



The new government's constitutional reform programme

The extent of the government's programme of constitutional reforms, guided by a new Cabinet Committee on Constitutional Reform chaired by Oliver Letwin, is not generally appreciated. The agenda includes a referendum on Britain's membership of the EU, significant further powers for Scotland, and further powers for Wales, for Northern Ireland, and for city regions in England. The government has also promised to introduce English votes for English laws; repeal the Human Rights Act, and replace it with a British bill of rights; and reduce the size of the House of Commons from 650 to 600 seats. It has made a rapid start. This front page gives an overview, with more details inside.

In this edition

Parliament	3-5
Executive	6
Elections and political parties	6-8
Devolution	8-10
Courts and the judiciary	10-11
Europe	11-12
International	12-13
People on the move	13
Constitution Unit news	14
New Constitution Unit Fellows	15-16
Bulletin Board	17-18

The [EU Referendum Bill](#) has already passed the House of Commons, and had its second reading in the Lords on 13 October. Following advice from the Electoral Commission, the government has revised the question, and accepted that the referendum should not coincide with devolved and local elections next May. So the referendum is likely to be held in autumn 2016, ahead of French and German elections in 2017, and the UK holding the EU presidency in late 2017. The government's proposed franchise is UK, Commonwealth and Irish citizens resident in the UK, plus Gibraltar; but will not extend to EU citizens, nor 16-17 year olds.

The [Scotland Bill](#) has almost passed the House of Commons, coming to the Lords in October. It recognises the Scottish government and parliament as permanent, and puts into statute the 'Sewel convention', whereby Westminster will not legislate on devolved matters save with the consent of the Scottish Parliament. The bill devolves all income tax revenue to Scotland, and control of thresholds, rates and bands; plus assignment of ten points of VAT. With 40% of total tax revenues devolved, and 60% of total public expenditure, Scotland will have more power than most sub-state governments in federal countries. Under the Sewel convention, the bill requires legislative consent from the Scottish Parliament; the SNP will use that lever to lobby for more.

Prime Minister David Cameron and the Chancellor George Osborne host a roundtable at The Science and Industry in Manchester, on how to build a northern powerhouse. © Image credit: [HM Treasury](#).



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The [Cities and Local Government Devolution Bill](#) has been passed by the Lords, and had its second reading in the Commons on 14 October. Building on ‘DevoManc’, the deal agreed with Greater Manchester last year, it offers devolution to other city regions in England, but only to areas willing to form combined authorities with a directly elected metro mayor. The bill of itself devolves nothing, but provides a framework for powers to be devolved, with details of which powers depending on each area agreement.

The government also intended an early start for English votes for English laws, with plans set out in the [Conservative manifesto](#). The Speaker would rule on which bills, or provisions in bills, are England (or England and Wales) only. The new Leader of the Commons, Chris Grayling, published proposed amendments to standing orders in July, but when it became clear that the Conservatives were split, the debate to approve the new SOs was postponed. Apart from difficulties on their own side, the government may also face opposition from the SNP, who will want to vote on anything – especially tax, and spending – which might have implications for Scotland.

Plans for further devolution in Wales and Northern Ireland are also in trouble. The draft Wales Bill will allow the Assembly to determine its size, name, procedures and electoral law, and introduce a ‘reserved powers’ model (as in Scotland), allowing the Assembly to legislate in any subject area not explicitly reserved to Westminster. Policing will not be devolved, nor justice; and the government is [reluctant](#) to recognise a separate Welsh jurisdiction. First Minister Carwyn Jones is [resisting](#) devolution of income tax without ‘fair funding’ for Wales. With all parties positioning themselves for the next Assembly elections in May, the prospects for agreeing a draft Wales Bill seem low.

Further devolution had been promised to Northern Ireland under the Stormont House Agreement of December 2014. But Sinn Féin soon reneged on the agreement, refusing to support legislation to implement the necessary welfare cuts, or to agree the budget. In September, the leader of the UUP [withdrew](#) his party from the Executive following two murders linked to the IRA, with the First Minister Peter Robinson then announcing that the Executive would [cease to meet](#) while crisis talks were held. Robinson has [temporarily stood down](#), with Finance Minister Arlene Foster taking

his place, whilst a [new round of cross-party talks](#) are held in an attempt to break the impasse. Austerity measures may have to be imposed by Westminster in a departure from the Sewel convention.

The repeal of the Human Rights Act is another pledge which may prove difficult to fulfil. The Conservative manifesto promised to ‘scrap the Human Rights Act, and introduce a British bill of rights’. But compliance with the European Convention on Human Rights (ECHR) is woven into the devolution settlements, and in Northern Ireland underpinned by the Belfast Agreement, which is an international treaty. The devolved governments do not want to depart from the ECHR; without their consent, a British bill of rights might apply to England only. The Conservatives also want to make the jurisdiction of the European Court of Human Rights [advisory only](#), which might make it difficult for the UK to remain part of the ECHR and Council of Europe. These difficulties help explain why a British bill of rights did not feature in the Queen’s Speech, with the new Justice Secretary Michael Gove instead promising a consultation paper in the autumn.

Reduction in the size of the House of Commons from 650 to 600 seats is due to happen without any further action by the government. The boundaries review aborted in 2013 will recommence in February 2016 and finish in 2018, when boundaries for the 600 new seats will be finalised. It is expected that English representation will be reduced from 533 to around 502 seats, Scotland from 59 to 52, Wales from 40 to 30, and Northern Ireland from 18 to 16. For further details see our blogs [here](#) and [here](#).

