

# Ministers reflect

Dominic Grieve



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# Dominic Grieve

## Biographical details

## Electoral History

1997-2015: Member of Parliament for Beaconsfield

## Parliamentary Career

2010-2014: Attorney General

2009-2010: Shadow Secretary of State for Justice

2009: Shadow Secretary of State

2008-2009: Shadow Home Secretary

2003-2009: Shadow Attorney General

*Dominic Grieve was interviewed by Nicola Hughes and Peter Riddell on 20<sup>th</sup> July 2015 for the Institute for Government's Ministers Reflect Project*

**Peter Riddell (PR): So first of all, thinking back to when you first started as Attorney General, what was that experience of coming into government like?**

**Dominic Grieve (DG):** Quite challenging, in a way. Perhaps I would even use the word daunting. You are suddenly asked to do a job. It wasn't a job that I had actually prepared for, because in the immediate run up to the general election I was Shadow Justice Secretary and I had put a great deal of work and effort into preparing for that post. And although I had been Shadow Attorney General for a long time in the Conservative opposition, most of that work concerned providing legal advice to the to the opposition and the law officer's job is a very difficult job to shadow, in reality. You have an idea of how it works but the detail of how it works is not something which is easy to get to grips with. Although I had a very good relationship, both with Lord Goldsmith and also with Patricia Scotland [his predecessors], so to that extent there had been quite a lot of dialogue on difficult issues. But what the job exactly required was not something that I had any particular focus on in the immediate run up to the general election.

You are asked, you are appointed, somebody suggests they are going to send a car down to pick you up. I said I would walk up to the office. And slightly to my surprise, I walked into a room to find the entire staff assembled, waiting to hear from me what my policies were going to be in respect to the running of the office. And I think I probably sketched out what I thought were the priorities for the law officers and for myself as Attorney in about two minutes, having thought about it for about 35 seconds before I turned up.

But in fact, I think I had identified what the key issues were, in relation to the department, which were that I wanted to focus on obviously the superintendence of the Crown Prosecution Office and the SFO [Serious Fraud Office]. But actually what I then wanted, the principal role was focusing on delivering very high-quality advice to government. Whereas previously, the law officers had begun to creep into policy-making as a small policy-making department taking the lead in some criminal justice policy issues. One of my predecessors focused particularly on financial crime. And although I wanted to be able to provide an input into that, my conclusion had been that to try to lead on that, when the law officers' department is tiny, is a very difficult thing to do and I think would be better to actually focus on the advisory side of the work. That was really what I sketched out on arrival.

It, in any case, corresponded to some of the spending realities that the department was having to grapple with. Bearing in mind this is a department which is very small anyway in its core function – although obviously it has also got the Government Legal Service and the CPS [Crown Prosecution Service], so there are thousands of people who are dependent on it – one of the things which happened most rapidly after my arrival was the actual department itself, I think, had 57 people when I arrived and within three months we were down to 42, which was where we actually remained. So to that extent, I think we identified at the outset what it was I wanted to try to deliver and I would like to think that over the ensuing four years, we were able to keep our focus on the main issues.

Obviously the dominating issues were the reduction in spending by nearly a third for the CPS and the SFO, which were very challenging – actually rather less than a third for the SFO because in fact we got them more money as we went along – certainly for the CPS, a very substantial reduction. And managing that, and then beyond that, of course, the advisory work and the rule of law in public interest functions, which probably I hadn't really thought about very carefully before I arrived. But some problems simply were so clear, after arrival – one of them was contempt of court and the difficulties that we were having in restraining newspapers from publishing improper comment on criminal cases particularly. That became something which I picked up, even though I hadn't really sort of focused on that at all before I arrived. It was one of the, sort of, themes of my period in office. And so in a way the policies developed from there.

I had an idea what it was to be Attorney, and I don't think I was surprised by what was demanded of me. I had no idea as to how government functioned, because I had never worked in a government

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department before. We will probably come onto that in a moment. But all I can say is I was very pleasantly surprised.

