

Public Administration and Constitutional Affairs Committee

Oral evidence: Propriety, ethics and the wider standards landscape in the UK, HC 899

Wednesday 12 November 2025

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Members present: Simon Hoare (Chair); Richard Baker; Markus Campbell-Savours; Charlotte Cane; Sam Carling; Peter Lamb; John Lamont; Mr Richard Quigley.

Questions 1 - 35

Witnesses

I: Lord Evans of Weardale KCB DL, Chair of Committee on Standards in Public Life 2018-2023; Rt Hon Sir Peter Riddell CBE, Commissioner for Public Appointments 2016-2021.

Written evidence from witnesses:

– [Rt Hon Sir Peter Riddell CBE](#)

Examination of witnesses

Witnesses: Lord Evans of Weardale KCB DL and Rt Hon Sir Peter Riddell CBE.

Chair: Good morning colleagues, and good morning to our two rather distinguished witnesses this morning, Lord Evans, a former Chair of the Committee on Standards in Public Life, and Sir Peter Riddell, a former Commissioner for Public Appointments, as we continue to look at propriety, ethics and the wider standards landscape. You are both very welcome and my colleagues have assured me they will be gentle with you. No greater example of gentleness do I have on this Committee than Mr Richard Quigley.

Q1 **Mr Richard Quigley:** Very kind, Chair. Good morning to you both. I will start with what probably seems like an overly obvious and simple question, but may take up the entire time we have today. Why are standards in public life important?

Lord Evans of Weardale: I will kick off on that. It is for a number of reasons, but the principal one is that public standards is a question of



how you use power that has been entrusted to you as somebody in public life. Whether that is power to make decisions or power to spend money or power to use the opportunity to communicate, I think the public has a reasonable expectation that anybody in public life would use that power for public good and not for their own personal interests. That seems to me the central issue about public standards.

If people do not believe that those in public life are using their power for the common good, that is very bad for trust and even at the level of economic success. For one of the reports that we did when I was Chair of the Committee on Standards in Public Life, we talked to several senior business leaders and asked, "How important are public standards to you?" and the answer was, "Very important, because we need to have confidence that the framework, the structure within which we are making our decisions—investment decisions or whatever—is objective and rational and not corrupt". From that point of view I think it is important.

Interestingly, a few years ago Moody's downgraded UK public debt quality on the basis of failures of governance, which is a very closely associated thing. For the integrity of public life, public trust and the economic success of the country, public standards is a very important component.

Sir Peter Riddell: I agree with everything that Jonathan said. It is also part of a pluralist political system. The essence of a pluralist political system is checks and balances and standards are part of those checks and balances. We will be discussing later how you translate a high-flown aspiration into something more practical, but it is central. We see it in the United States at present. If you look at some people in the Trump White House, particularly Stephen Miller who is the Deputy Chief of Staff, he takes an Executive dominance view that essentially whatever the Executive does is right. Our tradition is a rather different one—or has mainly been a different one, I should say—where we accept checks and balances and standards are part of the checks and balances. There are some very key issues within that about the balance between setting standards and ministerial and political accountability, which again we can explore. Standards are in a sense the keynote of that.

However, I think Jonathan and I are so well aware, as Jonathan just said, that you cannot view them in isolation. Your voters are not saying, "Hold on, here are the Nolan principles". They are saying, "What is happening with the cost of living, what is happening with X and Y?". They are all part of a mixture that standards is underpinning and they could make things worse if they are abused.

Q2 Mr Richard Quigley: An effective standards system, by its very nature, tends to lag behind where you would ideally want it to be, so how would you describe the purpose of an effective standards system?

Lord Evans of Weardale: The purpose of an effective standards system is to ensure as far as is reasonably possible that those in public office are



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acting with integrity and are acting on behalf of the public good and the Nolan principles of accountability, selflessness, objectivity and integrity reflect that very clearly. We want people in public life to act in that way, so a public standards system needs to articulate the expectations effectively. It needs to help people to meet those standards, so education, induction for those new in role to set the expectations.

One of the jobs that I did when I was Chair of the Committee on Standards in Public Life was to talk to all non-executive directors coming into public roles and say, "You have all been recruited for a variety of reasons, including your technical skills, but the framework within which you need to use those is one of high public expectations of standards". We need to explain that to people, because it is not necessarily self-evident to everybody. There needs to be some way as far as possible of monitoring it and ensuring that, if somebody has flagrantly decided to breach standards, there is some response—not necessarily something too legalistic, but there needs to be some response on a way of putting things right and making it clear that you are held to account.

I will also say, which is in a slightly different space, that in practice, certainly in my experience, very often the identification of a public standards failure comes from the media. Whatever one thinks about some of the activities of parts of the media, having a free media that can investigate and point the finger is an important safeguard to us. It may be surprising for me to say that as a former head of MI5, but I believe it. Then there needs to be some way of taking the allegation and deciding whether this is well founded, because we cannot work on the basis merely of accusation, and we see that working very clearly with the Independent Adviser on Ministers' Interests. For many Ministers there will be allegations flying around, but somebody at some point must have the responsibility of saying, "Let's look at the facts. Let's compare the facts to the expectation and let us make a public pronouncement on that." I think a standards system needs all those elements.

Sir Peter Riddell: I agree with all of that. One thing to add is that I did the review of the Committee on Standards in Public Life before Jonathan became Chair for the Cabinet Office a dozen years ago. I looked at all these issues in a very different environment from the current one. One of the things we looked at was the Nolan principles, which had been written without any scientific research. It was eminent people thinking what was sensible and putting it on the back of an envelope without research. I looked at whether we wanted to change them, and I concluded no, because the principles worked very well, but they ought to be reviewed. In fact Jonathan, when he was Chair of the Committee on Standards in Public Life, when the issue of abuse of MPs and public officials came up, they reinterpreted and revised one of the principles covering respect for people and abuse, which was vitally necessary and was exactly the right approach. It is an evolving system in that way.



I agree with everything Jonathan said about the system and with 40 years as a journalist I think there is a way that you can alert things, but I am also aware that you need a mechanism. For much of my career there was not a mechanism to take things forward, and it was very much dependent on the whim of the PM whether they wanted to take it forward. Therefore, things such as the independent advisory that has evolved is establishing independence and it is taking it away from the civil service, which is important. You can do that and that is very important. However, it is not just the rules; it is behaviour.

One of the things I concluded when I was Commissioner for Public Appointments was you can have all kinds of rules. I had a code that was consistent with the Nolan principles and all that, but what I found over my five and a half years was what mattered was how people behaved. How people behave is a central thing, whatever the code you have. People can push codes, reinterpret codes; indeed when I was a journalist I worked by a principle that I used to advocate, which was the *Private Eye* principle. If something appeared in *Private Eye*—that is showing perhaps a nostalgic turn of mind for me—could I defend it? Even though you could argue that it should or should not appear, could you defend it? That was said to me by one of my editors at the *Financial Times* way before there were any City regulations—I am talking about 40 years ago—and I think it is not a bad principle in addition to codes and practice.

If you look at some of the things that have happened to the present Government, 14 months ago if they had applied the *Private Eye* principle they might have avoided a few problems, even though it is perfectly consistent with codes, perfectly okay, but it is looking at that, which is quite important. Standards and codes are important, but perception and how it looks is very important too.

Q3 Mr Richard Quigley: It is a fair point. Also there are a number of terms that are referenced in this area, so you have standards, propriety, ethics, integrity. Do you think that confuses the public? It tends to confuse me and probably, if we all were honest, it confuses most of us.

Lord Evans of Weardale: I agree with you. I think there are a lot of terms and they are not really terms of art. They are just bandied around—ethics and standards and stuff. I do not really think that I could articulate a clear distinction between public standards and public ethics and I do not feel that it is particularly helpful to have all of those. I tend to use public standards because that is what my committee was called. The Ethics and Integrity Commission will of course use the word ethics, I suspect, rather more. I agree with you that it is unhelpful. I put integrity in a slightly different box, because that is not a system thing, but a behaviour thing, whereas standards and ethics are a coding of how you try to articulate what the expectation is.

