



House of Commons  
Public Administration  
and Constitutional Affairs  
Committee

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# Appointment of William Shawcross as Commissioner for Public Appointments

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**Fourth Report of Session 2021–22**

*Report, together with formal minutes relating  
to the report*

*Ordered by the House of Commons  
to be printed 16 September 2021*

## Public Administration and Constitutional Affairs Committee

The Public Administration and Constitutional Affairs Committee is appointed by the House of Commons to examine the reports of the Parliamentary Commissioner for Administration and the Health Service Commissioner for England, which are laid before this House, and matters in connection therewith; to consider matters relating to the quality and standards of administration provided by civil service departments, and other matters relating to the civil service; and to consider constitutional affairs.

### Current membership

[William Wragg MP](#) (*Conservative, Hazel Grove*) (Chair)

[Ronnie Cowan MP](#) (*Scottish National Party, Inverclyde*)

[Jackie Doyle-Price MP](#) (*Conservative, Thurrock*)

[Rachel Hopkins MP](#) (*Labour, Luton South*)

[David Jones MP](#) (*Conservative, Clwyd West*)

[John McDonnell MP](#) (*Labour, Hayes and Harlington*)

[David Mundell MP](#) (*Conservative, Dumfriesshire, Clydesdale and Tweeddale*)

[Tom Randall MP](#) (*Conservative, Gedling*)

[Lloyd Russell-Moyle MP](#) (*Labour (Co-op), Brighton, Kemptown*)

[Karin Smyth MP](#) (*Labour, Bristol South*)

[John Stevenson MP](#) (*Conservative, Carlisle*)

### Powers

The committee is a select committee, the powers of which are set out in House of Commons Standing Orders, principally in SO No 146. These are available on the internet via [www.parliament.uk](http://www.parliament.uk).

### Publication

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Committee reports are published on the Committee's website at [www.parliament.uk/pacac](http://www.parliament.uk/pacac) and in print by Order of the House.

### Committee staff

The current staff of the Committee are Gavin Blake (Clerk), Victoria Cummings (Committee Specialist), Dr Matthew Fright (Committee Specialist), Iwona Hankin (Committee Operations Officer), Gabrielle Hill (Committee Operations Manager), Dr Philip Larkin (Committee Specialist), Xameerah Malik (Senior Committee Specialist), Sibel Taner (Second Clerk), Dr Patrick Thomas (Committee Specialist), Christopher Watson (Assistant Clerk), and Tim West (Senior Media and Communications Officer).

### Contacts

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You can follow the Committee on Twitter using [@CommonsPACAC](https://twitter.com/CommonsPACAC).

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# The Role of the Commissioner for Public Appointments

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1. The post of Commissioner for Public Appointments (“the Commissioner”) was established in 1995, following the first report of the Committee on Standards in Public Life (“the Nolan Report”) to regulate the process by which Ministers make public appointments to senior positions in public bodies.<sup>1</sup> Those making appointments that fall within the remit of the Commissioner are to follow the Governance Code on Public Appointments and the Principles of Public Appointments published by the Cabinet Office.<sup>2</sup> The Commissioner can investigate complaints about appointments processes within his remit.

2. The current Commissioner is Rt Hon Peter Riddell, whose term expires at the end of September 2021.

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1 Committee on Standards in Public Life [Standards in Public Life](#) CM2850–1 May 1995

2 Cabinet Office [Governance Code for Public Appointments](#) December 2016

# 1 The Appointment of the New Commissioner

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3. The job description listed the following as essential criteria:
  - Personal credibility and integrity, and the ability to command the confidence of Ministers, senior officials, Parliament and the public;
  - The ability to lead and to engage effectively with varied and high profile stakeholders;
  - Excellent judgement and the ability to assimilate a range of evidence and perspectives;
  - An understanding of operating in a regulatory regime; and
  - Experience or an understanding of governance in the private, public or voluntary sectors.
4. The following criteria was listed as desirable:
  - An understanding or experience of being involved in senior recruitment.

## The Recruitment Process

5. The current Commissioner is Rt Hon Peter Riddell, whose five-year, non-renewable term was due to end in April 2021. However, the former Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office, Rt Hon Michael Gove, wrote to the Chair of PACAC on 15 April to confirm that Mr Riddell's term was to be extended until 30 September 2021. On 15 July, the Minister wrote to the Chair of PACAC to confirm that the Prime Minister's preferred candidate to succeed Mr Riddell was William Shawcross.
6. The Cabinet Office informed us that the post was advertised between 30 October and 24 November 2020 on the HM Government Public Appointments website. The original closing date was 22 November, but a short extension was agreed and the closing date was extended to midnight on 24 November. The reason stated for this was that it would allow time for a greater number of applicants to apply as only nine had been received as of 19 November. In total, forty applications were eventually received.
7. The assessment panel comprised:
  - Rupert McNeil (Government Chief People officer);
  - Amanda Spielman (Independent Panel Member);
  - The Rt Hon Gisela Stuart (Lead Non-executive Board Member for the Cabinet Office); and
  - Dr Neil Wooding (Chief People Officer, Ministry of Justice).