**PR: Could I just follow on from that, because you concentrated on the core – the 42 of Victoria Street. But you did have these two massive organisations responsible via you and also Treasury Solicitor supported by you.**

**DG:** There were three organisations – the GLS [Government Legal Service], the SFO [Serious Fraud Office] and Treasury Solicitor's Office – and actually at one stage, I also had Action Fraud, which was a rather curious department which was the public contact point for reporting fraud and also educating people about fraud. That was a leftover, really, from Peter Goldsmith, Lord Goldsmith's time in office. He created it and it was very valuable, but we got it transferred into the Home Office.

**PR: But how much did you feel that you were in any way controlling – you say that they faced quite severe budgetary cuts – and had any accountability for how they were run?**

**DG:** Oh my view was I had a high level of accountability for how they were run. Clearly the SFO and the CPS is a major part of the Attorney General's job. I find it very difficult to split up the amount of time that is spent on different functions. The advisory function to government takes up quite a lot of time but the superintendence of the CPS and the SFO and the Government Legal Service also takes up a great deal of time.

You are accountable to Parliament; obviously they are very much independent agencies. Certainly with the CPS and the SFO, a lot of their decision-making is taken quite separately. But except in certain, very limited, circumstances, it is the Attorney's job to make sure that he is informed of all subjects of controversy, so that he can both provide advice to the SFO director and the DPP [Director of Public Prosecutions] and be aware of problems before they arise and be able to handle them in Parliament if they do.

And then on top of that, you have a direct departmental responsibility for the budget. So the budget is your problem, just as it is for the Home Secretary or the Education Secretary, and you have to answer to that in Parliament as well, and [for] the efficiency of the service.

**PR: Yes. I was going to say, so when, say, Paul Jenkins [then Head of the Government Legal Service] – he was the one when you were there most of the time – would say, I want to do these changes to the structure of Government Legal Service, you would approve and you would be fully involved in the planning? And similarly when the DPP came, 'So to meet this budget cut this is what I have got to do'...**

**DG:** Yes. The difference, I think, between those two departments is that the Government Legal Service pays, as you know, for itself. It is a rather curious animal and therefore while any changes to its structures, and there were substantial changes that took place to its structures when I was in office, as long as I was confident from my discussions with Paul Jenkins that what he was planning to do seemed to me to make sense, then the anxiety about Parliament necessarily taking a close interest in this was likely to be rather less. Because in reality, Parliament probably never paid any attention to the way the Government Legal Service operates. It was of importance to me to make sure that the Service was operating efficiently, and indeed the proposals that Paul came up with were designed to increase its efficiency and I would like to think it did. But they were probably less worrisome than decisions of the Crown Prosecution Service, which involved trying to maintain an efficient service whilst shrinking its budget by effectively one third over the period of time I was in office. Certainly by the time I had gone, within six months it had gone down by one third. That was very challenging and of course it is always in the public eye, because CPS cases, prosecutions, are likely to attract quite a lot of public comment – quite apart from the controversial decisions, public comment that things are not working well at a magistrates court level or that there may be inefficiencies.

**Nicola Hughes (NH): And you mentioned it being slightly daunting first coming in and**

**also not knowing how the government machine worked – was there any support available to you to help you work through that?**

**DG:** I think the department had put in place a transition team, which was in fact I think very effective. I mean, they were there to make sure that the Attorney didn't go off the rails in the first few days and got a hang of what was involved. And being an efficient department and a very small department, with a high level of commitment to providing a service, which is rather different from policy formulation and development, there is a high... I mean, the feature of the Attorney's Office is each time there has been a survey by the Civil Service, it has always come out either top or second in terms of staff morale. Now admittedly it is a very small department, about 17 lawyers and the rest are support staff, but nevertheless it says something about its cohesiveness, about the very good relations between the different Civil Service levels working within it, and it has a slightly homely character about it, which I think many other government departments don't have. So as long as people feel motivated and feel that they are doing something constructive, I think it is an area where people get a lot of reward from it and in turn, therefore, they are capable of delivering, I think, very high levels of support to their ministers.