Sir Peter Riddell: It can confuse. Essentially, we all know what the real issue is, as Jonathan said, and it applied to your first question. It is how people behave and how it ties in with expectations and so on. You cannot



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have it absolutely. To use a parallel of something that your voters would believe in, they all want you to be in the constituency all the time—but if you were, what are you doing here? That is a parallel thing. Their expectations of your behaviour are sometimes unrealistic and uninformed. It must be realistic, but it is not just the basic rules. Some of these phrases are confusing. It boils down, to me, to proper, defensible behaviour.

Q4 Mr Richard Quigley: On the back of that, if the system was perfect we would not need it, so what is your assessment of the current standards system in the UK? Then, to add an extra question on to that: if you had a magic wand, what would you do differently?

Sir Peter Riddell: It is all piecemeal, and there are virtues in that as well as vices; the virtues are that a lot of these standards issues are very different from each other. There was a debate before the election, “Let us have a super-regulator”, which I was opposed to and wrote about, wearing my Constitution Unit hat. There is a parliamentary bit and then there is an Executive bit—that is an obvious one and everyone recognises that, even though the parliamentary one is very complicated—but they have different roles. It is complicated, but on the whole that is defensible.

To give an example, from 2011 to 2016 the Civil Service Commissioner and the Commissioner for Public Appointments roles were held by the same person, Sir David Normington. He was a very experienced public servant, but it did not work out, as David admitted and everyone else admitted, because they were different roles and people got confused about what he was doing. He was operating two different codes, the civil service and public appointments, which were very different. If you put them all together, you can confuse things and I think it weakened regulation.

However, what is clear to your voters and to most of your colleagues here is that the whole picture is terribly confused.

One thing the new Ethics and Integrity Commission can do is provide a portal and an explanation of the standards set up. Jonathan and I are probably in a small minority who have a clear view of what happens. It is a confusing picture, but I think there is potential now, particularly with the technology, to provide a portal so that when people say, “I am worried about this”, they know what to do and are clear about it. I defend having separate regulators because there are different and separate issues. It is not a cost matter at all, because all this costs virtually nothing, but it is a matter of clarity.

Q5 Mr Richard Quigley: On a magic wand? I will let Lord Evans tell me his magic wand as well.

Lord Evans of Weardale: I thought you were doing your magic wand first.



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Sir Peter Riddell: Sorry. I don't think there is a magic wand, basically. It is evolving and problems come up. The other point is that, if you look back, historically there are different standards issues that come up. If you go back 40 or 50 years, a lot of it was cash for questions, MPs getting lots of money from lobbyists. That has largely disappeared. There were a lot of things like that and there was much less transparency. That evolved and then you have ups and downs in political financing and so on.

I do not think there is a magic wand. It is incremental. I think the real thing is clarity for people about how the system operates and also a mechanism, which I hope the Ethics and Integrity Commission will introduce, pointing out where the gaps are with the regulators. I sometimes met with my opposite numbers when I was Commissioner for Public Appointments and we would identify a gap and I would sometimes mention it in my annual appearances before the CSPL. I am against believing there is a magic answer because this is an evolving system, but it is clarity and explanation.

Lord Evans of Weardale: We looked at this when we were doing a piece of work called "Upholding Standards in Public Life", which was one of the reports that we issued about three years ago, completely understanding that the current arrangement with lots of bodies is quite complicated to understand even for those who are on the inside, let alone for those on the outside. Would it be better to go for a single regulator? For some of the same reasons that Peter articulated, we did not conclude that that was the right way to go. Interestingly, we also tried to talk to international comparators. There are several bodies in Canada and the United States and so on that sound as though they are a big overarching body of that sort, but when you talk to them they are not. They are rather less than it says on the tin and indeed even those that look quite fearsome—in Washington, for instance—when faced with an Executive who are not minded to co-operate, do not seem to have as many teeth as it appears in theory.

We were not, on balance, persuaded to bring it all together, partly for the reasons that Peter articulates very clearly. I think it would be very difficult to imagine a single regulator regulating parliamentary behaviour, particularly for elected representatives, and nurses, and civil servants in benefits offices in Newcastle, and the military. They are very different contexts and explanations. It is necessary to have different bodies.

I would like to see more commonality of focus, not just on the narrow roles of the bodies, but to see Departments and agencies and so on headlining this a bit more and talking about it. I do not have a silver bullet or a magic wand, but I think you are much more likely to get good outcomes if people talk about these things than if they do not. If this is part of the conversation and the expectation you are more likely to have the little light bulb moments saying, "I suppose this is an ethics issue and perhaps we ought to consider it", and at least it is in there.



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We did another report called “Leading in Practice” that talked to a lot of Departments and other agencies about what they did, and quite a lot of them did not have a system for trying to provide ethical induction for staff, so, not surprisingly, staff did not think management much cared about this—indeed, some of the management did not care about it, to be honest. I had an interesting conversation with a senior Permanent Secretary who said, “Well, I do not think there are any ethical issues in our Department”, which given the Department, which I shall not name although it is tempting to do so—

Chair: Oh, go on.

Lord Evans of Weardale: I can’t remember—I am getting so old. No, I am not going to name them. I thought it was laughable to suggest, but it was clearly not something that he felt was his problem. I think it needs to be something that people talk about. I am also involved, since I left the CSPL with the Institute of Business Ethics and they would take a similar approach, which is that businesses who care about this need to think about what the experience of their staff is. Are senior managers giving the indication they care about this stuff—and if not, why would anybody else? I think there is an issue about not just policing it, but educating people into it and that would be a game changer; in so far as one could find a single game changer, that would be one.

Q6 **Chair:** I want to ask the pessimist’s question, if I may, and it is a pessimist’s question that I am going to ask while standing under the umbrella of populism. It is this. You are rightly highlighting the seriousness over many years that the institutions of government and civil society have placed on standards, ethics, integrity, good behaviour, transparency, honesty and so on. If the populists are to be believed, the public’s faith and confidence in the institutions themselves has either collapsed or is on the point of collapse, and the standards to which those operators within those institutions are taking decisions are entirely different from and often anathema to a large swathe of our fellow citizens.

All the work that you have done in this field over the many years that you have done it has all been about maintaining, restoring, building public confidence. When does anybody ever take the temperature test and say, “We have done the organisational bit of work. We have not paid near enough attention to convincing the public that the institutions of themselves are on your side and understand society and understand life and so on”? When that contract between the governed and the governors breaks down, the demagogue and the populace, the “Everything is broken” people, the disruptors who say, “We have to smash everything and rebuild Rome”, then get a foothold.

Lord Evans of Weardale: I think that is a very important point and I agree with quite a lot of it. I used to say, and would still say, that the most dangerous thing to say is, “They’re all the same.” I still believe that most people in public life are not in it because they want to get their



snouts in the trough. Most people genuinely come into public service because they want to serve the public, so it is not the case that they are all the same. Cynicism is an enemy in this area—although it is easy to be cynical when you see some of the behaviour—so I think we need as far as possible to protect against that.

I note that one of the remits of the Ethics and Integrity Commission is to promote and explain why ethics matters and I think that is highly desirable. We may well come on to how that is deliverable. My former committee did not formally have that role and it certainly was not resourced to do it. Equally, if you look at some of the biggest standards issues—if you want to put it in those terms—that we have had in the last 20 years, the public were absolutely on the side of high standards.

For instance, in the Downing Street parties episode where it was clear that there was public outrage at the fact that people setting the rules were not keeping the rules, a little bit more attention perhaps by the Government at that point on standards issues would have meant that they would not have fallen down the staircase that they fell down—and MP expenses equally. There was public outrage about things and a feeling that this is not how we think people should be behaving. I think there is a sense out there that people should behave well and that it is not entirely unaligned with the slightly abstract articulation in the Nolan principles.

