



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
The Cabinet Office

19 April 2024

Dear Oliver

I am writing to you in my capacity as Chair of the Advisory Committee on Business Appointments (ACOBA) regarding recent correspondence with the Rt Hon Boris Johnson.

The Committee is independent, with a remit to consider the risks associated with applications received under the government's Business Appointment Rules (the Rules) 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.*'

It has been widely reported in the media that Mr Johnson met with Venezuela's President Nicolás Maduro alongside Merlyn Advisors Ltd co-founder, Maarten Petermann. Mr Johnson has repeatedly been asked by ACOBA to clarify his relationship with Merlyn Advisors. He has not done so, nor has he denied the reports in the media that he has been working with Merlyn Advisors on a non contractual basis.

Mr Johnson clearly feels strongly that there has been no reason to seek advice, however, with respect to Mr Johnson, it is not his decision to make; it is ACOBA's. Mr Johnson is evasive in his dealings with the Committee on this matter, has avoided

answering specific questions and refused to be open about his relationship to Merlyn Advisors. This is further complicated in that Mr Johnson previously sought advice in September 2023 to work with Merlyn Advisors as an independent contractor, to provide perspectives and insights to a range of the company's domestic and international stakeholders. This application was withdrawn as Mr Johnson said he would not be taking up this work. This previous application increases the need for Mr Johnson to be candid with the Committee.

The government's business appointments system relies on the cooperation of applicants and departments. ACOBA takes compliance with the Rules seriously, investigating and reporting any breaches to the government. Mr Johnson's lack of cooperation with the Committee is sufficient for ACOBA to report his behaviour to you as a breach in the government's Rules.

In the meantime, as owner of the Rules, what action to take in relation to this breach is a matter for the government. Given the Rules no longer have relevance in the modern world and are unenforceable to applicants determined to ignore them, there is little action you can take other than to acknowledge the breach.

The government announced in July 2023 their determination to bring in a modern, fit for purpose set of Business Appointment Rules. These would speed up assessment, remove unnecessary burdens on applicants and ensure that those who commit the most egregious breaches face up to the consequences of their actions. I am disappointed by the relative lack of progress since the announcement.

At our recent meeting I was impressed by your personal commitment to reform of the system. I agree with you that protecting the government's integrity and leading by example through transparency and accountability is at the core of good government. If the government gives the green light to the long overdue reforms to the system before the end of April, with cooperation from your team, we could have the reforms in place by the second week in June.

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

Yours ever
Erin Pickles

The Rt Hon Lord Pickles

Copied to: Darren Tierney, Director general, Propriety and Ethics, Cabinet Office and the Rt Hon John Glen MP, Paymaster General and Minister for the Cabinet Office