

Spotlight on Corruption

HoL Constitution Committee call for evidence

1. Spotlight on Corruption is a UK based anti-corruption charity (registration number: 1185872) that monitors how the UK implements and enforces its anti-corruption laws, and complies with its international anti-corruption commitments. Our work includes a Defending Democracy programme which works to ensure the UK's system for regulating political integrity is fit for purpose, and an Ending Impunity programme which monitors anti-corruption enforcement, including a court monitoring programme tracking cases through the courts.

Summary

2. The UK's constitutional democracy is under threat from political movements and political agendas that seek to promote unfettered executive power. Good governance built on the rule of law is critical for a healthy democracy and to prevent corruption which in turn leads to abuse of office, public institutions being hollowed out and in the worst case scenarios, state capture.
3. This submission focuses on the following constitutional guardrails: the Electoral Commission; the constitutional watchdogs (primarily the standards regulators), and the role of transparency in preventing abuse of power by the executive.
4. We focus on the independence of each constitutional guardian or pillar, their resourcing and their powers – to assess their strengths and vulnerabilities in protecting the integrity of the UK's constitution, and throughout how the UK compares with comparator democracies.
5. We find that in each case, stronger safeguards to protect the independence of the regulator is required, and greater attention to sufficient resourcing needed. In particular we find that:
 - a. The oversight body for the Electoral Commission, the Speaker's Committee needs urgent safeguards to prevent it being captured by one party; the budget for the Electoral Commission needs to be reviewed independently given the significant increase in its workload proposed by the measures in the Representation of the People Bill; and that serious attention needs to be paid to beefing up criminal enforcement of egregious political finance rules.
 - b. The standards regulators, including the new Ethics and Integrity Commission, need much stronger statutory protections in primary legislation; the codes that the standards regulators police need stronger statutory protection, particularly the Business Appointment Rules which are currently too weak and largely unenforceable; and there needs to be a review of whether the budgets and powers of the standards regulators are sufficient.

- c. The lobbying transparency regime is not fit for purpose, and the government should adopt the Ethics and Integrity Commission's recommendation for a comprehensive transparency register at pace. We also find that a recent erosion in how the government implements the Freedom of Information Act risks undermining rights to access for citizens, and that the government should engage with stakeholders to ensure best practice.

Is the UK's constitutional democracy under threat? If so, why?

6. In our view, the UK's uncodified constitutional democracy is under serious challenge from political movements that seek to promote unfettered executive power, on the grounds that the executive, once elected, represents the will of the people. This includes political agendas that propose to allow ministers to ignore international law,¹ politicise the judiciary² and civil service,³ govern by 'executive order',⁴ and constrain the role of civil society organisations to hold the government to account.⁵ Lighter versions of this agenda can arguably be seen in other political agendas that focus on dismantling the 'stakeholder state',⁶ and attempts to limit civic space, such as the right to protest and establish limits on judicial review.⁷
7. Good governance – or the effective and accountable exercise of power and public office grounded in the rule of law – is critical for a healthy democracy. Many of the constitutional guardrails that exist to ensure good governance and prevent corruption are similar to those that uphold democracy. Evidence suggests that where rule of law frameworks are eroded, there is a decline in public integrity, and an increase in cronyism in public contracting, greater scope for those in power to accrue significant personal benefit, and greater risks of state capture by a small political or business elite. This in turn can create a vicious downward spiral where unchecked corruption – the abuse of entrusted power for private benefit⁸ – further hollows out public institutions and weakens the checks and balances on executive power.
8. These threats are not unique to the UK. They arise in part from the growth of global, populist movements borne out of dissatisfaction and grievances with existing economic and democratic governance, and fuelled by the new information environment in which democracy is conducted.
9. However, the UK does have some unique vulnerabilities, particularly in its 'good chaps' theory of standards regulation and its reliance on convention, and the fact that many of

¹ [Mason, Rowena., The Guardian, Reform UK would let ministers ignore international law, Kruger says, October 2025](#)

² [Morton, Becky., BBC, Farage threatens to overhaul Lords and judges to meet his pledges, September 2026](#)

³ [Kruger, Danny., Fixing the Centre, May 2026](#)

⁴ [Institute for Government, Is government by executive order a plausible model for the UK?, March 2026](#)

⁵ [Talbot, Charles., Salisbury, Zack, Cambridge Circus Research, Breaking the Blob, June 2026](#)

⁶ [Rea, Ailbhe., The New Statesman, Labour bickers over the 'stakeholder state', January 2026](#)

⁷ [MoJ and MHCLG, press release: Crackdown on baseless legal claims to get Britain building, July 2026](#)

⁸ [Home Office, Anti-corruption Strategy, December 2025](#)

the integrity watchdogs that police the executive are purely advisory or lack sufficient statutory protections.

Who are the key guardians of the integrity of the UK's constitution? What formal or informal powers do they have? How effective are the UK's constitutional safeguards? Where do the vulnerabilities lie? How could potential threats to the constitution be mitigated?

