

Sir George Young: Hansard Society Lecture – 18 March 2010

Thank you, Peter, for that introduction – and thank you also to the Hansard Society for inviting me to speak to you this evening.

I've had the good fortune to be closely involved with the Society over many years, including as a former Vice President. Everyone who works in politics knows what a tremendous contribution it makes both to the public's understanding of Parliament and to the way Parliament works. It not only monitors the health of our democracy – it's also on hand to prescribe the right medicine when the body politic is under the weather. We've seen that recently, with the unexpected but welcome progress that has been made introducing the reforms of the Wright Committee on the Reform of the Commons; issues on which the Hansard Society has been campaigning for many years.

I'm particularly delighted to be winding up this series of three talks on parliamentary reform. If you put all the speeches from the different parties together, you can see where we agree; where we disagree; and work out how, in the next Parliament, things might be different if the Conservatives win.

The last few weeks have seen the House of Commons make some big – and positive – decisions to change the way it operates. Given the disastrous year Parliament has endured, these are necessary reforms. The challenge before us is to implement them in the little time that remains before the election; and then to build on them in the next Parliament. The House has suffered something of a cardiac arrest; our task must be to revive it and ensure that it becomes the beating heart of democratic life.

What's gone wrong?

I'm not suggesting that there is a mythical golden age to which Parliament can return. I agree with Jack Straw that no such time ever existed. Governments of all colours and from all ages have sought to erode Parliament's authority and compromise its ability to assert itself. The enduring tension between the executive and the legislature lies at the centre of British politics.

But we risk looking at least complacent, at worst fully detached, if we fail to recognise that the current public mood relates to a widespread sense of dissatisfaction with the way Parliament does its job.

Trust – or the lack of it – plays its part. Last week, newspapers reported the headline finding from the Hansard Society's annual Audit of Political Engagement as “expenses scandal does not cause collapse in trust”. MPs rushing to read the good news will have been disappointed. Underneath the headline was the depressing realisation that the 70 per cent who said they distrusted politicians 7 years ago haven't changed their mind. Suspicion has just hardened into cynicism.

What concerned me more was the indifference with which an increasing number of people appear to view Parliament. This message is strikingly conveyed by the finding that just one in five people think Parliament is one of the institutions that have the most impact on their lives – a sharp decline from previous years.

To borrow from Oscar Wilde, the only thing worse than Parliament being talked about, would be for Parliament not to be talked about. The House depends for its relevance on the strength of its relationship with the electorate. When it speaks to the concerns of the nation, the Chamber is lively and constructive; but when it retreats into itself, debate becomes ritualistic and purposeless. It is this sense of purpose which Parliament has lost. And in a moment I will outline our proposals to make it more relevant and effective.

Labour's record

It would be unfair to lay the blame for this state of affairs entirely at Labour's door.

I was shadow Leader of the House in their first term; and now I am shadow Leader in what I hope will be their last. This has given me a good perspective on their approach to reform. And it's not all been bad.

Under the banner of modernisation, real improvements have been made to the working practices of the House. Our sitting hours are more sensible and more reflective of the patterns of modern life. No one wants to return to all-night sittings to tramp the lobbies in their dressing gowns. We work now in a more balanced and professional environment. To prospective MPs who are women with young families, it will seem a less intimidating place of work.

There have been other successes. Westminster Hall - for which I was the sole and lonely cheerleader on Conservative benches - has opened up greater opportunities for backbenchers to raise constituency issues. Public Bill Committees are a considerable improvement on Standing

Committees benefiting from formal evidence sessions before the detailed scrutiny.

The Prime Minister's appearance before the Liaison Committee twice a year is another welcome innovation, which has provided a more reasoned forum for scrutinising the Prime Minister than the hurly-burly of Question Time. Though I say in passing that they have not in my view reached their full potential. Two and a half hours interrogation of the country's Prime Minister by the country's top inquisitors should elicit more information than it has done to date about what makes Prime Ministers tick and, if it was more effective, it would get more coverage than it does at the moment. As a former participant, I take my share of the blame for this.

