

Written evidence submitted by Full Fact

Summary

- Full Fact welcomes the Committee's proposals to update the descriptors of the Seven Principles in the Members Code of Conduct. The current descriptor of Honesty reflects a wider problem with honesty and accuracy in public life. We suggest this formulation of words should be used for the Honesty descriptor: 'Holders of public office should be truthful. Members should be truthful in everything they say, write or do. They should seek out and present information honestly in a way that others can assess, correct mistakes and demand the same of those around them.'
- There are lots of examples where public figures, including Members, respond positively to correction requests. It is hard enough to be seen as honest in public life without standards mechanisms working against you as a public office holder. Yet at the moment that is what they do.
- No official mechanism exists for Members who do not hold ministerial roles to correct the official record when they make a mistake in the House of Commons. Members are being hampered in acting in the spirit of Honesty by the current lack of a parliamentary corrections process.
- Full Fact urges the Committee to recommend a straightforward system, based on the existing Ministerial Corrections process, and similar to the Scottish Parliament's process, that allows all Members to put forward corrections to the official record when they misspeak.
- We propose a simple five-step process for upholding standards when a Member persistently fails to correct the record after making inaccurate statements, based on the existing processes of the House.
- Where Members fail to correct inaccuracies on the official record, the Commissioner should be able to investigate. The Speaker could also have the option to refer a matter of conduct to the Commissioner for investigation.
- When Members make contributions in public they are acting in their capacity as public representatives and should be subject to the Seven Principles of Public Life, including the principle of being Honest. Current mechanisms to ensure Members uphold the standard of Honesty in public life are neither effective nor applied consistently. We recognise the complexities that a system to address inaccuracies made outside of Parliament would have, but upholding truth and accuracy in political discourse is vital. We urge the Committee to revisit this.

About Full Fact

1. Full Fact fights bad information. We're a team of independent fact checkers, technologists, researchers, and policy specialists who find, expose and counter the harm it does.
2. Full Fact is a charity which, in effect, exists to support the Seven Principles of Public Life. We work to improve the information environment and the quality of public debate. Good public debate depends on honesty, and honesty depends on objectivity, accountability, openness, leadership, integrity and selflessness.
3. Bad information damages public debate, risks public health, and erodes public trust. So we tackle it in four ways. We check claims made by politicians, public institutions, in the media and online. We ask people to correct the record where possible to reduce the spread of specific claims. We campaign for system changes to help make bad information rarer and less harmful, and we advocate for high standards in public debate.
4. Full Fact is a registered charity. We're funded by individual donations, charitable trusts, and by other funders. We receive funding from both Facebook and Google. Details of our funding can be found on our website¹.

Strengthening the Seven Principles of Public Life Honesty descriptor for Members

5. Full Fact welcomes the Committee on Standards' proposals to update the Seven Principles of Public Life in the Members Code of Conduct so that the descriptors are tailored more closely to Members' roles, in order to give a clearer picture of the standards envisaged by the Seven Principles.
6. Full Fact believes that the original Nolan descriptor of Honesty was strikingly limited: "Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest."² The current Honesty descriptor is straightforward but tautological: "Holders of public office should be truthful."³

¹ Full Fact, Funding, accessed 10 February 2022, <https://fullfact.org/about/funding/>

² Nolan Committee, 31 May 1995, Summary of the Nolan Committee's First Report on Standards in Public Life, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/336840/1stInquiry_Summary.pdf

³ Committee on Standards in Public Life, 31 May 1995, Guidance: The Seven Principles of Public Life, <https://www.gov.uk/government/publications/the-7-principles-of-public-life/the-7-principles-of-public-life--2>