1. This submission focuses on the following constitutional guardians, their powers, and vulnerabilities and makes a series of recommendations for enhancing their effectiveness:
 - a. The Electoral Commission – as the guardian of free and fair elections
 - b. Constitutional watchdogs – as the guardians of integrity in public office
 - c. Transparency of government – as a guardrail against the abuse of executive power

a. Electoral Commission

Independence

10. The Electoral Commission has a unique constitutional status in safeguarding democracy by overseeing fair elections. A truly independent electoral body – free from executive influence – is a legal obligation under various international treaties.⁹ However, in recent years, in some parts of UK political discourse the Commission has been regarded as akin to other 'regulators' or has been talked about in the same breath as unelected 'quangos,' with accompanying threats that it should be subject to greater control by the executive, or abolished.¹⁰
11. Between 2000 and 2020, the UK consistently scored among the highest in the world for electoral body autonomy on V-Dem rankings, scoring 3.74 in 2020. However, between 2020 and 2024, the UK's score fell significantly to 3.12 – placing it below the average for North America, Western Europe and Organisation for Economic Co-operation and Development (OECD) countries. This coincided with repeated criticism of the Electoral Commission following the 2016 referendum and 2019 election, in which it was perceived by those subject to investigations to be enforcing breaches of the rules unfairly.
12. In 2020, the co-chair of the ruling party suggested that the Commission should be abolished or radically reformed and, in 2022, the last government introduced a power for ministers to set the strategy and policy of the Commission. This was widely criticised by constitutional experts, the Speaker's Committee, several other Parliamentary committees, and the Electoral Commission itself.
13. Explicit or implicit threats to abolish the Electoral Commission or curtail its full independence have been repeated more recently. The current government has taken the

⁹ [Hawley, Sue., Parrett-Jung, Sam., Spotlight on Corruption, Democracy in danger, September 2025](#)

¹⁰ [Webb, Stephen., Mansfield, Ian., Richards, Paul., Policy Exchange, Getting a grip on the system, July 2024](#)

welcome step of bringing forward an amendment to the Representation of the People Bill that would remove the power for the minister to set the policy and strategy statement. This was following consistent public criticism of its initial decision to maintain that power.

14. However, there is not yet cross-party consensus on how the Electoral Commission's independence from the executive should be maintained. The Conservative front bench has tabled a counter amendment to the Bill to maintain the power. Meanwhile, there have been suggestions that abolishing the Electoral Commission may form part of the policy agenda of Reform.
15. Furthermore there are several areas in the Representation of the People Bill where the executive is still able to exert significant influence over policies recommended by the Electoral Commission or over the ground-rules for how elections should be conducted. This includes the right of a minister to modify draft statutory guidance from the Electoral Commission on what risk assessments political parties should conduct on political donations.¹¹ It also includes the ability of the government to raise spending limits for political parties in relation to 'the value of money' rather than solely on the recommendation of the Electoral Commission.
16. Neutralising the national electoral body, or amending rules to ensure ruling party capture, has been a significant feature of major democracies that have experienced democratic backsliding. Given the high risks that the Electoral Commission could become subject to increased political pressure, and of being subject to further threats of being abolished, it is critical to look at how the Electoral Commission's unique constitutional position can be strengthened.

Oversight: the role of the Speaker's Committee

17. The Speaker's Committee on the Electoral Commission plays a vital role in holding the Electoral Commission to account. This is critical to ensure the Commission is accountable to Parliament, rather than the executive. As the Public Administration and Constitutional Affairs Committee (PACAC) noted in its 2022 report on the work of the Electoral Commission, "*operational independence and parliamentary oversight are fundamental aspects of the Electoral Commission's governance and accountability.*"¹²
18. The Speaker's Committee is responsible, among other things, for determining the process by which Electoral Commission commissioners are put forward for appointment, for overseeing the process for appointing the Chair of the Boundary Commission, and for examining the estimates of resources needed by the Electoral Commission.
19. However, under the current constitution of the Speaker's Committee there is nothing to prevent a ruling party majority on it. The ruling party has held a majority on the committee in 2019-2020, during a period in 2020-21, and held 50% of the seats during a period in 2022-23, throughout 2023-2024 and on either side of the general election in

¹¹ [Representation of the People Bill as brought to the House of Lords, section 54D \(7\)](#)

¹² [PACAC. The work of the Electoral Commission, October 2022](#)

2024-25. Furthermore, changes under the Elections Act 2022 mean that both the MHCLG Secretary of State and local government minister can both be members of the Speaker's Committee, giving the ruling party at least two slots on the Committee.

20. In order to protect the independence of the oversight of the Commission from capture by a ruling party and executive interference, serious consideration should be given to appointing lay representatives to the Speaker's committee. This would be similar to lay membership of the Independent Parliamentary Standards Authority and Committee on Standards.¹³ Lay members are important for offering an alternative perspective, and ensuring oversight of the Commission does not get bogged down in partisan differences. Additionally, there should be statutory safeguards against a ruling party majority on the Committee and to prevent more than one member of the executive being on it.

Resourcing

21. Under the Representation of the People Bill, the Electoral Commission will be taking on considerable new powers, including enforcement of campaign spending rules for candidates. This is a significant expansion of its remit. Additionally, it will need to produce a significant amount of guidance on the new aspects of the Bill and liaise with its regulated sector on implementation. Ensuring it has adequate resources to implement the new measures effectively, regulate robustly, and engage in enforcement where there are breaches is essential.
22. Our analysis of how the Electoral Commission's budget compares to other jurisdictions suggests that the UK may be currently under-resourcing its electoral body. Although it is difficult to compare directly because of differences in their remit, the UK's Electoral Commission's budget is significantly below other comparator jurisdictions when it comes to budget per voter.

