

Mr William Shawcross CVO
Commissioner for Public Appointments
G/8, 1 Horse Guards Road
London
SW1A 2HQ



24 November 2021

Dear Mr Shawcross

We are members of a campaigning group 'British Broadcasting Challenge' which seeks to promote the economic and cultural benefits of public service broadcasting for the UK. Our [open letter](#) to Oliver Dowden on 19 May 2021 was supported by more than one hundred distinguished people across a broad spectrum of public life including Sir David Attenborough, Sir John Sawers, Baroness Bottomley and Baroness Kidron.

We are writing to you as Commissioner for Public Appointments to express grave concern at the way in which the government is handling the process of appointing the new chair of Ofcom. This is a pivotal position, given Ofcom's centrality to the whole communications sector and its imminent appointment as regulator in the sensitive and complex area of online safety. Given the powers that Ofcom will exercise over our digital and online world, this post is key to the nation's future economy, society, politics and information security and should not be used to reward political favours.

The Governance Code sets out clear principles for everyone involved in making public appointments. These include:

Selflessness - ministers should act solely in the public interest.

Merit – ministers should have a choice of high-quality candidates, drawn from a strong, diverse field, whose skills, experiences and qualities have been judged to meet the needs of the public body in question.

Openness – the process should be open and transparent.

Fairness – the process should be fair, impartial and each candidate must be assessed against the same criteria.

The government's handling of this appointment has not been in accordance with the spirit of these principles and has caused considerable disquiet in many quarters across the political spectrum.

Government sources briefed the media that there was a favoured candidate in Paul Dacre, the former editor of the Daily Mail. The first attempt to select a chair was abandoned when Mr

Dacre was ruled unappointable by a selection panel under the auspices of the Department for Digital Culture Media & Sport, although there were at least two other candidates who were deemed suitable.

On 15 September 2021 Julian Knight MP, The Chair of the DCMS Select Committee expressed reservations about the way in which the recruitment process for this post is being conducted and asked that, ‘Where a previous candidate has been deemed to be unappointable for a post they should be ruled out of re-applying’. This was ignored by the government which then launched a second process which appeared in two crucial respects to be expressly designed to ensure that Paul Dacre was appointed.

First, the recruitment criteria were changed. While, the previous advert asked that a candidate “work collegiately” with fellow board members and should build a “positive relationship” with the chief executive, the new iteration asks only that a candidate work “effectively” with the board and have a “productive relationship” with the chief executive. Moreover, the original requirement that candidates “support the chief executive” has been amended to a rather different requirement to “challenge” the chief executive and give them “appropriate support”.

Second, while the original selection panel was chaired by an official from the Department for DCMS with the requisite expertise, the reconvened panel is chaired by Sue Gray from the Cabinet Office – a respected civil servant but one with no experience of the complex world of telecommunications. More importantly, the Senior Independent Panel member, Michael Prescott, works as a lobbyist for a firm with close connections to the Conservative Party and the third member, Michael Simmons is married to a former Conservative minister and the brother-in-law of Sir Robbie Gibb, a former senior Conservative Party adviser.

This second selection panel appears to be neither truly independent nor to have the breadth and depth of knowledge necessary to make such a crucial appointment. The manoeuvrings around the process have been anything but transparent and will inevitably exert pressure on the panel to comply with the government’s well-publicised preference. Although Mr Dacre has now withdrawn there is general consternation that the government is substituting ministerial patronage for merit. There is also a danger that Ofcom’s international reputation for independence and integrity will be compromised.

As Commissioner for Public Appointments we ask you to ensure that the process for appointing the new chair of Ofcom adheres closely to the **spirit** as well as the letter of the Code of Governance, and to demonstrate that it has done so. It is vital not only for the independence of our media but also for the UK’s global reputation that the person appointed is suitably qualified to hold this vital position and has the full confidence of Parliament and the public.

Yours sincerely,

British Broadcasting Challenge

Pat Younge (Chair), Professor Steven Barnett, Rosaleen Hughes, Lindsay Mackie, Jess Search, Professor Jean Seaton, Chris Waiting, Christopher Day