



Committee on Standards

Oral evidence: [House of Commons Standards Landscape, HC 247](#)

Tuesday 6 February 2024

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Members present: Ms Harriet Harman (Chair); Alberto Costa; Allan Dorans; Philip Dunne; Sir Michael Ellis; Yvonne Fovargue; Sir Francis Habgood; Dr Michael Maguire; Mehmuda Mian; Dr Rose Marie Parr; Victoria Smith; Carys Williams.

Questions 238-259

Witnesses

I: Daniel Greenberg CB, Parliamentary Commissioner for Standards, and James Davies, Registrar of Members' Financial Interests, Office of the Parliamentary Commissioner for Standards.

Written evidence from witnesses:

- [Office of the Parliamentary Commissioner for Standards](#)



Examination of witnesses

Witnesses: Daniel Greenberg and James Davies.

Chair: Good afternoon. Welcome to this afternoon's session. We are very grateful to have two witnesses with us this afternoon at the centre of the issues: Daniel Greenberg, the Parliamentary Commissioner for Standards, and James Davies, the Registrar of Members' Financial Interests. Thank you for joining us. On our Committee, half are Members of Parliament and half are lay members. I will turn to Francis for the first question.

Q238 Sir Francis Habgood: I am one of the lay members. My first question is about oversight. As you know, we have a responsibility to oversee the work of the Parliamentary Commissioner for Standards, except for ICGS cases. The standing order provides no further detail on how the oversight should be conducted, but we ensure that we do not interfere with your operational decision making. Is the lack of clarity problematic in relation to that oversight responsibility? Should there be a protocol between ourselves and you setting out a mutual understanding of how the oversight should operate?

Daniel Greenberg: Thank you for that. I think you are right, if I may say so, to start by reminding us of what the background to the oversight function is. It is the unique position of the House of Commons that nobody else can constitutionally regulate the House of Commons but the House of Commons. It would be constitutionally improper if I, as an unelected, appointed official of the House, had some kind of disciplinary powers over Members of Parliament. That would be completely improper.

However, the House needs to engender trust in its systems with members of the public. A lot of the evidence that you have had in this important inquiry has emphasised the critical nature of the standards system in producing trust—effective trust between the public and Parliament. The Constitution Unit's evidence to you was enormously helpful in bringing out empirical evidence of the value that the public attach to specific mechanisms for being able to trust in Members of Parliament. It has to be seen to be a robust system. If Members were seen to be marking their own homework, it would not support that kind of trust with the public.

How do you achieve that? You achieve that by giving me the operational independence to which you have just referred. If I may say so, in the first year of my tenure, I have found the Committee to be indeed enormously respectful of my operational independence. In its oversight function, it has been what I would describe as a discerning friend, keeping a close eye on what I do, but robustly ensuring that I have the independence to give credibility to the system to which you, the House, lends authority.

Against that background, is it working? In my view, it is. I report regularly on my activities to the Committee. I try to be totally open with the Committee about everything that I do, except for sharing details of individual cases outside my formal reports to the Committee. The Committee's scrutiny from my side of the fence appears to be effective. I



feel that I am properly challenged and that I am encouraged to share with you my views on how things are going, and to report to you to enable you to form your own views on how things are going. The Committee is a supportive and discerning friend to me and, as I say, I hope that I lend the necessary credibility to the Committee as a result of the independence that you give me.

Would a protocol add to that? Personally, I don't feel a lack that needs to be addressed with a protocol, but given that everything we are looking at in this important inquiry is about openness, accountability and engendering public trust, if the Committee felt that a protocol expanding the relationship would enhance that level of trust, I would certainly be very supportive to examine what we could do by way of that.

Q239 Dr Maguire: Good afternoon, Daniel. I am Michael Maguire, a lay member of the Committee. To build on Francis's question, will you provide a bit more clarity about the nature of the relationship between the Standards Commissioner and the ICGS? When we think about the complainant, the Parliamentary Standards Commissioner, the Committee and the Independent Expert Panel, there is a direct line of clarity. From a governance and an investigation point of view, what is the nature of the relationship between the Standards Commissioner and ICGS?

Daniel Greenberg: I am a service user, in the sense that I am the decision maker for cases before the Independent Complaints and Grievance Scheme that involve a Member of Parliament. The way the system is established, where a complaint is brought against a Member of Parliament to the ICGS, the scheme arranges for the case's investigation using its own investigators, who report to me, and I make the decision. Unlike in Code of Conduct cases, where I make findings but recommend to the Standards Committee, which is the decision maker, with an appeal to the Independent Expert Panel, in ICGS cases I am the decision maker and appeals go directly to the Independent Expert Panel, whether against findings of mine or for a decision on sanctions because, as I said before, I cannot impose significant sanctions on Members of Parliament. That is the position at the moment, so I am a service user to that extent. The Committee is well aware that there is a review of governance and other issues relating to the ICGS in progress, and I know that you have heard from the director of the ICGS as part of that process.

Dr Maguire: That is very helpful, Daniel, thank you.

Q240 Sir Michael Ellis: Gentlemen, do you think the system for sifting such things as minor infractions could be improved or speeded up? I am thinking about examples of cases where a complaint has been made about something that, even if it is true, would be towards the bottom end of the scale and really ought not to take the multiple months that it is understood to sometimes take. Is there something that can be done about rationalising the system and speeding it up? At the other extreme, you made proposals for a principles-based rules system to apply to the top-level rules in the Code of Conduct, as well as the subordinate rules. How would you see the top-level rules system modified? Those are the two



extremes, really.

