

Ministers reflect

Jonathan Djanogly

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Jonathan Djanogly

Biographical details

Electoral History

2001-present: Member of Parliament for Huntingdon

Parliamentary Career

2010-2012: Parliamentary Under-Secretary for Justice

2005-2012: Shadow Solicitor General

2005-2010: Shadow Justice Minister

2005-2010: Shadow Business Minister

2005-2005: Shadow Home Affairs Minister

Jonathan Djanogly was interviewed by Jen Gold and Nicola Hughes on 27th October 2015 for the Institute for Government's Ministers Reflect Project

Nicola Hughes (NH): If you could think back to when you first started as a minister in 2010, could you talk us through what your experience of coming into government was like?

Jonathan Djanogly (JD): In my case I think I was on the end of a list or something because they didn't know I was coming. My department didn't know I was coming [laughter]. So I had to wait an extra day as I recall.

NH: Right.

JD: But once they knew I had been confirmed then it went pretty smoothly. I was impressed with the way that they did the change over, and put me in my office and told me what was going on and who was who. It was all pretty smooth.

NH: Did you feel well prepared for the role? Did you have much support in helping you adjust?

JD: I'm a solicitor, so I came into the Ministry of Justice with a professional background that I think is of help in that particularly ministry. And indeed, I had been doing a lot of work as a shadow business minister in related areas. Specifically, I was shadow business minister for employment law. And so part of my brief in justice running the employment tribunals was a direct cross over. So there were a few other areas like that. I felt pretty comfortable coming in. And there weren't many issues that I came across that I didn't have some knowledge of, even though the department and the job was actually a highly technical one. It would be a tough one for a non-lawyer to do I think.

NH: And when you first got your portfolio of areas that you would be covering, how did you work out what your main priorities would be?

JD: Well I was lucky in that I had been with the Secretary of State, Ken Clarke, in opposition. He was Shadow Business Secretary. And so we had a very good rapport and understood each other very well. I think that was a huge advantage frankly because if you come into a department with a secretary of state you don't know or understand, then you can spend a very large amount of time just getting an understanding of what they want you to do, how far they're going to give you rope in terms of... not hang yourself, in terms of running your own show, to what extent they want you to report to them, and to what extent they're giving you an open book in terms of policy type stuff.

There's a lot of unwritten laws here as to what extent you're going to do things and the Secretary of State is going to do things. And I think I was lucky in two regards, firstly, in that I had had by that time, I think I'd been with him for three years by the time we went into government. And I was the only shadow minister actually from his business team that came over with him to [the Ministry of] Justice. So I think there's a trust element there that worked well. And obviously, he knew me, [and] I knew him. And [secondly] I think I was lucky with the Secretary of State. I mean there were no more experienced secretaries of state than Ken Clarke.

NH: No.

JD: He's seen it all, done it all. He's seen so many junior ministers, whereas a lot of them had never done it before or seen it before. So they were probably working out how to deal with their junior ministers themselves, or how to deal with it themselves. So I think in that regard I probably had it easier than some.

NH: And was he giving you advice and tips?

JD: His manner is one of a delegator; if he trusts you, he delegates. And I'd been doing a lot of reforming type stuff with him in the business field and so he was confident to... he gave me a lot of rope in Justice.

And I had a very reforming role. So in two and half years we had a significant court reform, namely closing a quarter of the courts. I reformed civil legal aid, which included cutting it by 25% and also radically reforming the scope of it. And then preparing but not initiating criminal legal aid reform as well – that was done by my successor. Reforming the whole family court system, which was a major reform. I'm just trying to think what else I did.

NH: That's a pretty big...

JD: That's not bad for two and half years. And of course, LASPO [Legal Aid, Sentencing and Punishment of Offenders Act, 2012], which was more than just legal aid, reforming civil claims. You know, no-win, no-fee, all that sort of stuff. So I did all of that. I had a really heavy reforming agenda which suited me.

NH: And that was all quite high-profile stuff as well, wasn't it, in terms of the media and everything?

JD: High-profile stuff, yes, and vocal opposition. I don't think many people have had three draws in the House of Lords on votes. It was either two or three draws. You know, a lot of close votes – exciting stuff. But I knew I was going to do all of that within, I would say, two weeks of taking the job.

NH: Because you just had a think about it or you came in with those priorities?

JD: Yeah. The no-win, no-fee stuff I'd been looking at in opposition from a BIS [Department for Business, Innovation and Skills] perspective. Because obviously its companies that are often impacted by this and insurance companies. I just kind of knew where to go on it quickly, which was good. And I found the civil servants rather than only showing me the briefs that they wanted to show me, really were very helpful. You know, if I said, 'I think we need to look at this', I got stuff pretty quickly.

