



Political and Constitutional Reform Committee

Oral evidence: [Pre-appointment hearing: Registrar of Consultant Lobbyists](#), HC 223

Thursday 11 September 2014

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Members present: Mr Graham Allen (Chair); Mr Jeremy Browne; Mr Christopher Chope; Tracey Crouch; Mark Durkan; Paul Flynn; Fabian Hamilton; Mr Andrew Turner

Questions 1 – 68

Witness: **Alison White**, gave evidence.

Q1 Chair: Hello, Ms White. How are you? It is very nice to see you. I understand you were not taken by surprise but certainly have not had as long as you might like to have had to consider today and neither have we, so we are all in the same boat.

Alison White: Thank you very much indeed.

Chair: I would normally ask people who come before us if they would like to say something to start but I think probably we need to be a little bit more formal, and I will call you Ms White. We had better ask the questions that we should do along these lines, so I hope you will understand.

Alison White: Absolutely. That is fine.

Chair: Maybe on another occasion we can adopt our more normal relaxed manner.

Alison White: I am looking forward to answering your questions.

Chair: It is really nice to see you. Thank you so much. To kick us off, Tracey, or Ms Crouch.

Q2 Tracey Crouch: Good morning. I would just declare an interest in that I am a former lobbyist. I am interested to know how you personally define what you think the lobbying industry is.

Alison White: My understanding is that it is those who in the course of their business seek to influence government, in the case of this particular legislation permanent secretaries and Ministers, about aspects of government legislation, contracts, grants, that kind of issue.

Q3 Tracey Crouch: Is it slightly worrying that you do not have any previous experience of the lobbying industry in terms of your CV?

Alison White: I would be precluded by the legislation from becoming Registrar if I did have a background in lobbying. If I might explain that part of my background has been being able to get up to speed and understand different industries and different sectors quite quickly in order that I can pursue what in my executive days was a background in interim management where the requirement was a necessity to get up to speed very quickly with the nature of that business in order that I could operate successfully from day one as a chief executive. I feel that those skills will be particularly relevant here.

Q4 Fabian Hamilton: What experience have you had of Parliament, parliamentary committees and accountability? You worked for the Royal Mail for 25 years; it was then a publicly-owned organisation. Have you ever appeared before a Select Committee before? In the role you will have quite a lot of contact with Parliament, so what is your experience of that?

Alison White: This is the pleasure of my first experience in front of a Select Committee. I hope it is not going to be too much of a trial by fire. I am looking forward to that experience.

Mr Hamilton, you mentioned the word “accountability” and that has been a critical part of my career. Clearly it is an important part of the Nolan principles as well and it is something that I feel very strongly about. The accountability here, in the context of this particular Act, to Parliament is something that I would be taking extremely seriously. I consider it something of a privilege to be being considered to be able to take forward that kind of responsibility, and I would of course take that very seriously. My whole career has been about delivering and being able to be accountable to a wider public, if I might put it thus. As far as Parliament is concerned, it is going to be something of a new experience for me but I do have quite a lot of experience as a non-executive director in the public sector for the past three years. I have a lot of contact with officials, sometimes with Ministers, in being called to account for the performance of the organisations that I work with and naturally I treat that very seriously indeed.

Q5 Fabian Hamilton: Do you think you have sufficient background knowledge and current knowledge of how Parliament works?

Alison White: I feel that my knowledge is very much up to date. I have been the independent member and chair of audit committees. I understand the nature of the financial structures and the governance structures that are put in place by both Treasury and the Cabinet Office and the wider nature of the way that accountability works. I feel myself to be very well briefed on those sorts of issues.

Q6 Mr Chope: Did you apply for the role when it was originally advertised in May?

Alison White: No, I didn't. I was not aware until quite recently that this was the second round.

Q7 Mr Chope: I see. Were you approached, in a sense head-hunted as a potential candidate or did you—

Alison White: No, I applied as the result of seeing the position on the Public Appointments website.

Q8 Mr Chope: Why do you think it is important to have a register of consultant lobbyists?

Alison White: The importance is laid down in the legislation. My role would be to take forward that legislation. It seems to me it is an opportunity to be able to shine an additional window of transparency. I think that openness and transparency is very important to the wider public as far as

political lobbying is concerned. As I mentioned earlier, I would see it as a privilege if I was given the opportunity to be able to take forward an important part of the statute book of Parliament.

Q9 Mr Chope: When the Government gave evidence about this, they said that they expected there to be about 700 or so people on this register. In the job application it says there are going to be only about 350. Does it surprise you that it is going to be a much smaller role than was originally envisaged?

Alison White: Like you, I have seen a number of different numbers and I think it is still to be determined what the eventual number will be. That will arise in the context of the process that I hope I will be given the responsibility of overseeing, which will be engagement with the industry, perhaps more widely than those that lobby, perhaps drawing in additional organisations like management consultants, for example. The estimates, based on my understanding of the Australian model, are what you have seen but it remains to be seen when we get into the detail of this what the eventual numbers will be.

