



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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The Rt Hon Oliver Dowden MP

Deputy Prime Minister and Chancellor of the Duchy of Lancaster, and Secretary of State in the Cabinet Office

27 June 2023

Dear Oliver

I am writing to you in my capacity as Chair of the Advisory Committee on Business Appointments (ACOBA) regarding a failure to follow the government's Business Appointment Rules (the Rules) by the Rt Hon Boris Johnson.

The Committee is independent, with a remit to consider applications received under those Rules, consider the risks and advise on the conditions that should apply.

The Rules are set by the government and the requirement for former ministers to seek and abide by ACOBA's advice is set out clearly in the Ministerial Code, including specifically that: '*...Former Ministers must ensure that no new appointments are announced, or taken up, before the Committee has been able to provide its advice.*'

Mr Johnson's role as a columnist for the Daily Mail was trailed by the media outlet in a front page pre-announcement of a new columnist on the morning of Friday 16 June. Mr Johnson later the same day confirmed his new role in a pre-recorded video on twitter around 1pm, 30 minutes after submitting an application to ACOBA for advice. This is a clear and unambiguous breach of the government's Rules and requirements of the Ministerial Code. Mr Johnson is familiar with both. He set out the standards expected in the Ministerial Code whilst Prime Minister and has had made previous

applications under the Rules, [including a similar failure to follow the Rules when he left ministerial office in 2018](#)¹.

The risks under the Rules in media and journalistic appointments are usually regarded as limited and have been subject to a standard set of conditions preventing individuals from: drawing on privileged information; and lobbying the UK government.

Mr Johnson's case is a further illustration of how out of date the government's Business Rules are. They were designed to offer guidance when "good chaps" could be relied on to observe the letter and the spirit of the Rules. If it ever existed, that time has long passed and the contemporary world has outgrown the Rules. This forces ACOBA to spend time on low-risk applications at the expense of more complex and challenging cases. New areas of corruption are not monitored because they were not envisaged when the Rules were drawn up.

ACOBA has recommended to the government well in excess of two years that a modern framework for considering business appointments is needed. This must include sanctions for non compliance and greater clarity about what is and is not acceptable to enable resources to be focused on complex cases. As part of these recommendations is the proposal that cases with a known low risk profile be removed from the current process.

I welcome that the government is working on a range of proposals across the current ethics landscape. I am concerned that if the government waits until these reforms can all be implemented together, it risks further scandal in the meantime, particularly as ACOBA's could be implemented in a matter of weeks.

What action to take in relation to this breach is a matter for the government. I suggest that you take into consideration the low risk nature of the appointment itself, and the need to reform the system to deal with roles in proportion to the risks posed.

In line with ACOBA's policy of transparency this correspondence will be published.

Yours ever
Sue Pickles

The Rt Hon Lord Pickles

Copied to: Darren Tierney, Director general, Propriety and Ethics, Cabinet Office and The Rt Hon Jeremy Quin MP, Paymaster General and Minister for Cabinet Office

¹https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/732866/180808_Boris_Johnson_The_Telegraph.pdf