



The Constitution Unit

# monitor

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## PR Commission

The Constitution Unit has launched an independent commission to review Britain's experience of proportional representation. The Commission has been established following the commitment in Labour's 2001 manifesto to review Britain's experience of new PR voting systems before considering any changes to the electoral system for the House of Commons. The Commission will provide a broadly based, balanced perspective to lay the ground for the government's own review.

The Commission has been generously financed by the Nuffield Foundation and the Joseph Rowntree Charitable Trust. It is chaired by Peter Riddell of *The Times* and David Butler of Nuffield College, Oxford. The Commission has members from all parties, and includes advocates both of proportional representation and of the current system. Rather than seeking a comprehensive verdict for or against a change of system, the goal is to collect and analyse the evidence needed to inform any such decision.

The Constitution Unit has initiated a

**Constitution Unit Book on Scottish Independence**

## Parliamentary Reform

### Joint Committee on House of Lords

In May the government handed the initiative on Lords reform over to Parliament by announcing the next stage would be considered by a Joint Committee of the Houses. Membership of the joint committee is as follows:

#### House of Lords Members (appointed 4 July 2002):

Lord Archer of Sandwell (Labour)  
 Viscount Bledisloe (Cross Bench)  
 Lord Brooke of Alverthorpe (Labour)  
 Lord Carter (Labour)  
 Lord Forsythe of Drumlean (Conservative)  
 Baroness Gibson of Market Rasen (Labour)  
 Lord Goodhart (Liberal Democrat)  
 Lord Howe of Aberavon (Conservative)  
 Lord Oakeshott of Seagrove Bay (Liberal Democrat)  
 Baroness O’Cathain (Conservative)  
 The Earl of Selborne (Conservative)  
 Lord Weatherill (Cross Bench)

#### House of Commons Members (appointed 19 June 2002):

Janet Anderson (Labour, Rossendale and Darwen)  
 James Arbuthnot (Conservative, North East

Hampshire)  
 Chris Bryant (Labour, Rhondda)  
 Kenneth Clarke (Conservative, Rushcliffe)  
 Jack Cunningham (Chair) (Labour, Copeland)  
 William Hague (Conservative, Richmond)  
 Stephen McCabe (Labour, Birmingham, Hall Green)  
 Joyce Quin (Labour, Gateshead East and Washington West)

Despite their previous report on the subject, no member of the Public Administration Committee has been appointed as a member.

The Joint Committee issued a special report on 16 July (HL 151/HC 1109), which set out its terms of references and procedures. No formal evidence will be taken but the Committee is due to meet twice in September to reflect on the ‘library’ of material on the subject and to invite informal discussions. No deadline was set out for the Joint Committee to report, despite an amendment to that effect tabled by Tony Wright in the Commons debate on 19 June. Robin Cook said that this was up to the Committee. Nevertheless the progress of the Committee is likely to be watched anxiously during the long recess.

### House of Lords Procedure changes

After a rather bad tempered debate on 24 July the Lords agreed to accept a Procedure Committee report based on the Leader’s Group on Working Practices (discussed in the June Monitor). There was considerable concern from backbenchers and crossbenchers about increasing Executive control of the House, achieved through carry-over of Bills and a new convention that the House rise no later than 10pm from Mondays to Wednesdays. There were complaints that the Procedure Committee was dominated by frontbenchers. Two hereditary peers,

Lord Lucas and Lord Trefgarne, moved a series of amendments designed to probe the effectiveness of the new working practices, but the only area where Lord Williams, Leader of the House, gave ground was in the operation of carry-over. He promised to give serious consideration to an amendment from Lord Norton to provide for an automatic cut-off 12 months after the introduction of a bill. The changes will be phased in from next session and subject to review after another session.

## Constitution Committee Seeks Special Adviser

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The House of Lords Constitution Committee is the Clerk of the Constitution Committee, seeking to appoint a Specialist Adviser to assist the Committee Office, House of Lords London SW1A Committee with its work in the scrutiny of Bills. 0PW, (email to constitution@parliament.uk), by the Those interested in applying should send a CV to start of October.