Q10 Mr Chope: The advertisement said that the candidate would need to demonstrate “an ability to engage with and understand the workings and regulation of the private sector and industry”. Can you explain how you meet that criterion, please?

Alison White: I have conducted most of my career on what I describe as the bridge between the public and the private sector, so either private sector organisations that have most of their customers in the public sector or public sector organisations that needed the application of commercial skills. I feel that the success of my career has been from being able to support both types of organisations in taking that forward. A critical part of that has been understanding the essential economics and also the people issues of any organisation that I work with. I consider that that is where the success of the work that I have done has come from.

Q11 Mr Chope: This is very much a part-time post. Does that mean that you would give up all your non-executive directorships, anything involved with the public sector?

Alison White: No, I don't envisage that there would be a conflict with the other jobs that I do. There is potentially a time conflict with my role with the General Medical Council and what I said to the selection panel was that if I was approved in this position I would not continue to do that, because that is a time conflict rather than a work conflict. The nature of non-executive positions, as you will know, is that they are very part-time. I see that the requirements of this role in the initial stages would be what you might describe as lumpy. At the beginning there will be quite a large call on my time as we get into the detail of the plan and so on that we need to put in place, but as we move a little later into business as usual then I anticipate that being much more of an oversight role. I am prepared for both requirements.

Q12 Mr Chope: It is of absolute paramount importance that this position is seen to be independent and you are intending to continue to have other taxpayer-funded activities beyond this particular job. Isn't that a bit of a potential conflict of interest?

Alison White: I see it perhaps a little differently. The requirement for independence is one of independence from the lobbying industry. I have no private commitments or private interests in the lobbying industry, or indeed any other private interests. I have a few public sector non-executive directorships but there is no conflict as far as the timing of those is concerned.

Q13 Mr Chope: Isn't there also a criterion for independence from the Government?

Alison White: Absolutely. My responsibility is to enact a statute and to report to Parliament and the wider public. I cherish that independence and see it as something that is very important. I hope that in due course I would have the opportunity to be able to come back and report to the Committee, in the event that I was appointed, about how I was getting on.

Q14 Paul Flynn: Ms White, you were the chief executive of the National Pharmacy Association for six months. Why did you leave? I understand that the organisation refused to comment on it but there was a quote in the trade press that said, “Discussions have taken place between Alison White and the NPA about her role”. What was the difficulty?

Alison White: There was no difficulty. For that period of my career, which is a period of six years, this was one of a number of appointments that were made on an interim basis. You will know that the nature of the role of an interim manager is necessarily short term. The organisations that I worked with were all going through transition and change, and this was one of them. The critical nature of that is when one is appointed as a chief executive one leads an organisation through a short period of time in order to be able to achieve the outcomes that are required by stakeholders, and that was the case with the National Pharmacy Association.

Q15 Paul Flynn: You then joined the West Midlands arm of the former quango Business Link. Is that right?

Alison White: That is right, yes.

Paul Flynn: You left that after less than a year, taking a sudden unexplained leave of absence. Is that correct?

Alison White: I am afraid not, no. I was with Business Link West Midlands for about 14 months and again, at the same period of my career, an interim appointment in order to be able to help the organisation through a period of transition and change.

Q16 Paul Flynn: Has there been criticism of your role in those jobs by outside organisations or the press, that you can recall?

Alison White: I can certainly recall speculation in the press. I am sure that is what you have been looking at.

Q17 Paul Flynn: What was the nature of it? What was the suggestion of why you were moving from jobs after a relatively short period?

Alison White: I can only reiterate to you that the nature of the work that I was doing one might characterise or describe as business turnaround. It is the sort of work where one needs sometimes to make difficult decisions; not everybody will agree. That sometimes results in the sort of press speculation that you have looked at, but I would like to reassure the Committee that in the nature of these kinds of jobs I do feel that at the end of the appointments success had been achieved in the way that the stakeholders anticipated.

Q18 Paul Flynn: Do the names Lord Blencathra and Patrick Mercer mean anything to you in terms of your future job?

Alison White: Clearly I am up to speed on reports that were made in the press at the time.

Q19 Paul Flynn: Patrick Mercer, of course, was a sting and Lord Blencathra apologised for his lobbying activities. Have you any view on those two instances?

Alison White: I have no view. The role that I am being appointed for is to enact an Act of Parliament and that is what I would be focusing my attention on.

Q20 Paul Flynn: Lobbyists are some of the most skilled, most devious and most persuasive people in the parliamentary family. You are going to take on some very tough customers. They already e-mailed me, and I am sure members of the Committee, last night, telling us who to appoint and what to ask you, which is like appointing our own referee. What is there in your background that suggests that you can take on these monsters?

