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New Look Mailing

Thanks to all of you who completed our reader survey, which was circulated with the last edition of the **MONITOR**. As a result, we have made some changes to this mailing.

For the first time we are circulating, with the Monitor, a

copy of Charter88's magazine 'Central Lobby'. This includes updates about the government's constitutional reform programme, as well as useful reference information. By circulating Central Lobby with this mailing, we can devote more space in the **MONITOR** to detailed commentary and feature articles, as well as updates about the Constitution

Unit's work. Both of these were identified as popular by readers.

We hope that by sending you both publications we are able to bring you more information which will be of interest. However, this is a trial arrangement and we would welcome your comments.

Contact: Sara Northey.

New address! New address! New address! New address!

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First Year Legislative Programme

1997-98

Devolution

- Referendums (Scotland and Wales) Act
1997

Lords reform - what next?

The main constitutional bill in the second session will be a bill to remove the hereditary peers. It will have a stormy passage, and could lead to delays in the Lords for the rest of the government's legislative programme. How the government's bill is received will depend upon what they propose to do next. Lord Richard was planning to produce a Green Paper setting out the options for stage two. Baroness Jay will inherit that commitment, and may come under pressure to produce something quickly to avoid being upstaged by the Conservatives. In July William Hague announced the establishment of a Commission on Lords reform, which has already published an initial report (see opposite).

The government's manifesto said that a committee of both Houses would be appointed to undertake a wide ranging review of possible further change, and then to bring forward proposals for reform. To show that it is in earnest about stage two the government will certainly need to establish machinery of some kind. One way forward would be for the government to establish a joint parliamentary committee, as proposed in the manifesto; but to invite it in the first instance to advise on the composition, party balance and appointments system for the all-nominated chamber which will be left once the hereditary peers have been removed. That is a task which needs to be done, and is best done on an all-party basis which commands support in both Houses. It would also help to test whether a parliamentary committee might be capable of the wider role of advising on models for a fully reformed House of Lords. The capacity of a parliamentary committee to conduct such a wide ranging enquiry was called into question in the Unit's Briefing *Lords Reform - A step by step Guide* (see order form).

Second Year Legislative Programme

Lords reform is the main constitutional item to be in the Queen's Speech. The second session will also need to contain the bill to establish the Greater London Authority, if the first elections are to be held in 2000. Freedom of information will not feature, but a draft bill should be published by the Home Office during the session. This would enable pre-legislative scrutiny to take place in spring or summer 1999, and introduction of the bill proper in 1999-2000.

The wild card is the referendum on voting reform. The Liberal Democrats may press for an early referendum on the Jenkins proposals. If one is held during 1999 it would make sense to combine it with the European Parliament elections next June. (The cost of a free-standing nationwide poll is around £50m: a sum the Home Office cannot easily find after the comprehensive spending review). But no referendum can be held without legislation. This would have to be rushed through in the next six

Constitution Unit news

Change of address

At the beginning of September the Constitution Unit moved to a new building, which gives us more space and better facilities for hosting meetings and seminars. We now have a new address, telephone and fax numbers - please adjust your address lists accordingly.

The Constitution Unit Tel: 0171 504 4977
School of Public Policy Fax: 0171 504 4978
University College London
29/30 Tavistock Square
London WC1H 9EZ

Professor Robert Hazell

Congratulations to the Constitution Unit's director, Robert Hazell, who has become Professor of Government and the Constitution at UCL. Robert will give his inaugural lecture on 4 November (see below).

