



Independent Adviser on Ministerial Standards
Sir Laurie Magnus CBE

Simon Hoare MP
Chair, Public Administration and Constitutional Affairs Committee
House of Commons
London
SW1A 0AA

By email

30 June 2025

Dear Mr Hoare,

Ministerial Statements and the Ministerial Code

Thank you for your letter of 12 June inviting me to assist the Committee in its inquiry into *Ministerial Statements and the Ministerial Code*. I am aware of the concerns expressed by the Speaker of the House of Commons about ministers failing to make major policy announcements to the House.

Background

I hope it might be helpful to provide some contextual information on the Ministerial Code and my role before addressing the questions in your letter.

The Ministerial Code is the Prime Minister's document. It sets out the standards of behaviour the Prime Minister expects of those who serve in Government and provides guidance to ministers on how they should act and arrange their affairs in order to uphold those standards.

In line with his constitutional role as the Head of the Executive, the Prime Minister is the ultimate judge of the standards set out in the Ministerial Code and the appropriate consequences where standards have not been upheld. Ministers are personally responsible for deciding how to act and conduct themselves in the light of the Code and for justifying their actions and conduct to Parliament and the public, but they only remain in office for so long as they retain the confidence of the Prime Minister.

I am an independent office-holder appointed by the Prime Minister and my role is purely advisory. The role includes providing personal, independent advice to the Prime Minister and other ministers in relation to the Ministerial Code. I am also consulted on proposed changes to the code, but all changes are made entirely at the Prime Minister's discretion. I do not see my role as being publicly to comment on the merits of particular clauses of the Code.

I am attaching my full terms of reference, but my principal functions are:

- providing an independent check and source of advice to government ministers on the handling of their private interests;
- publishing information about private interests held by ministers which may be, or may be perceived to be, relevant to their roles;
- advising the Prime Minister on conduct matters concerning government ministers in the context of the Ministerial Code; and
- being available to provide confidential advice to ministers on request.

Questions

I have answered your questions below, in some cases addressing them together.

- 1. Do you think the principle set out in the Ministerial Code at Paragraph 9.1 is sufficiently clear in explaining what the House of Commons should properly be able to expect of Ministers when they are making major policy announcements?***
- 2. Is the Ministerial Code the appropriate place for such a principle to exist?***

The Ministerial Code is a wide-ranging document, incorporating both high-level principles and guidance that is more operational in nature. Given this breadth, the Code includes in Chapter 9 information on what ministers should consider when planning policy announcements.

On balance, I consider the wording of paragraph 9.1 to be clear and consistent with the level of detail found elsewhere in the Code, although I note that the wording requires a degree of interpretation as to what constitutes the “most important announcements”.

- 3. Are you aware of any guidance available to Ministers in judging whether they are abiding by this principle?***

I am not aware of specific guidance on this although, when considering how to act, ministers are always able to seek advice from their permanent secretaries and other officials in their departments.

- 4. Is the Independent Adviser suitably placed to provide such guidance?***
- 5. In principle, would you consider a request to initiate an investigation into a potential breach of this section of the Ministerial Code?***
- 6. What sanctions might be available and appropriate for a breach of the Ministerial Code in such circumstances?***

I do not consider that guidance of this nature would be in line with my terms of reference, particularly, as noted above, in relation to determining what are the “most important announcements of government policy”.

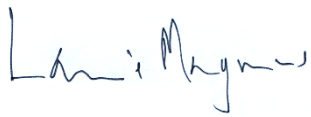
I would emphasise again that the Ministerial Code is a wide-ranging document, covering both the personal conduct of ministers and matters that flow from departmental or government decisions. As a single and unelected office-holder, appointed to provide advice to the Prime Minister, I see my role as being focussed on the conduct of ministers as individuals and not on the actions, policies and

collective decisions of the Government, for which ministers are, of course, rightly held to account by Parliament.

It is for the Prime Minister to determine any sanctions applied in relation to the Ministerial Code. Under my terms of reference, I may provide advice on sanctions but, as set out above, this would be in the context of an individual conduct matter and provided in confidence.

I would, of course, be happy to clarify any of these points should the Committee wish me to do so.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Laurie Magnus', with a stylized, cursive script.

Sir Laurie Magnus CBE

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