8. Five candidates were interviewed on 22 and 27 January 2021. The panel found two candidates appointable, and the Prime Minister selected one of these as his preferred candidate.

9. Given interviews were held in January, it is disappointing that we were only notified of Mr Shawcross' nomination as Commissioner in July. Ministers are not required to take the views of Select Committees into account when making public appointments, however, where Committees fail to endorse the Minister's preferred candidate, it can significantly impact on their credibility and, consequently, their ability to do the role to which they have been appointed. Indeed, some have chosen not to take up their appointment under these circumstances. The pre-appointment hearing with Mr Shawcross took place only a few weeks before the end of Mr Riddell's extended term, leaving no time for alternative arrangements to be put in place should the Committee fail to endorse Mr Shawcross' appointment. We assume therefore that the Government intended to proceed with Mr Shawcross' appointment regardless of the outcome of the pre-appointment hearing. This is not the first time that this has happened.<sup>3</sup> The significant number of extensions and interim appointments required to allow recruitment competitions to take place suggests that it is not a problem confined a single department.<sup>4</sup> A recent review by the incumbent Commissioner found that fewer than half of public appointments are made within the three-month target set out in the Governance Code.<sup>5</sup> He has been critical of the number of "unacceptable, and invariably unexplained delays" in appointment competitions.<sup>6</sup>

10. Given that, except for the occasional instances where a fixed-term appointment ends prematurely, the date by which such an appointment needs to be made is known several years in advance. In light of this, there seems to be no justifiable reason why such recruitment processes are not completed in good time so routinely. In his response to the Commissioner's letter, the Minister noted the improvements that have been made to appointments processes:

over recent months I have asked my officials to insist on better succession and campaign planning by all departments. They have been working closely with departmental appointment teams to ensure proper management information is in place, including a forward look of planned campaigns. This enables Secretaries of State and the centre to be sure that proper preparation is being done in advance of competitions being launched, thereby increasing the chances of a smooth and successful competition.<sup>7</sup>

11. We will be watching keenly for signs of improvement in the manner in which public appointment processes are undertaken and will return to it should they fail to materialise.

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3 Our predecessor Committee was critical of the Cabinet Office when the appointment of the current Registrar of Consultant Lobbyists needed to be completed in considerable haste, for example. See PACAC [Appointment of Mr Harry Rich as Registrar of Consultant Lobbyists](#) 11th Report of Session 2017–19 HC1249, paras 12–14.

4 Commissioner for Public Appointments [Exceptional Appointments made without a competition](#)

5 Commissioner for Public Appointments [Thematic Review: Concluding Competitions within Three Months of the Closing Date](#) July 2019, p.4

6 [Commissioner for Public Appointments to Chancellor of the Duchy of Lancaster 22 July 2021](#)

7 [Chancellor of the Duchy of Lancaster to Commissioner for Public Appointments 19 August 2021](#)

## The Government's preferred candidate: William Shawcross

12. William Shawcross was appointed Independent Reviewer of Prevent, one of the strands of the Government's anti-terrorism strategy, in January 2021. He was the Chair of the Charity Commission between 2012 and 2018 and became the Special Representative on UK victims of Qadhafi-sponsored IRA terrorism in March 2019. His previous roles have included membership of the UN High Commissioner for Refugees Informal Advisory Panel between 1995 and 2000, and member of the Council of the Disasters Emergency Committee between 1997 to 2002. He served on the board of the International Crisis Group between 1995 and 2006. In oral evidence, he confirmed that he had not been invited to apply for the role.<sup>8</sup>

13. Prior to 2012, Mr Shawcross was an independent writer and commentator, having worked as a Foreign Correspondent and written extensively on international affairs. His book, *The Quality of Mercy: Cambodia, Holocaust and Modern Conscience*, examined the role of aid agencies in disaster relief. He has also written on the work of the United Nations in 1990s conflict zones in *Deliver Us From Evil: Peacekeepers, Warlords, and a World of Endless Conflict*. Other works include *Justice and the Enemy: Nuremberg, 9/11 and the Trial of Khalid Sheikh Mohammed*.

### Oral evidence

14. The Committee held a pre-appointment hearing with Mr Shawcross on 16 September 2021. Prior to the hearing, the Cabinet Office provided us with Mr Shawcross' *curriculum vitae*. Mr Shawcross also answered a written questionnaire provided to him by the Committee in advance.