NH: So you obviously, as you said, were quite familiar with the policy briefs, and knew what you wanted to do in that respect. Was there anything that surprised you about the Civil Service or the job of being a minister and what was that like?

JD: Yes. I had had no experience of working with the Civil Service before. I had been a councillor in Westminster City Council, doing very high-profile stuff beforehand. So I had been used to working with council officers, very high-grade council officers, actually. So I wasn't totally unaware of the sorts of policy papers being brought [and] what they would look at.

But the lines of communication within the council were much more direct. And I think the area where I saw, where I had most heartache from was in relation to cabinet committees [and] dealing with 10 Downing Street, that sort of thing – outside of the department actually. Within the department, I had a very good relationship with the Secretary of State [and] I had an excellent relationship with the civil servants that I worked with. I had a very good private office. I had a good relationship with the Permanent Secretary, who I had the highest regard for. That all sort of ticked away and suddenly you took something outside the department [and] it was like 'oh, okay'.

Generally I got on well with my contemporaries in other departments. I found in the early days particularly, Downing Street was finding its feet. Put it this way, I think they were much better, by the time I left my role, than when I started. But hey, the Conservative Party hadn't been in government for a long time and we hadn't had a coalition for a long time. So all of these things had to be learned and dealt with. The cabinet committees I felt were very poor. Nick Clegg ran all of ours and he took much too

much on. He couldn't cope with the workload. Easy decisions were taking weeks.

NH: Sorry, do you mean the meetings themselves or the processes around them?

JD: He was head of our related cabinet committee. He was chairman of the Home Affairs and Justice Cabinet Committee stuff. And he did very little delegation. He insisted on looking over everything himself. And we used to get terrible backlogs and delays with him. I'm not saying he was good or bad. I'm just saying he did too much. He couldn't cope with it.

Actually interestingly, once he did get round to looking at things, I don't actually have that much negative to say about the decisions he took. So it's not a political point I'm making.

NH: Sure. So you described it as a slightly technical role that you were doing. But from your experience...

JD: There were technical aspects.

NH: ...what would you consider to be the main roles and duties of a minister, and particularly the role that you were in?

JD: Well to understand from the Secretary of State the extent of your role and the extent to which he is prepared to allow you to do things off your own bat or not. That's really totally within his discretion. And you answered to him and you worked with your fellow ministers in areas of cross cutting things. And we had a very good relationship with the peer whose name has just escaped me.

Jen Gold (JG): McNally?

JD: Yes. Lord McNally. I had an excellent relationship with him, very practical man. And I think of myself as a practical person. But we actually had a good balance. I mean one of the ministers was from a think tank background and I was more practical, I'm a corporate solicitor by profession, so I was a problem solver rather than a think tanker as such. But I thought it was an excellent team and it worked very well. And Ken sort of floated above it all.

JG: And just on your role, can you give us a sense of how most of your time was actually spent, the day-to-day reality being a minister?

JD: That's going back a bit, I'm just trying to think. I was very keen on meeting people. So if there were policy decisions to be taken, I would want to see outside interested parties. Maybe a bit more than the Civil Service would have done if it were left to them. Also in areas where I wasn't an expert, I mean like courts, I made sure I got out and visited courts. You know my role was very UK-based, I didn't go abroad once. I went to lots of courts in interesting areas [of the UK]. And legal aid conferences and equally unglamorous places.

I mean the reality is that we came in saying that we were going to cut large amounts of money with all these ring-fenced budgets which meant that areas like Justice were in for the chop big time. And everyone knew there was going to be. And so it was a question of listening to what people had to say and doing it in the best way that we could. But there were some pretty, you know, talking about lawyers who could be articulate and vociferous. So there were some interesting... but I made sure, I never ever didn't go to a legal aid conference, I always engaged and I think that actually took me through. People knew I engaged.

JG: And obviously there are various parts of your role, as well as departmental business, you had life in the House of Commons, plus your constituency. And I just wondered...

JD: Within the department I was given a lot of the inter-departmental stuff. I don't know why but Ken liked me to do it. Maybe because I'm practical. I don't know. Getting the heating bills down between the buildings and all that sort of stuff that just goes on, where everyone has to send a minister to the Cabinet

Office or something.

JG: But did you find there were any particular pressure points on your time from balancing those responsibilities?

JD: No. I'm very good with a diary. And I made it quite clear that Fridays or every second Friday was a constituency day. And weekends were pretty much sacrosanct unless there was an urgent, especially when we had the riots going on, it became urgent for instance, but...

JG: That actually leads nicely on to my next question. We're interested in getting a sense of your approach to decision making. Can you talk us through an occasion where an unexpected event or crisis hit the department and how you went about dealing with that?