Certainly my impression on arrival was I was taken through the mysteries of what was actually involved in the workload quite quickly. And once I got to grips with it, it probably took about three months until the daunting aspects disappeared. But I think like anybody who comes in, particularly when you are being asked to exercise professional judgements on subjects, in an environment which you are not familiar with, you know, my first reaction to it was this is going to be interesting but very challenging and I have got to get on top of this and make sure I am doing it properly.

**NH: Was there anything that particularly surprised you about how the departmental machine worked?**

**DG:** No. I don't think there was. I mean it's a very old fashioned machine in the Attorney's office, but that is not necessarily a criticism. Some government departments, I think, may well, from anecdotal evidence, operate in more modern forms. The Attorney's Office produce lots of hard copy in brown folders, in the traditional 'Yes Minister' way, and that is what is in your box. And the box is always full and there is a constant stream of this work coming through.

So the task, in the early stages we were changing the private office, the private office then got changed, it got reconfigured. There used to be a separate private office for the Attorney and the Solicitor, albeit it they all worked in the same room because our rooms were adjoining. But there were separate staff and in fact we merged all that, reduced the number and size of the private office, got what in my mind was a very, very good Principal Private Secretary and, you know, we were on our way. But that all took, there was a transition period of probably about three months while we were doing that. But as I say the department had factored that in and they provided some other support within the system to help that happen.

**NH: Your role was obviously slightly different to some of your colleagues in bigger policy focused departments. But how would you describe the main duties and roles of a minister?**

**DG:** Well, the duties and roles of the Attorney are, I think, quite well defined. They are, firstly, to provide legal advice to government departments and fellow ministers. Obviously the bulk of that is provided from within the Government Legal Service. But there is a system within Whitehall that anything which is reputational to government or involves a conflict between departments, or dispute on legal interpretation, or is particularly thorny, comes to the law officers and some things have to be signed off by them almost as a matter of course. In that sense, it is a demand driven department for this aspect. So you can just sit at your desk and wait to see what comes in.

But I think that what you quickly learn in this job is that you have got to anticipate where the problems are and you have got to be in a position to at least provide, can I put it this way, a gentle raised eyebrow if something isn't coming to you which you think ought to be. And that job is intimately linked on the

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extent to which you are plugged in to the Whitehall knowledge network.

And that raises a couple of quite interesting questions in think, in government. The first is the role of the Attorney in Cabinet. Cabinet is the place where you are likely to pick up, quite clearly, what is going on. In theory, and the practice has changed from time to time, but the Attorney goes to Cabinet at the invitation of the Prime Minister. And I certainly found that the... it struck me that there were very good reasons, not to say that I always had to be at Cabinet, but it was noteworthy that in the early stages, I was sometimes asked to Cabinet and I was sometimes not. And I quickly picked up that there had been, on occasion, from reading the minutes, discussions of matters which it struck me would have been very useful for me to be present. So I have to say that by the end of it, I was attending Cabinet regularly.

But I think that does highlight a particular problem for the Attorney: to what extent is he the professional sitting on the sidelines or to what extent is he more imbedded in trying to pick up what is happening? And my personal view is that it is not that the Attorney should be pontificating in Cabinet, in fact that would be, I think, a very dangerous thing to happen, but I do think it is important to know what is going on and I think particularly for the law officers, it is essential. And if I identified a problem at times, [it] was that you had to push to make sure you were in that loop. Not just the Attorney being in Cabinet, but also making sure that your officials were being looped in. Occasionally it didn't happen until you picked something up and said 'why are we not being brought into this to understand what is going on?' So that was one area where I sometimes found one had to push in order to get what one wanted. And in fairness, my staff were very supportive but they too, I suspect historically, had had a problem of this occurring from time to time.

