



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

G/7 Ground Floor, 1 Horse Guards Road SW1A 2HQ

Telephone: 020 7271 0839

Email: acoba@acoba.gov.uk

Website: <http://www.gov.uk/acoba>

February 2024

BUSINESS APPOINTMENT APPLICATION: Julian Braithwaite GMG, former Director General, Organised Immigration Crime Directorate, Home Office. Previously, the Director General for Europe at the Foreign, Commonwealth and Development Office. Paid application to join the International Alliance for Responsible Drinking.

1. Mr Braithwaite sought advice from the Advisory Committee on Business Appointments (the Committee) under the government's Business Appointments Rules for Former Crown Servants (the Rules) on taking up a role with the International Alliance for Responsible Drinking (IARD), as Chief Executive Officer (CEO).
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 Mr Braithwaite's time in office, alongside the information and influence a former Director General may offer IARD. 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 Rules set out that Crown servants must abide by the Committee's advice.¹ It is an applicant's personal responsibility to manage the propriety of any appointment. Former Crown servants 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

¹ Which apply by virtue of the Civil Service Management Code, The Code of Conduct for Special Advisers, The King's Regulations and the Diplomatic Service Code.

5. In Mr Braithwaite's most recent roles with the Home Office and the FCDO there is no direct overlap with IARD's work or the sector it operates in. Both the Home Office and the FCDO confirmed that Mr Braithwaite made no decisions specific to IARD, nor did he meet with the organisation while in office. As such, the risk that this appointment could reasonably be perceived as a reward for decisions or actions taken in office is low.
6. As a former Director General, there are inherent risks associated with his access to privileged information and knowledge. The departments confirmed there is no direct overlap with their work or his responsibilities. As such, the risk associated with his access to information is limited.
7. The Committee² considered that there are risks associated with Mr Braithwaite's influence and network of contacts in government. IARD may have interest in the UK's alcohol-related domestic policy, beyond that of any non-profit organisation operating in a regulated field, as an advocate for responsible consumption of alcohol. There is a risk that in joining IARD Mr Braithwaite could be seen to offer unfair access to the government through his contacts, or be seen to influence government policy on behalf of IARD. This would be contrary to the lobbying ban which applies to all former ministers for two years after leaving office. Mr Braithwaite has been clear that he will not lobby the government, and that the organisation does not have contact with the government to influence UK government policy.

The Committee's advice

8. The Committee considered the risks associated with Mr Braithwaite's access to sensitive information and possible influence and contacts, would be appropriately mitigated by the standard conditions below. These seek to prevent him from drawing on privileged information and using his influence to the unfair advantage of IARD.
9. The Committee advises, under the government's Business Appointment Rules, that Mr Braithwaite's role with the **International Alliance for Responsible Drinking** should be subject to the following conditions:
 - He should not draw on (disclose or use for the benefit of himself or the persons or organisations to which this advice refers) any privileged information available to him from her time in Crown service;
 - for two years from his last day in Crown service, he should not become personally involved in lobbying the UK government or any of its arm's length bodies on behalf of IARD (including parent companies, subsidiaries, partners and clients); nor should he make use, directly or indirectly, of his contacts in the government and/or Crown service contacts to influence policy, secure

² This application for advice was considered by Andrew Cumpsty; Sarah de Gay; Hedley Finn OBE; The Rt Hon Baroness Jones of Whitchurch; Dawid Konotey-Ahulu CBE DL; The Rt Hon Lord Pickles; Michael Prescott; and Michael Weir.

business/funding or otherwise unfairly advantage IARD (including parent companies, subsidiaries, partners and clients); and

- for two years from his last day in Crown service, he should not provide advice to IARD (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.
10. The advice and the conditions under the government's Business Appointment Rules relate to his 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.³ It is an applicant's personal responsibility to understand any other rules and regulations they may be subject to in parallel with this Committee's advice.
 11. 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.
 12. 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*'.
 13. Mr Braithwaite must inform us as soon as he takes up employment with this organisation, or if it is announced that he will do so. He must also let us know if he proposes to extend or otherwise change the nature of his role as, depending on the circumstances, it may be necessary for him to make a fresh application.
 14. 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.

Yours sincerely,

Shaneez Mithani
Committee Secretariat

³ All Peers and Members of Parliament are prevented from paid lobbying under the House of Commons Code of Conduct and the Code of Conduct for Members of the House of Lords. Advice on 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.

Annex - Material Information

The role

1. IARD is described as an alliance that is dedicated to supporting the responsible consumption of alcohol and tackling the effects of harmful drinking, using scientific evidence on alcohol and health, including alcohol policy. It acts in partnership with civil society, industry, governments, the United Nations and the World Health Organisation, on raising standards across the sector, by producing tools, resources, guidance to support stakeholders in formulating approaches to this.
2. It is composed of 15 international alcoholic beverage companies, across 100 countries (and one based in the UK). Mr Braithwaite said its membership came together in 2012 at the request of the Director General of the World Health Organisation (the WHO) to establish a not-for-profit organisation dedicated to reducing harmful drinking and promoting understanding of responsible drinking. It is the sector's leading Corporate Social Responsibility initiative, recognised by the UN as a Social Aspect Organisation (in the 2018 UN Declaration on Non-Communicable Diseases). The WHO uses it as an official interlocutor for the purposes of implementing the WHO's 2030 Global Alcohol Action Plan.
3. Mr Braithwaite proposes to be CEO, leading the organisation. This includes engaging with countries' public health authorities, as well as their missions to the UN in Geneva and NY. Mr Braithwaite stated that IARD confirmed that there has been no direct contact with any government department in the last five years. Noting the only indirect contact he is aware of was via an official from DHSC, a representative from the UK Mission to the UN in Geneva, who was present at the annual Economic Operators Dialogue with the World Health Organisation in recent years. He said that this engagement is led by the Senior Vice President for multilateral affairs, based in Washington DC, not by the CEO.
4. Mr Braithwaite emphasised that his role will not include lobbying the UK government and that IARD:
 - a. is not a UK trade association or a UK-focused organisation.
 - b. does not carry out lobbying on UK domestic policies.
 - c. has no funding from the UK government (it is member-funded).
 - d. does not have or seek contracts or funding with the UK government.

Dealings in office

5. Mr Braithwaite confirmed that;
 - a. he had no contact with IARD in any of his roles in office;
 - b. he made no decisions specific to IARD or the alcohol-sector generally;
 - c. he had no access to sensitive information that could unfairly advantage IARD; and
 - d. there is no relationship between IARD and his former departments - the Home Office and FCDO.

Departmental Assessment

6. The Home Office and FCDO confirmed the details provided by Mr Braithwaite. Specifically:
 - a. The FCDO stated that it does not believe IARD has any competitors.
 - b. The FCDO has an interest in promoting trade across all sectors (including alcoholic beverages), but no specific relationship with IARD, and the FCDO thought that the Department for Health and Social Care will have a greater interest in responsible drinking policy than the FCDO. Further, Mr Braithwaite's role had no possible overlap.
 - c. The Home Office and the FCDO considered there was a low risk associated with contacts Mr Braithwaite has gained in office, and that they might unfairly advantage IARD.
 - d. The FCDO does not have any concerns about lobbying as it is not a lobbying firm and works mainly with the World Health Organisation.
7. Neither department had any reservations regarding the appointment and recommended the standard conditions.