

Fraud is implicit within neoliberalism's rotten cultu...

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Over the last two decades I have spent quite a lot of time tackling the issue of corruption. Tackling tax evasion has always been a theme of my work on tax justice. Only yesterday I took part in a meeting in Chile (via Zoom, of course) discussing how better appraisal of tax gaps can help focus resources on tackling this issue.

Two developments are, therefore, worthy of note. One is the Trump Organisation's conviction for tax fraud. This was not, of course, a conviction for Trump personally, and the penalty will not be financially significant, but the message is. The prosecution went out of its way to make clear that Trump knew of and approved the fraudulent actions. Whether or not prosecution of Trump himself follows (and I would hope it will, because high profile convictions for tax fraud have a big impact on tax morale) the move is significant. Trump is already proving to be an electoral liability for the Republicans, as the Georgia run off has proved, yet again. Convictions will only further undermine his chance of a comeback.

Michelle Mone provides the other development. I gather Mone still denies any wrong doing relating to PPE contracts and she has the legal right to maintain that position. The Guardian's patient and painstaking journalism that has investigated her case in great detail suggests otherwise. It will be interesting to note if Labour's successful humble address in the Commons yesterday, asking for the papers with regard to this case to be disclosed by the government, provides the information needed to prove what really happened. The fact that the Tories were almost entirely absent from the Commons during this debate is the clearest indication of the embarrassment this might cause them. There is a tax dimension to this issue as well: there is a good argument that the payment of £29 million from a trust to Mone should be taxable for services supplied in securing the contracts that did in the first instance give rise to the payment being made. Whether that tax has been paid is not known.

Both cases matter. They indicate the neoliberal indifference to law on those who think themselves part of an elite.

Both demonstrate the causal attitude of some who think they have power towards

taxation.

The denials are as telling: those involved are more than willing to try to use the law (including that offshore in the case of Mone) to try to deny the allegations made against them.

However looked at, and whatever the outcome in the Mone case, these cases have the look and feel of corruption: gain was made whilst due process was ignored, and this was not be accident, but by desire.

What can be done about this? First, publicity matters. Cases like this are vital, and there should be immunity from libel action for those journalists seeking to ask questions in cases such as these so long as there is no malicious intent. Accountability is a public good and must be supported.

Second, the importance of having accounting on the public record cannot be emphasised enough. The practice of hiding accounting, beneficial ownership and government procurement practices from view has gone on for too long. Transparency is the key to free and fair markets. It is notable that those on the right are always those opposing both.

Third, there must be a willingness to prosecute. This government is dragging its feet. It has not even suspended the Tory whip in the Lords on Mone in her role as Baroness Mone, created by David Cameron.

One day we might have governments led by people who believe in upholding the law. It won't happen though until the neoliberal era is over. The abuse of law is at the heart of neoliberal thinking, where the opportunity to arbitrage the provisions of the law for private gain is seen as legitimate activity. It is not. And that is a message that still has to be said, time and again, and then again.