7. The Committee on Standards in Public Life's research has repeatedly identified telling the truth as one of the highest concerns the public has about standards in public life. The limitations of the current descriptor of Honesty highlights the wider problem with honesty and accuracy in public life, and a distinct problem with the huge gap between how the public expects Members to act and what people collectively believe is actually happening.
8. As we set out in our recent evidence⁴ to the Committee for Standards in Public Life, the existing descriptor of Honesty stands in stark contrast to standards set out by other fields. Take for example healthcare, where the professional duty of candour requires that all healthcare professionals must be open and honest with patients when something goes wrong, including informing them and their families, apologising and offering an appropriate remedy. In the media, IPSO's Editors' Code puts significant emphasis on not publishing inaccurate or misleading information or images, and where this does happen, this 'must be corrected, promptly and with due prominence, and — where appropriate — an apology published.' These professions make clear and relevant demands of their Members to uphold these standards in their work, including correcting mistakes.
9. The Committee's proposal to change the description of Honesty to "Members should be truthful in everything they say, write or do", would go a significant way towards ensuring the Members Code of Conduct reflects the serious commitment to honesty and truthfulness.
10. However, Full Fact believes this description on its own would be insufficient. To take this further and ensure a true commitment to Honesty in public life, we suggest that the Committee amend the Honesty descriptor to add an imperative in addition to simply being truthful, to include an obligation or requirement to seek out, share and present information accurately, and crucially to correct the record when necessary.
11. Through our fact checking work Full Fact has seen too many examples of what could be characterised as 'dishonest accuracy'. If you provide accurate data but frame it in such a way as to conceal or ignore the truth, you are not being honest.
12. Honesty is about more than just looking at your own behaviour, it is also about taking the lead and tackling the adversaries of honesty in public life, and this will only become more and more important as people are exposed to more and more sources of information online that may appear credible without being trustworthy. For this reason Full Fact also supports the Committee's recommendation to strengthen the descriptor for Leadership so that Members 'should promote best practice and challenge poor attitudes and behaviour whenever they occur'. It is, however, important to note that the descriptor should be 'actively promote' in keeping with the Committee on Standards in Public Life amendment.

⁴ Full Fact, 2021, Submission to the Committee for Standards in Public Life: Standards Matter 2, https://fullfact.org/media/uploads/final_response_committee_for_standards_in_public_life_standards_matter_2.pdf

13. We believe that this addition is necessary for this principle to fulfil high standards and lead to better societal outcomes. This can be done in a way that complements and enhances the principle that information should not be withheld from the public under Openness.
14. **To ensure the Seven Principles of Public Life fully reflect this need, Full Fact suggests this formulation of words for the Honesty descriptor: ‘Holders of public office should be truthful. Members should be truthful in everything they say, write or do. They should seek out and present information honestly in a way that others can assess, correct mistakes and demand the same of those around them.’**

Honesty includes allowing Members to correct their mistakes

15. Full Fact believes that amending and improving the descriptor of the Honesty principle would be a significant step forward, but it would need to be supported by changes to parliamentary processes to help Members meet these expectations. The corrections process should be revised so that all Members can correct the official record.
16. The fact that no official mechanism exists for Members who do not hold ministerial roles to correct the record when they make a mistake in the House of Commons is perhaps a consequence of the vagueness of the current Honesty descriptor. But it is one for which there is a simple and practical solution. Without such a system being available to all, Members would not have the means to formally uphold the Seven Principles of Public Life. It is hard enough to be seen as honest in public life without our standards mechanisms working against you as a public office holder.
17. The current system for correcting inaccuracies made in Parliament was recommended by the Procedure Committee in a report in 2007⁵ and agreed to by the House. It allows Ministers to correct Hansard when they make an inadvertent error in speaking. However, the process does not extend to non-ministers and therefore the vast majority of Members have no official means by which to correct the record. This even includes Shadow Ministers. Many from across the House have made efforts to do this anyway, usually through raising a Point of Order with the Speaker or in the course of another debate. And while Members are able to suggest corrections to daily published parts on Hansard to correct misspeaking, they are unable to make substantive alterations to the meaning of what was said or make factual corrections. These methods are not the most efficient use of House time, and mean that readers of the original debate in Hansard will not see the correction.
18. Our work allows us to see the very best of the upholding of public standards, and in particular of Honesty. There are lots of examples where public figures including Members, respond positively to correction requests, and sometimes speedily, when we contact them about a fact check. In November 2020, the Labour MP Ruth Jones claimed that Welsh contact tracing programme cost £32 per person while the English

⁵ House of Commons Procedure Committee, 23 May 2007, Second Report
<https://publications.parliament.uk/pa/cm200607/cmselect/cmproced/541/54104.htm>

system cost £1,700 per person. This was an incorrect calculation of the figures⁶. She responded quickly to our request for a correction and used a Point of Order⁷ to address the mistake. In January 2020 former Health Secretary Jeremy Hunt MP also used a Point of Order to make a correction⁸ when he mistakenly claimed that the NHS operates on the wrong part of someone's body four times a day, when in the English NHS the correct figure was four times a week⁹. Though both of these changes were acknowledged on Hansard, the official record of their original statements has not changed.

