

From the Chairman



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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You asked for the Committee's advice about a speculative application for the position of Chair of the Youth Justice Board (YJB).

When considering your application, the Committee took into account the fact that YJB is sponsored by your Department and delivers/commissions youth justice services alongside the Ministry of Justice. The Committee noted that you had made contributions to ministerial decisions in relation to youth justice and the YJB and that, although you were not the lead Minister on this issue, you saw submissions and occasionally discussed policy with the lead Minister.

The Committee also took into account the fact that you thought it best to observe a three month waiting period between stepping down as a Minister and taking up the new position with the YJB. They noted that the three month waiting period was not suggested due to any conflict of interest arising from the appointment (as you had applied for an advertised appointment, regulated by the Commissioner for Public Appointments), but as a way to create a clear gap between the two roles and ensure that they are visibly separate to observers.

Taking into account all the circumstances, including the strong public interest in allowing you to lobby Government on issues that benefit youth justice, our advice is that you can accept the appointment with YJB, subject to the following conditions:

- a waiting period of three months from your last day in ministerial office;
- you should not draw on any privileged information available to you from your time in Government;
- for two years from your last day in office, you should not become personally involved in lobbying the UK Government on behalf of your new employer, its parent company or its clients on any matters not related to youth justice.

It might be helpful if I add that lobbying is defined in the Business Appointment Rules in the following way – “Lobbying in this context means that the former Minister should not engage in communication with Government – including Ministers, special advisers and officials – with a view to influencing a Government decision or policy in relation to their own interests, or the interests of the organisation by which they are employed, or to whom they are contracted”

I should be grateful if you would inform us as soon as you take up the appointment, or if it is announced that you will do so, either by returning the enclosed form or by emailing the office at the above address. We shall otherwise not be able to deal with any enquiries, since we do not release information about appointments which have not been taken up or announced. This could lead to a false assumption being made about whether you had complied with the Ministerial Code. Similarly, I should be grateful if you would inform us if you propose to extend or otherwise change your role with YJB as, depending on the circumstances, it may be necessary for you to seek fresh advice.

Once the appointment has been publicly announced or taken up, we will publish this letter on the Committee’s website and include the main details of the applications, together with the Advisory Committee’s advice, in the regularly updated consolidated list on our website and in the next annual report.

Lord Lang of Monkton

Lord McNally