Daniel Greenberg: Can I ask for clarity? On your first question, when you talk about speeding up cases, are you talking about Code of Conduct cases or ICGS cases?

Sir Michael Ellis: I am talking about the Code of Conduct in particular, but you can apply it to anything you like. Have you come across cases you think you could easily dispose of much more quickly, but the systems don't allow you to exercise your discretion?

Daniel Greenberg: The reason I asked for clarification is that in your question you talked about the months that some cases are thought to take. In relation to the Code of Conduct, it just is not true that the opening stages of deciding whether a real investigation is required takes months. They just don't. Indeed, in my annual report last year, I gave you statistics on the rate of process for complaints and investigations under the Code of Conduct that I undertake. You will have seen in that report that the timeliness has significantly improved, although we already had very good standards. I reported last year that the average number of working days to close an inquiry was 62, down from an already very respectable 86 and 85 in the previous two reporting years. It is just not the case that Code of Conduct cases are hanging around for months waiting for a decision on whether to open, or indeed waiting for the investigation to conclude.

I am very proud of the work that my team do to avoid undue delays in investigations. The investigations team do everything in their power to ensure that, although of course we have to be rigorous and fair—transcripts of evidence have to go back to the parties to be checked, and they have to have an opportunity to look at them, which can cause delay—we avoid undue delays. We avoid them very effectively, and I think my team do a good job. The very first investigation of last year was open and shut in about two weeks flat, which was great.

On rectification cases, provided that I get good co-operation from Members, which generally I very much do, we are normally able to open, agree and close them in a matter of a few weeks. That is something that I very much agree we need to concentrate on, because clearly justice delayed is always justice denied, and Members of Parliament should not have accusations hanging over them like a cloud for longer than is absolutely necessary. That is my response. Do I think that we constantly need to look for opportunities to improve our service? Of course. Any good service constantly looks at itself and asks, "Can we improve performance?" We may come back to this later in the session and I may have an opportunity to share with the Committee some of the things that we are looking at this year in that respect. For Code of Conduct cases, timeliness is not something where I am—

Q241 **Sir Michael Ellis:** I take your point, Commissioner, but briefly I will ask you something. You say that there is not a problem at the lower level. What about the top-level rules?



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Daniel Greenberg: Are you talking about rule 11, about cases bringing Parliament into disrepute?

Sir Michael Ellis: Yes.

Daniel Greenberg: They obviously take some time to work through, because they generally will have a certain amount of evidence that I must take and that we must be rigorous about, but we do not have a history in the last year of taking months and months, certainly in the opening stages—

Q242 **Sir Michael Ellis:** Commissioner, do not perceive this as a criticism of you or your team—on the contrary—but I am exploring whether the system itself is such that it allows an inordinate length of time to pass between one stage and another. It is a question of whether the system itself could do with some reform. You are operating within a system that is set for you. To give an example, if someone has six weeks to do something and eight weeks to do something else, could that system be altered in order to reduce the delays?

Daniel Greenberg: The procedural protocol with respect to the Code of Conduct, which of course was approved by the House and is the system to which you refer, does rather well in avoiding artificial time limits. The processes—for me in chapter 2 of the protocol and for you in chapter 4 of the protocol—set out the stages, but they are not prescriptive on timings, so they allow us to make as much progress as we can with the co-operation of the parties. We have had two rule 11 cases that were decided last year, as you know; they were publicly decided by the Committee. In one case we had to hold off because there was a police investigation, and it is clearly understood that while there is a police investigation I do not jeopardise the effectiveness of that investigation by pursuing my own. As soon as that had concluded with a criminal conviction, we moved very fast indeed. In the other rule 11 case that we concluded, again we had to be rigorous about evidence taking and be fair to all the parties. I was not for a moment taking your question in bad part, and I completely get the importance of your question, which is: is there anything in the procedural protocol that is holding me up? The answer is no.

Sir Michael Ellis: Thank you.

Q243 **Dr Parr:** Good afternoon, Daniel and James. I am Rose Marie Parr, a lay member of the Committee. On a different note, I will ask about the seven principles of public life, which are at the core of this Committee. Could Parliament do more to embed the Nolan principles in its work? For example, should the Oath that MPs take when they enter the House be supplemented by a declaration to abide by the Nolan principles? Your thoughts are welcome.

Daniel Greenberg: Thank you. I think it is perhaps helpful to remind us all that the Nolan principles are embedded by the House in the Code of Conduct. They are not set out as rules: they are set out as principles that Members of Parliament are encouraged to apply constantly in their commitment to public life. However, I am required by the code to have



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regard to them when I am considering allegations of breaches. Why are they not themselves rules? The answer is that because of their nature they are overarching principles, rather than normative rules where you can say, "That has been broken. That has not been broken." As a result of that, my concern about including them in the MPs' Oath, which is a constitutional formality of enormous importance, would be that the members of the public—we are thinking about trust here—would say to themselves, "Is that directly enforceable? Does it add to the enforceability of the Nolan principles in the performance by Members of their daily lives?" I do not know that the answer would necessarily be that it would.