Country	Registered voters (millions)	Annual budget of electoral body (GBP)	Budget per voter (GBP)
United Kingdom	48.2 ¹⁴	£55.1m	£1.14
Australia	18.1 ¹⁵	£442.67m	£24.46
New Zealand	3.6 ¹⁶	£22m	£6.11
Canada	28.7 ¹⁷	£420.44m	£14.63
Ireland	3.6 ¹⁸	£10.3m	£2.86

¹³ [Parliamentary Standards Act, Schedule 3, paragraph 1\(e\), 2009](#)

¹⁴ [IFES, Election Guide: United Kingdom of Great Britain and Northern Ireland, accessed September 2026](#)

¹⁵ [Australian Electoral Commission, Size of the electoral roll and enrolment rate 2025, December 2025](#)

¹⁶ [New Zealand Electoral Commission, Enrolment Statistics, accessed September 2026](#)

¹⁷ [Elections Canada, Voter turnout at federal elections and referendums, accessed September 2026](#)

¹⁸ [IFES, Election Guide: Ireland, accessed September 2026](#)

23. The Impact Assessment for the Representation of the People Bill notes that the Electoral Commission has calculated that the additional measures in the Bill will carry a cost of £13.3 million over 10 years.¹⁹ At just £1.3m per year, it is not clear whether this is a realistic estimate given the expansion of its role and scale of the task of implementing the Bill.
24. In setting the budget of the Electoral Commission, the Speaker's Committee must have regard to the advice of the Treasury. However, in previous years, such as 2025, the Treasury has made clear that the Electoral Commission should fund its priorities *"through efficiencies and cuts to wasteful spending over the next five years rather than through increased budgets."*
25. It is essential that there is an independent review of whether the Commission is sufficiently resourced to fulfil its mandate going forward. Serious consideration should also be given to introducing a mechanism to enable the Electoral Commission to keep at least a portion of the fines it imposes, to reinvest in enforcement and regulatory capacity rather than returning them to the Treasury as currently happens. The Information Commissioner and OFCOM both have powers to do this.

Powers and enforcement

26. Following the Rycroft review, the government has brought forward a series of amendments to the Representation of the People Bill that will significantly strengthen the Electoral Commission's powers. This includes information-sharing powers, and the ability to compel evidence outside a formal investigation. This is highly welcome and will fulfil a series of recommendations made by Parliamentary Committees over a number of years.
27. However, our recent report *Credible Deterrence* found that under its existing powers, the Electoral Commission's enforcement activity has steeply declined since 2019 despite some significant electoral events during that period. Data obtained through a Freedom of Information request shows that the number of investigations opened by the Electoral Commission plummeted by 81% from 69 in 2019/2020 to just 13 in 2024/2025. This is concerning given that public confidence that those who break electoral rules will face consequences has also dropped sharply. In 2018, 60% of those surveyed by the Electoral Commission thought authorities would take action if parties or campaigners broke electoral rules – in 2026 that was just 35%.²⁰
28. More robust scrutiny of the Electoral Commission's enforcement, whether from regular parliamentary review, or an independent inspection would be a useful way to understand why this decline in enforcement activity has happened, and ensure the Commission has a robust enforcement appetite going forward. An additional option would be to look at steps taken in other jurisdictions to instill confidence in the impartiality of enforcement of electoral breaches by having a former or sitting senior judge as chair of the Commission.

¹⁹ [MHCLG, Representation of the People Bill impact assessment, July 2026, page 3](#)

²⁰ [The Electoral Commission, Public attitudes to elections and democracy 2026 findings, June 2026](#)

The current chairs of the Australian Electoral Commission and of New Zealand's Electoral Commission are both former judges. In Ireland and Denmark, the chairs of their electoral bodies are both sitting Supreme Court judges.

29. In order to ensure democratic resilience, enforcement of political finance laws must not, however, be left to the Electoral Commission alone. As Dr Magnus Ohman of the International Foundation of Electoral Systems (IFES) has highlighted: *“no single institution can meet the growing complexity of political finance oversight. Instead, effective control requires the coordinated efforts of multiple entities, including national intelligence units, specialized police forces, tax authorities, auditors, and prosecutors.”*²¹
30. Indeed, given that the Commission's ability to bring criminal prosecutions was removed under the Electoral Act in 2022, it is even more essential that the criminal *“enforcement gap”*, identified by the Electoral Commission and Committee on Standards in Public Life (CSPL) is addressed.²² As CSPL noted in its 2021 report, *“criminal sanctions remain necessary for serious breaches, such as deliberate attempts to circumvent the system.”*²³
31. Following the Rycroft review, the government has said it will leave until a later date the implementation of its Recommendation 11 that it *“ensure the creation and resourcing of a centre of police excellence to pursue the investigation of complex criminal offences under electoral law involving foreign interference in UK politics.”* This recommendation will now be considered during the police reform process, including the introduction of the Police Reform Bill.²⁴ However, this reform process is likely to take some years.
32. The government has also said that it will do further consultation on its Recommendation 12 that the sentences and evidential threshold for electoral finance offences be reviewed. Currently, very low sentences and the high threshold act as a drag on law enforcement appetite to take on these cases, and inhibit them from using particular enforcement powers. In our view, there is no difference between a serious offence under the Bribery Act and a serious offence under electoral law, and the sentences for the most egregious offending should be broadly similar – ie. 10 years. Proportional sentencing can be addressed through subsequent sentencing guidelines.

Electoral Commission: Recommendations:

- There should be a statutory protection against any one party having a majority on the Speaker's Committee.
- At least 5 lay members should be introduced onto the Speaker's Committee to prevent

²¹ [UNCAC Coalition, *What needs to be fixed in political and campaign finance in Europe? Civil society perspectives*, December 2024](#)

²² [Committee on Standards in Public Life, *Review of electoral regulation: Written evidence submissions 1-20, 2021*](#)

²³ [Committee on Standards in Public Life, *Regulating Election Finance*, July 2021, page 1](#)

²⁴ [MHCLG, *The Rycroft Review: HMG response*, July 2026](#)

MPs undermining the Electoral Commission, and to enhance its oversight function and capacity.