Seminar and lecture programme

The Constitution Unit intends to make full use of its new facilities by hosting a series of public seminars, starting in October. Attendance is free and all seminars will be held at 29/30 Tavistock Square. The first seminars are as follows:

19 October, 6pm, Party Funding

Dr Michael Pinto-Duschinsky, Brunel University

5 November, 6pm, Electoral Reform

David Lipsey, Jenkins Commission member

7 December, 12.30pm, House of Lords Reform

Andrew Tyrie MP, author of 'Reforming the Lords: A Conservative Approach'

The Unit is also very pleased to be hosting two public lectures, which are as follows:

4 November, 6pm,

'Reinventing the Constitution: can the State survive?' Inaugural lecture

Professor Robert Hazell, Constitution Unit Director. Gustave Tuck Lecture Theatre, UCL

8 December, 6.30pm,

Annual Constitution Unit lecture

Lord Irvine of Lairg, Lord Chancellor

Church House, Great Smith Street, Westminster.

London SW1.

Constitution Unit Council

The Constitution Unit has always been independent and non partisan. We are delighted to have members of all the major political parties on our new Council. The following have agreed to join the Council:

Lord Alexander of Weedon
Graham Allen MP
Viscount Cranborne
Sir Brian Cubbon
Professor Lord Currie
Dr Nigel Forman
Baroness Gould
Lord Holme of Cheltenham
Lord Howe of Aberavon
Lord Hurd of Westwell
Robert Jackson MP
Lord Jenkins of Hillhead
Baroness Kennedy QC
Lord Lester QC
Robert Maclellan MP
Graham Mather MEP
Professor David Marquand
Professor Lord Smith
Lord Woolf
Tony Wright MP

Publications and pricing

As well as asking about the format and content of the Monitor, the reader survey circulated with the last issue asked for your input into our pricing policy for publications. We have got to the point where sadly the price of our publications will need to rise.

Thank you all of you who completed and returned the questionnaire: we have done our best to act in line with the recommendations.

The good news is that, contrary to warnings in the last issue, the Monitor will continue to come to you free of charge. Although the majority of respondents said they would be prepared to pay a small sum to receive it, a significant minority did not wish to do so. Thanks to the generous sponsorship we have now secured from BT, the Monitor will continue to be sent out free of charge for at least the next two years.

However, we have decided, with the consent of many of our subscribers, slightly to increase the cost

of our publications. These price increases are reflected on our new publication list, enclosed. We will do everything we can to continue to keep down our prices, which we believe remain good value in terms of their quality, and competitive in comparison to similar organisations.

Constitution Unit reports

The New Zealand referendum on electoral reform: Lessons for the UK

With the final report of the Jenkins Commission on the Voting System imminent, the government will need to turn its mind to the referendum it has promised to hold during this parliament. In 1992 and 1993, New Zealand held twin referendums on changing its electoral system. The Unit has examined how these referendums were planned and conducted, and has just published its conclusions in a Briefing, 'Electoral reform in New Zealand: Lessons for the UK'.

The 1993 referendum ballot in New Zealand

- I vote to retain the present FIRST PAST THE POST SYSTEM
- I vote for the proposed MIXED MEMBER PROPORTIONAL SYSTEM

The conclusions fall under three headings:

Preparing for the referendum

The government can hold the referendum either as a stand alone event or alongside the next general election. The Briefing highlights the pros and cons of each option. The main argument for holding the referendum alongside the general election is the increased turnout this would produce, and the greater legitimacy accorded to the outcome. Against this must be set the difficulty of planning for a referendum when the date for UK elections is usually only made public five weeks or so beforehand.

If the UK referendum is not binding on the government, no preceding legislation will be required. But there will need to be a White Paper or similar document, to set out in detail the alternative electoral system. The New Zealand government did not issue such detailed guidelines prior to the 1992 referendum, resulting in confusion among voters about the impact that electoral reform would have on key issues, such as the size of parliament.

Public education

The UK public is not generally interested in voting systems. There needs to be an imaginative campaign to generate greater public understanding before a referendum can be held. The UK should follow New Zealand's example, by establishing an independent body to oversee voter education. New Zealand's experience shows that the time and financial cost will be significant; a well executed education programme here will take at least eight months, and cost as much as £26m.