I think the consideration of the behaviour code is helpful here. The behaviour code for Parliament, which obviously is about workplace and how we treat each other within the workplace, sets up general principles of behaviour and then you expect them to be followed through by specific and enforceable requirements further down the line. Is it a bad idea or a good idea? I am honestly not sure. I think it would depend on whether the public felt it helped them a lot.

My view is that the public probably just want to see increased adherence by Members to the Nolan principles and increased implementation by Members of the Nolan principles. As to that, when I do engagement and outreach work, I am able to report to members of the public that although they hear about behaviour that might not show honesty, integrity or selflessness by Members of Parliament, and they hear that in the media quite often, the reality is that the vast majority of Members of Parliament are already very strongly committed to demonstrating the Nolan principles in their daily lives, and I don't know that they need to add to the oath to show them that. When I talk about that to members of the public, they are generally very receptive and they generally accept that the Members who perhaps are not on the front page of the paper regularly are known for their commitment to the principles.

I would just say one other thing, please. That is that in so far as building the Nolan principles into the daily life of Members and their offices is concerned, which I think helps to engender trust between the public and Parliament, I started last year and am continuing a series of seminars called "Principles in practice", where I sit with the staff of Members of Parliament. I do not tell them anything, but they tell me examples of what the Nolan principles look like in the day-to-day practice of a Member's office.

We then produce anonymised case studies and examples of that. We published them in the annual report and I hope to do that again. That shows members of the public how seriously Members of Parliament take the Nolan principles. In my view, that is what matters, rather than what might be seen as almost a slightly empty formality of putting it in the oath.

With apologies, I am conscious I am giving very long answers and, not being in the room, the Chair may find it difficult to frown at me to get me to be shorter. Do feel free to interrupt me. Can I just add one other thing?



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I have not had suggestions from members of the public about incorporating the Nolan principles into the Members' oath. I have had suggestions that based on a local government model, Members of Parliament might like to consider signing the Code of Conduct as part of their induction process to show that they have read it and absorbed it. That is something, again, for which I think there are arguments for and against, but it is something that I throw out to Members and to the Committee as something that they might like to think about, having had it suggested to me by the public.

Dr Parr: Thank you, Daniel.

Q244 Carys Williams: Daniel, I think this question builds nicely on the answer that you have already given. In your written evidence, you support a move towards principle-based regulation. I would like to understand further how you think that would differ from what we have today. If it differs significantly, do you have a vision for how we can move from one to the other?

Daniel Greenberg: Thanks for that. I am conscious that that also goes to part of a question I was asked earlier, the second half of which I think I did not get to. The answer on principles-based regulation is: the reason I think it is very important is that it gives clarity and consistency around what the rules are trying to achieve.

I was asked whether I thought the top-level rules need to be made more principle-based. I actually do not think so. If we are talking about the Code of Conduct and the guide, I think we get it about right at the moment. I give you two examples. The Registrar of Members' Financial Interests is here and may want to contribute on this: chapter 1 on registration is very detailed and specific because there needs to be certainty for a Member on whether they are required to register something. The chapter on declaration sets out what I would call a principles-based test, which is the test of relevance. Would an objective observer think that my interest is relevant to my parliamentary performance? If so, it should be declared.

I think we are doing quite well there with the balance of principle and detail, but I will give you an example of something on which I think we could do better and it is in the more outlying rules. You will remember that we tidied up the stationery rules. They were set out in a lengthy document. In collaboration with the Clerks and the Committee at the beginning of last year, we turned it into a principle-based one page.

In my view, from talking to Members and from seeing requests for advice, that seems to be working very well. We could be doing the same with some of the other outlying rules—for example, those on the use of facilities and tours. There is a lack of understanding and a lack of clarity for Members and therefore for the public about the rules around tours, for example. That is the sort of thing that we should be looking to get more principle-based, so that Members have clarity on what they are trying to



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achieve. That will feed into effective implementation. Does that answer of both those questions?

Carys Williams: It does. That is really helpful. Thank you for giving practical examples.

Q245 **Victoria Smith:** I am Vicky Smith, a lay member. In your written evidence, you made specific proposals for simplifying the various sets of rules in the rules register. If the Committee were to support these proposals, what exactly would be your role and what would be that of the Committee in this process?

Daniel Greenberg: As you say, based on the answer I gave to the last question, what I think we would be looking to do is drive a workstream throughout different rule owners within Parliament, including facilities managers and the people responsible for different parts of the rules. We would be driving a workstream to get them to look at their own rules and consider whether they can sensibly and helpfully be made more principle-based and therefore clearer and easier for Members to comply with and for members of the public to understand.

My role in that would be driving the workstream and not telling people what the answer is, because I am not the rule owner for all these areas. The Governance Office obviously has an overarching perspective as well, and I would imagine that this would involve the Governance Office. So far as the Committee is concerned, and to go back to oversight, this is something on which I would expect to report to the Committee and to take the Committee's view as to the appropriate direction of travel.

As well as simplification and incorporating principles into our rules, the other thing that we need to work on that would be part of this workstream is accessibility because it is very important that people should be able to find the rules quickly and centrally in an easy way. There is more work that we could do on that working with the Governance Office and the rule owners. That is something I would like to think about, report on to the Committee about and take the Committee's view. Does that answer your question?

