under different systems, you would not have that issue.

Sir Bernard Jenkin: Who thinks that PR is a guarantee of anti-corruption anywhere in the world?

Chair: I wasn't indicating that, Sir Bernard. Stop being naughty.

Dr White: I think that it is problematic ever to rely on the ballot box as a mechanism for enforcing standards. There is a tendency for elected politicians—this happens in local government as well as central—to want to say, "At the end of the day, if something is bad enough, we'll get thrown out," yet everybody knows that that is disingenuous, because that is not how people vote. They do in the most extreme circumstances, but generally they do not in the UK. Therefore, that is just a bit of a cop-out, I am afraid.

Q109 **Chair:** Alex, I am conscious that you have not been able to answer. Do you want to come in on any of those issues?

Alexandra Runswick: On the issue of the recall petition, one of the challenges with standards is that, inevitably, large numbers of much bigger issues get caught up in these discussions, and there is only a certain amount that one code of conduct or one company can ever do. The important thing in that instance was that Parliament did take the issue seriously and did impose a sanction. What happened after Parliament had— [*Inaudible*]—is a different issue, but the important thing from a public perception point of view is that there was seen to be a serious breach, and that Parliament took that seriously, investigated it and imposed a serious sanction.

Q110 **Chair:** I have one other question and then I think Bernard is going to come back with some questions about your proposals, Alex. When I look anecdotally at some of the MPs who have got into trouble in a variety of different ways over the past few years, quite a few—a fairly high proportion, I would say—have been people who became candidates very suddenly in snap elections, because political parties did not really have time to do due diligence. Do you think that is a fair point, or is that just me being anecdotal and wrong?

Dr White: The other side of it might be, of course, that those individuals were relatively unprepared to take office. It is not necessarily that they were more likely to have things in their past that did not fit them well to become MPs, but that they did not expect to be elected, and when they then entered the House, the problems we have already discussed in terms of preparedness—the number of different things that you have to get up to speed on quickly as an MP—play against them in those circumstances. It is a really important thing to notice, and it is a thing that political parties need to work with the House authorities on, to ensure that when there is a



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large intake of new MPs, which might include those who won their seats relatively unexpectedly, particular efforts need to be made to ensure they understand the rules.

Q111 Sir Bernard Jenkin: Alex, you started talking about the narrowness of the definition of paid advocacy. You say in your evidence that MPs currently may not be employed as lobbyists, but they may undertake activities that constitute lobbying, and that there is too much ambiguity and there should be absolute clarity in prohibiting MPs from lobbying. Now, we all know what lobbying looks like, but what is your definition of lobbying? This is not a trick question, because it is a very difficult one, isn't it? What is the definition of lobbying?

Alexandra Runswick: I do not have one specifically worded to give you in the Committee today. I can probably come up with one later, if that would be helpful.

Sir Bernard Jenkin: I can tell you that we have always struggled with this. It is extremely difficult.

Alexandra Runswick: For me, it is about capturing whether or not decisions have been influenced by private interests, and that is why it is about the activity and not the job title of what it is you are doing. There is a very clear ban on being a paid advocate, but it is perfectly possible to be a parliamentary advisor, for example.

In 2015, TI published research that showed that at the time, 73 MPs—over 10%—had external advisory roles that amounted to a value of £3.4 million. Now, there may have been absolutely nothing wrong with any of those roles, but it is very difficult for us to find out; certainly, it is difficult for us to find out because of the nature of the data that is published, and the poor quality of its publication.

However, other bodies such as the Scottish Parliament have taken a much broader approach. They have gone much more for defining the activities they are trying to stop, and the activities that raise concerns around corruption or raise the perception of corruption. That creates a much broader definition that I think gives MPs and elected representatives much greater clarity. Where people are found to have breached the rules, it is often inadvertent, and I think one of the reasons is that the rules simply are not clear enough.

Q112 Sir Bernard Jenkin: Every Member of Parliament either rents property or owns property. Those interests are affected by things like interest rates, and MPs might argue for or against rises or cuts in interest rates. Where do you draw the line between what is our private interest and what is our interest that we have in common with so many other citizens?