19. We believe that Members are being hampered in acting in the spirit of Honesty by the current lack of a parliamentary corrections process. The fact that only government Ministers can actually correct the record, but don't always do so, perpetuates the view that asking Members to correct the record is used to score party political points. We believe this needs to change if we are to have any hope of creating a culture of correcting mistakes.
20. There are some very basic changes that could move us forward and enable all Members to correct inaccuracies. Full Fact urges the Committee to propose a straightforward system that would allow all Members to do so, for which a model within the UK already exists.
21. In the Scottish Parliament, a system was introduced in 2010 that allows all Members to put forward corrections to the official record when they misspeak¹⁰. This is an example of an easy win that, by putting in place a simple mechanism, will enable a better standard of honesty to be enacted.

Tackling failures to correct the record

22. The system to allow all Members to correct the official record would be self referring.
23. However, even though there is a process for Ministers to correct the record, our experience is that Ministers and their departments are often unwilling to engage, and that the process is insufficiently used. This can bring the House into disrepute and promote cynicism that affects all Members of the House.

⁶ Full Fact, 9 November 2020, Labour MP contact tracing claim at PMQs out by factor of ten <https://fullfact.org/health/ruth-jones-wales-contact-tracing/>

⁷ Ruth Jones MP, 16 November 2020, House of Commons, Points of Order <https://hansard.parliament.uk/Commons/2020-11-16/debates/3432A00C-C717-40BC-B919-0AE7EED74523/PointsOfOrder?highlight=point%20order#contribution-F761FFF0-F842-401A-9273-E0AAD1975CC1>

⁸ Jeremy Hunt MP, 27 January 2020, House of Commons, NHS Funding Bill, <https://hansard.parliament.uk/Commons/2020-01-27/debates/0F5A52C9-4334-4E34-B689-0AF71BF31E8B/NHSFundingBill#contribution-957FC383-9FB1-47D2-8046-53B1BA29217E>

⁹ Full Fact, 20 January 2020, Jeremy Hunt muddled the numbers on botched surgeries, <https://fullfact.org/health/botched-surgeries/>

¹⁰ The Scottish Parliament, 19 February 2021, Corrections and changes to the Official Report, <https://www.parliament.scot/chamber-and-committees/official-report/corrections-and-changes-to-the-official-report>

24. So where Members fail to correct inaccuracies on the official record via the channels available to them, there must be a mechanism to ensure the rules of the House are upheld.
25. The public would be happy for the police to do this. Reportedly, 76% would back a specific criminal offence covering politicians who lie.¹¹ The Government claims that it enforces standards through the Ministerial Code, with Ministers who knowingly mislead Parliament expected to offer their resignations.¹² Clearly this cannot be relied on—under this Government or previous ones.
26. We say it is for the House of Common to uphold its own standards.
27. We propose a simple five-step process for upholding standards when a Member persistently fails to correct the record after making inaccurate statements, based on the existing processes of the House.
28. (1) When a Member believes another Member may have misled the House, they are able to ask the Library for an analysis of the issue. The UK Statistics Authority is also statutory and answers to Parliament, and can therefore be called on to provide authoritative independent advice.
(2) If the Library analysis confirms an error has taken place, the Member should raise that with the Member who made the statement and ask them to correct the record.
(3) If the Member who made the statement fails to correct the record and is a Minister, a Member may ask the Speaker to authorise a debate or an Urgent Question under existing powers.
(4) If the Speaker becomes aware of multiple instances of a Member failing to correct the record when required, the Speaker alone should be given the power to refer this pattern of behaviour to the Commissioner for Standards for investigation.
(5) If the Commissioner finds that a Member has persistently failed to correct the record in accordance with the rules of the House, the Committee on Standards should be empowered to impose appropriate sanctions.
29. Full Fact recognises that conduct in the Commons Chamber means that the Commissioner may not investigate complaints about matters which fall under the jurisdiction of the Speaker and his deputies in respect of orderliness and conduct during sittings of the House. However, as the Committee notes there are instances where an instant judgement by the Speaker is not possible and further investigation may be necessary. Alongside the Committee's suggestions of when the Speaker could have the option to refer a matter of conduct to the Commissioner for investigation, this could be extended so that the Speaker can refer Members for

¹¹ Opinium Research for Compassion in Politics, quoted in the Mirror

<https://www.mirror.co.uk/news/politics/lying-politicians-should-made-specific-24045115>

¹² "It is of paramount importance that Ministers give accurate and truthful information to Parliament, correcting any inadvertent error at the earliest opportunity. Ministers who knowingly mislead Parliament will be expected to offer their resignation to the Prime Minister." Ministerial Code 1.3(c)
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/826920/August-2019-MINISTERIAL-CODE-FINAL-FORMATTED-2.pdf

investigation where they make consistent and egregious inaccuracies, fail to correct the official record, and do not meet the expectations of being Honest in public life.