## Lords and Commons Commission Annual Reports

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The annual report of the Lords takes the opportunity to present the House of Lords an efficient and responsive chamber, aware of the need to take seriously its scrutiny role. The new administrative structure, outlined in the March *Monitor*, will lead to the adoption of a five year strategic plan (HL Paper 153). The Common's Commission annual report has more of a corporate feel than previous editions, and it gives useful details about the work of the Board of Management (HC 1002).

## Public Accounts Committee—Ensuring that Policies Deliver Value for Money

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On 3 July the Public Accounts Committee issued its recommendations on ensuring that government policies deliver value for money. The PAC proposes that departments should test how their policies are going to work in practice by consulting customers

## DTLR committee reconstituted

On 22 July standing orders were passed to create a new Transport Committee and a new Office of the Deputy Prime Minister Committee, to reflect the changes in departments following the May reshuffle (see June's *Monitor*). The latter committee presumably will have powers to investigate the whole range of ministerial responsibilities held by John Prescott. For further details see [www.odpm.gov.uk](http://www.odpm.gov.uk). Chairs of the new committees have not yet been appointed.

## New Parliamentary website

A whole series of intranet pages now exist giving details on House of Commons administration, with a commitment to add them to the web for external users. The new Parliamentary website was launched on 24 July, together with its Publication Scheme, required under FOI legislation.

## Devolution

These devolution reports are brief summaries of our much longer devolution monitoring reports. For the full reports see [www.ucl.ac.uk/constitution-unit/](http://www.ucl.ac.uk/constitution-unit/) leverh or email [m.butt@ucl.ac.uk](mailto:m.butt@ucl.ac.uk) to receive them electronically.

## Wales

In a landmark policy statement, *Bilingual Future*, published in July, the Welsh Assembly Government committed itself to 'creating a bilingual Wales'. For the first time in the language's history, a government was taking full responsibility for its future. This will include preparing a National Action Plan to ensure that Welsh becomes a mainstream issue across the range of Ministerial portfolios. The policy statement also concedes that 'incomers' are threatening the rural heartlands and promises planning and housing measures to address the problem. These commitments come in the wake of an 18-month period in which the language has been a matter for contentious dispute between the parties, especially Labour and Plaid Cymru. First Minister Rhodri Morgan acknowledged that the document was an attempt 'to stop the language becoming a political football in the run up to next May's Assembly elections.'

After a year-long investigation by the South Wales Police, the Crown Prosecution Service finally cleared Mike German in June of any criminal charges relating to his time as Head of the European Unit at the Welsh Joint Education Committee. On the same day German returned to the Cabinet as Deputy First Minister and Minister for Rural

Development and Wales Abroad. The 'Wales Abroad' title was a new portfolio causing him to be immediately labelled by the Press as Wales's new Foreign Minister. Opposition leaders complained that German had been allowed to return to the Cabinet before the WJEC affair had been completely cleared up, in particular an on-going investigation by OLAF, the European Union's Anti-fraud Office.

Under Gordon Brown's Comprehensive Spending Review, announced in July, the Assembly's budget will rise from £9.4 billion in 2002-03 to £11.8 billion in 2005-06. As with the 2000 settlement, the Assembly will receive money 'over and above' the Barnett formula to provide for EU expenditure in Wales, in particular the amount spent under the Objective-1 programme. As a result Wales will receive an extra £492 million between 2003-04 and 2005-06, or £164 million per year, to 'cover' EU expenditure.

Membership of the Richard Commission on the Assembly's powers, due to report by the end of 2003, was announced in August. Four members were nominated by each of the political parties, and five public appointments were made following advertisement. The political appointments are

## Northern Ireland

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towards England and the English during the World Cup. Scotland had failed to qualify for the four-yearly football championship and the issue of whether Scots would or should support England or England's opponents was much debated especially after Andrew Wilson, SNP MSP urged Scots to support England. Most commentary accepted the view that Wilson's was a minority view but poll findings suggest that indifference and support for England was stronger than generally accepted.