We took the opportunity, for the 25th anniversary of the Nolan report, to ask about 20 A-level students from all sorts of different schools across all four countries of the Union. They spent the day here in the Palace of Westminster and talked about standards. We talked to them about what we understood the principles of public life to be and asked what they thought about it and so on. I thought that we would get a response that said, “Yes, fine, but what about environmental concerns?” and that sort of thing. There was a bit of that, and that is understandable, but on the whole the general feeling was, “Yes, we agree that this is the sort of thing that people in public roles should adhere to”. It is not massive evidence, but I did think it was quite interesting to sit down with people.

Q7 Chair: I suppose the thrust of my question was that you can have whatever standards you like in the operation of whatever institution it is, but, if I do not think the institution is on my side, it may bother me that I do not have faith in that institution. I appreciate there is a political element, but you can think about science, the church, the military, the police and right the way across the operation of our society. The age of deference and good chaps doing their best has disappeared.

Sir Peter Riddell: I think a lot of this is to do with much broader political cultural phenomena. The change in media in Parliament, I experienced that from a largely top-down deferential approach to the world you all have to operate in, which is 100% different, as you will remember. A lot of it is to do with that.



I will make two points briefly. One, to go back to the earlier point, it is awareness of those in public office. It is the same point that Jonathan made about the parties and so on, if anyone had just thought, "How will it look?" and if enough people thought about that. Secondly, a lot of these issues are tied up with performance and people may criticise institutions, but it is how the institution performs. A feeling of remoteness and criticism and all that is also tied in with performance of institutions and it is how Governments are performing and the expectations of Government, which can lead into attacks on standards. I keep saying you cannot isolate standards from much more general perceptions. If you had inflation halved and better job opportunities for 18 to 24-year-olds, it might well influence people's attitudes on standards. It knocks on.

When I was chair of the Hansard Society a long time ago we did an audit of political engagement, which unfortunately was discontinued because of money, but it was interesting because it tied in much more with general perceptions of Government performance than specifically the standards and related issues we looked at.

Q8 Chair: The Government have fulfilled their manifesto commitment to create this EIC by replacing CSPL. What are your views and hopes, in bullet point, shorthand terms, on that change?

Lord Evans of Weardale: I did have conversations with Labour shadow Ministers in Opposition when this was emerging as an idea. I think it is fair to say at that point it was an unformed idea. It continued to be an unformed idea even after the election and it has subsequently been shaped into a body that we now understand to have a particular role. Where it has ended up makes sense: there is no point in having a parallel Ethics and Integrity Commission separate in some way from CSPL; it makes a lot more sense for it to subsume CSPL.

Many of the roles that it has taken are the ones that CSPL was undertaking under its former guise, some of which were informal but have been formalised, such as acting as a convenor. It was my practice to convene the heads of the various ethics bodies periodically for an informal discussion, which was helpful because it just gives you an awareness of what is happening elsewhere in the system. I think putting that on to a more formal basis makes a lot of sense.

On the other elements of it, the responsibility to advise on codes will be a challenge for the commission initially, because there is not the existing expertise ready to tap into, so they will need to do some research so that they know what advice to give. That is a challenge. I think the public promotion of standards and explanation of standards again will be challenging because of the resource questions. When I was Chair we were a maximum staff of five and you cannot engage with the world with five staff. It is an important thing to do, for some of the reasons that we have already touched on, but it will take quite a lot of work.



It will be interesting to see how the annual letter to the Prime Minister is used, because it is potentially a powerful tool, but it needs to be used in such a way as to be helpful to the Prime Minister in supporting public standards and not turned into a cosh to bash the Prime Minister with annually. I am sure that the current chair would not wish to do that and would want to see this as building higher ethical standards, but it is quite a significant power to have given to the commission and in that sense I am very interested to see how it is used.

Sir Peter Riddell: I very much agree with Jonathan. In my role at the Constitution Unit with my colleague Robert Hazell we looked at exactly the question before the election and produced a report in the spring before the election on these issues. We concluded, broadly along the lines of what has been adopted, that there should not be a super-regulator dealing with everything, because of the reasons I discussed earlier, and that duplicating CSPL would be a big mistake. I am very happy with the evolution, with some qualifications. The major positive is that it is not doing casework. The important thing is the regulators are left to do that. That is a very important point of principle that Jonathan and his predecessors used to have to say again and again when something had happened, "We do not look at individual cases". That is quite right; it should be separate.

However, my worries are some of the ones that Jonathan articulated, that the evolution has been given a really big remit. It is current resources and there is an indication in the exchange of letters between Doug Chalmers, the chair, and the Government on increasing resources. We do not know how much it is going to be. There is also the question of the expanding of the commission, which is now under way; I think that is absolutely desirable, but it is a big ask and I worry that some traditional roles may suffer.

The other point is what we concluded in our report: some of the issues involving regulation are to do with the powers of the individual regulators, whether they should be put on a statutory basis, and all the stuff on lobbyists that this Committee has been looking at. There are issues on the old ACOBA that are still in the process of being dealt with, rather than dealt with, and there are a whole series of issues about the individual regulators. I worry a bit they may get neglected in the focus on the new commission and the new commission—and Doug Chalmers is clearly very well aware of that from his exchange of letters with the Government—is being asked to do a lot and does not have the resources yet. I am worried about the traditional roles of CSPL being squeezed a bit on that. It is the right direction, a sensible move and potentially could do some very good things, but it is going to be difficult.

Q9 **Chair:** Do you have a particular concern about the old CSPL's work with inquiries?

Sir Peter Riddell: The problem there is just resources. It is clear from the Government's letter, because we know about the Hillsborough Law



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that is going through, that is clearly the Government's priority, and we know it is the Prime Minister's because he spoke on the Second Reading debate a week ago and all that, that they have been told that is the thing they must do in the first year but even being able to do that will be difficult, because it is a big area and requires expertise. What worries me is that the inquiries will get squeezed. There are areas that the committee looked at in Jonathan's time, and before that in Paul Bew's time, really important areas that still need looking at.

One of the real problems in recent years has been the Government have largely ignored and deferred responses to CSPL. They have said—there is a reference somewhere—"We say we are going to reply promptly". Well, I will believe that when I see it. In the first 15 years or so of the CSPL the Government had a very good response rate. In the last 10 years it has been pretty poor. They would wait a year or two and then it would just be brushed aside. There are many problems, such as local government standards and party funding particularly, that have been neglected. They are now to be looked at in the new Bill but still there are big areas and I am slightly worried that they will get neglected.

Lord Evans of Weardale: Can I add one comment? If you look back 10 or 15 years, CSPL had a significantly larger budget than was subsequently the case, and it also had effectively a research budget. That meant that there was an ability to do some research to back the judgments that it was making in some areas. I think if I were in Doug Chalmers's position I would be pushing hard to reintroduce some form of research budget because, particularly on codes of conduct, somebody needs to do some work to know what best practice is now. I think that will be important to give a bedrock from which you can then give advice. A reintroduction, not talking a massive budget but some money that you can then spend on research, I think would be very valuable for a new institution.

Sir Peter Riddell: I must plead guilty here. Jonathan has been very kind because, in the triennial review I did, I recommended cutting back the research budget at the time.

Chair: Well, you should have a go at Peter, then.

Sir Peter Riddell: The reason being that the whole future of the committee was in doubt then. People forget it now but there were people in Whitehall who wanted to kill off the CSPL or put it on a care and maintenance basis, just have it used when there was a scandal, which would have been mad. In a sense part of the way of selling it to Francis Maude, who was then the Minister—

Chair: "Keep us alive but reduce our budget"?