This is an ambitious programme, embarked on at great speed, but facing a lot of obstacles. It will not be easy to gain significant concessions in renegotiating the terms of the UK’s membership of the EU. It will compound the difficulties if the government is simultaneously trying to renegotiate the terms of UK membership of the ECHR and the Council of Europe. Despite the government’s wish to develop a more coherent devolution strategy, devolution policy continues to operate in watertight compartments for Scotland, Wales, Northern Ireland and England. This is leading to a growing chorus of complaint from several select committees for being rushed and incoherent. The difficulties in parliament will be greatest in the Lords, where the government has no majority.

A constitutional convention?

The period between the Scottish independence referendum in September 2014 and the general election in May 2015 saw much talk of the establishment of some kind of constitutional convention to consider possible future reforms in the round. The election brought to power the one significant political party that had not committed to holding such a convention, so an official convention in the near future is unlikely. Discussion has, however, remained lively.

A [Constitutional Convention Bill](#) was introduced in the Lords in June as a private peer's bill by Liberal Democrat Lord Purvis of Tweed. It provides for a convention, a majority of whose members would not be politicians, which would address a broad constitutional agenda. At its [second reading](#) on 17 July the bill received broad support away from the government benches. But the minister, Lord Bridges of Headley, suggested that such a convention was incompatible with the constitution's organic evolution.

An [identical private member's bill](#) was also introduced in the Commons in July by a cross-party group of members, including Jeremy Corbyn. In forming his Shadow Cabinet, Corbyn appointed Jon Trickett as 'Shadow Minister for the Constitutional Convention'. Trickett has said that Labour intends to establish a constitutional convention with a broad remit, albeit without official government backing. Speaking at the Labour Party conference he [set out](#) an ambitious vision to 'redesign our politics' and said that he would like to see meetings in 'town, village and church halls up and down the land'. He also announced that '[t]he Convention will be a major plank of [Labour's] activity in the coming years'; however, there are as yet no details of what this will entail.

Most proposals for a convention involve a mixed body comprising politicians and ordinary citizens – as [advocated](#) by the Constitution Unit's Alan Renwick in April 2014. He is among a group of academics and others joining forces this autumn to [pilot](#) the operation of such an assembly.

Parliament



House of Lords rows

The period since publication of the last *Monitor* has been a turbulent one for the Lords, for various reasons. That issue noted the likely trouble ahead for the Conservative government, having lost the support of Liberal Democrat peers – the key 'pivotal group' in the chamber. Before the summer recess this began to materialise through ten government defeats, mostly on the Cities and Local Government Devolution Bill, but also including one on a statutory instrument and another on the government's plans for English votes for English laws (see pages 4–5). The latter – with a majority against the government of 181 votes – was the third biggest since the Lords was reformed in 1999.



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Over the summer, the chamber was in the news for all the wrong reasons. In July the Chairman of Committees, Lord Sewel, resigned over allegations of impropriety. It initially appeared that Sewel might become the first victim of the new [House of Lords \(Expulsion and Suspension\) Act 2015](#). This was agreed shortly before the general election following a private peer's bill sponsored by former Lord Speaker Baroness Hayman, and gives the chamber the power to expel members. However, he chose to retire voluntarily. The scandal provided a convenient 'hook' for campaigners to revive

calls for major reform, and led to numerous negative headlines about the Lords. These were further fuelled in August by the Prime Minister's [latest peerage list](#), including 45 names – 26 Conservative, 11 Liberal Democrat and eight Labour. Following announcement of four new independent peers in October, the size of the chamber will reach approximately 830 (or 870 including those on leave of absence or temporarily disqualified). As frequently reported here, and documented in our [Enough is Enough](#) report (and prior to that [House Full](#)), there are widespread concerns both in the chamber and outside about the growth in numbers – which now seem to have reached fever pitch. In August, Labour leadership candidate Yvette Cooper accused the Prime Minister of '[vandalising democracy](#)', while Conservative London Mayor Boris Johnson described the chamber as '[out of control](#)' and called for its numbers to be cut by half.

There are now suspicions that the discrediting of the chamber resulting from repeated large numbers of appointments could even be a [deliberate](#) government move. If the chamber's reputation declines this strengthens the government's hand in the face of Lords defeats. New research published by the Unit in September [demonstrated clearly](#) that media attitudes to the Lords since 2010 – during which its size has grown by well over 100, with knock-on effects for both effectiveness and cost – have become increasingly negative. The presence of over 100 Liberal Democrat peers (to reach approximately 110, following new appointments) is particularly controversial, placing the third party in a very delicate position. At the Liberal Democrat conference both the party's chief whip, Lord Newby, and their new leader, Tim Farron, [stated their intention](#) to use the Lords to block certain Conservative policies. But if their pivotal status is not used carefully it may, ironically, weaken both the party and the Lords. Lib Dems might argue back, however, that it is the Conservatives who need to adjust. Labour was defeated frequently in the Lords, but generally reached accommodation with peers to get most of its programme through.

Attention in the Lords itself is now closely focused on the reputational damage being done, and the need for change. On 15 September, [the chamber debated](#) a motion to take note 'of the case for further incremental reform of the House of Lords to address the size of the House', coupled with three more specific motions. Ideas discussed included a cap on the size of the House, an

end to the hereditary by-elections, greater powers for the House of Lords Appointments Commission, an agreed balance between the parties for new appointments, and forced retirement of peers at the age of 80 and/or as a proportion of each party group. The Unit's research was frequently referenced. Three groups are now considering the way forward: one established by the Lord Speaker, Baroness D'Souza, another by the 'Campaign for an Effective Second Chamber' co-ordinated by Conservative Lords Norton and Cormack, and the third by the Leader of the House of Lords. The Leader was subject to significant criticism in the debate for resisting proposals to stem prime ministerial appointments and suggesting – in line with the Prime Minister's own comments – that this is a problem for the Lords to solve. The risk is that if the chamber sheds numbers without limits on the inflow it will not shrink, and will also fall prey to greater prime ministerial control.