While Parliament needed modernizing, it certainly needed strengthening; and too often the measures that modernized it, weakened it. Lasting reform can only take place when there is agreement between the competing interests in the House – but too often the Government proceeded on the basis that what was good for it, was good for everyone. That has sadly not been the case.

The main vehicle for reform – the Modernisation Select Committee – initially managed to foster a sense of collaborative engagement. But instead of being chaired by a senior backbencher, to speak with the authority of Parliament, it has instead been led by a Cabinet Minister, who acts under the direction of the Government: a clear conflict of interest that we have promised to end. The Leader of the House is the member of the Cabinet charged with delivering the Government's legislative programme through the House of Commons. It is a constitutional affront that that same person should also chair the

Committee which decides how the House of Commons will scrutinise that programme.

Inevitably, having such a powerful executive presence on the Committee has led to a divisive approach to reform. Instead of the process being owned by the House – as it should be – it has been at the whim of the Government. When it has suited the Government, reforms have made progress; when it doesn't, they don't.

We have seen how ready the Government are to push through unwelcome proposals, even using the casting vote of the Leader of the House to introduce the unpopular regional select committees – which we propose to abolish.

I witnessed this at first hand as a former member of the Modernisation Committee, when for the first time in my 35 years in the House the Government broke with all-party consensus to force through a report on programming. The minority report that I produced with my Conservative colleagues to protest against these changes was voted down. The Government simply deployed its majority both in the Committee, and then on the floor of the House, to introduce what was in effect an automatic guillotine on all Government legislation.

The then Leader of the House Margaret Beckett argued that the guillotine was a way to cut down on late sittings and allow MPs to invest more time in their families. But it was heartening last week to hear Jack Straw publicly accept that programming had undermined effective scrutiny. I hope that Labour will now follow my pledge to return to the more collaborative approach to timetabling business that existed before. As a

seasoned campaigner for a stronger Parliament, you will forgive my scepticism.

Constitutional Reform

Too often the Government offers words of support, and then fails to act on them. The initial spark of enthusiasm for one morning's good headline never seems to burn as brightly the following day.

You only have to look as far as Labour's flagship Constitutional Reform and Governance Bill to see the divorce between the rhetoric and the reality. In the week that Gordon Brown entered Downing Street in 2007, he announced plans for a "new British constitutional settlement"¹ to thrust power into the hands of Parliament and the people. I welcomed his statement.

But what happened? A Bill was published in draft form; it was put before a joint committee for urgent consideration; the committee completed its work in haste at the request of the government by July 2008 – and then the Bill was lost without trace into the legislative Bermuda Triangle for a whole year. Having just about made it through the Commons low on fuel, it will now be glimpsed below the clouds by their Lordships at Second Reading on March 24 before being downed in thick fog in the remaining days of this Parliament.

There has been little or no progress on nine of the twelve areas where Brown pledged action – such as a Commons vote to trigger dissolution – to transfer power from the executive. Rather than strengthening

¹ *Hansard*, 3 July 2007, col. 815

parliamentary accountability, the Bill itself was so tightly programmed in the Commons that at least 28 clauses – about a third of the Bill – were not debated at all. And although this was designed to reinvigorate democracy, the last minute insertion of a referendum on AV was a pre-election stunt that serves only to undermine it.

This has not been, as the Prime Minister predicted, “an important step forward” – but rather, as the former Lord Chancellor Lord Falconer pertinently called it, a “constitutional retreat”.

Wright Reforms

The Government was also in headlong retreat on Commons reform – though I’m pleased to say they are now finally running, if you’ll excuse the pun, in the right direction.