Alexandra Runswick: We already have a register of interests. If there is an interest that needs to be declared, whether it is a financial interest or an unremunerated interest, that should be declared, even where it also coincides with a constituency interest, which means that it is more than legitimate for it to be raised. Personally, I would go for a culture of over-



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declaration, rather than one where an individual might take a decision that something does not need to be declared, but the perception among the wider public is that it should have been declared and it raises concerns by not having been declared.

Q113 Sir Bernard Jenkin: For example, I have an indirect interest—I am married into a farming family, and I also represent a rural constituency. I am not actually required to declare any farming interests, because they do not belong to me personally, but if I was to speak in a farming debate, I would want to make that a declaration so that it was transparent. Would that be legitimate? And if I was lobbying on behalf of my farmers, would that be legitimate lobbying? Under the present rules it would be, but under your rules would it be?

Alexandra Runswick: I believe that it would be but, as you said, you would declare the interest anyway, and I believe it is that declaring of the interest that makes it transparent so that people can assess for themselves whether or not there is any financial gain.

I believe that what you have described would be perfectly fine, and I think that it would be fine under the situation that we would be talking about—so, changing the exclusive benefit rule and also having a broader definition, more akin to the Scottish Parliament. I believe—

Q114 Sir Bernard Jenkin: Just to be clear, the current exemption in the lobbying rules for constituency interests, with transparency, is okay?

Alexandra Runswick: I believe so, yes—it is the “with transparency” that matters. For example, in the Sir Robert Neill case recently, there was concern about a financial interest because it wasn’t declared, and he believed that it did not need to be declared because it was a constituency interest.

Q115 Sir Bernard Jenkin: What happens if you are a doctor or a lawyer and you practise privately? Are you really not expected to be allowed to contribute to any debates about the regulation of GPs or the way the courts operate in a certain sector in which you are specialised? I mean, if you are remunerated in those areas, you could be accused of lobbying in your own interests, but if you have expertise of that nature, shouldn’t you bring it to the House of Commons?

Alexandra Runswick: Absolutely. No one is saying that MPs with particular expertise cannot contribute to parliamentary debates, but that the interests in—

Q116 Sir Bernard Jenkin: Even if you are paid—even if that is a paid interest?

Alexandra Runswick: There is a difference between— There are different forms of lobbying and there are different forms of participation. For example, if it is taking part in a parliamentary debate and you state clearly at the beginning of your speech that you have an interest, and it is declared in the register of interests, I believe that is transparent.

I think that where it becomes problematic is where there is a direct



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financial relationship. One of the reasons it is so problematic is that we have so little data at the moment to be able to find the transparency that we need to answer these questions, because the way the register of interests is published is so difficult to analyse, so difficult to scrutinise and so difficult to compare from one Parliament to another. There are lots of issues that raise concerns that may be perfectly valid, but at the moment we just can't be sure, and we can't have meaningful conversations because we do not have access to the right information.

Q117 Dr Midha: I just want to check something. Is it sufficient simply to declare an interest at the beginning of a speech, etc., or should we be actually placing much more of an onus on that individual MP not simply to say, "I have an interest," but actually to have some sort of thought process to say, "Well, there might be undue influence if I make a further speech"? It should not be incumbent on the other MPs or the public simply to accept that; it should be for the MP themselves to reflect on whether he or she is having undue influence by even speaking on a particular topic.

Alexandra Runswick: I think it is important, as you say, that MPs reflect not just on what their perception of their own actions is and whether or not they believe that the financial relationship that they have is influencing the actions that they are taking, but that they also take into account what the public perception is. They might have a very clear sense of how their relationship with a company works, and that it does not actually interfere with their parliamentary work, but that is not always obvious to anybody outside their immediate circle.

I think that you are absolutely right that declaring interests is essential, but they also need that thought process not just about what they as individuals think, but what the wider perception is, and what steps may need to be taken to prevent a perception of undue influence.

Q118 Sir Bernard Jenkin: How do we frame rules that have reference to what the public perception might be of a particular individual in a particular circumstance?

Alexandra Runswick: I think, partly, by going back to what I was saying about defining the activity and not focusing so narrowly on particular job titles.

Q119 Sir Bernard Jenkin: Let us look at another activity that MPs habitually do: you catch a Minister in the Lobby and explain something to them, or write to the Minister. The correspondence between Ministers and MPs can be published, if it is in the property of the Department, but not if it is between Members of Parliament, as Members of Parliament. First of all, is it required, in your view, to make the same declarations as you would if you were speaking in a debate?