Chair: I think you can find the question in the middle of the rhetoric, which actually was a good one—

Alison White: That will be part of the challenge, won't it?

Chair: —but in terms of monsters, I would rather you didn't comment on that.

Paul Flynn: I apologise to monsters, yes.

Alison White: I shall not do so, absolutely no problem. I do understand the sense of the question.

Chair: I am sure Mr Flynn meant nothing personal to Ms Crouch when he was referring to the activities of lobbyists. But seriously, Ms White, if you would answer.

Alison White: I would like to think, Mr Flynn, that I am a tough cookie myself. I have a strong commercial background, I feel a track record of success, despite what your correspondents may have said to you, and I am a very resilient and determined kind of person. I do feel that I have the right skills and experience to be able to do this particular job and I do hope that I am able to convince you this morning that that is the case.

Q21 Paul Flynn: How many jobs have you had where you have had to start from scratch? Can you tell us what it was and how long you survived in the role?

Alison White: In Royal Mail I brought new products to market. In a range of the jobs that I did during my time in doing business turnaround I won new contracts and then took those contracts forward. I have had to close down organisations. I have had to save organisations that could not pay their salary bill at the end of the week. So I am used to working in tough situations; I am used to building things from scratch.

Q22 Paul Flynn: You have answered a question that I have not asked. You have told me how you developed the organisation but the role there existed before you took it on, didn't it?

Alison White: The organisations existed but sometimes it is necessary in the context of—

Paul Flynn: I asked you what experience you had of developing a role from scratch. That was an existing role that you took on, was it not?

Alison White: I do understand the distinction of the question that you are asking me. I have not built an organisation from scratch.

Paul Flynn: That is the answer. Thank you very much, but it would be helpful if you try to answer the questions as asked.

Alison White: My apologies for not doing that.

Q23 Paul Flynn: When we held an inquiry about the Transparency of Lobbying Bill, some witnesses expressed concerns about the independence of the Registrar, given the Registrar is appointed and can be dismissed by the Minister. How would you maintain that independence, both from the lobbyists and from your political master?

Alison White: I have a good deal of independence of mind as a personal characteristic. I quite understand that the nature of my role is to report through this Committee to the wider Parliament and to build trust and reassurance for the public. I will be listening carefully to what all the stakeholders have to say to me, including the industry, officials and Ministers. I will listen carefully to what they all have to say but I will not be unduly influenced by anybody because it is quite clear to me that the requirements are laid out in the Act of Parliament and that is what I am going to be enacting.

Q24 Paul Flynn: The final question: what international model will you base your work on?

Alison White: I don't know that we will base it on any international model.

Q25 Paul Flynn: Do you know about what happens in other countries?

Alison White: I have a little information about that in the context of how recently this appointment has happened.

Q26 Paul Flynn: Who would be your role model?

Alison White: The information that I have been given is that the models in Australia and Canada are the ones that have been looked at in some depth. I will be looking to brief myself about the nature of those models and where there are things that are appropriate to what we decide to take forward then those are potentially areas that we will look at.

Paul Flynn: I am grateful to you.

Q27 Mark Durkan: What would be your priorities as Registrar of Consultant Lobbyists?

Alison White: There is a big operational task here to be taken forward. One of the most critical things is going to be the setting up of the register, and that is a technical task as well as an operational task. I will be looking to engage with the industry in terms of the establishment of guidance in order that the process of registration can be put in place. We will need to develop a fees regime and in due course an appeals regime upon which the system would rely. Clearly I am also required to establish and publish books of account and so appropriate financial processes will be need to be put in place in order that that can happen as well.

Q28 Mark Durkan: You seem to be putting a lot of focus on making sure that the industry would understand the roles and how you might see the roles. Do you see any role for the Registrar in helping other interests outside the industry understand the role of consultant lobbyists?

Alison White: I think the key issue is how we define the industry. It is quite possible that others will be caught by this in terms of the need to register. One of the most critical issues will be working out ways in which we can engage with trade organisations and so on in order that strategic management consultants, marketing consultants, who maybe need to be caught by this and need to register in the context of this requirement, can understand that that is required of them and to get those into the tent, if you like.

Q29 Mark Durkan: In this whole establishment period that you have focused on in relation to the priorities for the role, what do you think you need to do to show and ensure confidence around

the independence of your role? You never mentioned the notion of independence in those establishment period priorities.

Alison White: It is very important indeed that I am not seen to have my tail being wagged by any kind of dog, whether it is an industry dog or a Government dog. I think I mentioned a little earlier that I consider that the independence of this role is absolutely critical. I will be looking to demonstrate independence and so there will undoubtedly be situations that will arise in the context of the operational requirements that I described where potentially Ministers and I or the industry and I will not agree. I will listen carefully to their points of view but at the end of the day it is the role of the Registrar to decide. That is quite clearly laid down in the Act of Parliament and I hope that in due course, if you decide to recommend my appointment, that I will have the privilege of coming back and reporting to you on how I have been able to show the independence of the role.