So that is one role. The second role is obviously the superintendence and of course linked to that, the Attorney was a member, again by invitation, of NSC [National Security Council] and so normally I would attend a National Security Council [meeting], which was also very useful and informative. In fact that, I would say, that that always worked very well indeed and the Secretariat understood the law officer's role very well, very much valued the law officer's presence and from a very early stage, I thought that was one of the aspects of the work that operated extremely well. It was, after all, a new body and as a result of that, it was able to sort of start afresh and I thought that worked extremely well.

The work of superintendence of the Crown Prosecution Service and the Serious Fraud Office and the GLS is about establishing personal relationships, it is about making sure that you and the DPP and the director of the Serious Fraud Office trust each other, that you are mutually supportive, that you understand each other's roles, that you are there to provide political guidance and direction and highlight where you think the banana skins are likely to be in difficult policy decisions that they carry out. And you can also front up for them in Parliament and make sure that politicians are kept off their backs, because you are there to protect them from political interference.

And that, in my experience, worked pretty well. I mean, there were occasional problems. There were some parliamentary storms, there was the question about prosecutions over the way in which abortion, you know, whether the DPP should prosecute doctors for not carrying out properly the preliminary advisory work in respect of the requirement of the Abortion Act. There have been occasional storms. But actually for the most part, helped by the fact that I had very good, well certainly latterly, I had a superb DPP throughout that, for the other, by the end of it, we were, I think, in a very good place. The SFO had difficulties and a poor reputation and that was, therefore, a persistent source of questioning in Parliament. But in the four years, I can't think of any major, serious destabilising issues for any of those departments.

We also have a role towards the Service Prosecuting Authority. That did produce, without doubt, the biggest parliamentary row in relation to prosecution, which was over the case of Sergeant Nightingale – that is all public. Now that, too, required a close working relationship. But we came through that, although there were quite a lot of brickbats being flung around and the Attorney has to have a broad back – there is no doubt that is one of the necessary attributes of the office.

GLS, a much easier relationship, it is a very well run department. What did I do as Attorney? You go and visit the departments. You get to know the departmental heads who are working in each of the

government departments. You make sure you have a personal relationship with them. You make sure that they know that if they have a serious ethical problem or they think something is going badly wrong, they can refer to you. You make sure that their staff are aware that you value the work they are doing – they are often tucked away and nobody actually pays a huge amount of attention to them. And one of the things you could say with the CPS actually, lower level, one of the things you are there to do as a minister is to make sure you understand what they are doing, that you show appreciation of what they are doing. Of course, if you have to criticise them, you do it. But I actually think that one of the things about being a minister, but certainly a law officer, is that you are there to provide them with support. And I think systems work much better if people feel that there is somebody paying some attention who is answerable in Parliament for them to the value of what they are producing.

**PR: Looking at it the other way, whilst government is collective – you say you attended Cabinet, attended NSC and so on – you reach your own decisions and provide your own advice. It is not like other Secretaries of State. I mean, there is a big difference – it struck me as the Attorney can't be leant on...**

**DG:** There is a huge difference.

**PR: And how that implies in relation to your position within government?**

**DG:** Well, I think this is why I may be a very bad example of a minister's experience in government, accept in so far as it concerns other law officers who follow. I think the Attorney's role is a very unusual one. You are detached. You have to be detached from some of the politics that is taking place within government, but at the same time you have to be aware of the politics, and, at the same time, one of the reasons why we have a political Attorney is because the Attorney is supposed to be sympathetic to the Government's aims. So as the in-house lawyer in government, you are there to support your colleagues, not to obstruct them. And you have got to make sure, or try to make sure, that your colleagues don't feel they are being obstructed needlessly, because then the Attorney's life might be rather short. It might get a bit stropy and irritated. You have to explain what it is you are about. That is not to say that there aren't, from time to time, stresses and tensions in that relationship, I am sure there are. But on the whole, if they understand where you are coming from, then you're going to be able to help them and provide them with advice as to how to get round problems. Your problem is not to say no to them, it is probably to say you can't do it that way but have you found there might be another way in which you could deal with a difficulty?

