









Constitutional reform is generally believed to be the Liberal Democrats' contribution to the coalition government's agenda. The Conservatives certainly do not see themselves as constitutional reformers. But before the election their reform agenda was as extensive as the Liberal Democrats: see the Unit's Briefing 148 on *The Conservative Agenda for Constitutional Reform*.

Nick Clegg said last May that one reason for joining the coalition was to deliver the Lib Dems' long-held plans for constitutional reform. In government he leads on the whole constitutional reform programme. But early analysis suggests that at the end of this government, Clegg will have delivered more of the Conservative package of constitutional reforms than his own. In particular, he has not succeeded on the AV referendum and is unlikely to accomplish Lords reform, the Lib Dems' two biggest priorities.

© 2010 The Liberal Democrat Campaign Unit. All rights reserved. For more information, contact the Campaign Unit at libdem@libdem.org.uk



tTsh:

The Boundary Commissions have been working fast to produce new boundaries for a House of Commons of 600 not 650 MPs. The draft proposals for England were announced on 12 September, exploding like a cluster grenade over the party conferences. There will now be a 12-week consultation period, through to December. In early 2012 the Boundary Commissions will publish revised proposals, and there will be two more rounds of consultation before the final constituency boundaries are laid before Parliament for approval in October 2013.

Labour is likely to challenge the proposals all the way, including bringing actions for judicial review, and voting against the changes in 2013. This final parliamentary vote will give the Liberal Democrats some leverage if they want to gain concessions from the Conservatives at that stage in the Parliament. As one example, October 2013 is the last point at which the government could invoke the Parliament Acts to push through their proposals on Lords reform.

All the parties will need to reorganise their local branches to map onto the new constituency boundaries. They can now start planning for this, because most of the proposed constituencies are likely also to be the final ones.

The government has a White Paper ready for publication in the autumn. All parties agree that the power of recall should only be triggered by 'serious wrongdoing'. The threshold could be a prison sentence of 12 months or more; or a Tthj

the government will move this autumn to establish the Commission promised in the coalition agreement. It is primarily seeking to implement the Conservative policy of English votes on English laws, so the policy lead could have been given to Sir George Young as Leader of the House of Commons. But it rests with Nick Clegg as part of his overall responsibility for constitutional reform. The Liberal Democrats will want to widen the agenda to include their vision for a federal Britain, and issues such as an English Parliament, so the terms of reference will not be easy.

Individual voter registration

In June the government published its plans for Individual Electoral Registration (IER) in a White Paper and draft bill. The aim is to introduce IER by 2014, in time for the next election, so the timing is tight. The next step is pre-legislative scrutiny of the draft bill, which will take place in Autumn/Winter 2011. The new electoral rolls based on IER will not be available in time to inform the review of parliamentary boundaries, which are based on 2010 data.

IER is intended to improve the accuracy of the electoral register, currently based on registration by households, and to reduce electoral fraud. Every elector will have to register individually and provide identifying information. There is concern that some electors will drop off the register, so the government is also taking steps to improve the completeness of the register. In June it launched a series of data matching pilots to test how far comparing electoral registers against other public databases will allow eligible people missing from the register to be identified and asked if they would like to register. Comments on these proposals are invited by emailing the Electoral Registration Transformation Programme by 14 October 2011: electoralregistration@cabinet-office.gsi.gov.uk.

to reconsider some issues and return an amended Scotland Bill to the Scottish Parliament for further approval via a second Sewel motion. While the SNP criticised the bill, it voted to support the Sewel motion giving Westminster the power to legislate. This initial conditional support now puts the SNP in a much stronger position, with a Scottish Parliament committee now much less likely to accept the bill as it stands. Instead, the Scottish Parliament's new Scotland Committee Bill, with an SNP majority, will reconsider its provisions and use its new inquiry to explore issues such as the devolution of corporation tax before reporting at the end of 2011.

In the meantime, the Scottish government will pursue its new legislative and policy agenda, announced on 7 September. This agenda does not include an early referendum on independence, but focuses on the Scotland Bill in the short term. It reintroduces one of the main casualties of the SNP's minority position from 2007-11: a bill to introduce a minimum price for a unit of alcohol (it has not signalled a bill to introduce a local income tax). Alex Salmond's statement also focused on the limited economic levers available to the Scottish government (coupled with a criticism of the UK government's austerity programme); the provision of modern apprenticeships and public service reform (including single fire and police service authorities) is the best it can do. The bill to tackle sectarianism is also part of this agenda, following the Scottish government's decision not to introduce it as an emergency bill before the summer.