English votes for English laws

In July the government published its [detailed proposals](#) for implementing 'English votes for English laws' (EVEL) in the Commons. Under the plans the Speaker would be required to 'certify' legislation if it relates exclusively to England (or England and Wales) and comparable policy decisions have been devolved elsewhere. The process for primary legislation would then be subject to three main changes. First, the committee stage on bills that relate wholly to England would be conducted by a special public bill committee comprising only English MPs, and reflecting the party balance in England. Second, on bills that contain any clauses relating only to England (or England and Wales) there would be a new 'legislative grand committee' stage prior to third reading, at which English (or English and Welsh) MPs would vote on whether to give 'consent' to these provisions. Third, Lords amendments that relate exclusively to England (or England and Wales) would require a 'double majority' to pass (i.e. they would need support from a majority of MPs representing the affected parts of the UK, and from MPs across the whole of the UK). A similar process would apply to secondary legislation, as well as to financial legislation where comparable decisions have been devolved to Scotland. The legislative process in the Lords would remain unchanged.

The government originally intended that MPs would vote on the changes on 15 July. In the face of significant opposition from Labour and the SNP and unease within Conservative party ranks, however, this vote has now been pushed back to Thursday 22 October. One key area of disagreement is over the decision to give English (or English and Welsh) MPs a ‘veto’ on affected legislation – something that goes beyond the recommendations of the independent [McKay Commission](#). Another area of controversy concerns the treatment of policy decisions that relate primarily to England but have consequential ‘spillover’ effects in other parts of the UK – for example by affecting the funds made available to devolved administrations through the Barnett formula. Others have [objected](#) to the application of the procedure to taxation. Several select committees have announced inquiries on topics connected to EVEL – the Commons [Procedure Committee](#), the [Public Administration and Constitutional Affairs Committee](#), the [Scottish Affairs Committee](#), and the [Constitution Committee](#) – and there have been calls for a new [joint \(Commons and Lords\) committee](#) to be established to consider the procedure’s constitutional implications. The large [government defeat](#) in the Lords on this issue in July (see page 3) was over peers’ demand for such a committee.

Michael Kenny and Daniel Gover of the Mile End Institute are currently working on a major research project examining the implementation of EVEL. Further information and updates are available on their [website](#).

Select committee changes

The previous *Monitor* reported on changes to the structure of Commons select committees and agreement on the sharing out of chairs between the parties. Elections for chairs took place in June. In 11 cases positions were uncontested, with various incumbents continuing, including Bernard Jenkin (Con) on the (renamed) Public Administration and Constitutional Affairs Committee and Charles Walker (Con) on the Procedure Committee. Maria Miller (Con) was elected unopposed to the new Women and Equalities Committee. Only one sitting chair (Adrian Bailey of the Business, Innovation and Skills Committee) was defeated. Several committees, particularly where there was a vacancy due to a chair stepping down, were strongly contested. These included Justice, where Robert Neill (Con) won from a field of five candidates, and Culture, Media and Sport where Jesse Norman (Con)

did the same. Among contests reserved for opposition (i.e. Labour) candidates, the chair of the coveted Public Accounts Committee was won by Labour’s Meg Hillier and of the Backbench Business Committee by Ian Mearns. The Institute for Government have produced a [nice graphic](#) illustrating all the changes. In October Andrew Tyrie (Con) was elected as the new chair of the Liaison Committee.

In the Lords three new sessional committees have been created: on Sexual Violence in Conflict, National Policy for the Built Environment, and Social Mobility. All three are chaired by women: Baroness Nicholson of Winterbourne (Lib Dem), Baroness O’Cathain (Con) and Baroness Corston (Lab) respectively.

Busy summer for new Petitions Committee

Whilst parliament was in recess over the summer and most activity slowed down, the reality was very different for the newly created Commons Petitions Committee. Following the [approval](#) of a motion to create such a committee last February, the new team set out to establish the foundations of what would become the UK government and parliament collaborative e-petitions system, integrating also the traditional paper public petitions presented through MPs. The committee’s chair, Helen Jones, was elected in June and on 20 July the new collaborative e-petitions site [went live](#). At the same time the Downing Street e-petitions site closed down.

Since then there has been a deluge of e-petitions. As of 2 October, 1,928 had been submitted, of which 710 were rejected, leaving 1,218 open petitions. Out of these, two have already been [debated in parliament](#) and 26 have received a government response. If there was any doubt of how popular this tool would be, it has quickly dissipated. But the committee is still finding its way on what its working methods should be, and has issued a [consultation](#) accordingly. Lessons can be learned from similar systems in other parliaments, including in [Germany](#) and [Scotland](#). One key change needed is an enhancement of the quality of the information submitted for each petition. Better clarification of what a petition includes, as well as its justification and context, will help the committee to deal with petitions in a more effective manner. But in only a few months the Petitions Committee has already made a mark, pushing forward parliamentary digital engagement methods.

Executive



Central machinery for constitutional reform

Amongst the list of new cabinet committees is a Committee on Constitutional Reform chaired by Oliver Letwin, the Cabinet Office Minister in overall charge of the constitutional reform programme and of devolution strategy. Philip Rycroft, Director General in overall charge of the Cabinet Office Constitution Group, has been promoted to Second Permanent Secretary to signal the importance the government attaches to securing the future of the Union through further devolution. One early task is to strengthen inter-governmental relations by reviewing the [Memorandum of Understanding](#) between the UK and devolved governments, and the work of the Joint Ministerial Committee on devolution and its sub-committees. The Constitution Group is working flat out with a heavy legislative agenda in the first year, and the EU referendum to follow; but if there is no follow-up agenda, and with individual electoral registration nearing completion, the Constitution Group may be severely slimmed down in the years to come.

