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the English quota, following the precedent of Northern Ireland representation being reduced by a third during the 1922-1972 Stormont Parliament. In the Lords, the Conservatives and Liberal Democrats are likely to propose a reformed house consisting of 80 per cent elected members. Labour may want to define more tightly the powers of the Lords in relation to primary and secondary legislation, to remove the remaining hereditary peers, and to put the House of Lords Appointments Commission on a statutory basis.

The royal marriage announced on 10 February 2005 raised two questions about its possible validity. The first was whether the marriage had the consent of the Sovereign, under the Royal Marriages Act 1772, and whether the Sovereign's consent had been given on advice. It quickly became apparent from the congratulations which came, first from Buckingham Palace and then from 10 Downing Street, that the marriage had the consent of the Sovereign and the support of the Government. Such consent is not necessarily automatic: in 1953 the Churchill Government indicated that it would not be able to advise in favour of a marriage between Princess Margaret (then third in line of succession) and a divorced man, Gp Capt Peter Townsend. The marriage did not take place.

The second question was whether members of the Royal Family could validly get married in a civil ceremony. The 1836 Marriage Act permitted civil marriages for the first time, but under section 45 the Act did not 'extend to the marriage of any of the Royal Family'. A similar saving was included in the Marriage Act 1949, which provided in section 79: 'nothing in this Act shall affect any law or custom relating to the marriage of members of the Royal Family'. In 1953 it was understood this meant that Princess Margaret could only contract a valid marriage in church. In the Lords on 23 February the Lord Chancellor Lord Falconer explained that the Government now took a different view, not least because of the Human Rights Act 1998. This requires legislation to be interpreted in a way that is compatible with the right to marry (ECHR Article 12), and to enjoy that right without discrimination (Article 14). If members of the Royal Family cannot get married in church (e.g. because they are divorced), and cannot validly marry in a civil ceremté γ

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the Sovereign. It proposed a retiring age of 75 (but not affecting the present Queen); and for Parliament to choose the most suitable successor from among the Sovereign's heirs (but not affecting the succession of the Prince of Wales). The Monarchy has been off limits for constitutional reformers; that may no longer be the case.

The law lords ruled in December that the indefinite detention without trial of suspected foreign terrorists under Part 4 of the Anti-Terrorism, Crime and Security Act 2001 was unlawful (*A v Home Secretary* [2004] UKHL 56). The law lords quashed the derogation order from ECHR Article 5, and declared that indefinite detention was a disproportionate response to the threat of terrorism, and discriminatory if applied only to foreign nationals.

If the Government were to continue to detain terrorist suspects, immediate legislation was necessary, because in any event N inr Â = M taéi

representative and democratic' chamber. Government sources had indicated to the press that Labour might commit to anything from an 80 per cent elected House (*Independent*, 11 March) to no further reform at all (interview with Baroness Amos, *Daily Telegraph*, 24 January). Whatever the manifesto does say, it seems clear that there remain divided opinions within government about the appropriate way forward.

In February a cross-party group of parliamentarians launched an initiative, including a draft bill, aimed at 'Breaking the Deadlock'. Coordinated by Paul Tyler MP, Liberal Democrat Shadow Leader of the House of Commons,

the Earl of Glasgow was elected by Liberal Democrat hereditary peers, to replace Earl Russell. Similarly Lords Burnham and Aberdare (both Conservative) died in January and were replaced by Lord De Mauley and Viscount Eccles respectively.

On 26 January MPs voted for a partial reversal of the Commons' reformed sitting hours, to take effect from the start of the new parliament. In 2002 the reforms brought forward by Robin Cook had ended sittings on Tuesdays and Wednesdays after 7pm, and started them earlier in the mornings. These changes were agreed only by the narrowest of margins. Ever since there have been campaigns amongst MPs to revert to the previous arrangements, with complaints including the difficulty of scheduling select committee meetings, and the loss of atmosphere in Parliament in the evenings. Under the new compromise, agreed on a free vote by 292 to 225, the Commons will sit from 2.30 to 10pm on Tuesdays (as it does on Mondays) but will continue to meet from 11.30am to 7pm on Wednesdays. This decision was described by Commons leader Peter Hain as 'a significant step backwards'. Cook's changes had sought to encourage media reporting of parliamentary proceedings, by coinciding with newspaper deadlines and ironically the vote to revert to the old hours, taken at 4.30pm, attracted significant attention. Although the reversion was welcomed by many MPs one member (Helen Jackson of Sheffield Hillsborough) announced that it was the last straw in driving her to announce her retirement.

The Bill completed its Commons passage in February. The government has accepted that the office of Lord Chancellor should be retained, but persuaded the Commons to overturn requirements inserted by the Lords that the Lord Chancellor should be a senior lawyer and a member of the House of Lords. The Lords considered the Commons amendments in March. The Conservatives continued to insist on the Lord Chancellor being a peer and a lawyer, but without Liberal Democrat support

Politics in the Scottish Parliament has reflected the imminence of the UK general election. First Minister's Question Time, theatrical politics in Scotland at its best or worst depending on taste, has witnessed some robust exchanges with election campaign themes well rehearsed. Health issues have been a source of significant clashes though whether significant substantial differences exist is unclear.

Another matter to have come to the fore in the last quarter has been the Executive's use of Sewel Motions in the Parliament. An enquiry into the use of these motions – designed to allow the Executive to allow Westminster to determine public policy in areas that have been devolved – has been provoked by the extent to which the device has been used. Lord Sewel, former Scottish Office Me r

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politicians as well as sections of the media. In December, a further use of a Sewel Motion to allow Westminster to legislate to permit 'Super Casinos' also met with criticism.

In December 2004, the Procedures Committee agreed to conduct an inquiry into the use of Sewel Motions. A number of issues arise. First, the issue of whether Sewel Motions should be used at all. Secondly, if these Motions are deemed appropriate when should they be used? Thirdly, ought there to be some means of either maintaining closer scrutiny of legislation as it is passed through Westminster and/or ought the Scottish Parliament have the

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Government's dealings in a pay dispute with NHS consultants.

A recommendation of the Electoral Commission that the Government has agreed to is the reduction of the minimum age at which someone may stand for election to public office from 21 to 18. England and Wales will foll˜ d ʊ lead of p co such a move for l˜ al elections. R ɔ change in andidacy requiremen cen in 1695.

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