The vote on Wright was doubly significant because the proposals that the House overwhelmingly endorsed on 4 March were not dictated by the Leader of the House and pushed out by the Modernisation Committee. Instead, they were introduced by a committee whose chairman, Tony Wright, is a well-respected backbencher and whose members were elected by their peers, not nominated by the Whips. Instead of enabling the Government to break the consensus on reform – as it has previously done – a consensus in the House broke the Government.

Harriet Harman implausibly argued during the debates that the Government was always on the front foot. But while they have dragged their feet, it was the reformers, supported by the Conservatives, who have been pushing the pace of reform.

We opposed the Government's attempts to restrict the terms of reference, which would have strangled the House Business Committee at birth. We pressed them for time to debate the report after it was published. We forced them to give the House a vote on all of the proposals. We called for the establishment of the Backbench Business Committee at the beginning of the next Parliament – something even the Wright Committee appeared reluctant to see. And it was only after I threw our weight behind the creation of a House Business Committee that Harriet Harman conspicuously reversed her previously stated opposition and indicated that she would support it.

The Government failed to recognise that the harder they tried to resist, the more effectively their own actions made the case for the executive relinquishing its iron grip on the business of Parliament. As the Labour MP Martin Salter memorably put it, “The power of these shadowy forces at work behind the scenes demonstrates more clearly than ever why the Wright Committee recommendations need to be implemented in full, and that the clammy fingers of the whips and Government business managers are prised once and for all off matters that are for Parliament rather than for party”.²

Reformers from across the House should be delighted by the results of the votes a fortnight ago. It was a March Revolution – a definitive victory for Parliament over the executive. The decisions that the House took to elect select committee chairmen and members, create a Backbench Committee and lay the path towards a more collaborative way of handling our business were necessary and long overdue.

² Telegraph Blog, 4 February 2010

The challenge now is to put these sensible changes into practice. I was particularly struck by the words of Tony Wright during the debate when he warned that setting up new structures is easy, but it is more difficult to make them work. As he said: “In a way it is easy when we can blame the Government for everything, but from now on we shall have to attend to ourselves and take responsibility for ourselves. If we do not do that, this is not going to work; it will be sunk”.³

We now have just 9 or so days in the remainder of this Parliament to implement the decisions. There is no room for error within such a tight timescale.

Harriet Harman said today that she will find time to debate all of the necessary changes to Standing Orders. But there is a growing concern that this may not happen before dissolution. Such a delay would jeopardise the ability of the Backbench Committee to be up and running in time to set the first topical debate of the new Parliament.

What's next?

The big question that remains is: what should happen next? Given Parliament's self-inflicted wounds, have we done enough to stop the bleeding?

My answer is emphatically, no. Parliamentary reform is not a single day's work. To many people, it may seem a painfully slow and arcane process, but when the circumstances are right – as they are now – it has the

³ *Hansard*, 4 March 2010, col. 1082

opportunity to transform not just Parliament, but the way we do politics as well.

I want to make it clear to you tonight that, if we win the election, the Conservatives will not rest on the achievements of the last few weeks. But we will use the momentum created by the Wright Report, build on the consensus that has been established and feed off the energies of a new generation of MPs.

Yes, there will be other big priorities for the next government – not least paying down the national debt. But we know that urgent action is needed to cut the democratic deficit too. Just as we will rebalance our finances to get growth back into the economy, we will also rebalance the power between government, Parliament and voters to bring confidence back to politics.

So let me outline a number of areas where we will help make Parliament more independent; increase its role in national debate; sharpen its tools of scrutiny; and strengthen its accountability to the people it serves.

Conservative proposals

Many of Parliament's current problems stem from the over-interference of the executive. The Government is formed from Parliament – it doesn't own it and it shouldn't have so much say over how the House is run. We are committed to abolishing the Modernisation Committee and will return its agenda to a revitalised Procedure Committee, chaired by a senior backbencher, elected by secret ballot of the whole House.