Victoria Smith: That is very helpful, thank you.

Daniel Greenberg: Before I finish, I am conscious of the fact that I have not brought the Registrar in on any of these questions. I wonder if the Chair would permit me to turn to the Registrar and ask whether he has anything to add to any of those specific points.

James Davies: Thank you, Daniel. I have nothing to add to what you have said so far. I entirely agree with what you said about the rule owners and the wider rules of the House. It would be very helpful to work towards what you did with regards to the stationery rules.

Chair: Allan Dorans.

Allan Dorans: Thank you for coming along this afternoon, Daniel and



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James. Daniel answered my question very comprehensively in his previous answer.

Chair: Okay. Mehmuda Mian.

Q246 **Mehmuda Mian:** Good afternoon, Daniel. Good afternoon, James. I am Mehmuda Mian, a lay member of the Committee. In their evidence, the Government told us that there appears to be a sense of isolation from the standards system, which creates something of a “dispiriting atmosphere for users.” They claim that “people are too often left feeling that the decision-making is too remote and that investigations take too long to conclude.” Do you consider those criticisms to be fair? If so, what could be done about them? Is there a place for time limits during the course of an investigation?

Daniel Greenberg: Could I ask you to clarify whether that is in relation to the Code of Conduct or to ICGS cases?

Mehmuda Mian: Could you deal with both systems, if possible, please?

Daniel Greenberg: Of course. Let me go back beginning of your question, which was about isolation and sources of support. Let me give you a little bit of a rundown, and I will come back to the timeliness question towards the end.

First, my evidence suggests that most MPs are not isolated in the sense of not knowing where to go for support, explanation and advice. My evidence for that is simply the number of requests that I get for informal advice from Members of Parliament and their staff in relation to all aspects of the Code of Conduct. In the 2022-23 reporting year, the Registry Office part of my office received 943 requests for non-standard registration advice and declaration. I refer the Committee to paragraph 63 of my annual report 2022-23 for that and related statistics.

Based on that, I have a sense that most Members know where to come. Are there some Members who do not know? If that concern has been expressed to the Government, then clearly it must exist among some Members. Is that something I take seriously? Absolutely, yes. What is the answer? I think it goes back to what I said before: I want to build increasing accessibility into any workstream that looks at simplification. For example, my web page on the Parliament website tries to help Members. The advice notes that I initiated last year are set out on their own little sub-page of that web page.

Could we be doing more over the parliamentary website, as a whole, to make information easily searchable and easily absorbed? I think we probably could. That is something I would like to include in the simplification workstream and, if I may say so, as part of the landscape review for you. The landscape of regulation for Members is complex and will have to be complex, to some extent. Part of our response to the complexity of the regulatory landscape has to be around what we can do to help people access the regulation and to dilute the complication or



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make it less troublesome for Members: simplification where we can and accessibility where we cannot simplify further.

On the new code that was introduced last year, for example, my office did a lot of work on publicising changes to the code. My team produced a guide to the changes, and that can be found on my website. We did a lot of publicising work, as set out on page 9, paragraph 2 of my annual report.

One thing I would like to say in this answer is that ongoing resources are terribly important. We are expecting a general election at some point and, based on the number of Members who have indicated their intention to retire, we are expecting a lot of new Members. We will give them an induction in the first week or two or whatever it is, but it is very difficult for them to absorb the kind of complexity of regulation that we have in a series of lectures in one week or two. It is the ongoing support that matters, and I am trying to enhance accessibility on my website.

For example, we will place a couple of videos telling people about the system, which I hope day in, day out will help candidates for the election, successful new MPs and the public to feel less isolated and feel that they know where to go for support. In those videos, we will tell them where to go for additional support.

The last part of your question asked me about timeliness and, again, whether I think cases are taking too long. In relation to Code of Conduct cases, I don't. I do not want to repeat what I have said there, but if you have specific questions for me on that, of course, please ask them and I will respond.

On ICGS, timeliness, as I said in my annual report, is clearly an issue. It is clearly an issue to be concerned about in ICGS cases. The new director expressed her intention of addressing it. There is a review going on at the moment, and I am sure that that will address timeliness in the way that has already been discussed by the director with the Committee.

Just one other point, if I may: the word "isolation" always triggers alarm bells in my mind, because it suggests that some Members may be feeling distressed by the lack of support available to them. I would therefore like to mention specifically in relation to wellbeing that my office now has a memorandum of understanding with the Parliamentary Health and Wellbeing Service. In our initiation letters, we drew attention to those services and, in a number of other ways, we draw attention to those services. Where Members are feeling troubled by anything happening to them or in relation to them within the standards process, we identify welfare issues and encourage Members to seek the very effective professional support that the House has made available to them. Have I answered the different strands of your question?

Mehmuda Mian: Thank you very much for that detailed response, Commissioner.



Q247 Dr Maguire: Daniel, coming back to the very helpful clarity you gave earlier in relation to your role as decision maker with ICGS, at one level, that seems to be a classic case of responsibility without authority. How comfortable are you that you do not have control over the investigative process? Have there been problems with that?