Regulating the referendum

New Zealand's two referendums were characterised by disputes between the campaign groups on the properties and effects of the electoral options. Many of these disputes were resolved by the independent body responsible for voter education. If the UK government does not establish such a body here, it must decide how disputes might be dealt with; this will, at the least, require a temporary body to adjudicate.

Electoral reform in New Zealand: Lessons for the UK can be ordered on the enclosed form.

Further details: Ben Seyd

Nordic Lessons for the Council of the Isles

The Belfast Agreement included as a late entry the establishment of a new 'Council of the Isles', to be known as the British-Irish Council (BIC). It will comprise representatives of the British and Irish governments, devolved institutions in Northern Ireland, Scotland and Wales, when established, together with the Isle of Man and the Channel Islands. The Joseph Rowntree Reform Trust has commissioned the Unit to carry out a study looking at the lessons which can be learnt for the BIC from the Nordic Council. The study was carried out over the summer by Mads Qvortrup, and his initial findings were discussed at a seminar in September attended by Anker Jørgensen, former President of the Nordic Council, and Henrik Hageman, its General Secretary.

The Nordic Council has an impressive history of cooperation between the Nordic countries going back to 1952. It began as a body of parliamentarians, with the Nordic Council of Ministers developing 20 years later. Ministers now hold regular meetings in 17 different sectoral groups, but the inter-parliamentary Council continues to be the primary body and source of most initiatives.

The starting point of the BIC is very different. It is to be an intergovernmental body, not inter-

parliamentary; with most of its members being dependent territories of the UK. There is a risk of it being dominated by the UK, or of its becoming effectively a bi-governmental body dominated by the UK and the Republic of Ireland. There may also be difficulty identifying a strong role for the Council alongside the North-South Ministerial Council, the British-Irish Intergovernmental Conference and the new Joint Ministerial Committee on Devolution.

The full report, **Good Neighbours: Nordic Lessons for the British-Irish Council**, will be published in early October (see order form). *Further details: Robert Hazell.*

Public understanding of new electoral systems

Next year, three elections will be held under new voting systems, in Scotland, Wales and for the European Parliament. The hope is that these new systems will boost voter turnout, and create more participatory political cultures. But there is a risk of the reverse happening: without adequate public education, voters may find the new voting systems intimidating and stay away from the polls.

The Unit has conducted research on the information people will need in order to cast their vote, and on the design of the ballot papers themselves. The research, conducted in conjunction with Social and Community Planning Research, has been funded by the Gatsby Charitable Foundation. Through focus

November (see order form). *Further details: Meg Russell*

Review of Local Government Commission

In March Robert Hazell completed his review of the Local Government Commission (LGC), and the government published his report in the summer. Its main recommendation is that the LGC should be merged with the Parliamentary Boundary

Bulletin Board

New publications by the Unit

Checks and Balances in Single Chamber Parliaments: a Comparative Study (Stage One) (February 1998)

Review of the Local Government Commission by Robert Hazell (March 1998)

Electoral Reform in New Zealand (July 1998)

Multi-Layer Democracy in Germany: Insights for Scottish Devolution by Dr Charlie Jeffery (July 1998)

Forthcoming Publications by the Unit

Single Chamber Parliaments: a Comparative Study (Stage Two) (October 1998)

Good Neighbours: Nordic Lessons for the British-Irish Council (October 1998)

Public Understanding of New Voting Systems (November 1998)

An Appointed Upper House: Lessons from Canada (November 1998)

Forthcoming events

'The New Human Rights Act: Power to the People or to the Judges?' 22 October at 12.30pm
UCL Lunchtime Lecture by Professor Jeffrey Jowell. Darwin Lecture Theatre, UCL, Gower Street, London WC1.

Constitutional Reform: A Critical Analysis.
Inaugural seminar series for the Centre for Legal Research and Policy Studies, Oxford Brookes University. For further details please ring 01865 484901 or email dpwoodhouse@brookes.ac.uk

Constructing Constitutions soc0 r the 6g1f0.nrwca7Wi2U406 2ni6co4Nn7T74Nn