



**OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS**

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**BUSINESS APPOINTMENT APPLICATION: The Rt Hon Dominic Raab MP, former Deputy Prime Minister, Lord Chancellor and Secretary of State for Justice. Paid appointment with Appian Capital Advisory LLP (Appian Capital).**

1. You approached the Advisory Committee on Business Appointments (the Committee) under the government's Business Appointments Rules for Former Ministers (the Rules) seeking advice on taking up a paid role as a Senior Strategic Adviser for Global Affairs with Appian Capital.
2. The purpose of the Rules is to protect the integrity of the government. The Committee has considered the risks associated with the actions and decisions made during your time in office, alongside the information and influence you may offer Appian Capital. The material information taken into consideration by the Committee is set out in the annex.
3. The Committee's advice is not an endorsement of the appointment - it imposes a number of conditions to mitigate the potential risks to the government associated with the appointment under the Rules.
4. The Ministerial Code sets out that ministers must abide by the Committee's advice. It is an applicant's personal responsibility to manage the propriety of any appointment. Former ministers of the Crown, and Members of Parliament, are expected to uphold the highest standards of propriety and act in accordance with the 7 Principles of Public Life.

The Committee's consideration of the risks presented

5. You were not involved in any decisions specific to Appian Capital whilst you were in office, nor is there a commercial, contractual or regulatory relationship between the organisation and your former departments. Therefore, the

Committee<sup>1</sup> considered that the risk that this role could be seen as a reward for your decisions in office is low.

6. As the former Deputy Prime Minister and Lord Chancellor who had roles at the centre of government, you would have had access to a wide range of particularly sensitive information, including that which relates to supply chain management and potentially relevant investment opportunities. As a result, there are real and perceived risks you could offer Appian Capital an unfair advantage due to insight gained in office. The Committee noted there were several mitigating factors regarding your access to information:
  - DBT confirmed your work on Project Defend<sup>2</sup> did not involve mining or metals supply chains and this work was over two years ago;
  - almost 9 months have now passed since you left your ministerial position and had access to information; and
  - your former departments do not consider you to have access to privileged information that could offer an unfair advantage to Appian Capital.
7. As Deputy Prime Minister and Lord Chancellor, you will have gained contacts as a result, within the UK government and within other governments and companies, that could provide an unfair advantage to Appian Capital. As such there is a risk your network and influence gained in office might be used to assist Appian Capital unfairly.

#### The Committee's advice

8. The Committee determined the risks identified in this application can be appropriately mitigated by the conditions below. These make it clear that you cannot make use of information or influence gained from your time in ministerial office to the unfair advantage of Appian Capital. The main risk remaining is that you could be seen to make improper use of contacts you may have made whilst in government service to develop business for your new employer. The Committee would therefore draw your attention to the conditions below which prevent you from making use of your contacts in office to unfairly benefit Appian Capital in seeking business opportunities or developments.

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<sup>1</sup> This application for advice was considered by Andrew Cumpsty; Isabel Doverty; Hedley Finn OBE; Sarah de Gay; The Rt Hon Baroness Jones of Whitchurch; Dawid Konotey-Ahulu CBE; The Rt Hon Lord Eric Pickles; Michael Prescott; and Mike Weir.

<sup>2</sup> <https://publications.parliament.uk/pa/cm5801/cmselect/cmintrade/286/28603.htm>

9. The conditions below seek to prevent you from making use of your access to privileged information and contacts from your time in ministerial office to the unfair advantage of Appian Capital and appropriately mitigate the risks identified.
10. In accordance with the government's Business Appointment Rules, the Committee advises this appointment with **Appian Capital Advisory LLP** be subject to the following conditions:
- you should not draw on (disclose or use for the benefit of yourself or the persons or organisations to which this advice refers) any privileged information available to you from your time in ministerial office;
  - for two years from your last day in ministerial office, you should not become personally involved in lobbying the UK government or any of its arm's length bodies on behalf of Appian Capital Advisory LLP (including parent companies, subsidiaries, partners and clients); nor should you make use, directly or indirectly, of your contacts in the government and/or Crown service contacts to influence policy, secure business/funding or otherwise unfairly advantage Appian Capital Advisory LLP (including parent companies, subsidiaries, partners and clients);
  - for two years from your last day in ministerial office, you should not provide advice to on behalf of Appian Capital Advisory LLP (including parent companies, subsidiaries, partners and clients) on the terms of, or with regard to the subject matter of, a bid with, or contract relating directly to the work of the UK government or any of its arm's length bodies;
  - for two years from your last day in ministerial office, you should not become personally involved in lobbying contacts you developed during your time in office in other governments and organisations for the purpose of securing business for Appian Capital Advisory LLP
11. The advice and the conditions under the government's Business Appointment Rules relate to your previous role in government only; they are separate from rules administered by other bodies such as the Office of the Registrar of Consultant Lobbyists, the Parliamentary Commissioner for Standards and the Registrar of Lords' Interests<sup>3</sup>. You are reminded that as a Member of Parliament you have a separate ban on paid lobbying under the Parliamentary Code of Conduct. It is an applicant's personal responsibility to understand any