It will be interesting to see whether the end of coalition heralds a decline in the importance of cabinet committees. The coalition saw a revival in cabinet government, with cabinet committees providing the machinery for all new policies to be formally signed off by both coalition partners. The Quad (of David Cameron, Nick Clegg, George Osborne and Danny Alexander) became the main forum in which spending policies were decided, and coalition deals brokered. If Cameron reverts to the Blair-Brown model, policy will increasingly be made between the Treasury and Number 10.

Special advisers in the new government

The new government has been slow to publish a new list of special advisers. In 2010 the [full list](#) was published after a month, on 13 June. In 2015 the list is still not available after five months. Meanwhile a number of former special advisers featured in the list of new peers announced by Cameron in September: James O'Shaughnessy, Kate Fall and Simone Finn for the Tories, plus Clegg's chief of staff Jonny Oates for the Liberal

Democrats. Those continuing in their roles as special advisers will be allowed [to vote but not to speak](#) in the Lords.

Freedom of information

Responsibility for FOI has been transferred from the Ministry of Justice to the Cabinet Office, where the lead minister is the Parliamentary Secretary Lord Bridges of Headley. In July Lord Bridges announced the establishment of a commission to review the operation of FOI, chaired by Lord Burns. The terms of reference indicate that the government is concerned about the burden of FOI on public authorities, and whether it adequately recognises the need for a safe space for policy development and the provision of frank advice. Details of the commission are [here](#).

The commission may also look at the difficulty of using the ministerial veto, following the Supreme Court decision in *Evans v Attorney General* [2015 UKSC 21], and at introducing application fees for FOI requests, which would be one way of reducing the burden. The call for evidence was only issued on 9 October, although it was asked to report by the end of November. In a [speech on 2 October](#) the Information Commissioner, Chris Graham, outlined the evidence he was planning to submit, which included his opposition to application fees.

Elections and political parties



The rules of the Labour leadership election

The [results](#) of the elections for Labour Party leader and deputy leader were announced on 12 September. As is well known, Jeremy Corbyn won the leadership and Tom Watson the deputy leadership.

Three aspects of the electoral system used for these contests attracted attention. One – the alternative vote (AV) system, under which voters could rank the candidates in order of preference – did not affect the outcomes: Corbyn won his position on the first round, and Watson was also well ahead in the first round so would have won convincingly even under first past the post.



Jeremy Corbyn elected as Labour leader
Image credit © [David Holt](#).

More important were the two other features. The old electoral college – which gave a third of the voting power each to ordinary party members, MPs and MEPs, and trade unions – was replaced with ‘one person one vote’. And voting was opened up to non-members who registered as supporters. In the end, 105,598 votes were cast by registered supporters – a quarter of the total. But fears that they would sway the result proved unfounded. Disaggregated results published by the party showed Corbyn winning 49.6% of votes among members (a category including MPs and MEPs) on the first round, while all three other candidates were far behind, plus 83.8% among registered supporters and 57.6% among individual trade union affiliates. It is possible, however, that without the system’s openness to non-party members, the bandwagon that generated this victory would not have gathered speed.

Labour is the first UK party to have used such an open primary for a leadership election. Similar contests have, however, long been a feature of elections in the United States (see pages 12-13) and have also become commonplace in recent years in countries such as France and Italy.

Individual electoral registration

The shift to a new voter registration system has taken an important step forward. Under the [Electoral Registration and Administration Act 2013](#), the old ‘household’ registration system – where one person per household registered all its eligible voters – is being replaced with a system of individual electoral registration (IER). The Act allows a transition period until December 2016, when electors on the old register are retained even if they have not registered individually, unless it is clearly established that they should be removed. But it also allows the government to end that transition early.

The Electoral Commission [reported in June](#) on the progress of the shift to IER and recommended that the transition period should *not* end early. It found that 1.9 million of the electors registered in May – 4% of the total – were retained from the old register. It said that it was impossible to know how many of these are in fact eligible electors. While retaining them would risk including redundant or inaccurate entries, excluding them would risk barring eligible voters from the democratic process.

On 16 July, however, the government [announced](#) that it would end the transition early, in December 2015. It said, ‘The remaining “carry-forward” group of electors is already only a third of its original size and by December they will have been contacted at least 9 times to encourage them to register individually.’ It also announced ‘up to £3 million of additional funding’ for electoral registration officers to target this group.

Party conferences

Perhaps the most significant constitutional news from this year’s round of party conferences was George Osborne’s [announcement](#), to the Conservative meeting in Manchester, of major changes to local government funding. Under these proposals local government would retain all of the revenue from business rates by 2020. All local authorities would gain the power to cut business rates, with those opting for an elected city-wide mayor also able to increase them for spending on local infrastructure projects. As a result of these changes, it is proposed that the core grant from central government be phased out. Beyond this, the Conservative conference contained few new constitutional developments: the Justice Secretary, Michael Gove, [did not mention](#) the proposed British bill of rights at all in his speech; nor was there an update on EVEL or any new announcement concerning the renegotiation of Britain’s European Union membership. The Scottish Secretary, David Mundell, used [his speech](#) to press for the new income tax powers contained within the Scotland Bill to come into effect in 2017, whilst the Northern Ireland Secretary [reiterated](#) the government’s preparedness to legislate for welfare reform if no agreement can be reached by the Stormont parties.