- There should be an independent review of the funding needed by the Electoral Commission in order for it to fulfil its new duties under the Representation of the People Bill.
- The Electoral Commission should be empowered to keep at least a percentage of fines levied to reinvest in enforcement.
- Consideration should be given to ensuring that future chairs of the Commission are former senior judges, to reflect the constitutional role that the Commission plays, and to enhance public confidence in enforcement it undertakes.
- The government should designate and provide ring-fenced funding for a single specialist police unit dedicated to criminal enforcement of political finance rules.
- The government should lay out a timeline for implementing the Rycroft recommendations for an increase in sentences with a view to bringing the most egregious breaches of electoral finances offences in line with offending such as bribery, and amending the evidential threshold for serious electoral finance offences.

b. Constitutional watchdogs

Independence

33. The UK has a broad landscape of regulators that oversee the integrity of those in public office, and protect against executive overreach and misconduct. However, of nine national-level regulators,²⁵ only three are backed up by primary legislation.²⁶

34. The Commissioner for Public Appointments' statutory basis is through an Order from the Privy Council which can easily be revoked.²⁷ Three of the national-level regulators – the Ethics and Integrity Commission, the Independent Adviser on Ministerial Standards, and the House of Lords Appointments Commission (HOLAC) – have no statutory underpinning at all and are merely advisory to the Prime Minister. This leaves these regulators vulnerable to having their advice ignored by the Prime Minister (as has happened in the past with HOLAC²⁸), or simply not being appointed by the Prime

²⁵ The Ethics and Integrity Commission, the Civil Service Commission, the Commissioner for Public Appointments, The House of Lords Appointments Commission, the Independent Adviser on Ministerial Standards, the Registrar of Consultant Lobbyists, the Parliamentary Commissioner for Standards, the Independent Parliamentary Standards Authority, and the Lords Commissioner for Standards.

²⁶ The Civil Service Commission (the Constitutional Reform and Governance Act 2010), the Registrar of Consultant Lobbyists (the Lobbying Act 2014), and the Independent Parliamentary Standards Authority (Parliamentary Standards Act 2009)

²⁷ [Public Appointments Order in Council 2025](#)

²⁸ [House of Lords. House of Lords Appointments Commission: role and powers. September 2026](#)

Minister (as has happened with the Independent Advisor).²⁹ As they exist by convention only, it also leaves them vulnerable to being abolished altogether.

35. In 2021 the Committee on Standards in Public Life recommended that the Independent Advisor on Ministerial Standards, the Commissioner for Public Appointments, and the now abolished Advisory Committee on Business Appointments should be put into primary legislation, along with the codes that they oversee. It noted that the failure to have legislative backing not only made them vulnerable to executive interference, but also “*tempers their independence and may diminish the appetite of regulators to speak out.*”³⁰
36. In October 2025, the government established the Ethics and Integrity Commission (EIC) to strengthen and reform the Committee on Standards in Public Life.³¹ It is “*an independent, advisory, non-departmental public body that reports to the Prime Minister,*”³² whose terms of reference can be revised annually by the Cabinet Office.
37. The EIC’s responsibilities are to: promote and safeguard the Seven Principles of Public Life, conduct inquiries to ensure the highest standards in public life, advice authorities on codes of conduct, report annually to the Prime Minister on the health of standards in public life, convene standards and ethics regulators across government and parliament, and inform the public. Its remit is to examine the systems that uphold conduct and examine arrangements relating to the funding of political parties. However, it may not inquire in matters relating to devolved administrations without their agreement, or investigate individual cases.³³
38. The EIC has been a welcome development in terms of the visibility and coordination of standards regulators and has taken promising steps towards establishing itself as an independent body, with its own website separate from gov.uk. Evidence from other standards regulators earlier in 2026 to the Public Administration and Constitutional Affairs Committee has highlighted how positive the launch of the EIC has been, and the potential for it to bring real benefits to the standards landscape.³⁴
39. However, like the CSPL before it, the EIC does not have statutory footing. This carries several risks: that it might be seen as an unnecessary quango that could simply be abolished by a future government not concerned about ethics, and that the government might not treat its recommendations as seriously as it should.

²⁹ [Durrant, Tim., Institute for Government. *Neglecting ethical standards would harm a Truss or Sunak premiership.* August 2022](#)

³⁰ [CSPL. *Upholding standards in public life: final report of Standards Matter 2 review.* 2021. page 45](#)

³¹ [Ethics and Integrity Commission, *Our remit*, accessed September 2026](#)

³² [Ethics and Integrity Commission, *Implementation plan*, 2025](#)

³³ [Ethics and Integrity Commission, *Terms of reference*, accessed September 2026](#)

³⁴ [PACAC. Oral evidence: *property, ethics and the wider standards landscape in the UK.* HC 899, February 2026, page 2](#) and [PACAC. oral evidence: *the work of the Civil Service Commission.* HC 625, January 2026, page 3](#)

40. Additionally, its lack of statutory footing has started to cause complications in relation to particular areas related to its responsibilities. The EIC has been tasked for instance with playing a key role in the new statutory requirement in the Public Office (Accountability) Bill for public authorities to have a code of conduct and it has been designated as the Centre of Excellence on public codes of ethical conduct. Its terms of reference specifically state that it will “*advise public authorities on the development of clear codes of conduct with effective oversight arrangements,*” in line with the Bill.³⁵
41. However, within the Bill, the EIC is not specified as the appropriate national authority that will issue guidance on codes of conduct that public authorities must have regard to. This risks undermining the authority of the EIC in setting ethical standards. It also creates risks that a government minister or department will be able to override advice provided by the EIC on the content of codes.
42. Ensuring that the standards regulators, including the EIC, have a stronger statutory basis is critical to ensuring that they are able play an effective and robust role as constitutional watchdogs. It would also ensure that there are stronger protections against any of them being abolished by a future government that does not feel itself bound by democratic norms.