Dr Paul Cairney, University of Aberdeen

Northern Ireland

If devolution to Scotland, and to a lesser extent Wales, came about as a result of popular demand to do politics differently in the face of apathy or antipathy in London, re-devolution to Northern Ireland was fondly desired in the UK capital from the moment 'direct rule' was reluctantly embraced in 1972. Courtesy of modern high-resolution cameras, however, we discovered that it once again topped the agenda at the last cabinet meeting in August.

Over the last four months a fixation with the constitution has sat alongside the day-to-day business of the Scottish government. The latest poll conducted by *The Herald* suggests that 39% favour independence and 38% do not ('Yes voters take lead in new independence poll', 5 September). *The Herald* treated this result as a major event, since pro-independence has not taken the lead for three years. This latest poll was phrased as follows: 'The Scottish government should negotiate a settlement with the government of the United Kingdom so that Scotland becomes an independent state – yes or no'. However, when the wording is changed to include the scary term 'separate state', the balance shifts in favour of retaining devolution. Further, when people are given three main options (independence, devolution, no Scottish Parliament; or, independence, further devolution, status quo), devolution (or further devolution) always wins and sometimes gains a majority of responses.

However, the effect of the SNP's avalanche election win is that it now seems to have the moral authority not only to pursue an independence referendum, but also to change fundamentally the way that the new Scotland Bill is being processed. Unusually, the Scotland Bill was subject to scrutiny from both Parliaments. The Scottish Parliament's Scotland Bill committee (which at the time had an SNP minority) approved the bill conditionally in March, subject to a recommendation

tuition fees from 2012 remained in the pending tray of the Executive Committee over the summer, leaving Northern Irish universities to produce prospectuses without this essential information.

It was the same story on the key 'bread and butter' issues for the public as a whole. An electricity price hike bringing nearly half of all households into fuel poverty saw the Consumer Council demand a timescale for executive action to stem it. A Federation of Master Builders (FMB) survey found construction activity down for the 14th month in a row; the FMB appealed to the executive to implement the Green New Deal, agreed among the social partners, to retrofit energy-inefficient homes. And it emerged that there had been a 6,000 per cent increase in two years in the number of people waiting more than nine weeks for a first hospital appointment, a situation the Chartered Institute of Physiotherapy described as 'totally unacceptable'.

Dr Robin Wilson is an Honorary Senior Research Fellow of the Constitution Unit and author of *The Northern Ireland Experience of Conflict and Agreement: A Model for Export?* (Manchester University Press, 2010).

Wales

The second part of the year has been less dramatic than the first, when the referendum on the National Assembly's legislative powers was closely followed by elections. Following the poll Labour decided to govern alone, though its lack of a working majority—with 30 seats, it has exactly half the Assembly Members (AMs)—means this will present many challenges. The Cabinet announced after the elections brought few new faces into government, though some junior ministers were promoted to Cabinet rank. There were some changes, with Theodore Huckle (a QC in private practice) being appointed as Counsel General from outside the Assembly. The executive body was also renamed the 'Welsh government', dropping the confusing 'Assembly' from its title. There are ongoing suggestions that a coalition, probably with Plaid Cymru, might be formed later in the Assembly's term. With just seven ministers in Cabinet and three junior ministers, the present government is quite slim in personnel and there would be room for a coalition to be established without huge changes to the structure.

All the other parties have experienced some disruption in the wake of the election. Plaid Cymru's Ieuan Wyn Jones announced his intention to step down as leader during the first part of the Assembly's term. Candidates to succeed him in this slow-motion leadership election include Elin Jones, former Rural Affairs Minister, Dafydd Elis-Thomas, former Presiding Officer, and possibly Simon Thomas and Leanne Wood. Adam Price, former AM, is still studying at Harvard and is clearly out of the running for the time being. The Conservatives also needed a new leader after Nick Bourne lost his seat, and chose Andrew RT Davies, who is seen as being from the traditional rather than the modernising Bourne-ite side of the party. The Lib Dems lost two AMs who had broken electoral rules by holding disqualifying offices when elected; the Assembly voted to seat one of them, Aled Roberts, but not the other, John Dixon. It took until July to do so, though, giving Labour a two-seat majority for a short time.

The new government announced its legislative programme for its five-year term in July, with five priorities for the coming session. Two of these concern local government, and others relate to food hygiene, schools and the Wales Audit Office.

Looking forward, the key issues relate to finance. One is the long-promised commission on the funding of the Welsh government, now widely dubbed 'Ap Calman'. The UK government has restated its