Ahead of the Labour conference in Brighton Corbyn and his Shadow Foreign Secretary, Hilary Benn, issued a [joint statement](#) committing the party to campaigning to stay in the European Union. Nonetheless, Corbyn’s election does seem to have heralded a subtle change

of emphasis with the new leader stressing in [his speech](#) that Labour would ‘stand up for the vision of a social Europe, a Europe of unity and solidarity’ – in the party’s [2015 manifesto](#) economic arguments had been central to Labour’s case for continued EU membership. On devolution, the official opposition [remain supportive](#) of the Scotland Bill although Ian Murray, the Shadow Scottish Secretary, used his conference speech to press the government to accept Labour amendments. Nia Griffith, the new Shadow Welsh Secretary, [called](#) for the forthcoming Wales Bill to deliver a ‘solid and long-lasting’ settlement. Despite controversy over the past statements of Corbyn and the new shadow chancellor, John McDonnell, Labour’s position on Northern Ireland is [unchanged](#). Jon Trickett spoke about Labour’s plans for a constitutional convention (see page 3).

As this issue went to print the SNP had not held their conference yet but the circumstances under which a second independence referendum could be held are [expected](#) to be high on the agenda.



Devolution in England

Greater Manchester leads the way on the Northern Powerhouse, having agreed a deal with George Osborne in December 2014 for greater powers, including not just economic development, transport and infrastructure, but also policing and health. Osborne [gave a speech](#) in Manchester earlier in the year, encouraging other cities, towns and counties to follow suit, but making clear that any new devolution offers were dependent on them accepting a directly elected metro-wide mayor. Enabling legislation in the Cities and Local Government Devolution Bill passed the Lords in the summer, but with an amendment to remove the mayoral requirement. The government will seek to reinstate that in the Commons. The 14-clause bill of itself devolves nothing, but provides the framework within which powers can be devolved to local city regions. Precisely which powers will depend on each local agreement.

In September the government announced that 38 cities, towns and counties had put forward devolution proposals. Lord O’Neill of Gatley, former chair of the Cities Growth Commission and now Commercial Secretary to the Treasury, will assist Osborne in vetting the bids, together with James Wharton MP, the Minister for Local Growth and the Northern Powerhouse in the Department for Communities and Local Government. On 2 October [it was announced](#) that nine local authorities in the Sheffield city region had agreed to a directly elected metro mayor, in exchange for powers over strategic planning and transport budgets, and central government funding of £3 million a year. Osborne is expected to announce a number of further deals in the autumn spending review on 25 November. Labour has been critical, warning that these deals provide a cloak for further cuts in overall government funding. With further cuts likely, city regions may start to argue for greater fiscal powers to match their new-found policy freedoms.

The Scotland Bill: extensive new powers

After a hectic process of drafting, the Scotland Bill has been on pause, awaiting report and third reading in the Commons. Given the importance of this constitutional legislation, a pause to draw breath is perhaps no bad thing.

It is a most unusual bill. The demanding timetable was promised during the referendum campaign, and draft clauses produced by the coalition before the election were taken forward by the Conservative government without delay. The bill is faithful to the Smith Commission recommendations, and will mark a sea change in the Scottish devolution settlement. Its constitutional provisions declare the permanence of the Scottish Parliament, and give statutory effect to the convention that Westminster does not legislate on devolved matters without its consent. All of this is intended to make the UK’s constitution more like a federal one, at least so far as Scotland is concerned.

The virtually complete devolution of income tax is almost unprecedented internationally and, with the assignment of the yield of 10 percentage points of VAT, will give Holyrood a degree of fiscal autonomy comparable to a Swiss canton or even a Canadian province. About 40% of Holyrood’s revenue will now come from its own resources – giving it more freedom to make spending decisions, but more economic risk as well.

The most radical provisions are on welfare. £2.5 billion worth of benefits will be devolved, but Holyrood will also have the power to top-up UK benefits from its own resources if it does not like the cuts Westminster makes. The politics of this is obvious: the SNP will have to put their (tax) money where their (left of centre) mouth is. But the constitutional significance is even greater because Scots can now opt for a radically different social model while still sharing economic and other risks with the rest of the UK.

So far the government has been repelling amendments. This is unsurprising, as many have been from new SNP MPs arguing for complete fiscal autonomy. Ministers may show more flexibility at the Report stage, if only to make clearer just how wide and unfettered these radical welfare powers are.

The Scotland Bill redefines the Union, and the UK. So far debate on it has been largely Scottish, but expect a wider set of challenges when it reaches the Lords.

Wales: The St David's Day process unravels

The summer recess has meant that constitutional debates in Wales have been taking place largely behind the scenes rather than in public. The main issue has been delivery of the [St David's Day agreement](#), which is emerging as more contentious and more complicated than was probably envisaged when it was announced in February.

One issue is the matters to be reserved to Westminster. A very tentative indicative list was published in the government's command paper [Powers for a Purpose](#) in February. [Constitution Unit analysis](#) of the list suggested a number of items – such as the licensing of premises for the sale of alcohol or late-night entertainment – were included that were not reserved for Scotland or Northern Ireland and which lacked any clear constitutional rationale. More thorough consultation with Whitehall departments over the summer seems to be providing a much longer list. This raises the question of what powers the 'reserved powers' model will actually leave the Assembly with.

A fuller analysis in a [joint project](#) between the Constitution Unit and the Wales Governance Centre in Cardiff over the summer raised a second issue, of the proposed reservations of the civil and criminal law.

The project report [reached the conclusion](#) that it would be very hard if not impossible to make the 'reserved powers' approach work if these key mechanisms for making devolved legislation enforceable were reserved.