**NH: Just on that keeping in touch with political stuff, did you have a special adviser [spad]?**

**DG:** No. There has never been a spad. This has been a subject of some debate and it is a subject on which I don't think there is an easy answer. There is no doubt that to have a spad would be extremely helpful to the Attorney, particularly in keeping abreast of the politics. In nowhere does this occur more, curiously enough, than outside of Whitehall, which is around party conference time. Where, as you know, the spads effectively then become the sort of Private Secretary to the minister and organise lots of things, including their own internal network.

Now the Attorney just doesn't have it. And so one of the really funny things was the number of times a colleague would say didn't you know that we were doing X, this was of a purely political character. And I would say nobody has told me at all. And we did discuss whether I should have a spad. I came to the conclusion that there were more problems associated with it than there were benefits, but there would have been benefits from having one. I think it might have caused some problems within the department. I think the department sees itself in a very professional way and that the presence of a political person within the department might have ruffled feathers. And there is no doubt that the not having a spad probably enhanced the professional relationship between the law officers and their civil servants and hence contributed to its closeness. And I think the closeness of that relationship is arguably more important than being plugged in to the political system. So that is, I think, my verdict on this but I can see that in future, another Attorney might take a different view. It is not, it is quite finely balanced but on the whole I think I was right not to.

**PR: Looking at the way government worked – I mean you earlier on hinted that you were quite pleasantly surprised by how it worked – did you feel that your voice was heard in the formation of criminal justice policy? Were there mechanisms to do that? I mean, apart from around the Cabinet table and the NSC which obviously matter. Because you have got a few enormous players there, in the Home Office and the Ministry of Justice.**

**DG:** Mechanisms did exist. There is a so-called tri-partite relationship. So on policy formulation, we would be looped in and we had a number of major policy issues during my time in office. I mean one of them was where the Serious Fraud Office was going to be, whether it would stay with the law officers or go somewhere else. That had to be worked out in a whole series of tri-lateral or bi-lateral conversations, make it tri-lateral conversations. But I never felt that I was being excluded from the policy-making, although as I said, I think, at the very beginning, I recognised from the outset that with a very small department, with principally an advisory role, although the CPS element is clearly very important in criminal justice policy making, you have to work within that. But if you do it skilfully, then I think you can do it in a way that enables you to understand what is going on.

The other thing, just coming back a moment, just thinking about it, I am sorry, I am jumping around a tiny bit, but you were asking me about being looped into Whitehall. I mean if I ever had a small criticism of the way in which the system worked, albeit the support of law officers, is that there is a tendency to see a request for information or advice as being like receiving a lawyer's brief.

So the lawyer's brief will arrive somewhere within the department, and of course somebody within the department will consider it carefully and as the system works for the Attorney, or the law officers, somebody comes up with some preliminary views and then it goes up to the law officers to decide whether they agree or disagree. And if they disagree, then you have a meeting and you call everybody together and if you still can't resolve it, you may go off to Treasury Counsel and get independent advice. But ultimately it is the Attorney or the Solicitor who has to sign it off. But it was noticeable, at times, that every now and again something rather controversial might come in, which would be the talk of whichever bit of Whitehall it had been generated from, but within the department, it was viewed as a piece of legal work. So until the four, five, six days had elapsed before somebody had chewed the cud, nobody bothered to actually knock on the door and say do you know that we have got this request for advice on this controversial topic? So as Attorney, you would find you were standing outside the Cabinet Room, waiting to go in, and some colleague would suddenly wander up to you and start talking about some problem which you knew absolutely nothing about, actually probably should have known something about from the first day it came in, just to be alert to the fact that it was there. And that was one of the things I think I did have to push on was to say there were just some things which cry out for saying, 'Tell the Attorney at once that it has arrived'.

**PR: A slight unworldliness...**

**DG:** Very slight unworldliness, at times, a slight unworldliness but then that is part of the professional package. And I am not sure that, I mean it never came to the point of creating some major problem. But once or twice I did just raise an eyebrow and say, 'Well, excuse me, it would be jolly useful if you had told me this three days ago'.