Alexandra Runswick: Just to clarify, you are asking if a Back-Bench MP is lobbying a Government Minister within the Palace of Westminster—

Sir Bernard Jenkin: Wherever. It does not have to be in the Palace of Westminster; it could be anywhere.



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Alexandra Runswick: But if they are informally raising an issue with a Government Minister, should they be declaring an interest? If there is one, yes, I believe they should, so that the Government Minister is fully informed and can make decisions appropriately.

Q120 **Chair:** Can I just pitch in? Let me give two instances in which I think it fairly clear that a Member should not engage in that activity, frankly. If you are a paid adviser to a company, you cannot grab a Government Minister in the Lobby and say, "By the way, can you sort this out for the company?" That is—

Sir Bernard Jenkin: Paid advocacy.

Chair: That is paid advocacy. My husband is a company secretary for an events firm. This year has been particularly difficult for events firms. I have deliberately never raised events firms in the Commons because I think that would be inappropriate and people would think that I was doing that because it is what my husband does. That is right, isn't it, Alex?

Alexandra Runswick: Yes.

Sir Bernard Jenkin: What happens if a constituency events firm lobbies you and wants you to raise you an issue?

Chair: Well, if you have no financial interest, that's fine. I think the point that Alex is making—unless I am getting it wrong—is that there is a rather nebulous concept of a paid adviser to a company, and it looks remarkably like they will be buying your advice on how to lobby the Government.

Alexandra Runswick: Exactly. There are a number of roles—parliamentary strategic advisers to companies, for example—that would not necessarily come under the paid advocacy rule currently, but to the wider public, it certainly looks as if a private company is benefiting from the insider knowledge and experience of somebody doing public service. That is a problem.

I fully appreciate the broader point about how to capture each and every case in a specific set of rules, but you have to do it by looking at the broader activity that you are trying to capture rather than at job titles, and also by having transparency in all the different datasets, whether the Register of Members' Financial Interests, the lobbying register, ministerial meetings data or APPGs. Those are all datasets that are already officially in the public domain but are not published in a way that is adequate for proper scrutiny and analysis.

Q121 **Sir Bernard Jenkin:** I have two questions about that. One is on the business about paid parliamentary advisers and strategists, which is not my question, so I will come in behind whoever asks that. How is it that you want the information presented so that it will be accessible, in the way that you don't feel it is at the moment?



Alexandra Runswick: One basic thing would be for it to be in a machine-readable format—something like a CSV, which means that you can collate it with different data sources and use a computer to help you scan and do top-level analysis. There are also things like making it more structured data. Historically, particularly in the House of Lords, registers of interest used to be handwritten and then scanned as a PDF.

One Member would list “the BBC”, one Member would list “the British Broadcasting Corporation” and one Member would list “media work”, so it was very difficult to compare. Obviously, that has improved somewhat, but there is still a very long way to go before it gets to be machine readable and structured.

Sir Bernard Jenkin: That is very helpful, thank you.

Q122 **Michael Maguire:** Hannah, I just want to come back to what you were saying earlier. I want to be clear in my own mind about the direction of travel you were suggesting. If I understood you correctly, the kind of model you are talking about is decisions on sanctions being taken out of the hands of MPs by an independent panel, with the Standards Committee and some kind of appeals process, but ultimately with the final decision taken by the House. Is that the kind of thing you are talking about?

Dr White: That is exactly right, except that I think that the appeals body should also be independent, as it is with the ICGS. I think the role of the Standards Committee should be that MPs can feed in what Mr Carter was talking about—the understanding of the context and role of an MP, and how that might be relevant to a breach of the code.

It would also keep oversight, in exactly the way that this Committee is doing right now, of the code itself and ask itself at regular opportunities, “Is this in line with current expectations in society? Have things changed? Do we need to evolve the code as a whole?” That, I think, needs to be done by a set of MPs. I think the process of investigating complaints and determining sanctions, up to the point at which they affect the ability of a Member to represent their constituents, in terms of a long suspension or potential recall, should be out of the hands of MPs.

Q123 **Michael Maguire:** Does that mean, just in practical terms, the creation of two new Committees—one for appeals and one for the decision on sanctions?

