



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: Richard Price, Director General for the Performance, Strategy and Analysis Group, Ministry of Justice (MOJ). Paid appointment with Fingleton Limited.

1. Mr Price sought advice from the Advisory Committee on Business Appointments (the Committee) under the government's Business Appointment Rules for Former Crown Servants (the Rules) on his proposal to work with Fingleton Limited (Fingleton) as a Director.
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 taken during Mr Price's time in office, alongside the information and influence a former Crown servant may offer Fingleton. 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 Rules¹ set out that Crown servants must abide by the Committee's advice. 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

5. Fingleton is a strategic regulatory advisory firm, providing CEOs, leadership teams and investors with advice on regulatory opportunities and

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.

challenges; mergers and acquisitions; and reviews, investigations and appeals.

6. Mr Price did not meet with Fingleton during his time in government service as the Director General for the Performance, Strategy and Analysis Group at the Ministry of Justice. Nor did Mr Price make any decisions specific to the company whilst in office. Therefore, the Committee² considered the risk this appointment could reasonably be perceived as a reward for decisions made or actions taken in office is low.
7. The risks related to Mr Price's access to information are limited, given the MOJ confirmed he did not have access to any specific information that could provide Fingleton an unfair advantage. Whilst Mr Price's teams were involved in providing advice on the Criminal Legal Aid Regulations, these regulations were placed into the public domain in February 2024,³ decreasing the currency of his access to information of relevance.
8. There remains a general risk associated with Mr Price's broad access to information. This risk, whilst limited, is most likely to arise should he advise clients on matters that directly overlap with his time at the MOJ. This is particularly relevant given Fingleton's clients are unknown. This could raise real and perceived risks of him offering an unfair advantage to Fingleton should he be asked to advise on matters he had material involvement in whilst at the MOJ.
9. The Committee considered there is a limited risk associated with the influence of a former senior Crown Servant joining an organisation that may have clients with an interest in government regulatory policy. Mr Price stated there will be no contact with the MOJ in this role, but there may be some contact with wider government at conferences or roundtables. Whilst this contact is not contrary to the Rules, to comply with the lobbying ban it must not be of a nature that could reasonably be perceived as lobbying the government on Fingleton's behalf. Mr Price confirmed any contact with the government would not involve lobbying or bidding for government contracts.
10. It is also significant that this role marks a return to Mr Price's prior career history in infrastructure, economics and regulation.

The Committee's advice

11. The Committee determined that the risks identified in this application can be

² This application for advice was considered by Isabel Doherty; Hedley Finn OBE; Sarah de Gay; Dawid Konotey-Ahulu CBE; Michael Prescott; and The Baroness Thornton.

³ <https://www.legislation.gov.uk/uksi/2024/58/made>

appropriately mitigated by the conditions below. These make it clear that Mr Price cannot make use of his access to privileged information, contacts or influence gained from his time in government service to the unfair advantage of Fingleton or its clients.

12. This includes an additional condition to address the unknown risks associated with Fingleton's unknown clients – to limit the potential for conflict, albeit the risk is limited – he must not advise on matters he had a material role in whilst in office, should that situation arise.

13. Taking these factors into account, in accordance with the government's Business Appointment Rules, the Committee's advice is this appointment with **Fingleton Limited** 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 his 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 its arm's length bodies on behalf of Fingleton Limited (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 to influence policy, secure business/funding or otherwise unfairly advantage Fingleton Limited (including parent companies, subsidiaries, partners and clients);
- for two years from his last day in Crown service, he should not undertake any work with Fingleton Limited (including parent companies, subsidiaries, partners and clients) that involves providing advice on the terms of a bid with, or contract relating directly to the work of the UK government or its arm's length bodies; and
- for two years from his last day in Crown service, he must not advise Fingleton Limited or its clients on any work with regard to any policy or operational matter which he had a material role in developing or determining as Director General for the Performance, Strategy and Analysis Group, for the Ministry of Justice, or where he had a relationship with the company or organisation during his time in this role.

14. 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.⁴ 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.

15. By 'privileged information' we mean official information to which a minister or Crown servant has had access as a consequence of his 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 Ministerial Code/Civil Service Code or otherwise.
16. 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.*'
17. Mr Price must inform us as soon as he takes up this work or if it is announced that he will do so. Similarly, he must inform us if he proposes to extend or otherwise change his role with the organisation as depending on the circumstances, it might be necessary for him to seek fresh advice.
18. Once this appointment has been publicly announced or taken up, we will publish this letter on the Committee's website.

Yours sincerely,

Emily Gillman
Committee Secretariat

⁴ 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. Fingleton is a strategic regulatory advisory firm, providing CEOs, their leadership teams and investors advice on:
 - regulatory opportunities and challenges;
 - mergers and acquisitions; and
 - reviews, investigations and appeals.
2. In his paid, full-time role as Director, Mr Price said he will provide advice to CEOs, their leadership teams and investors on:
 - regulatory opportunities and challenges; mergers and acquisitions; reviews; and investigations and appeals in the UK and elsewhere – particularly in relation to investment and growth strategies in infrastructure and other business sectors; and
 - economic and other regulatory strategies for UK and global investors and other businesses, primarily in relation to network utilities and other regulated businesses, supply chains and associated industries.
3. Mr Price said there will be no contact with the MOJ in this role, but he could have limited contact with government through attending conferences or roundtables. Mr Price confirmed he will not be involved in lobbying or bidding for government contracts in this role.
4. Mr Price said he worked with rail, road and utility businesses in his previous role at the Office of Rail and Road, which concluded in 2016.
5. Mr Price's career has been in infrastructure, regulation and economics.⁵

Dealings in office

6. Mr Price informed the Committee that in his capacity as Director General for the Performance, Strategy and Analysis Group, he did not meet with, nor was involved in any policy, regulatory or commercial decisions, nor had access to sensitive information specific to Fingleton.
7. Mr Price told the Committee that there will be no clients, policy or commercially-related issues or relevant official contacts in his role with Fingleton within the scope of his role as Director General for the Performance, Strategy and Analysis Group at the MOJ – with one potential exception:
 - Providing regulatory advice to businesses in legal services. He said

⁵ <https://www.gov.uk/government/people/richard-price>

that the regulation of legal services was not his responsibility, but fell to the Director General for Policy.

8. Mr Price said his teams at the MOJ provided advice on the scope and provision of the Criminal Legal Aid Regulations,⁶ in support of the Director General for Policy. The Criminal Legal Aid Regulations were recently amended and came into force in February 2024. Mr Price said this work is not relevant to the advice he proposes to provide in his role with Fingleton, nor does he plan to conduct any work in the area of criminal legal aid whilst he is under the remit of the Rules.

Departmental assessment

9. The MOJ confirmed the details provided by Mr Price, including that he made no decisions specific to Fingleton and he had no access to information that is likely to offer the company an unfair advantage.
10. The MOJ recommended the standard conditions.

⁶ <https://www.legislation.gov.uk/uksi/2024/58/made>