**PR: The other difference of role... Because you were a practicing barrister, your Solicitor was too. You are seen as a representative of down the road, so to speak, the Courts of Justice and the Bar in government.**

**DG:** Well, that of course takes one into the more political realm and that is about the... and I will leave to one side my public interest function – but just to touch on those, the Attorney has got a huge range of public interest functions to be exercised independently at government. I mean, some of them are giving consents to prosecutions, they can actually be controversial, I mean arguably the David Kelly inquest and Hillsborough were more controversial than almost anything else. And it also takes the Attorney, if he wishes, into court. It is optional, but I certainly enjoyed doing that, partly because I thought it was really important to maintain my professional presence within the Bar.



And that leads us on to the next question, which is the role of the Attorney and the law officers generally, as a bridge between the judicial and the political world. And yes, I think it is a very important role that can be played by a law officer. Equally, it is an optional role, in a way. It is not required of the job – some people might say, looking back on my four years in office, that if I had kept my head lower under the parapet, on a number of issues, then I might have been in office longer. So I had to recognise that people are likely to approach these on slightly different ways. But it certainly seems to me that the liaison with the senior judiciary, which is almost formalised and I think is certainly continued by my successors, which provides an opportunity for a feed in, principally relating to the Crown Prosecution Service, but in reality an opportunity for private discussion on any issues that might be of concern is, I think, very valuable. It is a point of contact and I think it does work well and enables ideas and thoughts to be exchanged.

**PR: And particularly since the 2005, 2007 changes...**

**DG:** And particularly since 2005, where I do get the impression, as I say, I didn't experience pre-2005, but it does seem to me that the relationships there have become both slightly more formal and, at times, rather more strained. But again, that is going to depend very much on the nature of the person holding the job of Lord Chancellor and it may well be that we will see change which would then diminish some of the pressure on the Attorney. But the more that relationship is strained, the more the law officers may be thought of as trying to fill the gap.

**NH: So final few questions. What did you find most frustrating about being a minister?**

**DG:** I didn't find anything very frustrating. The workload at times is overwhelming. I find it very difficult to draw a comparison between myself and other departmental ministers because I have not experienced working as a departmental minister.

My feeling is that departmental ministers work just as hard as the law officers, but the law officers do have an unremitting avalanche of things that just have to be processed. Doing your box is not an option. It has got to be done. But then in a way we are trained for that, those of us who have been in private practice know how to deal with it. But yes, it can become at times very burdensome. When you get back at 11 o'clock at night, but it is not frustrating that you are having to stay up all night, not stay up all night, stay up two hours, get back at 11 and not go to bed before 1.30 because that box has got to be cleared and you have got to give some proper thought to it. But I don't think I ever found anything particularly frustrating at all. I really don't. Sorry to sound so contented but I just... identify something you think I might find frustrating and I will say whether I did.

**PR: Something we ought to have asked earlier is about the balance between being an MP and your constituency. How did you allocate time between your role as Attorney, being a Member of Parliament, and the constituency?**

**DG:** It may partly of course have been influenced by the fact that I had been Shadow Home Secretary and Shadow Justice Secretary for two years before the election, which had already been a fairly unremitting job in opposition, but I didn't feel that it had a marked impact on my ability to do my job as a constituency MP. Of course [on] my arrival, the department had to adapt because my predecessors, they had all been in the House of Lords. And actually, the collective memory of having a law officer in the Commons was only just still there, I mean just. Most of them had no experience of it and, for example, I know my predecessor used to come in on a Friday morning to work quietly in the absence of the rest of the Whitehall machine, before signing off in mid-afternoon to go to her country house in Oxfordshire – very sensible thing to do too.

They had to adapt to the fact that I would not be in on a Friday at all. In fact the weekend box then had to be delivered to my house on a Friday night or early Saturday morning for me to deal with it on Saturday. I didn't take it away with me for the weekend. But we were largely able to keep the Fridays free for constituency. The weekends, yes, doing your constituency workload at weekends, doing the box, or boxes, is onerous. I used to often get my wife to drive to the constituency engagements and I would work on the box as we drove, if necessary. So lunchtime engagement on a Sunday, 45 minutes to work on the

box as we went out. And you have to fit it in and stay up late at night. But actually I thought they adapted very well.

