



This is almost certainly the last Monitor before the 2010 general election. It is an occasion to sum up on Gordon Brown's conf

the war making power; and little progress on e-petitions, or revitalising the House of Commons. No date has yet been set for debating the report of the Wright Committee on Reform of the House of Commons (see pages 1 & 2). Regional grand committees have not proved a success, and publication of the draft legislative programme has been used as a propaganda exercise rather than a consultative one.

From the Ministry of Justice policy papers have been published on an elected House of Lords and a British bill of rights. Implementation must await the next Parliament (such big reforms were never feasible in this one). Reviews have been completed of electoral systems, and the remaining prerogative powers.

the wash up when Parliament is dissolved for the election, and the opposition parties will then determine what survives.

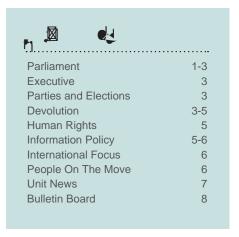
After the election the polls suggest a Conservative government, but it is not certain that this will happen, or indeed whether it will have a majority. The Conservatives have distinctive constitutional reforms of their own (see page 7), but they also shared number of important commitment. With Labour and the Libe Democrats where parties speak of the commitment of the commitmen to strengthen the House of Commons. All three parties are committed to a British bill of rights. All three parties will have manifesto commitments to an 80 or 100% elected House of Lords. All are committed to decentralisation and further devolution. And the conservatives will seek entrenchment of tain Corms, a constitutional laws': not the same as the Liberal Democrats' and Brown's wish for a written constitution, but a step along the way.

relocation of the distribution of the distribu are the party most likely to hold the balance of power. It is tempting to suppose that all these reforms might then come to pass: plus electoral reform, the Lib Dems' key demand. But that is reformers' wishful thinking. If the Conservatives form a minority government they are likely to seek a further election within a year or so. The Lib Dems will not get electoral reform. But they may get to prioritise between the other reforms held in common with the Conservatives. If given that choice, they should hold out for further reform of the Commons, and other reforms which help to make a minority parliament work more effectively with a minority government. Minority government is a different political game, as a new report by the Unit shows (see page 7).



The House of Commons Reform Committee chaired by Tony Wright reported on 24 November. The committee was set up in the wake of the MPs' expenses crisis to review three elements of Commons' procedure: the selection of members and chairs of select committees, the scheduling of business in the chamber, and public initiation of parliamentary proceedings. The Unit's Dr Meg Russell was Specialist Adviser to the committee.

Despite being given a very short timetable and having a large membership (18 members) the committee agreed a largely unanimous report giving full consideration to all three areas. On select committees it proposed that chairs should in future be elected in a secret ballot by members of the House as a whole, while members should be elected (afterwards) by secret ballot in party groups (continued overleaf).



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The committee therefore rejected a simple tidying up of the existing arrangements, but also rejected the 'maximalist' solution of the House electing both members and chairs: this was feared to be too ambitious, especially at the start of a new parliament. The proposal made would significantly enhance the status of committee chairs both inside and outside the House, and make it far harder for whips to block members

With respect to scheduling of business the Wright committee also proposed important changes, which avoid the predictable but fuzzy conclusion of the need for 'a business committee'. Following the logic frst set out in the Unit report $V@^{\Lambda}P[\tilde{V}^{\bullet}]^{\bullet}\tilde{N}$ (2007) it called for a far clearer distinction between government and non-government business, with ministers removed from influence over the scheduling of the latter. Instead there should be a Backbench Business Committee, elected by the whole House, with responsibility for scheduling items such as select committee reports and general debates, which would be guaranteed an average of one day per week.

But the report also went much further, in two respects. First, there would also be a House Business Committee, comprising these same members plus frontbench representatives from the main three parties, with responsibility for agreeing the overall schedule of business for the week. This would protect ministers' current rights, to a large extent, because backbench members would not be permitted to veto their proposals. But there would also be a new requirement for the next week's business to be approved by the House (as is the case in Scotland), rather than presented to it only for information, as at present. The chamber would thereby regain ownership of its agenda, even if this was usually agreed on a whipped vote.

On public initiation the committee was perhaps more modest, but backed existing proposals to establish a Petitions Committee, proposing that this role be given on an experimental basis to the Procedure Committee in the current parliament. The remainder of the proposals would come into effect only in the new parliament, that the theorem that the terms of the terms Ö

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annually to Parliament. In this annual report, the Lord Chancellor will have to describe the Law Commission proposals that have been implemented in the past year, and more importantly give account of those proposals that have not been implemented along with the reasons for non-implementation. Clause 2 provides a statutorily backed protocol governing the working relationship between the Law Commission and government departments. These provisions introduce parliamentary accountability for the Government's response to the Law Commission, a body which over the last forty years has performed the constitutionally imperative task of ensuring our laws are clear and update through its recommendations for reform.

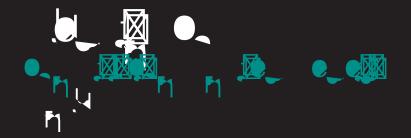


Reform of executive prerogative powers has been a central theme of the government's reform agenda. The Governance of Britain Green Paper noted that prerogative powers could be exercised without parliamentary approval and that restrictions on Ministers' prerogative powers were limited. Released in 2007, this green paper required the government to conduct a review of UK prerogative powers and questioned whether they should, in the long term, be codified or put on a statutory basis. The recent report by the Ministry of Justice on the matter provides a cautious answer to that question.

Many of the most controversial prerogative powers - for example the power to deploy troops into armed confict overseas, the power to make judicial appointments and the power of the Prime Minister to call for Parliament's dissolution - are already the subject of legislative review. Accoror ad e powe M

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Has Devolution Worked? The Verdict from Policy Makers and the Public

The third, and fnal, book from the Unit's research programme on 'Nations and Regions', funded by the Leverhulme Foundation, has now been published. The book - Px \bullet h \ddot{O} $^{[]}$ $\ddot{\alpha}$ $^{[]}$ $\dot{\lambda}$ $^{[]}$ $^{[]}$ A $^$ - explores how devolution to Scotland and Wales has been received by citizens, politicians and interest groups. Drawing on dedicated surveys of citizens and politicians, along with a wide set of interviews among representatives of civil society, the book shows that devolution has been widely accepted, but that doubts exist over how far the new institutions have delivered improvements in policy and democratic performance. The book represents the most systematic attempt to date to gauge the reception that devolution has enjoyed.

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