Resourcing

43. The creation of the EIC has led to a very welcome increase in resourcing for the standards landscape. Whereas the CSPL had 4.5 staff, and a budget of around £425,000, the EIC has an indicative budget of £1 million for 2026/27, and is expected to have 18 full-time staff.³⁶
44. In contrast to the transparency of funding for the EIC, the budget for the Independent Advisor on Ministerial Standards (IA) is subsumed under general Cabinet Office accounts with no separate budget line. In March 2024, Riddell and Hazell found that the IA had four staff.³⁷ Since October last year, the IA’s remit has considerably expanded, as he has taken on oversight for the Business Appointment Rules (BAR) for ministers.³⁸ It is not in the public domain as to what increase in staff or budget the IA’s office has received to take on this expanded remit.
45. The lack of transparency about the staffing and budget for the IA contrasts with that of the Commissioner for Public Appointments, whose budget is a separate budget line in the Civil Service Commission’s annual reports. The Commissioner as of 24/25 had a budget of £320,387.³⁹

³⁵ [Ethics and Integrity Commission, *Terms of reference*, accessed September 2026](#)

³⁶ [Written question from Mike Wood MP to the Cabinet Office, *Ethics and Integrity Commission*, February 2026](#)

³⁷ [Hazell, Robert., Riddell, Peter., UCL: Constitution Unit, *Trust in public life: restoring the role of constitutional watchdogs*, March 2024, page 18](#)

³⁸ [The Modern Regulator, *Transforming the UK’s revolving door*, October 2025](#)

³⁹ [Cabinet Office, *Civil Service Commission annual report and accounts 2024-2025*, November 2025](#)

46. The Civil Service Commission has also taken on increased responsibilities since ACOBA was abolished, in relation to overseeing the BAR for civil servants. It has flagged that it needs additional resources to do this.⁴⁰ Resourcing will need to be further reviewed in light of its recommendations about how to improve the BAR and increase their reach.⁴¹ It is not yet clear what budget uplift the CSC has received to oversee the BAR, or whether it has made estimates of what budget it would need to implement and oversee new enhanced rules.
47. In our submission to the PACAC in August 2025, we recommended that one of the first tasks of the EIC should be to review the budgets of standards regulators to ensure they are sufficient for fulfilling their remit. If the EIC is not the suitable body to conduct this, we recommend an independent review or a review by the National Audit Office of this.

Powers and enforcement

48. The EIC has no powers of enforcement. Given its role in advising on codes of ethics, if it is given statutory footing then consideration needs to be given as to whether it will need new powers to ensure that those public bodies that do not comply with the requirements laid out in Public Office (Accountability) Bill with regards to codes of conduct can face meaningful consequences. It is currently not clear what accountability mechanism the government foresees for this.
49. The overall lack of enforcement and sanctioning powers for standards regulators generally has been raised repeatedly as an area of concern, particularly given the public's appetite for robust enforcement. In our evidence to the PACAC on the work of the EIC, we recommended that the EIC should undertake a full review of the powers available to standards regulators as one of its early pieces of work. We would encourage the EIC to consider making this a focus of its next review. We also recommend as part of that that the EIC review whether there are any serious accountability or enforcement gaps within the standards framework.
50. The Independent Advisor has had some increases in powers under the new government. In 2024, the government gave the Independent Advisor the power to initiate their own investigations.⁴² The IA may now advise on whether a breach has occurred and whether there should be a sanction.⁴³ There is, however, an ongoing lack of clarity about whether the Prime Minister can be held to account where they breach the ministerial code. Lord Geidt, the IA under Boris Johnson, resigned⁴⁴ after signalling that it appeared that Boris Johnson was intending to deliberately breach his own ministerial code – something Lord Geidt described as “*an affront*” which, if pursued, would essentially suspend the code and make a mockery of it. The Anti-Corruption Champion

⁴⁰ [Letter from First Civil Service Commissioner to Minister for the Cabinet Office, July 2025, page 2](#)

⁴¹ [Civil Service Commission, *Business appointment rules audit*, September 2026](#)

⁴² [Cabinet Office, *New Ministerial Code to set out standards in public life and restore transparency*, November 2024](#)

⁴³ [Terms of reference for the Independent Adviser on Ministerial Standards, October 2025](#)

⁴⁴ [Letter from Lord Geidt to to Prime Minister Boris Johnson, June 2022](#)

at the time, John Penrose, resigned shortly afterwards, noting that Sue Grey's report into partygate clearly showed that Boris Johnson had broken the ministerial code – something that should be a resigning matter.⁴⁵

51. Additionally, in July 2025, the government announced new rules that would require ministers to forgo their severance payment if they breached the Ministerial Code or repay it if they breach the BAR.⁴⁶ However, there is no legislative basis for them to require this,⁴⁷ and the severance payments that would need to be returned (which range from between £5,594 to £18,860) are nothing compared to the six- or seven-figure sums a minister can make on leaving office.⁴⁸ Other countries like France and the US impose legally enforceable fines for breaches of the rules, and the US also imposes fines on businesses where breaches occur.
52. The chair of the Civil Service Commission (CSC) has flagged that its role in relation to the Business Appointment Rules remain 'advisory,' that the rules are owned by ministers, and that this creates "*a bit of a challenge*" for the CSC.⁴⁹ There are no specific requirements for there to be contractual terms in civil service contracts to ensure the BAR can be enforced and the CSC's most recent review of Departmental practice found that just 9 out of 17 departments included any such terms.⁵⁰ She has also flagged that the CSC does not have a statutory remit for the diplomatic service, the intelligence service or the military – and therefore they cannot apply the BAR to civil servants in these sectors. There would need to be a statutory change to ensure all civil servants are dealt with by the CSC – something the chair has indicated would be desirable for consistency and coherence.