The timetable for the government's bill to implement the new settlement is tight. Publication of a draft is expected in the second half of October, and pre-legislative scrutiny to be completed by the New Year – which leaves little time to do that in any detail. The revised bill is expected to be introduced into parliament in March, shortly before the May National Assembly elections, be 'carried over' at the end of the session and complete its parliamentary stages late in 2016. This is a tight timetable for a major constitutional shift, particularly one whose implications have clearly not yet been thought through.

All of this suggests that the Secretary of State's desire for a 'clear, robust and lasting' devolution settlement for Wales is unlikely to materialise if the UK government continues to act as it has done. Instead, there is a process delivering much haste but little speed, to satisfy a pre-determined objective without considering whether that objective is right or not – and an [apparent desire](#) to run away from the process as it starts to have to address these problems. Little wonder that the Welsh government [has called](#) for a slower and more considered process.

Northern Ireland: The future of the Assembly in the balance

Is Northern Ireland's hard-won political settlement on the point of collapse? Or is it passing through an awkward transition as ageing leadership rooted in the Troubles experience gives a final few kicks? No tidy solution is available, but it's probably the latter. There is no serious doubt about Sinn Féin's commitment to the peace process. Judging by voter turnout, the parties' appetite for political conflict is not matched by the public's. But coalition – dominated by the opposite poles of the populist DUP and revolutionary Sinn Féin since 2007 – was never likely to be straightforward. The requirements for reconciliation often clash when seen through very different communal lenses.



Parliament Buildings of Stormont in Belfast, Northern Ireland.
Image credit © [Wknight94](#)

With trust already in general decline, two recent murders in a gangland-type feud among IRA veterans were serious enough incidents to spark a unionist withdrawal from the power-sharing executive, with the smaller Ulster Unionists dragging the bigger DUP after them. This happened even though Sinn Féin had condemned the murders and called for co-operation with the police. However, the unionists insisted that toleration of a godfather role for old IRA leaders, whether acting on behalf of the movement or not, violated the pledge to employ exclusively peaceful means in politics. They demanded that Sinn Féin should ensure the IRA not only remains inactive but disappears altogether. But Sinn Féin will not go that far. There is no way that they will denounce old warriors who are in some cases still part of the political leadership.

The question then arises as to whether the unionist challenge to Sinn Féin ever had any hope of succeeding and was worth risking the future of the Assembly for. The answer to both questions is surely not. Internal unionist rivalries and frustration among the minor parties with DUP-Sinn Fein dominance added to the momentum for Executive withdrawal. The question now is whether that momentum can be reversed.

As the basis for restoring political order, the UK government with Irish support has drafted a [Stormont House Agreement Bill](#), based on the abortive deal first approved by all the parties last Christmas, but then denounced by Sinn Féin when they realised it meant accepting Treasury cuts to the devolved welfare system. The party could not afford to accept cuts while at the same time mounting the main anti-austerity challenge in next year's elections in the Republic as well as the North.

Other aspects of Stormont House were looking more hopeful, such as agreement over a beefed up independent Historic Investigations Unit into outstanding Troubles cases and a separate forum for revealing to victims' families what happened to their loved ones. In a single political reform the UK government proposes extending the time for executive formation from seven to 14 days. It is hoped that this will allow more time for the parties to agree a genuinely joint programme for government rather than head for deadlock over rival wish lists.

The government's insistence on linking the funding for a revived agreement to acceptance of the welfare cuts looks problematic. The timing may therefore be against early resolution. The government may yet have to legislate to take welfare powers back temporarily to impose the cuts, while Stormont bridges the funding gap out of its own resources. In the longer run though, it would be a sign of growing maturity after the May elections if a reconvened Executive were to grasp the nettle of raising more of its own revenue by increasing domestic rates and phasing in water charges.

The indefinite suspension of Stormont remains possible. But solutions are available if the parties adopt them and the two governments monitor progress more consistently than they have done since 2010.

Courts and the judiciary



In the last parliament, the Ministry of Justice (MoJ) and the Courts Service were required to cut their budgets by about one third. The judiciary are bracing themselves for further cuts, as government departments submitted plans for further reductions in spending of 25% or 40% for the autumn spending review. But senior judges are working closely with the MoJ on radical reforms to modernise the courts system and streamline court processes in order to achieve those savings. In a [speech on 23 June](#) the new Lord Chancellor, Michael Gove, made clear his determination to reduce delays and simplify procedures by tackling the 'snow drifts of paper, archaic IT systems and cumbersome processes' of the courts. He praised the initiatives of senior judges like Sir Brian Leveson in streamlining the criminal justice system,



Lord Thomas, LCJ, Judicial Independence closing conference June 2015. Image credit © [Constitution Unit](#)

and Sir James Munby for his reforms of family justice, and his speech neatly dovetailed with one given by the Lord Chief Justice the day before.

At the [closing conference](#) of the Unit's project on the [Politics of Judicial Independence](#) on 22 June, the Lord Chief Justice and Sir Terence Etherton, head of the Chancery Division, spoke in similar terms about the 'most transformative court reform programme in a generation'. Modernising IT is central to improving the system, with plans for a common digital platform for criminal justice which will embrace the criminal courts and judges, the Crown Prosecution Service, the police and the probation service. Similarly, in the civil courts, there are plans to reduce the need for formal hearings, speed up decision making, and submit far more information on line. The courts estate will be further rationalised, supplemented by the use of video technology.

[Lord Thomas's speech](#) was titled Judicial Leadership. The Lord Chief Justice emphasised two things. First, that these reforms were being initiated by the judiciary, and their implementation was being led by the judiciary, working in conjunction with the executive and parliament. Second, that the judiciary now operated a more collective form of leadership, through the Judicial Executive Board and the Judges' Council. In the past the Lord Chancellor would have led the way; but increasingly the judiciary are themselves taking responsibility for running the justice system. The LCJ accepted that with that responsibility went greater accountability, in particular to parliament.