Sir Peter Riddell: Yes, and there were cutbacks. I thought at the time, and I plead guilty to this, that some of the research could be done elsewhere but I entirely agree with Jonathan now. Now they are getting



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into codes of conduct, absolutely the budget needs to change and to be restored. There is also another issue about dealing with devolved nations, because that is quite an important one that is left unsaid and needs to be addressed.

Chair: We are alert to that. Thank you, Peter.

Q10 **Sam Carling:** You have started to cover this off a little bit, but I want to explore a little bit more detail around the function of codes that the new body will have. Sir Peter, I am led to understand that you have expressed some concerns about the new function for the EIC to advise on codes. Can you outline in a bit more detail about how any concerns might be addressed?

Sir Peter Riddell: We would all like to know in more detail how to do that. The point is what Jonathan referred to. They do not have the expertise now. If you look at what the Government said initially, it was to produce a report in parallel with the Hillsborough Law going through both Houses, hoping that by the time that it gets Royal Assent—and that is quite a tight timetable—they would have produced a model code, and then to set up a centre of excellence on it. This requires recruiting officials who know things about that and that is a big challenge that the committee certainly recognises. Doug Chalmers has said he absolutely recognises that but that has to be done quickly, and it is difficult, and it requires the Treasury to put some money into it.

It also requires different commissioners, and they are now recruiting three more independent ones. It is pretty minimal pay, and there is quite an issue with that. I think the Treasury has put the screws on there. They ideally need people who know a bit about codes. There is one recent local authority person on the old committee, now the commission, but otherwise there is not much experience of that, and I think that is very important.

There is experience out there. If you look at the professions, the legal profession, the medical profession, they are awash with codes, so there are people who know about these things. They need to draw on that expertise and also address the issue on the linkage between codes and practice. You can have a code, but how does it work down into what is happening in the details of the health service, post office and so on? It is a blank sheet at present, but how to address it is a very challenging issue.

Lord Evans of Weardale: I completely agree with that. If you look at the regulated industries there are codes there but at some point somebody has to step back and create some knowledge that can then be deployed. You cannot do that overnight, which is why there needs to be some resource to enable them to do that, otherwise they are just making it up as they go and that is not going to work well very long term.

Q11 **Sam Carling:** Moving on to the broader public setting of all this, how do



you think the EIC can effectively carry out its functions to engage and inform the wider public on the values, rules and oversight mechanisms that govern standards in public life?

Lord Evans of Weardale: I think that is the single most difficult task that they have been given. In terms of engaging with the public, the odd editorial in *The Times* is not going to exactly hack it, so there needs to be a really thought-through model of how you engage. That will need to include credibility, involvement in social media and so on. You can do opinion research, but if you want to inform any other direction, that is complicated. The people who are really interested in standards will find their way to the website and have a look at it, but that is a vanishingly small proportion of the public—although several of them are in this room. To get that message out will be a difficult thing to do, because it means getting attention—and getting anyone’s attention nowadays, given the number of things that you can attend to, is challenging. I do not know how they will do that, but it will not come easy, and it will require resource if it is to be done meaningfully.

Sir Peter Riddell: I will add to that. It is in the new terms of reference about being a portal to explain to people where to go in the standards environment I think is really important. It is complementary to what Jonathan said, to have an explanation so the whole thing can be less confusing—it is confusing, particularly with MPs’ roles versus Ministers’ roles, but something to do with that. My underlying worry is unrealistic expectations, that expectations have been raised and in a year or two’s time saying, “Well, what do you do?”, and not accepting all the problems of doing it. Managing expectations, which is also tied in with it, is a problem too.

Q12 **Charlotte Cane:** You have both touched on my next question. Lord Evans has commented that the old CSPL had only five staff and that you lost your research budget and Sir Peter has talked about the need for more resource. Could you be a bit more specific about what capacity you think the new committee needs to carry out its role properly?

Lord Evans of Weardale: I do not think I can hazard a figure, because I have not looked at it in that much detail. You probably need what would still be a very modest budget but I would have thought you would need at least five times as much as they have at the moment, maybe. That is a finger in the air.

Sir Peter Riddell: The only thing I will add is that all this is done on the cheap. All the ethical regulators do not cost much money at all. Some of them share offices. When I was Commissioner for Public Appointments, the cash amount I spent over the five years fell in cash terms because we managed the budget differently. It is not extravagant. Even an increase of the size that Jonathan suggests is still pretty small beer, compared with commercial regulators or whatever. I am again slightly worried that people will say, “Oh, they have expanded their empire”. It is a pretty small empire. I would say a big increase is as important as the type of



people and the type of expertise. That is a real challenge for the new chief executive. But I would not like to give a figure on it.

Q13 Charlotte Cane: With the current funding level—apart from research, which you have talked about—what are the key things that you think should be happening that are not happening?

Lord Evans of Weardale: If the funding level for this new EIC is the same as it was for the former CSPL, it will fail, because it was just about possible to undertake the functions of the old CSPL with the very limited resources available. As Peter said, I did not have my own office. I shared it with others and we then negotiated who was in when and so on, so it was not exactly a lavish arrangement, which I do not mind, but there was no spare resource and if there is not any increase in resource then the EIC will not be able to undertake the functions that it has been given. On the basis of your question, that is my answer.

Sir Peter Riddell: I totally agree with that. Also look at the commission. That needs to change as well. There is a whole series of issues there but getting people in who know about codes, and also the political element needs to change a bit. For all kinds of complicated reasons it is a slightly strange position, because it is the three largest parties and it has meant, for example, that Ian Blackford, the SNP member, will carry on until next summer, when he will drop off, but there has already been a Liberal Democrats member added who is a local councillor.

There are no serving MPs on the committee now. There is a Tory vacancy that has not, as far I know, been filled and there is Margaret Beckett, who was an MP until 18 months ago. Ideally, to get some serving MPs on is very good, because I have found—and Jonathan knows it more directly—there have been some excellent members of the committee who are in touch, as you are, and that needs to be addressed, as well as the independent members. Ideally the independent members are people who know about codes, and that is as important as the paid officials.

Lord Evans of Weardale: When we did our report on the regulation of electoral finance, having serving active politicians on the committee was critical because you can sit back and say, “Oh, well, in the event of an election you ought to be doing X, Y and Z” and those people who have fought an election brought an air of reality to it, saying, “It is ridiculous to suggest that you do that, because it is just never going to happen”. Keeping in touch with the reality of political life, which people like Margaret Beckett and so on are able to do, is very important because otherwise it just flies off and becomes a theoretical activity.

Q14 Charlotte Cane: You have also touched on the question of whether we should have a single regulator, which you did not think was a good idea, but you thought that formalising the co-ordinating role did make sense. What are the benefits and risks that you see from this formal role to co-ordinate a network of bodies?



Lord Evans of Weardale: It is very important that the various regulators have that opportunity. There is sometimes an element of support because some of the individuals in some of the roles get quite a lot of abuse and hostility because they are trying to do the job they are trying to do. I think having a peer group where you feel that you have support matters for some people. I did not, and it was fine, but particularly for those people who are quite close to the front end and doing investigations there was appallingly bad behaviour directed towards some of them and threats and abuse.

Q15 **Chair:** From whom?

Lord Evans of Weardale: Some MPs, for instance, would attack the Commissioner for Standards, and in ways that were disgraceful—I do not mean physically attack, but attack in other ways. There was a lot of pressure exerted on some of the people. I am not saying that happened to everybody, and it certainly did not, but having a peer group to talk about it and to understand. One of my jobs, I felt, was to reach out and try to provide support to people who were going through a lot of difficulty in that way because they are doing their job and trying to do it well and they should not be subjected to that sort of abuse.

Equally, I had a lot of discussions with MPs and others who were also subject to a lot of abuse, so this is a problem throughout public life; it is not just one particular category. That aspect is important. It is very useful to share information and say, “You’re doing this—okay, that fits with what we are doing”, just to make sure that the EIC can understand where the gaps might be. The informal conversation is very helpful for that.