30. We suggest that this proposed approach has several advantages. First, it has built-in cooling off time so that it cannot be used to make allegations in the heat of a particular moment. Secondly, it is informed by the impartial input from the House of Commons Library so it cannot be triggered by selective or partial use of competing evidence. Thirdly, it depends on the Speaker to make a referral and the Standards Committee to consider it so that it cannot be triggered by a single Member or even political party. We would argue that this is both careful and perhaps the least the House should do to uphold its expectations of Members, and Government Ministers in particular.
31. Full Fact further supports the Committee's suggestion that the House service develop in-depth training on standards to be delivered to all Members within six months of a general election and for new Members within six months of their election. This training should include guidance on sharing and presenting information accurately, and information on how to correct inaccuracies when they occur.

Addressing inaccuracies outside of Parliament

32. The Code of Conduct applies to Members in all aspects of their public life, and the Commissioner cannot investigate a Member's "purely personal and private lives", nor their views or opinions. Though these exclusions are valid where a Member is acting in their "purely personal and private lives", when a Member makes a contribution in a public setting, such as social media, broadcast or print media, or a public setting outside of Parliament, they are speaking in a public forum, engaging in public debate, and making statements in their capacity as public representatives.
33. We recognise the Commissioner's submission to the Committee that "a high proportion of complaints she receives from members of the public relate to Members' tweets and other uses of social media or the internet, on the basis that they allegedly contain ... errors of fact, exaggerations or downright lies." As fact checkers we see the extent to which a tweet that contains an inaccuracy by a high profile Member with hundreds of thousands of followers can reach and inform public debate. This reach can be far greater than an inaccuracy made in the Commons Chamber.
34. The Committee report states that accusations of direct, deliberate dishonesty can be pursued within the rules of Parliament through a substantive motion. It also states that Members can be challenged as part of public debate by their political opponents, by journalists, and by members of the public when they make errors online or in public life outside of Parliament. However, this rarely happens in a consistent way that upholds and supports honesty and public trust.
35. Full Fact believes that when Members make contributions in public they are acting in their capacity as public representatives, and should be subject to the Seven Principles of Public Life, including the principle of being Honest.

36. We disagree with the recommendation by the Committee that it would be impracticable to set up a system for tackling cases where MPs fall below acceptable standards of honesty in their public role. More than most, we recognise the complexities that a system to address inaccuracies made outside of Parliament would have, but upholding honesty and accuracy in political discourse is vital. The Committee's current position is that MPs should be held to lower standards than advertisers or estate agents.¹³ Respectfully, we believe that this is indefensible.
37. We understand the arguments set out in the Committee's report that having systems in place to uphold Members being accurate in public life could lead to an erosion of free speech or allow for Members' contributions to be weaponised by opponents but we believe these concerns have been overstated and can be resolved by an appropriately designed standards system. Politicians have suggested to us that the hostile environment on social media means that they fear the potential for a pile-on of online abuse if they seek to correct genuine mistakes on those platforms. We cannot assume that politicians and others in public life will be willing to pay a price for honesty if they cannot see the reward. We believe that ensuring accurate and true information is available in a public setting only enhances free speech, and to do that incentives need to be built into systems that facilitate truth telling, including Members correcting the record.
38. Moreover, the existing criminal offence of making a false statement about an election candidate shows that it is possible and desirable to uphold basic standards in public life.
39. Full Fact urges the Committee to revisit this and consider how inaccurate and uncorrected contributions by Members online or outside of Parliament in their capacity as public representatives could be the subject of an investigable complaint to the Commissioner. We would be happy to assist with considering a practicable and proportionate approach, learning from other sectors.
40. We encourage the Committee to open a public dialogue that looks at the big picture of how we as a society can go about building a culture where the costs of honesty in public life are lower, and the rewards higher.

14 February 2022

¹³ See for example the Codes of Practice set out by and enforced by The Property Ombudsman <https://www.tpos.co.uk/codes-of-practice> and the Code set out by the Committee on Advertising Practice and enforced by the Advertising Standards Authority <https://www.asa.org.uk/codes-and-rulings/advertising-codes.html>