Dr White: No. The way I am thinking about it, your Committee—the Standards Committee—would continue to exist. Potentially you wouldn’t need the lay members, because its primary purpose would be to provide that parliamentary input into the process and the understanding of Parliament.

You would be creating a new independent panel, in the same way as you have for the ICGS. It is important that you have the right sort of expertise on that panel. I don’t think you could use the same one that you have for the ICGS, because that tends to be more employment or HR-focused. You



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would want one that had more financial experience and experience with the other behavioural matters that we have talked about, which I think should be covered, if you are adopting my proposals wholesale.

Q124 **Chair:** If you wanted, you could decide that the MP members of the Committee could be the Standards and Privileges Committees looking at the privileges of the House and bad behaviour by people outside Parliament to Parliament. It could lay down the rules, much as we legislate, and then that could be adjudicated on by a body of independent people, who might be the IEP plus the seven lay members from this Committee. That is one option.

Dr White: That is exactly one option. Having said that you wouldn't need the lay members, I do think that they bring a useful injection of understanding of external standards systems and how things are done in other professions. MPs might still benefit from that. You are right that if the lay members weren't there, you could combine that with Privileges.

Chair: You also have to get MPs to vote for all that to make it happen—ay, there's the rub.

Dr White: Always a challenge!

Q125 **Mrs Dexter:** Staying with that last set of contributions, it seems to me that the idea of judgment by peers, which I think is valuable, has become disreputable, because it is now labelled as marking your own homework. The direction of travel in this discussion is very much that there is no longer any value in talking about judgment by peers, because we have become accustomed to the idea that what is more important is independence. I feel slightly sad about that. Do you not think there is any role for judgment by peers?

Dr White: The distinction that I would draw between the system in the House and the jury system, for example, or indeed systems in larger professions, such as the medical profession, is just the numbers involved. There are 650 MPs and they all know each other and have personal relationships and direct political interests in what happens to each other. I think that is too strong to expect them to make objective decisions about their peers.

In the jury system, we are randomly picking people from the population who are peers of the people being tried. In the medical profession, the chances of any one doctor knowing the doctor whose case is being considered is much more slight, so they have that much more distance. I totally agree that peers being able to decide on each other works in some contexts, but I don't think we can therefore say that it works in all contexts. I think that it is harder to make it work in a political system and in a smaller system.

Q126 **Mrs Dexter:** Thank you. That is helpful. Alex, I thought your contributions on what could be gained from greater transparency were very well made. Sticking with the business of parliamentary advisers, your evidence proposes barring MPs from being paid as parliamentary



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advisers or strategists. For the Committee, three questions arise from this.

First, could you explain the justification? You have already talked about the difficulty of the appearance of benefiting from expertise, and maybe it is as simple as that, but I wanted to give you the opportunity to expand if there is, in your view, further justification. Secondly, how do you think this should be implemented? Thirdly, touching on some of the exchanges we have had so far, particularly with Bernard, what activities do you think should be banned?

Alexandra Runswick: As I stated earlier, I think that the important thing is capturing the activity, not the job title. Part of the problem with these parliamentary adviser roles is that, as paid advocacy roles have been banned, a lot of that activity has moved into other roles—the activity can continue but simply with a different job title. Equally, if you took the approach of banning parliamentary advisers, you could create senior counsels. We therefore support taking an approach similar to that of the Scottish Parliament, which has a much broader definition of the activity.

This matters because the public need to have confidence in their elected representatives, and confidence that whatever decisions they are making in the legislature are being made on the basis of what they believe to be in the best interests of their constituents and of the country, not on the basis of individual financial interests.

There is a perception at the moment—it may be no more than a perception—that it is possible to buy access and influence in our political system. It is very important that we challenge that perception, and one of the ways we can do that is by having greater transparency and having a very clear and strict definition of the kinds of paid work that MPs can do in addition to their work as MPs.

Some organisations would go further and say that there should be a complete ban on second jobs. We would not go that far. We recognise the benefit that can be brought to Parliament from MPs having outside interests, but that transparency and clarity about what is expected of MPs and what the public have a right to expect are important.

I am sorry—I know there were about three parts to your question and I am worried that I must have missed one.

Q127 **Mrs Dexter:** Alex, thank you. Hannah, do you want to add anything on this topic?

Dr White: I completely appreciate what Alex says about the need for clarity about the sorts of activity you are trying to control. I also wonder whether there might be value in going in the opposite direction and thinking about the broad principle of what you are trying to achieve.