Daniel Greenberg: I think that is a very fair question, if I may say so, and it is a real issue that oversight has to be—I am given oversight of those cases and, as you say, given the need to have independent investigation, that comes with a certain tension. Given the review that is in process and the fact that the reviewer is looking at all aspects of the governance of ICGS—the complaints scheme—I do not know whether the Committee would forgive me if I do not express a particular view about what, or whether something, needs to be changed, because I feel perhaps the review should be allowed to take its course. Will the Committee forgive me if I suggest that?

Dr Maguire: Okay. Thank you, Daniel.

Q248 Philip Dunne: Commissioner, this may be a question that I should direct to the Registrar, because it relates to the differences between the registration requirements for Members of Parliament and Ministers. Some of our witnesses have suggested that both should operate to the same declaration standards. Last year, the Prime Minister indicated that he was willing to encourage the Cabinet Secretary to meet either you, Commissioner, or this Committee to talk about aligning declaration and transparency. Has such a meeting taken place, and do you have any views about the progress of those conversations?

Daniel Greenberg: I will answer first, and the Registrar may want to add something. I have been concerned about the lack of alignment from the beginning of my time. In terms of the trust that underpins the Committee's whole inquiry into the landscape of regulation, the public find it confusing, and it therefore dilutes trust, if they think that there are two different systems and they don't quite understand how they fit together. I will share two sample statistics with the Committee. At the moment, the Government are mostly up to date on the publication of interests until 30 September last year. Since that date, the Registrar has published seven updates of our House of Commons register, and another one is due this week that will bring us up to date to 5 February. There is a very significant lack of alignment here. We are not talking about margins; we are talking about something very significant. It is really important that we simplify things, and alignment is a big part of that.

Subject to anything that the Registrar may want to add, I have said from the first that I think this is important. I was grateful to the Prime Minister for inviting me to speak to the Cabinet Secretary about alignment. To answer the last part of your question, there have been delays in arranging that meeting. I am assured as of today that there will be no further delays and that a preliminary meeting will be arranged swiftly, and we will hopefully be able to make progress quickly after that. Should that not be the case, the Committee can rest assured that I will come back and



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apprise them of that. Part of this, of course, is because of the widespread confusion between declaration and registration. Having two systems of registration just exacerbates that degree of confusion. I wonder whether the Registrar would care to add anything to my thoughts on that.

James Davies: Thanks, Daniel. I think we actually do a pretty good job in the Registry Office in terms of the regularity with which we update the register. That is an important thing, because of the length of delays if we were to have a publication schedule similar to the ministerial transparency data; the public would not be able to see what interests Members had month on month. In that sense, we do a pretty good job. I am pleased with the editions that we publish.

I think alignment would be very good. For me, having looked at both—*[Inaudible.]*—and the register, there is an inconsistency in terms of the amount of detail required. In terms of the detail that Members are required to provide to us for the register, it is a much higher onus on—*[Inaudible.]*—transparency documents.

Q249 **Philip Dunne:** I'm sorry, James. You froze, and we missed a vital element of the sentence. Could you repeat the sentence?

James Davies: I was just drawing attention to the distinction between the amount of detail that Members are required—*[Inaudible.]*—an interest on the register and the much less detail that Ministers are required to put in the ministerial data. When we are looking at—*[Inaudible.]*

Chair: Sorry, James. We are having so much break in the transmission here that I wonder whether Daniel could anticipate the point you were making and share it with us.

Daniel Greenberg: Thank you, Chair. I think the point has pretty much been made that, when we are looking at alignment, it will be about not just the frequency of registrations, but the level of detail.

Q250 **Philip Dunne:** Could I come back on that very briefly? Some of the detail provided in ministerial declarations goes beyond requirements for MPs, such as transparency of meetings with lobbyists and corporate entities. That is one of the reasons why it takes time. We heard from the Leader of the House that for some Departments, particularly those that have Ministers engaged in almost continuous meetings with third parties—the Foreign Office, for example—there will be a lot of trips where hospitality might be exchanged. That is one of the reasons why it takes time for those Ministers to put their complete details together. Of course, MPs do not have to disclose who they have met, for example. There is misalignment of the level of information required, and probably rightly so. That perhaps goes beyond the remit of this inquiry.

Daniel Greenberg: Yes. It is not so much misalignment of the level of information, if I may say so; it is misalignment of detail—of categories of information. I agree with that. Of course, when we talk about alignment, we are talking about aligning where alignment is appropriate and possible. There is no suggestion of imposing any new kinds of obligations on



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Members that are not already found in the code. There are cases where Members have to give more detail than Ministers: the registration in chapter 1 of the guide requires more onerous obligations to be discharged by Members, and there are other areas where Ministers have to make arrangements public that Members don't.

One of things that we will explore with the Cabinet Secretary once we are in effective, constructive contact with him and his team is whether there is anything we can do to help with the kind of delay that the Government referred to and that you just referred to. For example, my last advice note at the end of last year was about using estimates, because, in relation to some of the new categories of registrable donations and hospitality under the code, Members were finding it difficult to comply because of the difficulty of getting the information in the way that you just referred to for Ministers. We have dealt with that by giving advice on the registration of estimates. It may be that there are similar ways we can explore with the Government to facilitate alignment by finding mechanisms for avoiding delay. Maybe there aren't and maybe there are. That is one of the things that we will discuss with them. Does that help?

Philip Dunne: Thank you.