How other jurisdictions compare

53. The devolved governments of the UK have their own ethics regulators,⁵¹ all of which were introduced on a statutory footing. Although none can directly enforce sanctions, the Standards Commissioner for the Northern Ireland Assembly can investigate elected representatives in their ministerial capacity.⁵² Local government bodies in the devolved nations also have standards regulators, operating on a statutory footing.⁵³ The Standards Commission in Scotland and the Local Government Commissioner for

⁴⁵ [Tweet by John Penrose, June 2022](#)

⁴⁶ [Written statement by Pat McFadden, Government of service, July 2025](#)

⁴⁷ [Durrant, Tim., et al, Institute for Government, Jobs after government: rules for ex-ministers and civil servants, March 2021](#)

⁴⁸ [Kingstone, Kamila., Spotlight on Corruption, Lobbying review: an opportunity not to be missed, June 2026](#)

⁴⁹ [PACAC, oral evidence: the work of the Civil Service Commission, HC 625, January 2026, page 7](#)

⁵⁰ [Civil Service Commission, Business appointment rules audit, September 2026, page 8](#)

⁵¹ [Ethical Standards Commissioner \(Scotland\)](#), [Senedd Standards Commissioner \(Wales\)](#), and [Standards Commissioner \(Northern Ireland Assembly\)](#)

⁵² [UK Constitutional Law Association, Mike Gordon, Creating an Ethics and Integrity Commission in the UK, June 2023](#)

⁵³ [Ethical Standards in Public Life etc. \(Scotland\) Act, 2000](#), [Public Services Ombudsman \(Wales\) Act, 2005](#), and [Local Government Act \(Northern Ireland\), 2014](#)

Standards in Northern Ireland have the powers to both investigate allegations of misconduct and directly impose any necessary sanctions on councillors.⁵⁴

54. France's equivalent of the Ethics and Integrity Commission – the Haute Autorité pour la Transparence de la Vie Publique – was established in statute in 2013.⁵⁵ Unlike the EIC, it has responsibilities for monitoring conflicts of interest, regulating lobbying, and the regulation of foreign influence. With a budget of €12.7m and with 79 employees in 2025,⁵⁶ it checked 5,795 conflict of interest declarations and referred 57 cases to court,⁵⁷ and had 3,526 entities registered as lobbyists and referred 19 lobbying cases to court.⁵⁸
55. Canada's Office of the Conflict of Interest and Ethics Commissioner is also on a statutory footing,⁵⁹ and, unlike the UK's Independent Advisor, has the power to investigate the prime minister. In 2019, for example, the Commissioner concluded that Prime Minister Justin Trudeau had broken the Conflict of Interest Act 2006 by attempting to influence the attorney general in an ongoing criminal case against construction company, SNC-Lavalin.⁶⁰ Although the Commissioner had no power to impose sanctions, there were several resignations as a result of his findings.

Constitutional Watchdogs: recommendations

- The government should bring forward legislation at pace to place the Ethics and Integrity Commission, the Independent Advisor on Ministerial Standards, the Commission for Public Appointments, and the House of Lords Appointment Commission on a statutory footing.
- The government should bring forward legislation to place the duty for a Prime Minister to bring forward a Ministerial Code based on the seven Nolan Principles on a statutory footing. It should also place the Governance Code for Public Appointments on a statutory footing.
- The government should ensure that there is full transparency about the funding of different parts of the standards system and consideration should be given to the National Audit Office conducting a review of whether the standards system is appropriately resourced.
- The Ethics and Integrity Commission should lead a period of sustained public engagement and communication about the state of standards and public integrity to give confidence to the public.
- The Ethics and Integrity Commission should conduct a review of the powers and enforcement of standards regulators to see whether they are sufficiently robust to

⁵⁴ [Standards Commission Scotland](#) and [Northern Ireland Local Government Commissioner for Standards](#)

⁵⁵ [LOI n° 2013-907 du 11 octobre 2013 relative à la transparence de la vie publique](#)

⁵⁶ [HATVP, annual report 2025, page 17](#)

⁵⁷ [HATVP, annual report 2025, page 30](#)

⁵⁸ [HATVP, annual report 2025, page 31](#)

⁵⁹ [Canada, Parliament of Canada Act 1985, section 81](#) and [Conflict of Interest Act 2006](#)

⁶⁰ [BBC, Trudeau broke rules in SNC-Lavalin affair, says ethics tsar, August 2019](#)

uphold standards in public life.

- The Business Appointment Rules should be considerably enhanced and given statutory backing, with meaningful legally enforceable penalties.

c. Transparency of government

Transparency as a constitutional safeguard

56. Transparency of government is vital to prevent abuse of power, protect public resources, and ensure public trust. The right and ability of citizens to access information is a key plank of good governance and anti-corruption under the UN Convention Against Corruption (under Articles 10 and 13).⁶¹
57. The OECD has found that transparency is one of the key drivers of trust, particularly where trust is low to start with.⁶² Specifically, it has found that 51% of OECD citizens who find information about administrative processes easily available trust their government, whereas among citizens who find that information is not easily available, trust in government is only 22%.⁶³
58. The UK is among the worst performers in the OECD when it comes to trust in government, with just 27% of the population showing trust in national government, compared to 49% in Canada and 62% in Switzerland.⁶⁴ The UK has also fallen from 3rd to 24th in the Open Government Partnership rankings between 2014 and 2023.⁶⁵
59. As the Institute for Government points out, greater transparency across government can also improve governance. Publishing more information can increase competition and push down prices in procurement processes, encourage departments to meet performance targets, and improve government performance through greater public scrutiny.⁶⁶ Greater transparency across government can also help the public understand how the government is making policy and can encourage the government to ensure it meets a wider range of stakeholders.
60. The key areas where transparency is vital that this submission will focus on are: who is lobbying the government and the right to information under the Freedom of Information Act. Transparency in public procurement is also an area of vital importance,⁶⁷ and