JD: Well the riots were much more than just Justice. I mean obviously the Prime Minister called Cobra [crisis response committee – Cabinet Office Briefing Room], but it was happening over the summer, so different ministers were here at different times. So we were taking it in terms to go to Cobra. But within the department, some very radical decisions had to be taken as to how we dealt with what was clearly a conspiratorial element rather than just a one-off expression of unhappiness. There were people calling each other and organising where they would go.

And typically you would take people to Magistrates' Courts in the area where the crime happened. In this situation it was decided quickly that the way to deal with it was through stipendiary magistrates, professional magistrates, rather than lay magistrates. And to use a limited number of courts to direct them, with the idea that you would get a regularity of sentencing. And then you sort of held your breath three months later as the first cases came out of the appeal courts because they could've all been overturned but they weren't. The judges held with it. So I think it was a job pretty much well done.

JG: So in that period where it escalated over a couple of days, how did that impact your role? Were you called into the department or...?

JD: I went to... a certain amount of administrative stuff, going over the arrangements, the emergency arrangements. We had our own gold centre which was the courts working with the police and the other emergency services to make sure that everything worked smoothly.

Within the Courts Service arrangements which had to be put in place. If you keep a court open 7/7 as we did, you have to have people to open the courts. So you have to have jailers to man the cells. You have to have the magistrates turning up at funny times. It doesn't just happen. So it's quite a lot of organisation to go in. So there's the practical side of it.

And then there was the sort of the flying the flags side of it, going down to Horseferry Magistrates' Court and thanking the magistrates for working all hours and just making the people working around the clock realise that they were being seen and thanked and so forth.

NH: What do you feel was your greatest achievement in office?

JD: I think in legislative terms LASPO, which was a very significant piece of legislation, a very contentious piece of legislation. And I think we got through pretty cleanly and it is standing the test of time. In administrative terms, I suppose the court reorganisation, which was one of the first largescale savings programmes that went through the new Downing Street, which is quite an interesting experience. And also, the no-win, no-fee stuff that I did. I mean it reduced the insurance that people pay for their cars by 25%. I think if I'd just gone into government and reduced everyone's car insurance by 25%, that's an achievement.

NH: Yep. And maybe just picking one of those, what were the factors that led to the success do you think?

JD: Very thoughtful and solid research. Excellent papers brought forward by the Civil Service backed up by very significant engagement with the bodies concerned. And actually it was interesting because in Justice, everything gets judicially reviewed because lawyers just attack everything you do. So I think on LASPO we had something like 25 judicial reviews, you know, huge numbers of judicial reviews. And we had to take a decision as to whether we would release the Civil Service papers, because they didn't come under Freedom of Information because they were policy related. And we took the decision actually to release them because what they did was to show how carefully we thought about our decision. And we didn't lose a single judicial review, which I think is pretty impressive because there were people out for us, we weren't just going to get away with it.

NH: I just wanted to come back quickly to your relationship with Ken Clarke and how you made that work.

JD: Right.

NH: And you said you knew each other, it was very strong. I just wondered how you interacted with his special advisers?

JD: I got on very well with them. They were efficient. They as well had been with him in business [opposition BIS], I think both of them had. So they knew how to work with him. I mean Ken has particular ways of working, having known him for many years. You kind of do it his way. I mean, he has a certain way of working.

NH: And what sort of things would you use them for?

JD: I would use them for if there were policy issues I had with other departments often I'd get the spads involved. If there were things that I were doing that were going to be politically sensitive, I'd engage them at an early stage. If I sensed issues coming up with cabinet committee or Downing Street, because a lot of my stuff was very radical, there were often direct issues with Downing Street – in terms of, 'Oh this is very sensitive isn't it, should we be doing it now?' 'Yes'. So obviously as a junior minister it is very important to have your Secretary of State knowing exactly where you are so you don't get a call. And so spads can be very helpful there.

JG: And what about your private office? In terms of how you went about ensuring that functioned effectively and suited your style of working?

JD: I had an excellent relationship with my private office.

JG: I was wondering if there were any directions that you gave them as to what suited...?

JD: I'm very clear and consistent in terms of diary. And I'm pretty good at people giving notice and I think they like that. So we all got on very well. Yeah.

JG: Was there anything that you found particularly frustrating about being a minister?

JD: The things I found frustrating would have been internal party political type things, debates, not actually in the way that I found the Civil Service worked.

JG: So when you say internal party political, so rather than the coalition dynamic it was...

JD: It could've been coalition politics.

JG: And you touched upon earlier the challenges around working with other departments and Number 10, I just wondered if you had any observations that came out of that experience on how government could perhaps work more effectively?