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<sup>3</sup> All Peers and Members of Parliament are prevented from paid lobbying under the the House of Commons Code of Conduct and the Code of Conduct for Members of the House of Lords. Advice on your obligations under the Code can be sought from the Parliamentary Commissioners for Standards, in the case of MPs, or the Registrar of Lords' Interests, in the case of peers

other rules and regulations they may be subject to in parallel with this Committee's advice.

12. By 'privileged information' we mean official information to which a minister or Crown servant has had access as a consequence of his or her office or employment and which has not been made publicly available. Applicants are also reminded that they may be subject to other duties of confidentiality, whether under the Official Secrets Act, the Civil Service Code or otherwise.
13. The Business Appointment Rules explain that the restriction on lobbying means that the former Crown servant/Minister "*should not engage in communication with government (Ministers, civil servants, including special advisers, and other relevant officials/public office holders) – wherever it takes place - with a view to influencing a government decision, policy or contract award/grant in relation to their own interests or the interests of the organisation by which they are employed, or to whom they are contracted or with which they hold office.*"
14. You must inform us as soon as you take up employment with this organisation(s), or if it is announced that you will do so. Please also inform us if you propose to extend or otherwise change the nature of your role as, depending on the circumstances, it may be necessary for you to make a fresh application.
15. Once the appointment has been publicly announced or taken up, we will publish this letter on the Committee's website, and where appropriate, refer to it in the relevant annual report.

The Rt Hon Lord Pickles

## **Annex - Material information**

### The role

1. You wish to take up a part-time, paid role with Appian Capital Advisory LLP (Appian Capital). Appian Capital is an investment and private equity firm, investing solely in mining or mining-related companies, assets and management teams globally. Appian Capital is regulated by the Financial Conduct authority- an arm's length body of HMT.
2. You said that your role as a Senior Strategic Adviser for Global Affairs involves advising Appian Capital and engaging with international partners, including from industry and governments abroad, to cooperate and develop partnership arrangements to secure supply chains for critical minerals investment. You will not have contact with the UK government in your role for

Appian Capital and you have made it clear to Appian Capital that you are not willing or able to lobby government on its behalf.

### Dealings in office

3. You did not meet with Appian Capital in office, nor did you make any policy, regulatory or commercial decisions specific to Appian Capital whilst in office. You also said that you did not engage with any of Appian Capital's competitors as part of your ministerial roles.
4. You said that although you were involved in Project Defend, a project to improve the UK's supply chain resilience, you did not focus on mining or energy industries and instead, the majority of your focus was on the healthcare sector.

### Departmental assessment

5. The Ministry of Justice, Foreign Commonwealth and Development Office and the Cabinet Office were consulted and confirmed the details in your application.
6. FCDO informed ACOBA that you had been involved in 'Project Defend' - which aimed to assure HMG of the resilience of specific supply chains and agree actions to improve resilience. ACOBA contacted the Department of Business and Trade who stated:
  - Dominic Raab had oversight of Project DEFEND from April 2020 to the conclusion of the project on 31 March 2021<sup>4</sup> including chairing Ministerial Small Group meetings to assure HMG of the resilience of specific supply chains and agree actions to improve resilience.
  - From 1 April 2021, after the project had concluded, all ministerial oversight of DIT activity to assure critical supply chain resilience came from DIT ministers.
  - Dominic Raab officially handed on central oversight of the broad programme of assurance work to the National Security Adviser on 28 May 2021.
  - Subsequent DBT (formerly DIT) work on policy development and critical mineral supply chain resilience has taken place after Dominic Raab's involvement in the work concluded.
  - During the April 2020 to May 2021 period, there were no mining or metals supply chains in scope of the project (the focus was largely on health supply chains) and the focus was on individual supply chains rather than wider policy options to improve supply chain resilience.
7. The departments recommended the standard conditions.

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<sup>4</sup> <https://publications.parliament.uk/pa/cm5801/cmselect/cmintrade/286/28603.htm>