What it should not become is the regulators as subsidiaries to the EIC. It needs to be a colleague relationship, not a subsidiary relationship, because each individual part of the system has its responsibilities and its own frameworks and EIC is not intended to be the head office for them. It is intended to be the organisation that brings those strands together, so I think that is a slight risk. I do not think it would ever eventuate but, if it did go in that direction, that would not be the intention of Ministers in setting it up in the way that they have.

Sir Peter Riddell: Having attended—I was a participant when Jonathan chaired the CSPL and also before that with Paul Bew, and I attended as Commissioner for Public Appointments—it was very much that sense of colleagues sharing problems and also reinforcing being personally supportive of those under pressure. I remember with the Parliamentary Commissioner for Standards it did very nearly get physical in one case, but also the chair of the Electoral Commission—not the current one, the previous one—was under a lot of tough pressure. We were able to support and discuss and so on.

The other point, of course, is a clearly constitutional one. The parliamentary people understandably would draw the line—and this is



where Jonathan is absolutely right; this is a colleagues' meeting. It is not an executive body; it is not anything like that. Even the use of a co-ordinator I think overdoes it. I think it should be convening with mutual discussion. I have a slight worry that people have too great expectations. I found the meetings extremely helpful. I knew most of our opposite numbers; I did not see them that often but I saw them a bit and so to discuss things, not to share secrets about case load, but just general principles, was very valuable.

The other thing that Jonathan certainly did ahead of the "Upholding Standards in Public Life" report was a bit of consultation at the meetings and that was valuable. We did it also separately. We had separate meetings and so on but it was useful to have that and to also support the chair of the CSPL. Providing one does not get any unrealistic expectations on it as a convening role, it is helpful.

The one thing I thought about was that, in some of the evidence to you I noticed the NAO vaguely say at the end of their evidence, "Well, should we be part of it?" It was not quite explicit. It is where you draw the list up. One thing that perhaps the chair of the EIC will have to reflect on is whether that is the right list. The trouble is, if you expand it, does it become too big? You can argue that you might want some other bodies involved who also are involved broadly in standards issues. But again the expectation thing is the key point.

Q16 Charlotte Cane: That is very useful and you answered my next question as well. I want to go in a bit to people coming under pressure, because I can see it is very useful having a peer group who can assist you with that, but are there any lessons we can learn on how the new committee will work to strongly discourage people from exerting pressure? The people who are trying to uphold the standards must be able to do that and feel confident that they have the support of the group with whom they are trying to uphold those standards. Is there anything we can do to improve that?

Sir Peter Riddell: Can I give you an example? It is an interesting point. When I was Commissioner for Public Appointments the political temperature varied, because I had three Prime Ministers during my five and a half years. When it became quite lively, to put it politely, in 2020 and 2021, and I had to go public with objecting to various things that were happening, it was very useful that in general terms Jonathan was supportive, in speeches and in reports. I had to fight my own battles obviously but it was useful to realise this was being recognised and it was not totally in the ether. The same applied to some others. If you look back at what Jonathan was saying then—he was quite critical of what was happening, rightly so—it was useful that that was expressed from the broader perspective, not only a specific argument about some particular case, but in the broader sense. I think that is useful; I certainly felt it myself and was grateful.

Q17 Charlotte Cane: Is there anything we can build into the system to



actively discourage people—I don't know, doubling the punishment if you do not co-operate, or something like that?

Lord Evans of Weardale: It is worth thinking about. I do not have a "Blue Peter", "I made one earlier" answer, I am afraid. I think within Parliament, if you appear to be trying to pressurise the system that would be viewed as an aggravating factor, and it should be, and there have been occasions of that. You also have to make sure that whoever is appointed to these jobs is sufficiently robust that they can put up with a certain amount of pressure and, on some occasions, abuse. They should not have to, but the fact is that sometimes they will.

Sir Peter Riddell: I will add something that I think is a cultural thing. Partly because I was not a public servant before I took on my roles, I was more happy working in the environment of Parliament. Of course, I knew a lot of people as well, so I believed in having an accountability relationship to this Committee and your two predecessors, Chair. I used to write letters every year, regardless of whether I appeared to give evidence, because you are all busy and have busy agendas, updating the Committee and also on appointments specific departmental Committees when it was an issue. There were a couple of Education issues and DCMS ones were always happening so I would write to the relevant chairs of the Committees saying, "Here is an issue". Sometimes I would talk to them, and in general made the letters public. This is additional accountability and it produced results.

I remember there was one particular Education one, where I briefed and appeared in a private session of the Committee, but I had done a public letter saying that I thought this appointment had broken the spirit of the rules and all that. I received a call from central Government saying could I come in and talk about it, not in a pressurised way, but generally alarm bells were ringing. It did not produce much change, but it alerted people. I think people ought to regard Commons Select Committees as allies, if you are a regulator. I certainly did, very strongly so, and it was mutual.

Q18 **Markus Campbell-Savours:** I think you have answered this already, but I will ask it anyway. Are there any functions that the EIC currently does not have that it should have? Perhaps, because that may have been answered already, are there any powers that it should have, maybe for some of the functions it already has?

Lord Evans of Weardale: The most sensible path would be to let it bed in and undertake the functions that it has, because there is still work to do to get it to a point where it can deliver those functions. I think that is as you would expect, and to get the resourcing in place. I suggest then, a year or 18 months in, it would be sensible to review and ask how this is working, whether it is fitting the space correctly and whether there are areas to add. I would not add anything at this stage, because it has quite a lot on its plate and it can usefully discharge that and then see where it has got to. That is the approach that I would take, but I do not have anything to add to the list at the moment.



Sir Peter Riddell: I agree with that, but I think it is important that the overview function that CSPL had is not neglected. Jonathan mentioned the interesting dilemmas of the letter to the Prime Minister every year. That is potentially a very powerful tool, provided it is well judged—and I think it will be well judged; Doug Chalmers is a shrewd guy. That letter could be quite important in signalling issues in the broader landscape and also issues to be further pursued, like some of the ones I mentioned earlier about ACOBA, lobbying and statutory backing for the regulators and all that. That is what I would do in the short term. It is going to be a slow process of building up and I do not think one wants to rush it in that respect.

Q19 **Markus Campbell-Savours:** What is success going to look like for the EIC, down the line?

Lord Evans of Weardale: Success will be confidence among the political leaders, Government leaders, that the Ethics and Integrity Commission is helping to solidify and create a collegiate approach among regulators. I think confidence among the bodies it is working with on codes of conduct that they are getting well informed expert advice that can be implemented, and at least some degree of public media interest in the annual letter. With the powers that the new commission has, the single biggest power arguably is the letter; therefore, using that appropriately and making sure that that has impact in a positive sense will be important, particularly as it sets expectations about how it works. I would be looking at whether politicians have confidence in this, whether the Departments and the agencies who are benefiting from the advice have confidence in it and, in a sense, whether the public see anything of this, particularly through coverage of the letter.

Sir Peter Riddell: I would add also, and I agree with all that, that Government pay attention to the committee. One of the problems in recent years has been neglect. It is important that the Prime Minister and Cabinet Office Ministers engage with the committee and, when it produces a report, they respond. They may not necessarily agree, but they should respond. That is very important. That was certainly true in the early years, with a sense of engagement—not that it was just floated off to get on with it, which is the danger, but that there is a continuing engagement. I think that is a very important element of it.

I will also say, and I think this is a broader worry, that there is cross-party engagement. I do not just mean with members of the committee, but the Opposition leaders being involved, because there is a big danger of saying, "These regulators are unelected people. We know what is best". To use an example, in 2022 when Lord Geidt resigned as the independent adviser, initially Boris Johnson said, "I am not sure I need one". Liz Truss said she did not need one because she knew what was right and wrong, totally missing that the point of the adviser was to advise and to find out the facts, and then the Prime Minister decides—

Chair: You could have finished with "totally missing the point", full stop.