15. In oral evidence, the Committee questioned Mr Shawcross about his prior experience and his suitability for the role of Commissioner for Public Appointments. The topics covered in the session were:

- His motivation for applying and whether he was encouraged to apply for the role;
- The role of the Commissioner as an advocate for diversity in public appointments;
- Whether his previous experience as Chair of the Charity Commission provided him with enough experience for the role;
- Whether he had experience of senior public recruitment;
- How he proposed to win the confidence of those who may be concerned by his close association with conservative politics;
- His links to Government and how he would ensure that they are not perceived to be influencing his decisions, noting the importance of impartiality in relation to the role in professional and private life;

- His previous comments around multiculturalism and how he would reconcile those with the requirement that the Commissioner acts as an advocate for diversity in public appointments;
- Whether he would commit to resisting any attempts from Ministers to appoint people with clear party affiliations as Senior Independent Panel Members;
- His experience of standing up to Ministers or other senior Government figures;
- Whether he shared the current Commissioner's concern about the number of unregulated ministerial appointments made by the Government and whether the role and remit of the Commissioner for Public Appointments should be reassessed if these unregulated appointments were to continue; and
- The criteria by which his performance as Commissioner should be judged.

***16. Following his pre-appointment hearing, the Committee endorses Mr Shawcross' appointment as Commissioner for Public Appointments. We are grateful to him for his appearance and wish him well in the role. We look forward to working with him.***



## Appendix

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### **Letter from the Chancellor of the Duchy of Lancaster, Rt Hon Michael Gove MP, to the Chair of the Public Administration and Constitutional Affairs Committee, William Wragg MP**

15 July 2021

Dear William,

#### **Commissioner for Public Appointments recruitment**

I wrote to you on 30 June confirming that the recruitment process for the Commissioner for Public Appointments was ongoing and that we were working towards an announcement.

I am pleased to be able to confirm, in confidence, that the Prime Minister's preferred candidate for this role is **William Shawcross**. This will be publicly announced this afternoon and I should be grateful for the Committee's discretion prior to that announcement.

William Shawcross was appointed as the Independent Reviewer of Prevent in January 2021. He was the Chair of the Charity Commission between 2012 and 2018 and became the Special Representative on UK victims of Qadhafi-sponsored IRA terrorism in March 2019. His previous roles have included membership of the UN High Commissioner for Refugees Informal Advisory Panel between 1995 and 2000, and as a member of the Council of the Disasters Emergency Committee, 1997 to 2002. He served on the board of International Crisis Group between 1995 and 2006. Prior to 2012, William was an independent writer and commentator, having worked as a Foreign Correspondent and written extensively on international affairs.

The role of the Commissioner was advertised between 30 October and 24 November 2020 on the HM Government Public Appointments website. Forty applications were received.

Five candidates were interviewed on 22 and 27 January 2021. The panel found two candidates appointable, and the Prime Minister selected one of these as his preferred candidate.

The candidate pack, William Shawcross' CV and further information about the campaign, including diversity information of applicants, are annexed separately. Officials will work with the committee's clerks to ensure that preparations are made for the pre-appointment scrutiny hearing and that the committee is provided with any further information it requires.

With every good wish,

**Rt Hon Michael Gove MP**

**Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office**

# Formal minutes

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**Thursday 16 September 2021**

Members Present:

Mr William Wragg, in the Chair

Tom Randall

Lloyd Russell-Moyle

John Stevenson

Draft Report (The Appointment of William Shawcross as The Commissioner for Public Appointments) proposed by the Chair, brought up and read.

*Ordered*, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 16 agreed to.

Summary agreed to.

*Resolved*, That the Report be the Fourth Report of the Committee to the House.

*Ordered*, That the Chair make the Report to the House.

*Ordered*, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order 134.

[Adjourned till to Thursday 21 October at 9.30am

## Witnesses

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The following witnesses gave evidence. Transcripts can be viewed on the [inquiry publications page](#) of the Committee's website.

### Thursday 16 September 2021

**William Shawcross**, The Government's Preferred Candidate

[Q1-37](#)

## List of Reports from the Committee during the current Parliament

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All publications from the Committee are available on the publications page of the Committee's website.

### Session 2021–22

Number	Title	Reference
None	Propriety of Governance in Light of Greensill: An Interim Report	HC 59
1st	The role and status of the Prime Minister's Office	HC 67
2nd	Covid-Status Certification	HC 42
1st Special	Government transparency and accountability during Covid 19: The data underpinning decisions: Government's response to the Committee's Eighth Report of Session 2019–21	HC 234
2nd Special	Covid 19 Vaccine Certification	HC 670

### Session 2019–21

Number	Title	Reference
1st	Appointment of Rt Hon Lord Pickles as Chair of the Advisory Committee on Business Appointments	HC 168
2nd	Parliamentary and Health Service Ombudsman Scrutiny 2018–19	HC 117
3rd	Delivering the Government's infrastructure commitments through major projects	HC 125
4th	Parliamentary Scrutiny of the Government's handling of Covid-19	HC 377
5th	A Public Inquiry into the Government's response to the Covid-19 pandemic	HC 541
6th	The Fixed-term Parliaments Act 2011	HC 167
7th	Parliamentary and Health Service Ombudsman Scrutiny 2019–20	HC 843
8th	Government transparency and accountability during Covid 19: The data underpinning decisions	HC 803