The SNP had bruising selection contests for its regional lists. With 28 of its 35 MSPs elected on the lists, this was very important. A number of key figures slipped down the list—including the aforementioned Andrew Wilson and Mike Russell – but the most significant casualty was Margo MacDonald, who fell from first place last time to fifth in Lothian greatly reducing her chance of returning. MacDonald had predicted that she had strong support amongst party activists though

unpopular with the leadership and subsequently withdrew from the list and from standing as constituency candidate in Edinburgh South. She may test whether her popularity is greater amongst the electorate than in her party by standing as an Independent and has hinted at this prospect. Conservative activists voted for regional lists to be chosen by postal ballot of all members against the wishes of the party's Scottish central office. Party chairman David Mitchell had wanted to have candidates chosen at regional hustings though this view was overwhelmingly opposed by existing Tory MSPs.

Law and order, prisons and drugs were significant policy issues discussed this quarter and caused some difficulties for the Executive. While health had dominated last quarter, more populist approaches to politics are emerging. Jack McConnell continued to maintain a high profile on European affairs.

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## English Regions

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The Deputy Prime Minister, now back in control of the regional agenda, has reiterated his intention to see at least one referendum on regional government—probably in the North East—in the present Parliament. A new Office of the Deputy Prime Minister, created in the aftermath of the resignation of Stephen Byers, assumes responsibility for local government, the regions, housing and planning, with transport now a separate department.

A number of major government policy announcements (on airports and housing notably) stimulated anew the debate about regional inequalities and regional policy in England.

The Chancellor's 2002 Spending Review provided additional resources to the tune of £375 million for Regional Development Agencies by 2005-6. Alongside this RDAs are to be given new flexibilities in the disbursement of these funds.

Moreover, RDAs will also gain new responsibilities, such as promoting local tourism and contributing directly to planning and transport strategy. Their tentacles will also begin reaching out into vocational education and enterprise, with pilot schemes for the regional management of the Learning and Skills Council and the Small Business Service.

The Spending Review also saw a proposal to create new regional housing bodies which will bring

together existing funding streams into a single non-ringing fenced budget, so as to enable housing investment and planning decisions to be better integrated with transport and economic development. Plans are due to be published in the Autumn of 2002.

Despite these developments, the Better Regulation Taskforce, echoing previous criticisms from the Performance and Innovation Unit, argued that the RDAs (and Local Learning and Skills Councils) are subject to too many restrictive, centrally imposed

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# Constitution Unit News

On 9 October **Mark Sandford** will be presenting the findings of his report *The Cornish Question: Devolution in the South-West Region*, a study into different models of regional government in the standard South-West region.

In October we say farewell to **Roger Masterman**, who is moving on to become a Senior Research Associate in Human Rights in the Law Department at Durham University. Roger has supported a huge number of projects during his three years with the Unit, and has been a tower of strength generally.

Roger's successor is **Catherine Flew**, who has a background in publishing and has just finished an MSc in International Politics at SOAS.

Also joining us in October is **Lucinda Maer**, who worked for us for 3 months last year, and is currently Press Officer at Charter 88.

Lucinda's work will focus on Parliament, Executive Accountability and FOI, and Catherine will work mostly on devolution.

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## **Changes at the top—Sir Andrew Turnbull arrives**

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Sir Andrew Turnbull took up post as Cabinet Secretary and Head of the Civil Service on 2 September. He has already set out his manifesto for his three years in the role, identifying his priorities and reorganising the centre of government.

Sir Andrew will focus on the reform of the Civil Service, forward strategy and the development of delivery capability—themes which are central to the Government's second term agenda. To allow him



## **Local Government**

## **Freedom of Information and Data Protection**

### **New Information Commissioner**

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Richard Thomas, currently Director of Public Policy Information Commissioner. He replaces Elizabeth France who, has been the Commissioner since 1994.

## European News

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Parliamentary elections are due to be held in Sweden on 15 September, Germany on 22 September.

In Gibraltar, the Chief Minister has scheduled a referendum on sovereignty for October. This is in