Europe



Taking sides: The politics of the EU referendum

The political debate about the UK's EU membership is intensifying in the run-up to a potentially decisive European summit in December. Shuttle diplomacy between London and Brussels has increased, the campaigns are launching, and the political parties are positioning themselves during their annual conferences. While the Liberal Democrats are firmly placed in the 'In' camp, and Labour continues to be supportive of continued EU membership in spite of initial tensions after its leadership election, the Conservatives continue to be divided. Officially the party will stay neutral in the campaign, but [a recent study](#) by Open Europe suggests that as many as 203 Tory MPs are undecided.

The domestic debate in Britain is playing out against the backdrop of intense political challenges in the EU as a whole, where the Syrian refugee crisis and the long-term institutional make-up of the Eurozone dominate the agenda. Both questions are of crucial importance for the [Prime Minister's attempt to re-negotiate](#) the UK's relationship with Europe. The refugee crisis has become entangled with the salient debate about immigration and potentially affects the (as yet undecided) timing of the referendum; recent proposals by France and the European Commission for Eurozone reform could offer an opportunity to accommodate British re-negotiation requests – even if formal EU Treaty change will not happen before the referendum. The goals and the process of the re-negotiation itself remain opaque and are driven by the tension between the politically feasible and the domestically 'sellable'. Recent calls by Labour and the trade unions for the continuation of a 'social Europe' also underline that what may count as a re-negotiation success for the moderately Eurosceptic centre-right could cost support for continued EU membership on the centre-left.

The passage of the EU Referendum Bill

The [bill](#) enabling a referendum on the UK's EU membership completed its House of Commons stages in September and has now reached the Lords. Its Commons passage was, however, far from straightforward. The government was forced into a series of concessions relating to the referendum timing, the referendum question, and the rules governing the referendum campaign.

Regarding timing, the government initially proposed simply that the referendum would take place by the end of 2017. The bill now provides that it will not coincide with the various May elections in either 2016 or 2017. The government also accepted a four-month notice period for certain matters that will make it hard to call a snap poll.

On the referendum question, a 'Yes/No' question asking 'Should the United Kingdom remain a member of the European Union?' was initially proposed. Following advice from the Electoral Commission, however, this was changed to 'Should the United Kingdom remain a member of the European Union or leave the European Union?' The change reflected both focus group findings and a successful campaign by advocates of 'Brexit', who argued that a Yes/No question would be biased. Supporters of EU membership failed to counter this, and now face the challenge of campaigning for an option called 'Remain'.

On campaign rules, the government proposed to increase the usual spending limits and this was agreed. But it faced bigger problems with its proposed relaxation of the so-called 'purdah' rules, which restrict the government's use of the Whitehall publicity machine during an election or referendum. They are intended to prevent the government from making announcements or publishing good news stories which might influence the outcome. The government had originally argued that there should be no restrictions on the way that ministers could campaign in the run-up to the EU referendum. But following criticism from Bernard Jenkin MP and other Eurosceptic backbenchers, the government modified its position and accepted that purdah should be in place, but with an exemption that would allow ministers 'to communicate a position on the referendum in restrained and moderate terms'.

This concession failed to quell a rebellion by 37 Conservative MPs, and on 7 September the government suffered its first defeat in the House of Commons, losing a vote on the purdah rules by 312 to 285. The rebels argued that anything but the strict application of purdah rules meant that the referendum result would be 'rigged' and 'invalid', while the government maintained that strict purdah could make government dealings with the EU 'impossible'. Ministers needed to continue to give an account of their day-to-day business with the EU, and also to explain the outcome of the government's membership renegotiations to the British public. Foreign Office lawyers were concerned at the risk of judicial review if the purdah rules were not relaxed, as any official statements made by ministers relating to the EU could be construed as potentially in breach of purdah.

This skirmishing about the campaign rules will seem strange to outside observers. Professor Sara Hobolt (LSE) has commented that strict purdah rules are less commonly applied in EU referendums in other European countries. In Irish referendums on the EU, ministers have not been prohibited from presenting their case in the run-up to the vote. In Denmark, the conclusion of similar debates has been that purdah restrictions should not apply in referendums. See [here](#) for her full commentary.

International



The race is on in the US primaries

The race for the White House is in full swing. Over 40 Republicans have declared themselves candidates, but the focus has been on billionaire Donald Trump, on son and brother of former Bush presidents Jeb Bush, and – rising in the polls – retired neurosurgeon Dr Ben Carson and former businesswoman and current head of [Good360](#) Carly Fiorina. Much of the attention has been on Trump's sizeable lead in the polls, despite clashes with fellow candidates and journalists, plus questionable performances in the two Republican debates held so far. It remains unclear whether Trump's populist policies and popularity are robust in light of increasing pressure and criticism from women and minority groups.

For the Democrats the focus has been largely on Hillary Clinton, who leads all other candidates although her numbers have been slipping recently. Clinton's popularity has suffered for two principal reasons: use of a private server for e-mails while Secretary of State, and the increasing popularity of Bernie Sanders. Sanders, the junior Senator from Vermont, is an independent who caucuses with the Democrats but describes himself as a democratic socialist. He, like Jeremy Corbyn in the UK, has resonated with citizens who feel outside the political system and have experienced the consequences of rising inequality and lack of jobs. What is more, Sanders is now challenging Clinton in terms of campaign donations. The one area of the race that Clinton was assumed to be unmatchable—fundraising—is now closer than ever, with Sanders reporting donations of \$26m to Clinton's \$28m for the third quarter. Current Vice-President Joe Biden is also rumoured to be close to declaring himself a candidate, leaving the Democratic race as up in the air as that of the Republicans.