But the new rules on electing the heads of select committees will also lend new authority to the Liaison Committee – whose chairman should now take a greater lead than before in charting the direction of reform. Other than their landmark report “Shifting the Balance” in 2000, they have focused more on their evidence sessions with the Prime Minister than spelling out their vision for the House in greater detail. In the future, I believe they should do that.

To help them meet this challenge, we will break the monopoly on statements currently held by ministers and hand to the Liaison Committee a quota of 12 statements a year, which can be drawn on to enable select committee chairmen to launch their reports to the House and answer questions on them. So when select committees have got something important to say, such as today’s report from the Defence Committee on the need for a comprehensive approach to securing peace after military operations, it won’t be buried in a press release and relegated to a few columns in a newspaper; but broadcast live to the nation in prime time.

This will help the House become a platform for debating the issues of the day. And we’ll go further. Too often the Chamber can seem like a sea of green benches, particularly during thinly attended Opposition debates. So we will allow the Opposition to trade the time allocated on those debates to force the Government to give topical statements on the issues of the day – again in prime time.

As the Wright Report observed, all too often MPs themselves do not see the point of making the House the primary focus on their activities. But our proposals will seek to transform this by replacing long and turgid debates with short and punchy statements that will get far greater air time.

You only have to compare the amount of media interest that was shown in Tuesday's statement on BA with the equally topical but less gripping debate later that afternoon on higher education to understand the impact. Parliamentary theatre can be as gripping as the real thing – but we need to make better use of the stage.

Backbenchers aren't in Parliament just to talk – they're there to scrutinise legislation and improve the law. While we give them more of a voice, we must also sharpen their teeth.

Making law is a two-sided process: the executive should keep a handle on the volume of legislation that it tries to pass, while the legislature needs to have enough time to give proper attention to every part of every Bill. At the moment it's going wrong in both respects. There is currently too much legislation, produced too often, with too little effect. And while the Government churns out Bills like press releases, there has been no effort to give the Commons the time and the tools it needs to examine them in detail.

We all know what happens when our brains don't get enough oxygen. Time is the oxygen of Parliament. At the moment, the sheer volume of legislation is suffocating the House. We will give it the breathing space to be able to undertake its scrutiny in a measured and considered manner, without forcing it to hyperventilate.

We will start from the premise that there should be fewer Bills, more thought-through and better prepared for their journey through the House. I applaud the work of the Better Government Initiative in this area and their principles will inform our approach, should we win the election.

Legislation is too often drafted on the hoof; which forces Parliament to do the heavy lifting that should have been done at an earlier stage by officials. In the 2007/ 08 session, the Government tabled well over 5,000 amendments to its own Bills. It is absurd to expect the House to take the hit for inadequate preparation in Whitehall.

We'll abolish the automatic guillotine for Public Bill Committees, as I said earlier, which will give backbenchers more time for proper scrutiny. And we need to look closely at the Report stage of Bills where real issues of timing remain. I'm in favour of more split committee stages, where some of the committee stage is taken on the floor of the House, so that more backbenchers would have an opportunity to contribute at an earlier stage of the Bill – as well as stricter time limits on speeches so that some of the pressure is taken off timing.

More effective mechanisms such as these will help to make the Commons better at holding the Government to account – which in turn will build public confidence in what MPs do.

Lords Ministers in the Commons

The work of MPs has for decades stretched only as far as the Committee corridor and the Chamber of the Commons. But over the last three years, we have had to confront a new beast on the political landscape.

These stubborn, independent and wily creatures initially bred in great numbers – and in one case spent his time acquiring vast tracts of territory across Whitehall. But these animals are evasive too; and while they have

been allowed to roam free and unrestrained, there is currently no means of bringing them to heel.

These are, of course, the Goats – those ministers appointed from outside Parliament to sit in the Lords and form Gordon Brown’s famous Government of all the talents.