Chair: So we have issues of alignment, which are material in respect of the detail that is required to be registered, the timescale for the declaration and the timescale for publication. Some of them are higher for Ministers than for MPs, and some are higher for MPs than for Ministers. It is good to hear that you will be able to explore what alignment can sensibly be made, while still recognising that the issues for Ministers are different in some respects, as Philip pointed out, from those for MPs.

Q251 **Yvonne Fovargue:** Afternoon, Daniel and James. Daniel, you said that you support the development of "clear general principles on the basis of which the Committee determines the imposition of sanctions in particular cases." Could you give us any examples of how this could be done?

Daniel Greenberg: Yes. I think that the Committee has for some time had in mind that it is important to develop criteria to guide consistency, fairness and proportionality in sanctions. Again, coming back to the driver for this inquiry and for the standards system as a whole, in terms of trust from the public, it is very important that the Committee is seen to be making consistent and fair decisions on sanction as well as on liability. If I may say so, the Committee has done something to address this already in the way that it treats aggravating and mitigating circumstances in its reports: in its reports in Code of Conduct cases, it lists aggravation and mitigation separately. That helps to give a coherence to decisions of the Committee, which again enhances trust from the public.

The only practical suggestion I have apart from that is whether we can look to sentencing guidelines, for example, not as something we can adopt, but as an example of the way in which the criminal justice system has tried to balance consistency and flexibility, consistency and fairness, consistency and proportionality. I mentioned earlier that I was hoping to



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come back to explain to the Committee some of the things we are going to do with the team this year. One of the things that we have done is to set up a number of meetings with different people who will talk to us about different aspects of our investigatory process. We are going to ask them to challenge us. We hope to develop and test our own systems.

One of the events that I have planned for that is trying to draw on actors within the criminal justice system to ask them about the way guidelines work. Obviously, I and a number of members of the Committee have some knowledge of the way sentencing guidelines work, but we are going to look at other guidelines and other regulatory systems as well. We will then come back to the Committee with any practical advice that arises out of that, which I hope that the Committee will find helpful. Does that help?

Q252 Yvonne Fovargue: Yes, thank you. The other thing is, do you believe that the Recall of MPs Act has affected decision making within the sanctions system?

Daniel Greenberg: I think it clearly does, if I may say so. I think it does because, of course, if you are trying to develop a horizon, if you like, or a range of sanctions, then at the 10-day suspension limit, you have got set in statute—sticking up like a rock, if you like—something that prevents you from adjusting your sentencing guidelines more broadly, so to speak. I do think that is an issue. It is an issue that I believe the Committee on Standards in Public Life mentioned to you as something that they have discussed with me. It is something that they raised with me when I went to meet the new chair. It is something that I know this Committee has thought about from time to time and that I would like to take forward in consultation with the Committee on Standards in Public Life. Certainly, again, whether we can change it, whether it should be changed and how it should be changed remains to be seen, but it is certainly an active discussion that we should be having.

Q253 Victoria Smith: Daniel, I would like to ask you a little about the political parties. Do you as the Commissioner have many dealings with the political parties? What do you see as the role of the political parties in the standards system? Is there any scope for the parties to co-ordinate their processes and perhaps to be more open about them?

Daniel Greenberg: The answer to the first part of that question is yes. I have regular engagement across the parties. I have meetings with the Whips, and I meet the Leader of the House and the shadow Leader of the House, sometimes at their request and sometimes at my request. I have not frequent but regular contact. Certainly, if they want to see me, I am absolutely always open to them, as I am to all Members. I literally never turn down a request from a Member to meet, and the same would apply to Members who have party responsibilities. Similarly, I have never had a request to meet refused by a Whip, Minister or shadow Minister. It is really important that we do that because, of course, the parties exercise a considerable degree of self-regulation and a considerable degree of discipline within the party, and there needs to be a coherence in the



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standards system overall. Therefore, conversations with the Whips and the parties' systems are vital.

In relation to the parties' own processes for complaints and investigations, of course I have no visibility or responsibility. Indeed, members of the Committee will be far better sighted and informed than I will.

Lastly, as co-ordinating bodies, absolutely—parties have an enormously important role to play in raising awareness of the Code of Conduct and the guide, and indeed of the Nolan principles. For example, if I may come back to general election planning, we are all conscious a group we would like to engage with now is the group of candidates. Of course, I have no standing in relation to them and they have no responsibilities as yet, but how much better would it be if we could start to help them absorb their eventual obligations now, rather than wait until they get in? The parties are the obvious conduit for us to get through to candidates, as well as to Members who are already in the House.

So yes, absolutely, parties have a vital co-ordination function, and yes, I have good relations with them. I very much value the ability to work with the parties while at the same time not having any kind of responsibility for their own systems.

Q254 Allan Dorans: Daniel, you mentioned earlier that you are creating informational videos on your website, particularly for new MPs. Do you have any other suggestions about training for MPs, particularly at the beginning of a Parliament? Do you agree in general with the Government's suggestion that that training should be extended to candidates?

Daniel Greenberg: Broadly yes, to all of that. I would like to qualify one word, if I may. I tend to talk more about support than training. I mentioned before that I do seminars on the Nolan principles. I think Members' staff sometimes come in expecting me to lecture them about good practice, and they are surprised when I sit there with a blank flipchart and tell them to tell me what to write. I write down all their words, and then we look at it together. It is supporting Members as much as training them. Training is important. The Registrar will perhaps speak in a moment about the very extensive training in the registration system that he and his team offer to new Members, particularly in the light of the new digital system, which will be available later this year.