Q30 Mark Durkan: In an earlier answer you described what you envisaged as the lumpiness of the job, with a lot of work to do in the establishment period and then you talked afterwards about it mainly being an oversight role. Oversight of whom and how in that phase?

Alison White: One of the ways in which credibility and confidence can be given is that there is a credible register where those that are required to register are properly adhering to those processes. In the event that they don't adhere to the processes, then there are penalties available, sanctions available that can be brought forward. All of those things are a critical part of the ongoing process. My role, basically, is to be able to demonstrate, on a continuing basis, that this is a credible register, that those that register are doing things properly in an open and transparent way in order that the will of Parliament, which is laid down in the Act, can be seen and demonstrated to be properly taken forward. That would be my role.

Q31 Mark Durkan: Do you know how you will be informed or inform yourself of adherence and non-adherence issues?

Alison White: In a combination of ways. First of all, we will be looking at whether or not proper declarations, information, are being provided to the register so those that are registered are doing things properly. Secondly, we will be looking for ways in which there is non-adherence, so those that ought to be registered. It is very possible that one of the ways that that might be able to happen is, for example, if Ministers are meeting with lobbyists and those lobbyists are not registered then of course that is the sort of thing that we would be very interested in.

Q32 Mark Durkan: How would you actively promote the seven principles of public life in the role?

Alison White: I hope that I am a personal embodiment of that. A key part of those seven principles is leadership and role modelling, and that is something that I have always tried to do personally in my public sector career. I think that is something that I would seek to demonstrate continually in the context of this role. I am extremely strong on accountability and I hope I explained that earlier. Openness and integrity are critical parts of this role and I would seek to demonstrate those principles in the context of the role as I pursued it.

Q33 Mark Durkan: In offering yourself as an epitome of the seven principles of public life, can you give us examples of when you have challenged behaviour that fell short of those principles?

Alison White: That is a critical part of what I do as a non-executive. Quite often I have challenged Ministers, senior officials and all sorts of other people in terms of the sorts of decisions that they plan to make. In the context of my role as a non-executive, I have been able to get decisions changed that might otherwise have gone forward, which has resulted in a reduction in cost to the

taxpayer. That seems to me to be a very important part of the role that I have had as a non-executive director.

Mark Durkan: But it does not necessarily answer the point specifically in relation to the seven principles.

Chair: Do you want to pursue that, Mark, and go further?

Q34 Mark Durkan: I know that in terms of some of the issues that you have in mind you maybe feel you are not able to specify the examples here because of commercial confidentiality or whatever, but would you take issue with my point that nothing in what you have said has answered the question around the seven principles of public life as such? Yes, they are about broad corporate ethics and management principles or whatever but in relation to the seven principles of public life—

Alison White: I will give you a specific example, if I may. A suggestion was made of continuation of a large investment in an IT project of a department of a ministry of which I was a non-executive director. A very senior representative wanted to continue with that investment, somebody of national import, and I took an alternative view that the continuation of that investment would be bad value for the taxpayer. I put forward a strong argument why that would be the case and as a result of that the project was stopped and a new, more cost-effective project was started. The person concerned and I did not agree but I was able to present a very strong alternative perspective and defend that position. I feel that in terms of accountability and leadership that was an embodiment of the principles of Nolan that you have referred to, which I was able to take forward in the context of my non-executive role.

Q35 Mark Durkan: That is a worthy anecdote. I am not sure that it is as much of an answer to the question as I would have liked to have had but it does not negate it in that sense.

The answers you have given relate to your role as a non-executive director and that has tended to be conducted on the basis of commercial oversight. Your role is going to be different and you will find yourselves operating in a media spotlight for questions about what you are doing where questions for you to look at will be raised, not just by the media but potentially by parliamentarians. What experience do you have of working in that sort of spotlight?

Alison White: I was a senior media spokesman for the Royal Mail group, so I deputised on many occasions for the chief executive. I was called on during that period to defend poor performance in areas like quality of service and Royal Mail was going through a particularly difficult period so I feel I have considerable experience in that regard. I also have a lot of experience of being able to make presentations to large groups of people about all sorts of different issues, so I feel absolutely equipped to be able to cope with the sorts of challenges that the media, Parliament and the wider public may throw at me.

Q36 Mark Durkan: You are prepared to answer all the questions about what your role entails?

Alison White: In terms of the role of Registrar?

Mark Durkan: Yes.

Alison White: Naturally, yes.

Mark Durkan: And how actively you conduct that role?

Alison White: It seems to me that in order to be able to build the confidence and credibility of the role of the Registrar, an appropriate presence for the external media and so on would be required. I don't think that this is necessarily going to be a strong externally-facing role, but in the event that that is required as part of it then of course I would be prepared to take that forward.

