



Report of the Standards Committee

Appointment of Co-opted Members

To be presented on Thursday, 7th March 2019

*To the Right Honourable The Lord Mayor, Aldermen and Commons
of the City of London in Common Council assembled.*

Summary

The Standards Committee comprises sixteen Members, four of whom are co-opted and must not be members of the Court of Common Council or employees of the City Corporation. Whilst Co-opted Members are no longer a statutory requirement and have no formal vote, following the introduction of the Localism Act 2011, the City of London Corporation has agreed to the inclusion of Co-opted Members on the Committee to maximise the breadth of knowledge and experience available.

There is currently one co-opted vacancy on the Committee and, following a recruitment exercise, Nicholas Cooke Q.C. has been nominated by the Selection Panel to serve on the Standards Committee.

Recommendation

We **recommend** that the Selection Panel's recommendation that Nicholas Cooke Q.C. be appointed to serve as a Co-opted Member of the Standards Committee for an initial two-year term (in order to better regulate the terms of office of Co-opted Members of the Standards Committee) expiring in March 2021 be approved. It should be noted that, thereafter, Mr Cooke Q.C. would be eligible for re-appointment for a further, full, four-year term.

Main Report

1. The Standards Committee comprises sixteen Members, four of whom are Co-opted Members and must be independent from the City Corporation (i.e. must not be members of the Court of Common Council or employees of the City Corporation). Whilst Co-opted Members are no longer a statutory requirement and no longer have a formal vote, following the introduction of the Localism Act 2011, the City of London Corporation has approved the continued inclusion of Co-opted Members on the Standards Committee to maximise the breadth of knowledge and experience on the Committee. Co-opted Members are entirely separate from the three statutory “Independent Persons” appointed under the Localism Act 2011 who must be consulted in relation to any investigation but who are not formal members of the Committee.
2. A vacancy for a Co-opted Member of the Standards Committee first arose in July 2016 following the decision of Felicity Lusk to step down with immediate effect due to her departure from the UK to work abroad. The appointment process was commenced in Autumn 2016.
3. A total of six applications were received and reviewed by the Selection Panel. The Selection Panel consists of the Chairman and Deputy Chairman of the Standards Committee, the Chief Commoner and the Chairman of the General Purposes Committee of Aldermen (the composition of the Panel is as determined by the Court of Common Council on 1 May 2014). Two candidates were invited to interview but, unfortunately, neither was considered appropriate for appointment.
4. The Chairman of the Standards Committee sought the Standards Committee’s views as to how they wished to proceed at this stage. Members were of the view that the recruitment process should be paused, particularly given the fact that there was a degree of uncertainty around the future constitution of the Standards Committee whilst the review of the Standards framework was ongoing.
5. At the conclusion of the review of Standards framework and confirmation that the constitution of the Standards Committee, in terms of Co-opted Members, was to remain unchanged a second recruitment campaign commenced in late August 2018. The Selection Panel was reconvened in October 2018 to consider the eight valid applications received.
6. Applicants were asked to demonstrate:-
 - an understanding of the role and objectives of the City of London Corporation;
 - community or business experience (preferably, you will either have lived or worked in the City for a number of years);
 - an insight into and understanding of the demands and pressures placed on individuals in public service;
 - the ability to think logically and in an impartial manner;
 - an understanding of the Nolan Principles of Public Life: selflessness; integrity; objectivity; accountability; openness; honesty and leadership
 - good questioning skills;

- the ability to attend any meetings that are necessary for the conduct of business associated with the local Standards regime; and
- experience of assessing people's conduct.

7. Following assessment by the Panel, three candidates were invited to attend interview in December 2018.
8. The purpose of this report is to seek approval to the recommendation of the Selection Panel - that Nicholas Cooke Q.C. be appointed to fill the existing Co-opted Member vacancy. The recommendation of the Selection Panel was considered and approved for onward submission to the Court by the Standards Committee at their 25 January 2019 meeting.
9. **Nicholas Cooke Q.C.** has not previously served as a Co-opted Member of the Standards Committee. Mr Cooke Q.C. has served as a Judge at the Central Criminal Court where he developed an affection for and interest in the City. He is a Freeman of the City and a Liveryman of the Worshipful Company of Fan Makers.

Mr Cooke has been involved in the law as a student, junior barrister, Queen's Counsel and Judge for 45 years. He has sat as a part time and full time judge for 25 years. At the bar, Mr Cooke dealt with many cases involving professional standards and standards in local government and other aspects of public life. He has lectured to bar students on professional ethics.

As a deputy High Court Judge, he has dealt with many cases of judicial review of a very wide variety of public bodies. Most recently, this year, he has dealt with cases in the Queen's Bench Division concerned with the disallowance of banker's discretionary bonuses for misconduct and investment fraud. Mr Cooke also sat for 10 years as an additional judge of the Court of Appeal (Criminal Division).

Mr Cooke was a member of the former Lord Mayor's Panel for his annual Gresham Lecture, concerned with restoring trust in business and has also recently delivered a Gresham Lecture on "Bribery and Corruption in the City".

10. The Standards Committee are pleased to endorse the Selection Panel's **recommendation** that Nicholas Cooke Q.C. be appointed to serve on the Standards Committee as Co-opted Member for an initial two-year term expiring in March 2021. It should be noted that, thereafter, Mr Cooke Q.C. would be eligible for re-appointment for a further, full, four-year term.

All of which we submit to the judgement of this Honourable Court.

DATED this 25 January 2019.

SIGNED on behalf of the Committee.

Oliver Arthur Wynlayne Lodge,
Chairman of the Standards Committee