Sir Peter Riddell: Related to that is a sense of, "Do we need these people?". I think it is quite important, given the changed political environment we are in, that the other party leaders are engaged with it. That is quite important. I think the new commission should try to engage all the party leaders, because there could be a danger of it being brushed aside, and I am quite worried about that, in a kind of populist world.

Q20 **Markus Campbell-Savours:** Peter, you touched on the abolition of ACOBA before. Could I get both your views on its abolition? Does more need to be done on business appointment rules and its enforcement?

Lord Evans of Weardale: At the institutional level I am more or less neutral on it. I do not have a particularly strong view as to whether there should be an ACOBA or whether there should be a committee. The last chairman, Eric Pickles, made it very clear that he felt that ACOBA was not quite the tool for the job, so it is not surprising that there was a view taken that this perhaps needed to be looked at again. The functions could be done by other bodies in the way that they have been distributed out to the commissions. It is one of those things that you need to have a look at it in a year's time and see whether they are being done and whether it is working effectively.

I still hanker after some way—and I know there are all sorts of legal constraints—of enforcing some of the guidelines, because at the moment, generally speaking, for most people, if they do not follow the advice there is nothing much you can do about it. Probably 95% of people follow the advice because it seems to be the right thing to do, but there are some notorious cases of people who serially do not follow the advice, even people of great seniority. That undermines the credibility of the system.

If former senior Ministers are not following the advice and you are a civil servant, you might think, "Why should I follow it?". I think that is a dangerous position to put ourselves in. You should not be in a situation where you curry favour with a company that you are dealing with as a public official, and profit from that by taking decisions that are favourable to that company and then are employed by it later. Certainly in any normal ethical environment that is seen as grossly improper. As far as we can, we should look to ways of enforcing as well as advising on that.

Q21 **Markus Campbell-Savours:** Have you any views on what that enforcement looks like? That is the million-dollar question, isn't it?

Lord Evans of Weardale: I have not followed the detail of it. There has been a lot of thinking about are there ways of taking undertakings, are there ways of doing it contractually, and I think it is worth exploring those. I do not know where the music stopped on them.

Sir Peter Riddell: My view is ACOBA was criticised as being very weak when in fact it was not. The frustrations—which Eric Pickles expressed frequently, with passion—I have every sympathy for. It was not so much structure, but powers. I think the changes make sense up to a point,



provided there is consistency between the Civil Service Commission and the independent adviser. They are sensible organisations, but they have to co-ordinate to make sure that civil servants and ex-Ministers do not have different rules.

There are also within the proposals two things. One is proportionality—level 1 and level 2—which I think is sensible. They do not bother with things that are clearly not falling into the category. But, as Jonathan says, people are making lots of money, non-paid or media things or whatever, and that is sensible. I think the enforcement issue is a big one. The other issue is a lot of the real problems are below the top level. ACOBA, in its note to this inquiry makes the point about the military. The military have tended to go with their own direction and do not necessarily believe that they are covered by the civil service rules—there is clearly an issue there in the MOD, which is felt quite strongly by the people involved in the regulation—and generally below the top level.

There are good intentions there, saying that the civil service should monitor practice by Departments. I think these need to be kept an eye on. Certainly the enforcement thing, as Jonathan says, is a difficult one. The business appointments issue is a work in progress, just as lobbying is a work in progress for this committee. There has been a step forward, but there need to be quite a lot more steps forward to make a workable and acceptable system.

Q22 Richard Baker: Good morning, Sir Peter and Lord Evans. The Government have made a commitment to restore confidence in Government and ensure Ministers are held to the highest standards. I am conscious that you talked earlier, Sir Peter, about managing expectations about what will be achieved through these reforms. Do you think that the establishment of the Ethics and Integrity Commission is sufficient to achieve that commitment and ambition?

Lord Evans of Weardale: No, because it is a question of how those people in power choose to act. The Ethics and Integrity Commission helps to support good practice and sensible advice and so on, but ultimately it is the political lead on this that will be very important. It virtually does not matter what organisational changes you make; if there is not political leadership on it, it will probably not stick. I would say it is a necessary part of it, but it is not a sufficient part of it. That is to do with not just rules, but behaviours.

One of the reasons I think Sir Laurie Magnus has been such a distinguished independent adviser is that he has been very clear in some of his reports, saying, "These are the facts, these are the rules; have they broken the rules?", but then also, "Are they acting within the spirit of the rules and, therefore, acting in such a way to provide leadership on it?". In one or two cases he has concluded that some Ministers were not.

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here are two parts to this; there is what the rules are and how effectively they can be implemented, and there is what behaviours people choose to take, including at very senior levels, because people take their lead from what senior Ministers care about.

Sir Peter Riddell: I totally agree with that and would add induction of new Ministers and, I might add, special advisers. They are crucial players, who are largely ignored; formally they come under codes, but in practice they have enormous influence and they can be very involved in this ethical issues. I think stronger induction is important. The trouble is that an election happens, people are appointed Ministers, they get overwhelmed by everything, excitement of office—especially if you have never been a Minister—and all that stuff, but the ethical bit can sometimes come a bit further down. The civil service are partly at fault there. They need to be much tougher and say, “Look, Minister, in theory that happens on things, but I am not sure it is done as assiduously as it should be”. That also applies to special advisers to point all this out, but there is certainly no magic wand on these issues.

Q23 Richard Baker: You made a very practical point, Sir Peter, about the need to prioritise ethics at the very start of Government and ensure that people have all the awareness and information that they need to do so. Obviously, as you say, Lord Evans, there are issues about personal responsibility and behaviours there that are absolutely essential in informing public opinion and views, but I am also aware that the Committee on Standards in Public Life made a wide range of recommendations in its 2021 report—26 recommendations, I believe. I recognise there are limitations on what organisational changes can achieve, but they are still important. How successfully do you think the recommendations made by the CSPL have been implemented?

Lord Evans of Weardale: There is progress. Initially none of them were agreed and then—through gritted teeth, I would say—towards the end of the previous Government some were accepted. There are still others on the table, and I stand by those recommendations. One of them is that there is a real benefit in confidence in the regulatory bodies in being placed on a statutory basis, and I think that is desirable. I do not think it is utterly disastrous not to do so, but those organisations that have a statutory basis are very clear and also there has been a parliamentary endorsement of what is expected. It is desirable, but we have not gone down that path.

I will take the opportunity to say that there are one or two other reports that we also made recommendations in, particularly the one on the regulation of electoral finance where, at the time, the then Government accepted none of the recommendations, even though there was quite a lot of support for them in the consultations that we undertook. They were deliberately cast to be practical and modest, but there was a decision taken that none of them were to be accepted, which I personally felt was a significant failure of standing up for high standards.



Some of those are likely to be adopted by this Government in the context of defence of democracy and so on. I welcome that, but there are others that I think could also be included. That report is one that I feel had necessary and modest proposals to improve the integrity of our electoral finance system. That is still needed, in my view, particularly at a time when we are aware that in the national security space there are risks of foreign interference, and we need to do things to make sure that we are protected from those as far as possible.

Sir Peter Riddell: Can I add on the statutory point? I obviously agree on the electoral finance one. As Commissioner of Public Appointments, I had an Order in Council and I was a creature of that. The regulation is set by Order in Council in code. I could have been abolished with a new Order in Council; it would have been awkward and so on. We saw that. I mentioned earlier in reply to Mr Hoare's question the fact that Boris Johnson and Liz Truss thought of not having an independent adviser. That was a classic example. There was a long hiatus and big gaps when the independent adviser did not exist.

If you have it on a statutory basis it requires the post to exist. You do not specify what they do—well, in broad terms but not the kind of detail—and equally you can require a code to be produced. I am not saying the code should be in statute; it should not be because it needs flexibility. The objection used—raised, for example, in a House of Lords debate on whether you make the House of Lords Appointments Commissioner statutory—was a judicial review. That is nonsense. Anyone doing a public office is subject to JR.