Q37 Mark Durkan: Do you anticipate that you might be spending a lot of your time in that regard explaining what is not your role in relation to the limited focus on consultant lobbyists as opposed to the whole ecosystem of in-house lobbyists that there will be and the variety of other professionals who, under other guises as lawyers and accountants, will be putting all sorts of information and arguments in the direction of parliamentarians but simply not sticking themselves in Yellow Pages under the title of consultant lobbyists?

Alison White: I would rather like to see it more from a positive perspective in terms of being able to demonstrate what the role of the Registrar and the register will be about in order that the sorts of organisations that you have been describing can understand quite clearly why they need to register and where that is required within the context of the Act. That seems to me to be a very important part. So I see it much more from a positive perspective in terms of building confidence and credibility and independence rather than from a negative defending kind of perspective.

Q38 Mr Browne: Ms White, I have a few questions I was going to ask that came to mind as we were talking with you just to explore your assumptions and prejudices for a moment, which is really the converse of the driving force behind Mr Flynn's questions when he described lobbyists as monsters. Do you have any preconceptions about the people you will be dealing with?

Alison White: No.

Q39 Mr Browne: The reason I ask in part is because when the great controversy blew up in the last Parliament about MPs' expenses and outsiders were brought in to clear up the mess, I felt—others on the Committee may take a completely different view—that those outsiders arrived with the assumption that MPs were inherently wicked and venal and went about proving that their assumption was right. As a result, there was quite a bit of rough justice, as well as perhaps legitimate justice, meted out by the people who had been introduced into the parliamentary village in that way. Although I don't wish monstrous lobbyists to run rings round you—if indeed that is what they are—I think it is reasonable that people who are seeking to influence parliamentary debate should not be assumed, as a starting point, to be inherently bad people. That is why I am interested in what your assumptions are or whether if you have no assumptions at all, that is a healthy position as well?

Alison White: I have taken the trouble, in the context of this application, to brief myself as far as possible on the nature of the debates that took place. For example, I have read the reports of this Committee and the response of Government. I have tried to brief myself about some of the pros and cons that have been put forward on both sides because I think that is an appropriate thing for me to do. The most critical thing, and it is part of the independence of the role, is my being able to, if I might put it thus, rise above all of that and focus entirely on enacting the will of Parliament that is expressed in this Act and that is what I am going to be focused on. I think it is very important for me to be properly informed, up to speed with what is happening in the wider environment, to do a lot of listening and understanding of the different stakeholders and what they have to say to me, but then I will be the one with the independence of mind to make decisions about how this is to be taken forward. It is quite clear to me, from what the legislation says, what it is that I am required to do and I will do it to the best of my ability, but I will be bringing an independence of mind to that role.

Q40 Mr Browne: Do you separate in your mind different types of lobbyists? I think when the idea of lobbyist comes into people's minds they assume that they are lobbying on behalf of big businesses for commercial gain, which in some cases they may well be. In my experience as an MP, often the most vociferous lobbyists are charities, quite legitimately. You could argue that is part of their role, or at least they interpret it in those terms, so I am not necessarily being critical. If indeed lobbyists are monstrous, or can be monstrous, do you have assumptions about a hierarchy of monstrosity in terms of the people who you are likely to be holding to close account?

Alison White: I have no such assumptions. I am happy to reassure you on that point. I will behave in the way that I have described to you. I think it is very important that I understand what people have to say. I will be seeking to listen and to engage with all stakeholders wherever they sit in the industry and I will then bring an independence of mind in taking forward the critical role that I hope to be given in the context of the enacting of the Act of Parliament.

Q41 Mr Browne: In your CV you describe yourself as an influential and persuasive communicator, and of course the whole point of a CV is to sound as compelling a candidate as possible. Could you expand a little bit on how you think you would put your communication skills to good use? Do you envisage having a regular slot on *Newsnight* or the equivalent of *Call Clegg* on LBC? How do you see it panning out?

Alison White: I really don't see this as being that kind of role, although clearly what I hope is that there will be sufficient communication in order that we can ensure that those that do need to register actually do so and that we are able to create an environment that Parliament and the wider public can rely on in terms of the confidence and credibility and openness of the registration process.

Q42 Mr Browne: Do you see your communication skills being deployed to make sure that the role is clearly understood? Are you looking to be a regular feature on *Question Time* or *Any Questions?* and become a personality?

Alison White: I don't think that that is required in the context of this particular role. I am not looking to become a celebrity.

Chair: No competition there, Jeremy.

Q43 Mr Browne: You might be the only person in Westminster who is not. You are required in the role to keep a register of consultant lobbyists and to make it available on the websites. Have you had any thoughts beyond that rather dry description about how you might make this more widely available to people who may choose to take an interest? Is it just every quarter there will be a list published on the website or can it exist in a slightly more dynamic and imaginative form than that?

