

Parliamentary standards and reputation

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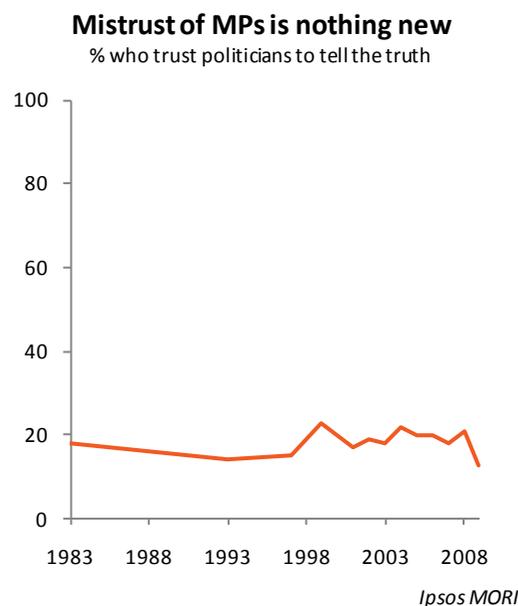
Building on the creation of IPSA, parties have further proposals to restore trust in politics - but mistrust is longstanding

Press and public reaction to the 2009 expenses scandal prompted political parties to end the practice of MPs determining their own allowances, and to address wider questions about the role and reputation of the House of Commons. Further pressure followed the disclosure that MPs had offered to lobby ministers for money: all three main parties responded with immediate proposals to regulate lobbying. The new Parliament will be under the spotlight as never before for probity, but may also host a more widespread debate about what MPs are there to do.

Although many advocated an immediate General Election to bring closure to the expenses scandal, the political parties worked together in an attempt to rebuild trust. The party leaders and Speaker agreed immediate changes to the 'second home' allowance in May 2009 and agreed to create an independent body to determine allowances for Members. Individual parties also took steps to prevent some MPs from standing at the General Election; and three former MPs are before the courts as a result of their expenses claims.

IPSA

The Parliamentary Standards Act 2009 established the Independent Parliamentary Standards Authority (IPSA), covering the Commons only. A transitional IPSA team began work in autumn of 2009. In March 2010, the new body published *The MPs' Expenses Scheme*, which came into force on the day after the General Election. Members have no role in approving the Scheme. *The Scheme depends on IPSA interpretation at some key*



points. Will MPs challenge its authority? Will the public be convinced that the new system is more robust and sufficiently independent?

While the November 2009 Committee on Standards in Public Life's review of Members' expenses welcomed the creation of IPSA, it recommended that IPSA should also have responsibility for MPs' pay. Subsequently, the Parliamentary Standards Act 2009 was amended to give IPSA responsibility not only for Members' pay but also for pensions. Other changes created a Compliance Officer to investigate allegations on misuse of allowances. *Will the Compliance Officer model prove effective in dealing with subsequent allegations, or will the Officer's authority be challenged by legal action by MPs?*

The behaviour of MPs is now subject to scrutiny from various watchdogs. The non-statutory

Parliamentary Standards Commissioner investigates complaints about failure to register or declare financial interests or inappropriate lobbying in Parliament – all of which are breaches of the Members' Code of Conduct. The IPSA Compliance Officer will investigate expenses matters. The Electoral Commission has a statutory role to check that donations and loans to MPs are properly recorded. There has been a marked shift away from the traditional self-regulation of the House, although the basic principles of parliamentary privilege have been left intact. We can expect the activities of IPSA to be subject to sustained scrutiny by MPs, as the new body develops its authority over expenses, independently of the House of Commons. IPSA is also committed to consult on the role of an MP. *Will suggestions from IPSA that it has a role in determining the proper activities of MPs prove controversial, as MPs balance constituency concerns against the demands of scrutiny of legislation and policy?*

LOBBYING

The political parties responded to concerns over lobbying in March 2010, and set out proposals in their manifestos. The Labour Party and the Liberal Democrats both proposed a statutory register of lobbyists while the Conservatives said they would concentrate rule changes on former Ministers taking up lobbying and business posts; they would legislate if the lobbying industry did not regulate itself. Labour also proposed further regulation of MPs' employment outside Parliament. Would all lobbyists, even charities, have to appear in a statutory register? Who would regulate failures to register? Should those being lobbied have to report each approach by lobbyists? How should

ex-Ministers be regulated? Should MPs be allowed to take on any paid outside work?

RECALL

Should the public not be satisfied with the way with which future wrongdoing is dealt, the three main parties have all proposed that Members could be subject to the right of recall. The right of recall is a mechanism allowing voters to trigger a procedure that could lead to the removal of a sitting representative between General Elections. The concept has a long political history and was the means used in the United States in 2003 to remove Governor Gray Davis of California, who was subsequently replaced by Arnold Schwarzenegger following a special election. What is serious wrongdoing? Will IPSA or the Committee on Standards and Privileges have to reach a judgment before the public can indicate their views? Will recall be used in practice and if so, will it work?

WILL THE REPUTATION OF THE HOUSE OF COMMONS AND ITS MEMBERS BE RESTORED?

Will these measures result in an improvement in the reputation of the House of Commons and MPs? It is far from clear. The Hansard Society's 2010 Audit of Political Engagement found that the expenses coverage acted mainly to harden long-standing scepticism among those already inclined to distrust politicians. If politicians were not trusted long before the scandal, can these changes be reasonably expected to increase trust?