Sometimes things go wrong when everyone gets into micro-analysis of definitions of what you are trying to stop, and what is and is not in the rules. I believe you talked to a previous set of witnesses in November about a principles-based approach, where you just said something like,



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"It's the duty of MPs to act in a way that tends to maintain and strengthen the public's trust and confidence in the integrity of the House of Commons." That would be a broader way for MPs to tell whether something they were thinking of doing would fit.

Q128 **Mrs Dexter:** Thank you, Hannah. Alex, I also wanted to ask you about registered unremunerated interests. Your evidence suggests that the rules around them should be made clearer. Could you expand on that for us, please?

Alexandra Runswick: As has been said before, these conversations often focus on financial interests, and the rules are much clearer on financial interests, but there are interests that might not be immediately financial. You might have a relationship with a company that is not financial at this point, but there may be an expectation that when you leave Parliament, it might become financial.

There are other types of interest that can raise concerns about the perception of corruption. There needs to be more consistency in how those different interests are treated. Again, it is one of those gaps between the code for MPs and the code for Ministers. It is taken much more seriously at a ministerial level, but for MPs, it is patchy at best.

Q129 **Chair:** So, for instance, as a Minister you register that you are a trustee of the tree-hugging group in your constituency or patron of a rugby club, whereas MPs would be told it was not necessary to do that, but you think that all those things should be published.

Alexandra Runswick: Yes. I think there needs to be a more consistent approach so that the public know what data to expect and what to look for.

Chair: I am slightly conscious of time.

Q130 **Mrs Dexter:** May I ask one more question? Alex, Bernard asked you a question earlier about what some aspects of more transparency might look like in practice. You gave us some ideas, but I think it would be helpful to have a note from you about what the structure of data could look like and what features it should have.

As the Chair told you, there have been discussions about, for example, making the Register of Members' Financial Interests more accessible electronically, but I am slightly anxious about whether the work to achieve that objective will achieve as much as it can. It would be helpful to have a kind of outsider perspective on it, which said, "It ought to have these features and capabilities; you ought to be able to do this and you ought to be able to do that." If you felt able at some point to submit a note to us on that, it would be really helpful.

Alexandra Runswick: Yes, we can certainly do that.

Chair: Brilliant. Andy, some of the stuff you were going to ask has perhaps been covered, but do you want to come in?

Andy Carter: To be honest, it has been covered and I do not want to



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take more time unnecessarily.

Chair: Okay. Well, in which case, Hannah and in particular Alex, despite your IT problems, we are enormously grateful to you. This has been really interesting. It has been a very good hour and a quarter, which is beyond the call of duty.

Sir Bernard Jenkin: Can I just ask one more question about the role of the Commissioner?

Chair: Okay, Bernard.

Q131 **Sir Bernard Jenkin:** At the moment, the Commissioner investigates and we have a system where the Commissioner might have a private word with somebody to give them some advice, and there is obviously an induction process. If the final adjudication is moved to some independent body, is there a different role for the Commissioner, or what kind of role could they play, in promoting the right kinds of conversations about better attitudes and better standards of behaviour?

Chair: Hannah and then Alex, you have one final pitch.

Dr White: I do not think I would envisage that changing significantly. I think that the rectification process is really important and you would still have a system whereby the PCS was investigating and potentially there are a range of sanctions where she would still determine and apply those.

Q132 **Sir Bernard Jenkin:** Okay, but what about the other half of the activity that we want the system to promote, which is getting the right conversations going and improving the understanding of what values, attitudes and behaviours we want people to adopt?

Dr White: There could be a really important role for the PCS in that, but I think her office is too small and she is too busy to do that right now. I think she would be very well equipped to do that and to think with your Committee about how to achieve that, but at the moment I think her workload is too onerous to allow that side of the work to really be developed.

Chair: Alex, do you want to come back?

Alexandra Runswick: No, I don't have anything to add to that.

Chair: Okay. I will try again: can I say an enormous thank you to Hannah and to Alex again? It has been invaluable and I think all of us on the Committee would quite like to be bold, radical and ambitious—in a good sense. I see Andy Carter smiling at that ambitious line, so he has obviously got his eye on something. But seriously, we are very grateful. Thank you very much.