Alison White: I am at the more dynamic and imaginative end of the spectrum, Mr Browne, if I might describe myself thus, although it may not say that on my CV. You will appreciate that I am at the very earliest stages of taking this forward, but I do think that in the context of the openness and transparency that I hope we will be able to bring to the register that these sorts of issues will be considered as very important in terms of the operational solution that we eventually come up with.

Q44 Mr Browne: So you are open to ideas?

Alison White: Absolutely.

Q45 Mr Browne: Finally from me, section 21 of the Act states the Registrar may—may, not compelled to—issue guidance, including “on the circumstances in which the Registrar would, or would not, consider that a person is carrying out the business of consultant lobbying” and the

circumstances in which the Registrar will consider it appropriate to impose a civil penalty. As Registrar, would you issue guidance? This is quite a big, formal power because you have the ability to put the black stamp on somebody or an organisation in a way that could compromise them or their ability to earn money in the future, so it is quite a formidable power. Will you expand on whether this guidance is likely to be issued by you, at what point in your tenure you may look to issue it, and what form it might take?

Alison White: This is a key priority for me in the early stages of what I hope will be my appointment. The definition of that guidance in terms of who is required to register, which organisations are required to register, who is going to be caught into the tent, is very important indeed. What we will be doing is consulting with the industry and with stakeholders more widely in order to be able to define and put that guidance in place. That is a key priority for me in the early stages of my appointment.

Q46 Fabian Hamilton: Ms White, can I develop that slightly? The Act creates both civil and criminal liability for falling foul of the rules of registration. How would you decide whether it was more appropriate to impose a civil penalty or for the individual to face criminal sanctions?

Alison White: I think that is referred to in the Act. The criminal end of the spectrum, if I might describe it thus, is much more about wilful non-compliance and it seems to me that we are a long way from where we are at the moment to where we get to that end of the spectrum.

Q47 Fabian Hamilton: You have some discretion presumably, or is it clearly defined in the Act and you have no discretion as to whether it should be civil or criminal?

Alison White: The issue is around the wilful non-compliance, which is what the Act mentions. I have to say that when you are setting up anything from scratch the initial approach should be the encouragement and the motivation. What we want is to deliver what it is that the Act is trying to deliver, which is to get the appropriate people that should be registering into the register in order that the public can see who it is that is lobbying. I would be working in the initial stages in trying to get that to happen. It is a very long way down the track before we get into criminal sanction.

Q48 Tracey Crouch: When I asked my earlier questions about your experience in lobbying, you said that you did not have any experience in lobbying and it would preclude you from being the candidate anyway. The guidance actually states that it is as long as you have not been an active lobbyist in the last five years. The reason why I ask the question is because the lobbying industry can be a lot of many different things—it can be in-house, it can be overseas, it can be consulting—and I am interested in your views as to how you would determine what the reasonable grounds are for believing someone to be a consultant lobbyist.

Alison White: Those are laid out in the Act and it is in the nature of the interaction with Ministers and permanent secretaries. It seems to me who would be caught is already laid down in Act. What we would need to work on is more detailed guidance in order that it can be made clearer and that is one of the early things that I would be working on in developing that guidance, which would require more detailed engagement with the industry and more widely.

Q49 Tracey Crouch: Where do you see the blurred lines at the moment that require ironing out within that guidance?

Alison White: I think this is where the nature of the consultation will need to be. You will appreciate, Ms Crouch, that I am in the very early stages of my engagement with this role and what I would be seeking to do, in the event that my appointment was confirmed, is to start to get into the detail of this quite quickly. That is the nature of the past experience that I have had where I have gone

into many organisations where I knew nothing about the nature of what it was that they did but was required to be credible from day one. I would bring those skills to the challenges of this particular situation where this is about setting up a register from scratch. I know all about the operation of registers and the issuance of guidance and so on from my work as chair of the General Osteopathic Council, so I have a good deal of experience of the regulatory environment and how that works and what needs to be done to make it work well in terms of engagement with stakeholders and registrants and so on. I would bring all of that experience and those skills to dealing with the challenges of this particular situation.

Q50 Tracey Crouch: Doing that, conducting that investigation, you will probably discover that consultant lobbying is a very small percentage of the lobbying industry, something that Mark pointed out. Would you see your role as going back to Government and asking them to amend the primary legislation in order to perhaps widen the register, if necessary, to include other lobbying organisations, such as those in-house, for example, or within law firms or within the wider communications industry? The legislation as it stands at the moment has exceptions within schedule 1, which basically mean that a business that consists mainly of non-lobbying activities and for whom the making of the communication is incidental to the carrying on of those activities would not be included within your register.