There is some technical training, if you like, but when it comes to the broader principles, I think it is about support. Members already know, they want to engage and it is about the opportunities to support them in doing that, and to help make them better informed through advice notes. Words of advice is another mechanism that the Standing Orders give me, outside the formal disciplinary committee process. Again, that is something that I can use to support Members and to help them to feel that they have the information and understanding that they need. Rectification decisions by me generally include an agreement with the Member that she or he will put themselves in touch with the relevant part of my office to have their training enhanced to support them in their commitment to compliance



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with the principles that they may have inadvertently breached on that occasion.

We are in touch with the general election planning group in the House Service to ascertain whether we can make early contact with candidates. We have the material already available to feed into that. As I said before, we definitely support the evidence given to you by the Committee on Standards in Public Life, on the importance of ongoing engagement with MPs to embed the Nolan principles in day-to-day practice. We do that through our “Principles in practice” seminars. I think the most important thing to add now is about the process of training on registration. Perhaps the Registrar would be kind enough to pick that up.

James Davies: Members will know that after an election, all Members have to register their interests within 30 days. If we have a high turnover of Members—as Daniel said, we have a significant proportion standing down—that will be a challenge, but I do not think it will be any more of a challenge than the previous three general elections. I will give the Committee some assurance: in the last three elections, only one Member did not get the registration in on time, and that was only one day late. We have a track record of getting Members up and running and completing their register entries on time.

I regularly attend the House’s general election planning group, which is extremely active. They are fully aware of the importance of registration in the induction process, and of my office’s need to have access to Members to support them in completing that first register entry. We are working through the practicalities of that, but the intention is certainly that we will have a permanent place in PCH for the full month. As Daniel mentioned, we are going for an enhanced way for Members to submit their registrations, which I, my team and additional members of the House Service will support Members through. We are hoping to have full wraparound care for Members, but I am cautiously confident that we will continue to get all Members registered within the required time.

Daniel Greenberg: I am very grateful to the Registrar for that. I will just add that he and his team have been out in Portcullis House on a number of occasions with a demonstration kit and a table providing information to existing Members. It is fair to say that a significant number of Members have taken advantage of those services.

James Davies: A good number of Members and Members’ staff have, and I am reassured by the very positive feedback we have got from those who have come to engage with us and look at what we are building.

Q255 **Yvonne Fovargue:** In your written evidence, you state that “there is much that different jurisdictions can learn from each other in relation to the establishment and operation of standards regimes” and that you have “examples of shared experience”. Could you expand on some of those examples you have in mind?



Daniel Greenberg: The most obvious example is the behaviour code and the ICGS. There are issues relating to the ICGS that everyone is aware of, as has been hinted at this afternoon, but our implementation of the ICGS and the behaviour code as a workplace scheme for Parliament has been looked at with great admiration by a large number of jurisdictions. Last year, I met the President of the Australian Senate and the Australian Human Rights Commissioner, who came here specifically to learn from us about the standards system, including the behaviour code and the ICGS.

I have met a number of delegations from overseas jurisdictions, including overseas territories as well as jurisdictions with no particular connection with the UK. I have met a number of delegations and I have always found that it has been mutually beneficial; we have been able to share our problems and discuss potential solutions.

Going back to something I was asked earlier about how we improve standards of investigation and standards of regulation generally, one of the best ways is just constantly to be talking to people outside our own jurisdiction and getting ideas from them on what they do, helping them to learn from us and learning from them.

If I can give one other specific example, the Organisation for Security and Co-operation in Europe's office for democratic institutions and human rights was here two or three times last year to talk to us. It produced a toolkit in November 2022 to help Parliaments and legislatures to design and implement systems that tackle violence against women in politics. I suggest that it is used as a case study, and it attracts particular praise for its independence and application to MPs and staff.

I have a number of conversations. I hope that gives you some specific examples, but I have wide-ranging conversations and I always find them mutually beneficial. Does that help?

Q256 **Yvonne Fovargue:** Yes. Thank you for that; the examples are really useful. Having met people from all those other jurisdictions, what is your assessment of where Westminster ranks internationally in terms of the effectiveness of the standards regime?

Daniel Greenberg: I find that question slightly hard to answer, because I am not quite sure what sort of success you want to measure. If we are looking at numbers of cases of MPs failing to comply with the code, I don't know how that would rank, but then of course the code is more demanding than codes in some jurisdictions.

Perhaps I can say this and then you can come back and prompt me if there was something more specific you were looking for. When I talk to outside audiences, whether it is in the UK or elsewhere, I am often asked, "Why do I think the system is working well?" The example I often give is that in 2023 one of the investigations that I carried out was an investigation into an allegation of failure to declare an interest by the Prime Minister. The Committee will recall that I concluded that there had



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been an inadvertent failure to declare and that was rectified in the normal way, as it would be for any other Member.

At no stage did anybody, whether in the Prime Minister's office or anybody else, suggest to me that I was wasting his time or that it was somehow improper to be bothering the Prime Minister. He behaved in the same way as any other Member of the House, co-operated with the inquiry, and we carried out the inquiry and published the results of the investigation.