⁶¹ [UN Convention Against Corruption, 2004, pages 10 and 15](#)

⁶² [OECD, Anti-Corruption and Integrity Outlook, 2024, page 60](#) and [OECD, OECD survey on drivers of trust in public institutions, 2024, page 138](#)

⁶³ [OECD, Anti-Corruption and Integrity Outlook, 2024, page 55](#)

⁶⁴ [OECD, Foundations for Growth and Competitiveness, Public integrity graph, accessed April 2026](#)

⁶⁵ [Baker, Finn., Institute for Government, The UK needs to regain its status as a pioneer in government transparency, October 2024](#)

⁶⁶ [Savur, Sachin., Baker, Finn., Durrant, Tim., Institute for Government, The benefits of transparency: why being more open is good for government, Pages 14-17](#)

⁶⁷ [Public io, Procurement Act 2023: an impact review, July 2026](#)

despite some promising progress since the Procurement Act 2023 came into force, transparency gaps remain.⁶⁸ However it is beyond the scope of our submission to cover this.

61. Transparency around who is lobbying the government is vital for the public to understand who is influencing their representatives. It was significantly enhanced by the gradual introduction, in 2009, of quarterly government transparency releases of ministerial and senior official meetings, gifts, hospitality, and travel,⁶⁹ and its insertion into the ministerial code.⁷⁰ It was enhanced further in 2014 by the adoption of the Lobbying Act, which established the lobbying register and Office for the Registrar of Consultant Lobbyists.⁷¹
62. These advancements, however, contain many serious failings. As the Committee for Standards in Public Life (CSPL) found in 2021, *'the current system of transparency around lobbying is not fit for purpose. It is too difficult to find out who is lobbying government...and information in the public interest is often excluded from data releases completely.'*⁷² It highlighted in particular the need to improve the accessibility, quality, scope, and frequency of transparency releases.
63. Government progress on transparency since CSPL's report has been markedly limited. Our scorecard on the implementation of their recommendations reveals that the Labour government under Keir Starmer only accepted one recommendation – to cover senior civil servants in transparency releases – while failing to implement any of the others⁷³ and Andy Burnham's government has not yet gone further. This means that the most important of CSPL's recommendations – of having a single, accessible, portal of releases – has gone unfunded and unimplemented.⁷⁴ The lobbying register also remains narrow in its scope: capturing only the 4% of lobbyists who are consultants, and not the remaining 96% who are in-house.⁷⁵
64. The UK is increasingly lagging behind other OECD countries when it comes to lobbying transparency (including Finland, Germany, Canada, Ukraine, Chile, Ireland and France), as well as lagging behind Scotland and the EU. Most of these countries include in-house lobbyists, cover members of parliament, and have a statutory code of conduct for lobbying. The OECD has itself assessed that the UK's lobbying register falls short of best practice in so far as it does not have a code of conduct for lobbying, does not

⁶⁸ [Malothu, Sai Keerthana.. *Transparency Without Intelligence: The Procurement Act 2023 and the Unaddressed Analytics Gap in UK Public Procurement*, April 2026](#)

⁶⁹ For example: [DfT, ministerial and special adviser meetings 2009 to 2013](#)

⁷⁰ [Cabinet Office, *Ministerial Code*, paragraph 8.13](#)

⁷¹ [Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014](#)

⁷² [CSPL, *Upholding standards in public life: final report of Standards Matter 2 review*, 2021, page 11](#)

⁷³ [Hawley, Susan., *Spotlight on Corruption. Lobbying scorecard: what has happened to lobbying transparency under the new government?*, 2024](#)

⁷⁴ [Written question from Mike Wood MP to the Cabinet Office, *Government departments: disclosure of information*, 2025](#)

⁷⁵ [Swann, Juliet., *Transparency International UK. Lobbying, disclosure, and access to government*, 2026](#)

require disclosure of the legislation, or policy area being targeted or the budget for the lobbying involved, and is not searchable by the legislation or policy being targeted.⁷⁶

65. Following the Mandelson scandal, the government commissioned the EIC to conduct a review of the lobbying rules. In its report, the EIC concluded that *'the existing system for ensuring the transparency of lobbying is wholly inadequate'* and that *'fundamental change is now required'*.⁷⁷ Like CSPL, it found, among other aspects, that government transparency releases needed to be made more accessible and detailed and that loopholes in the Lobbying Act should be closed.
66. The EIC has recommended that the government create a single consolidated transparency register, which brings together the government transparency releases and an expanded lobbying register that captures all lobbying activity (including informal lobbying). This register would be overseen by the Registrar with a revised remit as the Office of the Registrar of Lobbyists and the Cabinet Office.
67. Adopting these recommendations would be a vital measure for ensuring greater transparency in public life. Some of these changes will require primary legislation. However, there are significant immediate steps that the government can take to improve transparency immediately and implement the EIC's recommendations. The government is due to respond to the EIC over the autumn – and its response will be one of the first tests of the government's willingness to implement the Commission's recommendations.
68. Transparency on lobbying on its own is not enough to restore public trust, however. It has to be combined with greater efforts by the government to ensure equitable access for a wide range of stakeholders to government decision-makers. This means proactively reaching out to under-represented voices – such as members of the public, civil society organisations, trade unions, academics, and small businesses – using innovative participation mechanisms such as citizens' assemblies, and running more inclusive consultations.
69. Beyond transparency about meetings, the Freedom of Information (FOI) Act is a crucial mechanism to ensure the public has access to information on government decision-making. In recent years, the government's management of the FOI regime has come under sharp scrutiny. This has followed revelations around the operations of a secretive 'clearing house' unit in the Cabinet Office' which co-ordinated, and in many cases, profiled applicants and screened politically sensitive FOI requests across Whitehall departments.⁷⁸