The House of Lords Appointments Commission, 15 years ago, was JRed by someone who was a bit miffed about not becoming a Cross-Bench peer. In a subsequent life they discovered their political views and then became a political peer, before running into a certain amount of trouble. But that was JRed and it was dismissed. As Appointments Commissioner, I was aware of proper process and it was one of the issues. I remember my opposite number in Northern Ireland—there was a separate commissioner who dealt with the Northern Ireland Government—saying to me once, "How often are you in court, Peter?" I said, "Well, I have not been in court". She said, "Well, I am in court every week", for reasons you would appreciate from the past.

All those issues are there and that is why statute is important to ensure permanence, or a Government could abolish things. The Standards Commission was abolished 15 years ago. You can do it, but having primary legislation makes it more difficult. It slows the process down.

Q24 **Richard Baker:** It is a very powerful point, Sir Peter. Chair, I wonder, given the assessment by Lord Evans of slow progress in implementing recommendations of the 2021 report, whether the Committee might wish to revisit that with Ministers. On wider reforms to the range of standards bodies, in a still quite cluttered standards landscape, I know that the



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CSPL had to get a variety of different assessments of what needed to be reformed within a variety of bodies. What do you feel are the wide reforms that still need to be made in that range of bodies?

Lord Evans of Weardale: We have touched less on the structural side, but we have touched on a number of the issues to do with business appointments regulations. There is not a great deal of confidence in the regulation of lobbying. You can explain how the system is meant to work but it does not actually work like that, so I think there is an issue around lobbying that needs to be readdressed. That is one that CSPL in the past has taken a view on.

We need to think not just about what are the structures, but also some of the other things. There is the famous quote about how “culture eats strategy for breakfast”. We need to think not only about what are the structures, but about ways to encourage people to feel that they own this. The report that we did called “Leading in Practice” looked at that, and I think that is as important as the formal structures. I do not particularly feel that I want to point out structural weaknesses, otherwise perhaps around the lobbying side.

Sir Peter Riddell: Obviously there is business appointments lobbying. There are some interesting issues of the civil service bringing in outsiders and so on. I think there are some issues there about getting that right ethically and defining what is political and what is not. I have forsworn from commentary on public appointments, because I do not like to do that to my successor, but since it is complimentary, I will: there is a revision to the Order in Council on public appointments that came out a couple of weeks ago that I think is real progress, and I congratulate him on succeeding in resisting one or two bad things and achieving some positive things about the nature of public appointments.

It is possibly something you might want to look at, particularly in relation to a Prime Ministerial involvement and time. One of the real curses in public appointments that turns people off is the delays in the process is awful. My successor made exactly the same complaints that I did, and he is dead right. Those are issues that need looking at.

Other than that, I think it is to keep these issues under review; but, as I say, statutory backing and also methods of appointment. One of the issues that concerned me, given the enhanced standing of some of the regulators, is to make sure there is proper independence in appointment. I certainly worried that things got into grey areas with the people who were being regulators—particularly when it was a corporate body, a committee—with some people classified as independent that I kind of raised my eyebrows at. There are broader issues that need to be looked at here.

All this goes back to the fundamental issue of the balance between independent advisers—interestingly, we tend to use the word adviser—and Ministers, and that needs to be teased out and discussed more. It is



one of the tensions I had in my role. I never appointed anyone; I advised on process. Jonathan has referred to what Sir Laurie Magnus has been doing—a very good job, I think—as independent adviser. He is an adviser. It is for the Prime Minister to determine sanctions and whatever. Exploring all that is important.

- Q25 **Chair:** There have been several occasions of Prime Ministers of different political persuasions—if you think of a Cabinet and a Government, a Prime Minister appoints friendly faces, able people and colleagues, and so on—which makes it harder to administer discipline. It is much easier to administer discipline on your enemies than on your friends, so I am told. We have a very peculiar situation in the court of public opinion—reverting back to my earlier question about the public’s faith and confidence in things, and we have an urgent question this afternoon on the Football Regulator—where a complaint can be made, the adviser can look into it and say, “Not everything in the garden is rosy”. The Prime Minister can, perfectly legitimately under the current framework, turn around and say, “Thank you very much, that is frightfully interesting, and I broadly agree with you that it was not quite up to snuff in terms of what one might expect, but I do not see this as a hanging offence. Nothing to see here; move on.”

My question falls into three parts. First, in 2025 is that a sustainable way of dealing with things? Secondly, if it is to remain an adviser, to whom should that advice be given? Should it be given to the Prime Minister or would it better given to the Cabinet Secretary, or to a committee of the sort of wise men and women who can opine upon it and come to a judgment, or should the adviser be judge and jury and say, “Standards have not been met, I consider this a hanging offence, Prime Minister; I do not care what you think about it, they have to go”, or “Their position remains untenable”?

Lord Evans of Weardale: There is a very tricky line between the enforcement of standards and the political accountability of Ministers and MPs. We were highly conscious of that in the committee. It is very different if you are running a company and you say, “If you want to work here you keep our code, and if you don’t then you are out”. MPs and those in elected office are appointed by their electors, and that gives them a status that is very different from that of an employee. That means that all of the standards landscape needs to recognise that we are not doing this in Megabank plc, we are doing this within an elected democracy. That makes it much more complex and subtle.

- Q26 **Chair:** But Ministers sign the ministerial code, all of which is perfectly clear.

Lord Evans of Weardale: The committee has said this, and I personally believe that not all breaches of the code should be a dismissing offence, because they may be marginal, and an apology or a remediation in some other way might be appropriate. So the idea that if you breach the code, therefore, you must be fired—



Chair: I was not suggesting that.

Lord Evans of Weardale: I know, I am saying that is my view. I personally take what I suppose is the traditional view, which is that ultimately who is in Government is for the Prime Minister, the adviser should have the ability on their own account to investigate allegations, but that the ultimate decision maker is the Prime Minister. Clearly, if you have a situation where the independent adviser writes a letter and says, "I believe that X Minister has breached the code and I think they have done a very bad thing and what they have done is disgraceful", it will be quite a big political price for the Prime Minister to say, "Well, I think they are fine". They have to invest a lot of political capital in it, but ultimately the Prime Minister is the Prime Minister, they have the confidence of the House and they have accountability, initially to the House and ultimately to the voter. Therefore, I would keep it as a political decision who is in the Cabinet, but it should be done with transparency and informed by independent advice.

Q27 **Chair:** I get that, but that presupposes, does it not, that the Prime Minister understands right from wrong and understands the importance of standards? If they are cavalier, if they are themselves strangers to the truth, this is sort of St Augustine saying, "Lord, make me holy and good, but not quite yet". That is what the system prejudges—doesn't it? It prejudges that the Prime Minister—whoever the Prime Minister might happen to be—understands first the importance of these issues in the court of public opinion and, secondly, they themselves recognise right from wrong. Do we perpetuate the idea that that is the de facto thing, instead of saying to ourselves that we have to now have a system that is tailored to the question, "What if they are not"?

Lord Evans of Weardale: The ultimate sanction is for the voter to say, "I think this man is a scoundrel and we will vote him out".

Chair: But that is five years down the line.

Lord Evans of Weardale: Yes, but that is democracy for you. This is rather paradoxical—

Q28 **Chair:** But this is not dismissing them as a Member of Parliament; this is removing responsibilities from them as a Minister.

Sir Peter Riddell: Reputation comes into this. I have two points. On the investigatory point first, before we come on to your immediate point, I remember when Cabinet Secretaries were dragged into this. In my journalistic career, successive Cabinet Secretaries were called in by Prime Ministers, going back to Robert Armstrong, Robin Butler, and so on. It was hell for them. When, for example, Lord Butler was lied to by a member of the Cabinet in the early 1990s I remember talking to him about it. He said, "What am I supposed to do when someone lies to me?". In fact, the Minister had to resign. Therefore, they were put in an impossible position. I agree 100% with a wholly independent adviser,



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with the stronger powers and a balance. I think that is a totally desirable step.