Since July 2007, there have been ten peerages awarded to individuals so that they can function as ministers including two secretaries of state: Lord Mandelson, who needs no further introduction, and Lord Adonis, at Transport.

This is not a new development – there have been nine secretaries of state sitting in the Lords since 1979. What is unusual is for their departments to be accountable to the Commons only through junior ministers. Under Conservative governments, there was typically another minister of Cabinet rank who handled departmental business in the Commons.

There is no such equivalent today. Lord Mandelson delegates Commons work to Pat McFadden; Lord Adonis to Sadiq Khan. Both are doubtless competent ministers.

But it is frustrating that at a time of economic fragility, with industrial strikes brewing, that the Cabinet Ministers with responsibility for industry and transport are unaccountable to the House.

I have made clear in a submission to the Procedure Committee that the current state of affairs must now end and a way should be found for

Lords Ministers to be cross-examined, like the rest of their peers in the Cabinet, by MPs.

We should start in Westminster Hall, requiring ministers who sit in the Lords to respond to debates where responsibility for that particular issue rests with them. The Committee will publish their report on Monday; and I hope they will agree with me that it is time to tether the goats.

Cutting the size of Parliament

Our proposals will help to make Parliament a more formidable inquisitor of the Government; and a more relevant force for the public.

But we cannot start work on cutting the democratic deficit without acknowledging that the first priority of the new Government will be to tackle the financial deficit.

We all know that whoever is in power after May 6 is going to have to make some difficult decisions on spending. These won't just be taken by the Chancellor; or even the Cabinet; they will require the collective will of Parliament. And at a time when we are calling for restraint from the public and the private sector, it's vital that Parliament leads by example and does everything it can to search for efficiencies.

Over the last thirteen years, the cost of politics has doubled. But we haven't seen double the benefits. So just as we try to achieve more with less in the public sector, so we must in Parliament.

There are too many MPs. The House of Commons is the largest lower house of any major Western democracy. Even the world's largest democracy, India, makes do with 545 MPs. By comparison, the UK has 20 per cent more MPs but just 1/20th of their population.

This is why we have pledged to create a smaller House of Commons. If we win, we will introduce legislation to instruct the Boundary Commission to reduce the number of MPs by ten per cent in time for an election in 2014. By May 2015 the House of Commons could have 585 members - a cut of around 65.

These proposals will have the potential to save over £15 million a year. And it will give an even more valuable political signal during this time of fiscal restraint: that we are all in this together.

And on this, the public are right behind us.

Far from being anti-democratic, we will help reduce the inequities in the electoral system at the same time as we bring down the costs. At the moment, the electoral maths is skewed. In 2005, Labour polled seventy thousand fewer votes in England than the Conservatives, yet won ninety-two more seats.

Jack Straw has accused us of gerrymandering. It's a claim that's hard to swallow given their recent conversion to the Alternative Vote. If AV had been used in 2005, it would have delivered more seats for Labour than the first-past-the-post system, even though the party only secured 36 per cent of the popular vote.

What's more, leading academic experts have said that our proposals would make little change to Conservative representation.

On our direction, the Boundary Commission will ensure that every constituency is roughly the same size. This will address the disparities that exist between constituency populations – and give each vote an equal value. What could be more democratic than that?

Conclusion

I want to end on a broader reflection. Society has changed, but Parliament has not. As the constitutional expert Professor Vernon Bogdanor has said, power has not been handed to people, it has merely passed “between elites”.⁴

Our task now must be to drive much wider cultural reform in Westminster – not just cleaning up politics, but transforming it. That is why we are committed to a substantial shift of power from the centre down to the local; from Whitehall to communities; and from bureaucracy to democracy.

This will not weaken Parliament – it will strengthen it. We have nothing to fear from binding ourselves more closely to the electorate we represent. It may be a challenge; but in the end, I predict, it will be a success – for Parliament and for the people.

⁴ *The New British Constitution*, Prof. Vernon Bogdanor 2009