⁷⁶ [OECD, *Transparency of lobbying activities and prevention of undue influence*, accessed April 2026](#)

⁷⁷ [Ethics and Integrity Commission, *Lobbying, business appointment rules, and disclosure*, 2026, page 9](#)

⁷⁸ [Open Democracy, *How the UK government is undermining the Freedom of Information Act*, November 2020](#)

70. In 2021, the clearing house was subject to an inquiry by the Public Administration and Constitutional Affairs Select Committee⁷⁹ and a subsequent internal review by the Cabinet Office⁸⁰ which recommended its replacement with an FOI centre of excellence.
71. However, three years on from this review, recent reporting from the investigative journalist, George Greenwood, suggests that there has been no update on the progress made by this centre of excellence and contradictory accounts from the government about whether it is actually in place.⁸¹ There are also some indications that the government is in fact adopting a more defensive approach. Over 2024 and 2025, the government spent over £1m in legal fees over disputed FOI cases.⁸²
72. Furthermore, in recent months, the government has discussed proposals to reduce the cost ceiling for processing FOI requests, making it easier for government departments to reject requests.⁸³ In the second quarter of 2026, 30% of FOI requests were rejected due to the cost of the response exceeding the limit.⁸⁴ Transparency campaigners, MySociety, have argued that *“Rather than reducing public transparency, public authorities should invest in their own processes and data to better meet internal and external needs”*.⁸⁵

Resourcing

73. The current register of consultant lobbyists is overseen by the Office of the Registrar of Consultant Lobbyists. The Office had a budget for 2026/27 of £473,000.⁸⁶
74. If the government adopts the EIC's recommendation for a single consolidated lobbying register there will be cost implications. The EIC has recommended that a suitable way to fund the consolidated transparency register would be through a graduated fee structure. Currently well over half of ORCL's income – £235,771 – comes from fees and with an expanded register this would rise. However, registration for lobbying registers in comparator OECD jurisdictions – including Australia, Canada, the EU, France, Germany, Scotland, USA, and Ireland – is free. The EIC has argued that in the current funding environment it is unlikely to be realistic for the new register to come from public funding.
75. It is highly likely that the government will need to commit some public resources to making the EIC's central recommendation work. The Scottish government has committed to spend £2 million over a 9.5 year period to update and roll out its lobbying register.

Powers and enforcement

⁷⁹ [Public Administration and Constitutional Affairs Select Committee, Inquiry: The Cabinet Office Freedom of Information Clearing House. 2021](#)

⁸⁰ [Cabinet Office, Freedom of Information – FOI Clearing House Review. December 2023](#)

⁸¹ [Relight my FOIA, The hunt for the missing FOI “centre of excellence”, September 2026](#)

⁸² [Democracy for Sale, Government spent over £1m on court cases to keep information secret, March 2026](#)

⁸³ [Financial Times, UK considers FOI clampdown as requests soar, March 2026](#)

⁸⁴ [Cabinet Office, Freedom of Information statistics: April to June 2026 bulletin, September 2026](#)

⁸⁵ [MySociety, Reducing FOI cost limits will reduce government transparency, March 2026](#)

⁸⁶ [ORCL, Statement of accounts 2025-26, July 2026](#)

76. Despite being created to enforce the lobbying rules, ORCL's powers are notably constrained. While they can investigate non-compliance, require lobbyists to provide certain information, and refer cases for criminal prosecution, in reality the number of loopholes in the Lobbying Act makes it extremely difficult to regulate lobbying activity. They also do not have the power to regulate the lobbying of parliamentarians or remove organisations from the lobbying register.⁸⁷

77. The £7,500 civil sanction that ORCL can impose⁸⁸ is also far too weak to deter non-compliance, and risks being seen as a cost of doing business. By comparison, the ORCL equivalent in Canada can fine C\$200,000⁸⁹ (around £108,000), in the US \$200,000⁹⁰ (around £150,000), and in Germany €50,000⁹¹ (around £43,000). While it would require primary legislation, the UK government should raise the maximum fine that ORCL can impose, with the Ethics and Integrity Commission recommending that the government set the fine following consultation.

78. Concerningly, there are few consequences for government departments that fail to publish transparency releases or meet the guidance about what they should include. The Ethics and Integrity Commission has recommended that, as a minimum, there should be a dashboard reporting which departments are late in submitting their returns, to encourage them to submit on time.⁹²

Transparency in government: recommendations

- The government should accept the Ethics and Integrity Commission's recommendations to improve lobbying rules, particularly the creation of a single, accessible portal to view transparency releases, and bring forward primary legislation to reform the 2014 Lobbying Act at the earliest possible opportunity. It should also proceed at pace to implement recommendations that can be done prior to legislation being introduced.
- The Cabinet Office should engage with stakeholders like My Society to develop best practice on FOI responses.

⁸⁷ [Written question from Lord Hain, Transparency of Lobbying, Non-party Campaigning and Trade Union Administration Act 2014, September 2017](#)

⁸⁸ [Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014, 16\(3\)](#)

⁸⁹ [Government of Canada, Lobbying Act 1985, Section 14](#)

⁹⁰ [2 US Penal Code § 1606](#)

⁹¹ [Germany, Lobbying Register Act \(Lobbyregistergesetz\), Section 7\(3\)](#)

⁹² [Ethics and Integrity Commission, Lobbying, business appointment rules, and disclosure, 2026, page 5](#)