The system cannot protect against rogues, but I think it is quite nuanced. If you look at what the independent adviser's reports do—and Sir Laurie in particular has been quite nuanced on that—you can judge from his reports exactly what he regards as serious and what he does not regard as serious. He has handled it extremely responsibly and then said, "It is for you, the Prime Minister, to decide". The reports are published, so it is also for you as MPs; it is a political system.

I would not underrate the significance of reputation; if a Prime Minister repeatedly says, "So what?", damage occurs. As we have seen, damage can occur on that. Ultimately, as we have seen, the political system can deal with things—

- Q29 **Chair:** Peter, you are right, and I want to bring in Mr Lamb as we bring the session to a close, but I revert to the question I asked, which Jonathan effectively took the principal answer to, about the public's faith and confidence in the institutions, their operational ability, our motivations and so on. Having all recognised the fragility of that particular structure and relationship, can we still afford the, "Well, it is reputation", and we will expect there is a little Geppetto-like figure on one's shoulder?

Sir Peter Riddell: You are turning an adviser into someone who determines people's careers, and I think it is extremely dangerous.

- Q30 **Chair:** I am not. I was asking for your opinion.

Sir Peter Riddell: I am saying that is what the effect would be.

Chair: It would be, absolutely.

Sir Peter Riddell: I remember having a discussion with Lord Geidt on it, when you were doing your report. Everyone agreed it is an advisory role and I think there is a line you cannot cross.

- Q31 **Chair:** We all recognise it is an advisory role. The question is, given the fragility of the relationship between the governed and the governors—the citizen and the state, if you will—given the seriousness of the relationship and its deterioration, is it sustainable, is it a satisfactory response, to have the advisory model, as is, perpetuated?

Lord Evans of Weardale: I think it is very difficult.

- Q32 **Chair:** Lots of things in life are very difficult. Is it appropriate?

Lord Evans of Weardale: I do not think it is appropriate to have an appointed official striking down senior Ministers. I think that needs to be done through the decisions of those who have direct accountability to the public. I know that is a slightly theoretical thing in day-to-day life, but fundamentally it is very important. I do not think the idea of an unelected official saying, "You shall no longer be the Chancellor of the Exchequer



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because I have determined it, even though the Prime Minister wants you to", is a sustainable model.

Sir Peter Riddell: Having observed it, the damage done to a Prime Minister who ignores these issues can ultimately be terminal. A rogue Prime Minister, shall we say, ultimately falls by this. People who do ignore it suffer. Ministers who come into ethical problems, even if they survive in office, are still damaged by it. The point is I cannot see—apart from the robustness of the Commons and Committees—a clear alternative that is democratically acceptable.

- Q33 **Chair:** I still worry that this relies upon the fact that people care about reputation and all the rest of it and, if you do not—if you are a populist disruptor, if you are cavalier to the norms and usual operating standards that people deem acceptable—I am afraid it is water off the duck's back. I am slightly surprised by both of your answers, which I would categorise as not quite the magic circle of the Tory Party in the 1950s, but "Somehow or other, the good will out".

Lord Evans of Weardale: No, it is completely the opposite actually. Your argument could be characterised as the magic circle, because there is some appointed official who knows what right and wrong is and will, therefore, strike down Ministers from their Olympian heights. I am saying that ultimately it has got to be a question for those elected by the people to decide what happens at that level, and it is a political decision. But it needs to be a political decision, in my view, that is informed by proper independent investigation and transparency, which then creates the public recognition of what is going on. In that sense I think you then have a direct connection through to the voter.

Chair: We will go to Peter Lamb, because I am conscious of time.

- Q34 **Peter Lamb:** I spent my entire period of academia focused on the UK constitution and was a big believer that we had a document here and a way of working that seemed uniquely suited to the nature of our country. Unfortunately, the following 15 years have raised a number of questions about that: first, the willingness of Prime Ministers to tolerate poor behaviour; secondly, the unwillingness of civil servants to step in when they had a constitutional duty to do so in some circumstances, resulting in subsequent legal action. My concern is that we appear to be reliant upon the UK continuing to be, as a country, as we have been in the past, and a belief that people continue to operate on that basis.

There seems to be an unwillingness to grasp new realities that, when you have a situation where most people's understanding of the world is coming through media curated by less than reliable sources of information, which project the idea that everyone is corrupt to start with in politics and, therefore, that nothing that anyone might actually do deviates from the norm, the idea that a Prime Minister would necessarily suffer a consequence from leaving an incredibly corrupt individual in public office is not necessarily the case. We may well wish to have



safeguards in place to protect the public interest as a result of that.

I take the point around an individual public official—it may not be appropriate for that appointed individual to do that—but do you agree that there may well be a place in our system for a more quasi-judicial system to emerge to have some oversight over this, which could give the public confidence, or at the very least enables the mechanism for ensuring that where a Prime Minister is unwilling to tackle corruption in their own Government it could be tackled in the future? I will give you an example of this in the past; this is how it used to operate in local government prior to 2010.

Lord Evans of Weardale: My personal view is, no, I would not. I do not think a quasi-judicial or judicial solution to this issue would work, for exactly the same reason that ultimately the legitimacy of those people in power goes to the elected process. You may say that, “The electorate are being polluted by the media stuff that they are taking in”; I do not know, but at the end of the day I still fundamentally believe that parliamentary democracy is the right way to do it. I feel quite uncomfortable with the idea of having a group of people who sit above that and, if it goes wrong, put it right again. Although I am not a natural populist, I do not feel that that is a very viable system.

If you were to say, “Should there be more of a parliamentary hand in it?” I could see an argument for that, because ultimately the legitimacy of the Prime Minister and the Government rests on their ability to command a majority in the House. Maybe one could think of some parliamentary remedy to this, but I would go down the parliamentary route if you want to do this, not some judicial or appointed official who will say it. That then has the benefit of going back to the democratic legitimacy of the decision. Without that I would be troubled.

Q35 **Chair:** Jonathan, the problem with that is of course the ministerial code is outwith Parliament.

Lord Evans of Weardale: Yes, but Parliament could change that if it chose to do so, although I realise that the Whips might not be very enthusiastic.

Chair: I think the Whips might have a word or two on that.

Lord Evans of Weardale: There is a potential remedy to this through parliamentary process, if it is seen as being a critical thing.

Sir Peter Riddell: I would stress that the enormous change in the independent adviser’s role has addressed this. I understand exactly what you are saying, but I share Jonathan’s democratic resolution. However, getting the facts out, allowing the independent adviser to initiate inquiries, allowing them to publish are gains. If you go back even five years, why did Sir Alex Allan resign? He did not resign because Priti Patel was allowed to remain in office; he resigned because Boris Johnson rejected his report. That was the issue. It is very different—well, I hope it



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is anyway—that the independent adviser has a status and standing and that does change the terms of the debate. It does not address the points you have been making ultimately, but, like Jonathan, I stop at that. Do not underrate the gains that have happened because they are big gains compared to what I remember from the past, as a regulator and as a journalist. It has changed out of all recognition.

Chair: Let us close on agreeing with that. I think what Mr Lamb and I would say is that is true, but is it sufficient to meet the current and potentially evolving demands? That is the essay question that I am sure you might have written a very learned editorial on once upon a time, Peter. Maybe the Constitution Unit could have a look at that. Gentlemen, I thank you both on behalf of the Committee for your time. I also, for what it is worth, thank you on behalf of the Committee for the work that you both did when you held those important roles in doing all that you could to maintain standards in public life and, therefore, confidence from the public in what public life is all about. Thank you very much indeed.