More difficult, I think, and the one area which was harder is keeping in touch with your Commons' staff. They are much more left to their own devices. I would end up seeing them really only twice a week, on a Monday and a Thursday, at the start, the beginning, and end of the week. And they were often worried that the other constituency correspondence, which was piling up, had to be dealt with and of course that usually ended up being dealt with at the weekend as well. So the weekend was constituency engagements, the minister's box and then a black box similar to that, which was full of constituency correspondence which needed to be dealt with...

**PR: Did you spend less time here [Parliament] too?**

**DG:** I think markedly so. Remember that the Attorney had very few roles in the debating chamber. So you come in to answer questions 20 minutes once a month, exceptionally to be present to make a statement, and once or twice I fronted a debate, I mean most notably over prisoner voting – I was the Government spokesman but I think that is virtually the only time I ever did it.

So I would be over here and the office is well adapted to that. The Attorney has a large room in the Commons and when the Attorney has to be in the Commons because there are votes, people will move, the meetings will be moved to the Commons' room and the staff would come over to support the Attorney in the Commons.

But it does mean that in terms of... you have to make a bit of an effort to find time to talk to your colleagues. I always used to come in here and have breakfast, in the tea room, every morning, without fail. And the occasional slot for tea. But I mean clearly, since leaving the office, I have much more time to be picking up the gossip, to be talking to people, and one of the complaints frequently made, and I think more frequently made about Attorneys than anybody else, is that they were often in danger of slipping out of touch with the Party and the membership and who's who. And I think it is a real challenge doing that.

**NH: What do you think makes an effective Attorney General?**

**DG:** Common sense and clear sightedness, I would like to think. Most problems have a common sense solution to them. You have got to be flexible, but you have also got to be very clear-sighted about what can and cannot be done. And so if you have a clear vision of what can and cannot be done, you are flexible, and you listen to what people's problems are and then you apply some common sense to the legal tangle, you will probably come out with the right outcome. I mean, one of the curiosities of the Attorney's workload is that most people see law as being black letter law, there is an answer. But I mean the interesting feature of much of the law officer's work, is that it is in a grey area, or grey areas, where there is no one single correct answer and ultimately, in many cases, no court to determine whether the answer is right or wrong. The answer will be determined by a mixture of public opinion, the judgement of history, and an academic lawyer saying he is quite wrong to say that. So you have got to try and get it right, but if you apply common sense you will probably come up with the right answers, hopefully, most of the time.

**NH: And are there any top tips that you would give to someone else in the role? Or indeed, anything you wish, with hindsight, you had done differently?**

**DG:** No. I don't think there is anything with hindsight I would particularly have done differently. I can't, thinking about it, I think I suppose it is true that in one particular area the SFO, I will have to be careful what I say, with my superintendence responsibilities, if I had known, with hindsight, what all the problems were, I think I might have tried, but it would be very difficult, because of the independence of the organisation, I might have tried to do more to hasten and get its problems addressed. But I mean the directors are independent players and you have to respect that, but I think in hindsight, my desire to try and provide the support might have been – but as I say, what one would then have done to try and resolve the difficulties that that particular department was facing is not very clear in view of the absolute

need to keep prosecutorial independence. But that is the one thing which always worried me, throughout my time in office, that we were teetering on the brink of serious difficulties. But we got through that and I think we turned the page.

The advice I would say is the inestimable advantage that the law officer has is his independence and the respect and support he will get from the Civil Service because of that. So I think the Attorney's greatest pillar of support is the staff, I really do. I think it is, I would be very, I don't know how previous Attorney's have managed their lives but it does seem to me that it is absolutely key to doing the job successfully, above all because there are very experienced people there who have lots of historical knowledge of the problems and how the systems works and if you can then ally that with applying your own judgement, you are probably not going to go too far wrong.

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