Alison White: Yes, I am aware of those exceptions. No, I would not see that as part of my role. My role is laid down in the schedules to the Act and is very clearly about the establishment and ongoing operation of a register and the responsibilities, which we have discussed earlier, associated with that. I would be there as Registrar to enact the will of Parliament that has been laid out in the Lobbying Act and that is what I would be taking forward.

Q51 Tracey Crouch: You would not see it as appropriate for you to go back to the Cabinet Office and say, “While with the best intention of establishing this register, what we have discovered in the process of setting it up and implementing it and running it on a day-to-day basis is that it counts for very little of what the industry does and the activities that it conducts”? You could find yourself in a situation where a lot of companies who are currently perhaps defined as consultant lobbyists evolve into other organisations that would fit perfectly well into the exception. Therefore, you could have a register with very few names on it.

Alison White: Well, it is not part of my role to unpick the will of Parliament.

Q52 Tracey Crouch: But it is your role to go back to Government as the Registrar and say that it is not working, it is not covering everything you want it to do, so the principle of the legislation about providing greater transparency in the lobbying industry is being undermined by some of the primary legislation.

Alison White: My understanding was that the Act was intended to complement other aspects of regulation, but I think it is very important indeed that the Registrar, whose role is clearly laid out in the Act of Parliament, does not get confused about what their roles and responsibilities are. My responsibility would be to carry out the will of Parliament laid out in the Act of Parliament and that is what I would be doing.

Q53 Tracey Crouch: Are you slightly worried, and I do not mean this disrespectfully, that because you have no previous experience in the lobbying industry in any shape or form you might not see the changes, the evolution within the lobbying industry, and recognise that perhaps what was once a consultant business is now a communications business and therefore is now exempt from the register

and therefore you cannot identify a potential problem that will undermine the whole ethos of the legislation around transparency?

Alison White: I understand your question, Ms Crouch, but I can only reassure you that I am a very experienced businessperson. I have a good deal of experience of being able to understand the nature of a whole range of different industries. I do feel confident that I would be able to engage in a way with the lobbying industry that enabled me to understand the changes in it and to be able to carry out the requirements of the Act of Parliament in an effective way. That is what I would be setting out to do.

Q54 Mr Chope: Can I come back to this issue of your role as a non-executive director and chairman of the audit committee of the QEII Conference Centre?

Alison White: Yes.

Mr Chope: You are saying to us that you are planning to continue in that role, but am I right in recalling that the QEII Conference Centre is ultimately accountable to the Cabinet Office?

Alison White: No, that is not the case. It is the Department for Communities.

Q55 Mr Chope: The Department for Communities. The QEII Conference Centre also has among its clients a very large number of consultant lobbyists and organisations that would fall within the exceptions in schedule 1. Would you agree with that?

Alison White: I am not personally aware of the detail of the QEII's client list. I think it is possible.

Q56 Mr Chope: I think most people know that a large number of big companies and lobbying organisations have rooms in the QEII Conference Centre.

Alison White: I think that is fair.

Q57 Mr Chope: You must be aware of that because you are the chairman of the audit committee there and a non-executive director. Obviously, your role there is to try to generate more business for the QEII Conference Centre, isn't it?

Alison White: Absolutely not. Absolutely not. The role of the non-executive is to work with the accounting officer in order to ensure and also to report to the advisory board, which is chaired by a senior director at the Department for Communities, that the requirements of the business plan are being appropriately carried forward. I most certainly would not see it as part of my role to help to generate business for any organisation that I worked with. That would be completely inappropriate for the role of a non-executive director.

Q58 Mr Chope: Surely your role as a non-executive director is to try to keep the QEII Conference Centre commercially viable, is it not?

Alison White: Providing challenge, support and advice to the chief executive and accounting officer that the requirements that the Department for Communities has, which is to achieve a number of targets, one of which is financial, but I certainly would not see that I have any kind of commercial objective for any of the organisations that I work with.

Q59 Mr Chope: What about the potential role of the QEII Conference Centre as an alternative venue for the House of Commons in the event of the changes being made? As I understand it, the QEII Conference Centre has been told or has agreed with the Government not to put itself up for

sale or alter its position pending decisions taken upon the future of the Palace of Westminster. Is that correct?

Alison White: I am aware of that thinking. I would not quite describe it in the way that you have just described it, but at the moment there is a process that is going on in looking at the future of the Palace of Westminster. Decisions on that have not yet been made and, in the meantime, the business plan of the QEII Conference Centre is being carried forward and investment is being made in order for it to carry forward its objectives as a conference centre rather than as a decant for the potential closure of the Palace of Westminster.

Q60 Mr Chope: Do you not fear that your role in the QEII Conference Centre brings you into interaction with the Government and Ministers that could compromise your independence as the Registrar and transparency of lobbying?

Alison White: I see no such conflict.

Q61 Mr Chope: What about in your role in the Maritime and Coastguard Agency?