When I talk about that, a number of people outside the UK look astonished that we have a system that is as robust as that, as fair as that and as consistent as that, with every Member of Parliament signing up to and committing to co-operating with a system of that kind of rigour. I think that shows that things are, broadly speaking, working very well and that there are significant numbers of other Parliaments that look at that and say, "Wow! That is quite impressive."

I am aware that I have not given a very specific answer. Is there something more specific that I can help you with?

Q257 Yvonne Fovargue: No, that explains it quite well. Is there anywhere else where Members of Parliament have taken it more seriously? Do you believe that we are taking it seriously and the regime has become more effective?

Daniel Greenberg: I certainly have not encountered any other jurisdiction where, as a system, the code or its equivalent is taken more seriously than in the Westminster Parliament. I have come across a number of jurisdictions where they are struggling to get up to the level of commitment that we have.

Yvonne Fovargue: Thank you for that.

Q258 Alberto Costa: Good afternoon, Commissioner. I will pick up on the point you made a moment ago. You used the word "wow" in answer to the question about what other jurisdictions think about our system. I entirely share your optimism, if I can put it that way, that the system we have is premier quality in comparison with other Parliaments around the world. But I do not think, and I have expressed this to you in the past, that we—your office and this Committee—do such a good job of communicating effectively, particularly with the media, how good we are in upholding standards, and that no one is above the law or the Code of Conduct in this country—not even a sitting Prime Minister. That is why I use the word "wow".

What advice do you have for this Committee, as part of the landscape review, on how we can demonstrate that we have a few bad apples from time to time, we deal with them robustly, and nobody is above the law? Whatever improvements we can make to our system, we should be singing its praises, because we have, broadly, a corruption-free Parliament. How would you advise us to do that?

Daniel Greenberg: You perfectly reasonably say that it is the responsibility of the Committee, of me and of my office. Speaking for me



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and my office, as the Committee is well aware from the updates that I give it every month, when I took up my role as Commissioner at the beginning of 2023, I decided that I would do voluntary media appearances and respond to requests for interviews—obviously never discussing individual cases. I have found that there has been some appetite for that. As part of that, I am given opportunities to discuss with the media what is going well, as well as what is going badly. Does that make front-page news? No, it does not, for the reasons that we all understand perfectly well. But has the media been fair in giving some coverage to some of the initiatives of the Committee and of my office? Yes, I think it has, and that is important.

The other thing I would say is: just getting out. You ask what advice I have for the Committee. I can only tell the Committee what I have been doing, and when I get out into schools, universities and civil society groups, I generally find that I come into an atmosphere that has a very low trust in politics. As I have said from the beginning, I believe that trust between the public and politicians as a class is dangerously low at the moment, but I also find that that distrust is relatively fragile, by which I mean I find that audiences in schools and universities are very quick to be reassured by my descriptions of the way the system works and my discussion of the overarching systems. They are quick to be reassured that things are not as bad as they feared.

If I may say so, we must all be very unashamed. Of course, I can say it in a way that Members of Parliament cannot. If a Member of Parliament stands up and says, “We're not all bad”, or whatever it is, it sounds a bit self-serving. I can say it of the vast majority of Members of Parliament, and people do take that. They listen to me, and they are aware that I would not say it if I did not believe it. Then I explain some of the ways in which the systems work, and that reassures them. I don't think that I have anything very clever to suggest, but all I do suggest is getting out and engaging with the public, who are receptive to discussions. The Constitution Unit evidence to you shows the level of engagement and appetite from the public for a discussion about how politics works, for understanding how politics works, and appreciating the good side as well as the bad. I am not saying anything cleverer than, “Get out and explain”.

Q259 Dr Maguire: Daniel, there is one final question for me. We have heard a lot of evidence around the complexity of the oversight architecture and the resulting confusion that that causes. Realistically, what do you think can be done to dispel that confusion? Are there opportunities for streamlining or merging functions, and how do we avoid the trap of pointing to a portal or tick-box training as a solution to this? What, substantively, do we need to do to move this agenda forward?

Daniel Greenberg: I am not sure that I have a lot to add to the two components which I identified before. The first thing that I think we need to do is a workstream that encourages rule owners to audit for themselves the level of complexity of their own rules, and to look for opportunities to simplify, in the way that we did with the stationery rules.



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Then, when we have done that and we are all satisfied that we have done as much of that as we can, the next thing is real accessibility. If I may say so, I very much agree with you that some kind of portal—as you say, potentially a very sort of ossified portal that doesn't really help people very much—is not going to improve the system.

People have talked about Members wanting more support or feeling isolated, you have talked about complexity, and other people have talked about other aspects of complexity. Accessibility—effective accessibility—is one of the things that I want to build into this workstream. In the same way that information management is becoming more effective in other regulatory spheres, what can we learn from them in helping people to access what they need quickly and effectively?

I do not think that I have added very much to my earlier replies. Unless there was something specific that you felt that I hadn't addressed before, I am not sure that I can suggest much more than that.

Dr Maguire: No, that is very helpful. Thank you.

Chair: That was our final question, which brings to a conclusion this afternoon's oral evidence session. Thank you, Daniel, for the part that you play in our standards system, and thank you, James, for your evidence and your work as well. We look forward to continuing to engage with you as we prepare the report that we will make to the House of Commons. Thank you very much.