JD: One thing that Justice had that other departments didn't have I noticed was an effective non-executive board. And Ken Clarke valued this highly. I think because of his personal experience in the private sector. He had been deputy chairman of BAT [British American Tobacco] and he understood how a board worked.

I mean my own experience in the private sector was working with boards as well, so I valued it. For a junior minister it's very easy just to be siloed into what you do and to not realise what's going on in your department, let alone other aspects of government. And to have an effective board is the way by which you can understand what's going on within the department and also the cost implications of what's going on in the department. And basically, we were expected to turn up for board meetings. But I was always keen to do so because I found them to be pretty high level, valuable and useful. I don't think all secretaries of state valued the boards let alone attendance by their junior ministers. And I think often junior ministers are encouraged not to turn up. You get on and do what you've got to do, rather than deal with this high level stuff, which is absolutely the wrong way. I think it's very important to have effective boards and ministerial teams who have an understanding of what each other are doing.

And we had very effective boards and we also had very effective ministerial, you know, party meetings, where Ken would take very broad approaches and would see what was going on from what we were discussing and the way we discussed it. He would encourage open debate.

JG: So on those meetings, were you meeting weekly or monthly?

JD: The departmental meetings I think were, you know, I can't remember. Monthly sounds about right. The...not party, what do you call them... the ministerial ones...

JG: The ministerial team meetings.

JD: ...where we did invite the Lib Dems, were weekly. And again important.

NH: And just on the non-execs did you use that group outside of the formal board meetings. So for example, getting advice from an individual one, or use them in other ways?

JD: Yes. Once or twice because I was being sent along as the representing minister for the department on the buildings review or whatever. And there was maybe something that the non-exec was looking at in that sort of context. Yeah. Not a lot. But potentially yes, it was a resource that was there if I wanted it. And I do think that is an area of government that is very much undervalued and should be very much extended.

NH: Any piece of advice that you would give to a junior minister entering government for the first time now? What would be your top tips for them?

JD: You can come at them from different angles. I would say engage early with the people who... the interest groups who are relevant to your brief. Don't wait until the time you're looking at a policy related to what they're doing, just get in there early and meet those people quickly. Really make sure you understand what the Secretary of State wants and establish a working relationship.

And maybe actually spend a bit of time with the Downing Street people doing your areas, working on your policy areas. I think if I had a bit of a better understanding of what they wanted, I think if I had my time again I would spend a bit more time on that side of things. But this is going back to the early days of the coalition here.

JG: Where everything is still in flux.

JD: Yes. Downing Street is up in the air. They are trying to establish a relationship with the Lib Dems, and how that would work, let alone junior ministers. Do you know what I mean? So this is the practice of getting on with it.

JG: But knowing what you do now, who in Downing Street would it be? The policy leads?

JD: Yes. Policy leads. In due course on specific issues I did work with [them] but earlier engagement would have been wiser. Yes.

JG: From your perspective how would you define an effective minister?

JD: It depends. Because I mean there are some ministers... it's from whose point of view again. I mean if it's from the Government's point of view, it's putting in place ministers who are doing the right thing at the right time. So I mean I think after I have done my bit I have noticed that the people who replaced me are non-reforming type ministers, they're people who run the show. They've probably had enough reform in that department. And the same from a managerial point of view, you want different people, with different skill sets. And when we came into government in the role that I had, they really needed someone who was going to get in there and do stuff, and they haven't had anyone like that since. It's not right or wrong, it's just... in fact they're still bedding down the stuff that I was doing back then. So it really depends what your priorities in government are. If your priorities are in a particular area then you need a particular sort of person to go into that area. It's getting the right person in the right slot.

JG: So apart from perhaps earlier contact with Number 10, is there anything else you'd highlight that with the benefit of hindsight you might have done to approach the role differently at all?

JD: I suppose you also have to take a view as to what kind of profile you're going to have. But again you've got to put that into the context of the overall team. When you have Ken Clarke as Secretary of State who everyone wants to interview, it's not just on justice, it's on anything.

JG: Europe and all sorts.

JD: Europe. He was Chancellor, so anything economic. Although I did a lot of media, whilst I was there, and I think I'm relatively proficient at it, it tended towards the technical. Now that was fine by me. I got invited on Radio 4, rather than Question Time.

JG: And from your experience was there anything that really struck you about any additional support that could be put in place to help ministers be effective in their roles?

JD: I didn't want for any support. But I think if I'd been put into a role where I was just meant to be quietly not doing anything, I would've found that immensely frustrating. Whereas I think some people don't mind that kind of role. So it depends who you are. And again, if the Secretary of State doesn't trust you or wants to keep you away from decisions, you suddenly get lots of visits.

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