Alison White: My role there is very similar, providing advice to the chief executive and accounting officer about the business plan and strategy of that organisation and, similarly, providing advice to senior officials at the Department for Transport and to provide reassurance to them that the board is working in an efficient and effective way in carrying forward those objectives.

Q62 Mr Chope: Who is actually responsible for hiring and firing you in relation to those two particular roles?

Alison White: In both cases, the appointments panel was chaired by a senior official in the relevant departments.

Q63 Paul Flynn: As you will appreciate, there is limited enthusiasm for this Bill among members of this Committee, who regard it as being written by lobbyists for lobbyists. It is about the weakest possible regulation one could have. If, presumably, you are confirmed in this job and you retire in 10 or 20 years' time, when you are looking back what would give you satisfaction and what would you have achieved, do you think, if things go up to your highest ambitions?

Alison White: I would consider it a privilege to be given the responsibility to be able to take forward a new Act of Parliament. If I might look back on my legacy when I retire at some time in the future, to have been able to make a contribution to increasing the openness and transparency even in a small way through this particular Act would be very important to me. I hope to be given the privilege to do that.

Paul Flynn: Openness and transparency. Okay, thank you.

Q64 Mark Durkan: Going back to the limitations of the register, you did not apply at the time of the original advertisement of the post. I take it you probably did not really track the parliamentary debate and maybe, therefore, were not aware that, despite what you said about the Act as the will of Parliament, many people in Parliament looked askance at the poor scope of the Bill as it then was. When did you become aware of the limitation of the role and did you feel that your more limited experience in this area made you more fitting, made the more limited role suitable for you, or did you when you saw the advertisement originally expect there to be more in the role and the register to cover more than it does?

Alison White: I was not aware that the job had been previously advertised. I did not see it the first time around. I applied for the role that was advertised in the context of an Act that had already been passed. I subsequently, in the context of that application, brought myself up to speed with much of

the thinking and I would not have made the application if I did not feel that I had the relevant skills and experience to be able to take that forward. I do see it as a challenging role, one which I feel is important. Anybody who is potentially going to be given the experience to take forward an Act of Parliament seems to me to be taking on a very important role. I would be treating it with a high degree of importance and priority. I do not see it at all as being one in which there is any limitation. It is an important Act of Parliament as far as I am concerned and I would be looking to take that forward to the best of my ability.

Q65 Mark Durkan: You were not surprised at the limitations on the register? Given the title of the post and the fact that it was an Act, whenever then on seeing the job advertised—and I suppose then you looked at it to see what it entailed—were you surprised by the limitations?

Alison White: Well, surprise is not an emotion that I would recognise in that context. I feel that it is appropriate for me to be properly briefed about what the alternative perspectives are and for me to understand, and that is why I read the proceedings of the Committee and its reports and the response of Government and so on in order that I would have a proper background to, I hope, be able to be credible in terms of taking this particular role forward. I think in a long career being surprised is not something now that I really do. It is part of the experience that I have had in terms of being able to understand what the background is and to be able to operate in an effective and efficient way. That is what I would be looking to do here.

Q66 Mark Durkan: Again, going back to your earlier answers, after the lumpy establishment you seem to envisage it being a limited role with some sort of limited oversight. I am still not quite clear how you see that limited oversight operating.

Alison White: I certainly do not think I used the term “limited”. What I was trying to emphasise was that in the initial stages while it is being—

Mark Durkan: Time limited, anyway. Certainly, it is time limited as you envisage it.

Alison White: Well, that is the case with all jobs. What I was trying to emphasise was that at the beginning of this job there is going to be an initial establishment period, setting up, writing of guidance and so on, and that will take more time, but then as we move forward into business as usual I hope that we will be able to continue to build the credibility and independence of the register and that that would be perhaps a different part of the role that I would be looking to take forward.

Q67 Chair: Thank you, colleagues. Ms White, thank you so much. I hope we have not put you through the mill but we have managed to touch on most of the key issues. Is there anything else that you would like to say before you leave?

Alison White: I would just like to thank the Committee if I may, Mr Chairman. There have been some very interesting questions. I am not quite sure whether I have been lightly grilled or spatchcocked, but it has been a tremendous pleasure meeting the Committee. I do hope that in the event that my appointment was confirmed I would have the privilege of being able to come back and report to you again about my progress in due course.

Q68 Chair: We would like that. If indeed your appointment is confirmed, I think it would be something that we would insist on. We want to keep an eye on it. We have been very involved in this legislation, as you know, and we would be very keen to hear your thoughts on how we could all improve our practice.

Alison White: Thank you very much indeed.

Chair: Ms White, thank you so much. We really appreciate you coming today.

Alison White: It has been a privilege and a pleasure.

Chair: I think you are our first preappointment hearing. Is that right? Second. Who was the first one?

Tracey Crouch: The Chair of the Lords Appointments Committee.

Chair: Yes, we did do the Chair of the Lords Appointments Committee, I forgot.