

## un finished business, in terms of Lords

up his patronage power to select party members in the House of Lords and give this power to the House of Lords Appointments Commission. Secondly, making the power of dissolution subject to parliamentary vote is not an effective check on abuse of the power. If the PM really wanted to restrict his power to choose the date of the next election, he should introduce fixed term parliaments as Canada has just done.

Finally, there are two respects in which we believe the government risks going too far. It should not relinquish all involvement in the appointment of judges. The Lord Chancellor should retain the power to select judges, and senior judges should be subject to the same parliamentary pre-appointment hearings as the government is proposing for other senior public appointments. Secondly, lowering the voting age to 16 would almost certainly reduce voter turnout. 18-25 year olds already vote less than older age groups, and the risk is that young voters who start in life not voting are likely to continue as non-voters.

*The Unit's Briefing, Towards a New Constitutional Settlement, and the Unit's Response to the Green Paper can both be found on the website, at [www.ucl.ac.uk/constitution-unit/news/index.htm](http://www.ucl.ac.uk/constitution-unit/news/index.htm).*

## BROWN'S NEW TEAM

government will start with a long list of smaller things. This is not to diminish their importance; but a possible difficulty is that few of these items will resonate with the media or the general public.

The main focus of Brown's initial reforms is on strengthening Parliament, and bringing the prerogative powers under parliamentary scrutiny

In Gordon Brown's first Cabinet all the key constitutional portfolios have changed hands. The new Justice Minister and Lord Chancellor

Brown's programme for constitutional reform. Straw's appointment marks the latest stage in the changing relationship between the three branches of government, with the Lord Chancellor coming from outside the House of Lords for the first time. Straw is supported on constitutional reform by

position of Leader of the House has been given to Harriet Harman, Labour's new deputy leader and party chair.

Both the Scotland and Wales Offices will continue to be headed by part-time secretaries of state, Des Browne and Peter Hain respectively. Even

serious doubts as to how much time the Scotland and Wales Secretaries will have for their territorial jobs as both men are also in charge of major departments: Defence (Browne) and Work and Pensions (Hain). Junior ministers David Cairns and Huw Irranca-Davies are likely to handle much of the day-to-day work of the two departments.

At the Northern Ireland Office, the top job has been given to Shaun Woodward and made a

## BROWN'S NEW TEAM (CONT'D)

full-time role once more. However, there is now only one junior minister, reflecting the reduced workload following the resumption of devolved governance in Belfast.

Other significant appointments include that of Baroness Scotland, only the second black

General, Baroness Ashton as Leader of the Lords, and close Brown ally Ed Miliband as Minister for the Cabinet Office.

Alongside the reshuffle, Gordon Brown made some significant changes to the machinery of government, following the earlier creation of the Ministry of Justice (see previous *Monitor*). There are three new departments: the Department for Children, Schools and



Enterprise and Regulatory Reform and the Department for Innovation, Universities and

Trade and Industry, and the Department for Education and Skills (as well as the Deputy Prime Minister's Office) will cease to exist. As noted below, these changes were the subject of a critical report of the Public Administration

Scotland, published a consultation paper on possible changes to her role on 26 July. One option is to appoint a lawyer from outside politics, as in Scotland, Ireland and Israel. The Attorney's regular attendance at Cabinet (in itself a recent Blair innovation) could be

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Committee. One reason for delay is simply the difficulty of reaching agreement, with many on the Labour side opposed to election and the Conservatives officially supportive, but highly critical of any specific proposals. The other reason is that many consider it





recommendation is that a new chief executive

House should *not* be created. Rather, the report continues to load the post of Clerk with more responsibility for management, with the Office of the Clerk upgraded to assist.


would also remain in place, but the Board of Management would be remodelled with the addition of external non-executive directors to advise. As the membership of the

no non-MPs could be added to it without primary legislation.

The report also recommended closer cooperation between the Clerks and the





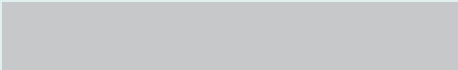


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Gordon Brown's reshuffle as well as the publication of the long awaited Sub National Review of Economic Development and Regeneration (SNR) has opened up the prospect of some serious activity on the English regional front. Policy has in fact been emerging over the last two years, but what is different this time is the degree of commitment to move things forward plus some concrete

Brown has effectively given primary responsibility for the lead on regional economic development to the newly created Department for Business Enterprise and Regulatory Reform (DBERR) under John Hutton. It has assumed lead responsibility for achieving the Regional Economic Performance PSA targets and it has been made clear that other government departments would be expected to demonstrate their commitment to delivering this target in future spending periods. The

economic development across all the English regions, the DBERR will work closely alongside the Treasury and the Department for Communities and Local Government.



The reshuffle was accompanied by the appointment of nine regional ministers, one for each of the regions including London. These are tasked with representing their regions in Whitehall and Westminster, while also representing central government in their regions. They are expected to fulfil these roles alongside their other junior ministerial duties.

will operate, how their dual representative function will be sustained, and what access they will have to the central policy making departments mentioned above. Despite these

significant innovation. The new administration is also proposing, subject to the approval of

*unit/publications.*

The Unit held four seminars between May and July before our regular seminar series took a

On 22 May, leading political journalists Peter Jones and Martin Shipton spoke on the new political situations in Scotland and Wales. Jones described the SNP administration in Edinburgh as confrontational and with mixed prospects for its political programme. However, according to Shipton, the uncertainty in Scotland was nothing compared to the chaos reigning in Cardiff, where a new government had yet to be formed.

On 18 June, Meg Russell of the Constitution Unit led a seminar on the House of Lords. Russell set out a detailed case showing how the House has grown more assertive since the elimination of all but 92 hereditary peers in 1999. One striking piece of evidence is the number of government defeats at the hands of the Lords – an average of 49 a year.

On 25 June, Professors Guy Laforest and James Mitchell spoke on the development

and Scotland. Both described the systems of co-ordination between national and sub-national governments – in Canada and the UK respectively – as inadequate and problematic, with Mitchell challenging the notion that the new nationalist government in Scotland had

On 19 July, MP and Chair of the Joint Committee on Human Rights Andrew Dismore spoke on the subject of 'Making Human Rights Matter'. Dismore believes that the Human Rights Act is worth saving, but only if it can be made relevant to all, which will require a significant change in culture.

### **Unit Summer Party and Briefing Launch**

On 25 June the Constitution Unit published a major new briefing proposing to the new prime minister a detailed agenda of specific constitutional reforms that the government could implement, dividing these into steps for the first 100 days, the next two years and

launched at the Unit's annual summer party at which nearly 100 supporters gathered under a marquee in nearby Gordon Square. The briefing, *Towards a New Constitutional Settlement: An agenda for Gordon Brown's First 100 Days and Beyond*,

downloaded from [www.ucl.ac.uk/constitution-](http://www.ucl.ac.uk/constitution-)

The Unit held its Fifth Annual Information Rights Conference for the Public Sector: FOI Live 2007 in partnership with the Ministry Of Justice and Information Commissioner on 24 May in London. Over 350 delegates from central and local government, the police, health and education sectors heard Baroness Ashton, Richard Thomas, and many other FOI

FOI compliance. An evening drinks reception and speech by Lord Falconer rounded out the day's programme.

A major challenge facing this forecasting

- Bryant, Chris (ed.), *Towards a New Constitutional Settlement*, (London:
- Brown, Gordon, and Douglas Alexander, *Stronger Together: The 21st century case for Scotland and Britain*, (London:
- Conservative Democracy Taskforce, *Power to the People: Rebuilding*