The first major test for both parties will come on 1 February with the Iowa state caucuses, which kick off the race to select party nominees. Eight days later the New Hampshire state primary takes place. These first contests will provide a good indication of the frontrunners, but the 2016 US presidential and congressional election is shaping up to be one of the most expensive (estimated \$5 billion) and dramatic yet.

People on the move

Labour's new Shadow Cabinet, announced in September, includes **Rosie Winterton** as Chief Whip, and the following 'Shadow' positions: **Lord Falconer of Thoroton** as Justice Secretary, **Chris Bryant** as Leader of the House of Commons, **Vernon Coaker** as Northern Ireland Secretary, **Ian Murray** as Scottish Secretary, **Nia Griffith** as Welsh Secretary, and **Catherine McKinnell** as Attorney General. **Jon Trickett** has been appointed Minister for a Constitutional Convention as well as Shadow Secretary of State for Communities and Local Government. **Baroness Smith of Basildon** remains Labour's Shadow Leader of the House of Lords, and **Lord Bassam** Opposition Chief Whip, both having been elected by their peers earlier in the summer.

Meanwhile **Lord Laming** has ended his term as Convener of the Crossbench peers, to be replaced by **Lord Hope of Craighead**. Following **Lord Sewel's** sudden retirement, **Lord Laming** has subsequently taken over the position of Lords Chairman of Committees.

Philip Rycroft has been made a second Permanent Secretary in the Cabinet Office, in overall charge of the constitutional reform programme. The Director of the Constitution Group in the Cabinet Office, **Mark Sweeney**, has left to become Director of Government and Parliamentary Affairs at Ofcom, and is succeeded by **Lucy Smith**. **Jenny Rowe** has retired as Chief Executive of the Supreme Court, and is succeeded by **Mark Ormerod**. **Richard Heaton** has been appointed as Permanent Secretary at the Ministry of Justice. **John Manzoni** replaces him as Permanent Secretary of Cabinet Office.

William Nye succeeds **William Fittall** as Secretary of the General Synod of the Church of England. Nye's successor as Principal Private Secretary to the Prince of Wales is **Clive Alderton**, until recently Ambassador to Morocco. **Leslie Evans** has succeeded **Sir Peter Housden** as the Permanent Secretary to the Scottish government.

Graham Gee, Reader in Law at Birmingham and the Unit's partner in our research project on the Politics of Judicial Independence, has become Professor of Public Law at the University of Sheffield. **Sir Jeffrey Jowell** is stepping down as director of the Bingham Centre for the Rule of Law, and will be succeeded by **Professor Christina Murray**.

Constitution Unit news

New leadership team, Associates and Fellows

The autumn has brought important changes at the top at the Constitution Unit. [Robert Hazell](#), who founded the Unit in 1995, [stepped down](#) as Director on 30 September and has entered semi-retirement. He is succeeded as Director by the previous Deputy Director, [Meg Russell](#). In September, [Alan Renwick](#) joined UCL from the University of Reading and becomes the new Deputy Director (see profile below). In addition, two other UCL academics have taken on the status of Associate Staff: [Dr Christine Reh](#), an EU specialist in the Department of Political Science/School of Public Policy, and [Dr Colm O'Coinneide](#), a human rights specialist from the Faculty of Laws. The changeover also saw the launch of our new group of Constitution Unit Fellows, profiled on page 15. We are very happy to welcome them all.



Meg Russell and Alan Renwick

Welcome to Alan Renwick

The Unit's new Deputy Director, Alan Renwick, joins us from the University of Reading, and has previously held positions at Oxford University. He has particular expertise in electoral systems and electoral reform, and is the author of two books: [The Politics of Electoral Reform](#) (Cambridge University Press, 2010) and [A Citizen's Guide to Electoral Reform](#) (Biteback, 2011).

His third book, [Faces on the Ballot: The Personalization of Electoral Systems in Europe](#) is due out with Oxford University Press in January. He has also recently published on the conduct of referendums, and [options for a constitutional convention](#) for the UK. Alan is currently part of a [collaborative project](#) with the universities of Sheffield and Southampton to run two pilot citizens' assemblies. The project is funded by the ESRC, and begins this month. Updates on its progress will appear in future issues.

Other staff changes

We are very sorry to say goodbye to several valued members of the Unit. Dr James Melton has departed UCL to return to his native US. Our newsletter and blog editor, Sonali Campion, has also moved on to a new position, at Democratic Audit UK. In her place we are delighted to welcome Jack Sheldon, who took up the post in October. The PCUK team bids farewell to former research assistant Marco Morucci who has moved to the US to do a PhD at Duke University, and welcomes Javier Sajuria as a research associate on the ESRC Representative Audit of Britain project. Javier is formally employed by Strathclyde University working with project partner Wolfgang Rudig, but will spend part of his time at UCL where he is currently completing his PhD. Finally, long-time PCUK research associate Dr Chrysa Lamprinakou travels all the way down Gower Street to Birkbeck College, but continues to work on the Representative Audit project. We wish all departing staff the very best in their future endeavours.

Research Volunteers

The Unit is grateful for the hard work and diligence of our research volunteers. Thanks to the summer 2015 volunteers Mary Balogun, Bansri Buddhdev, Begum Icellier, David Ireland, Ruth Mair and Jack Sheldon.

20th anniversary conference

On 23 June, the Constitution Unit held a day-long conference to mark its 20th Anniversary. The event featured a number of high profile speakers and respondents, all of whom had engaged with the Unit in some capacity since its establishment in 1995. *To read a short overview of the event, click [here](#).* *To read our series of blog posts adapted from the conference presentations, click [here](#).*

New Constitution Unit Fellows

In October, alongside the change of leadership at the Unit, we are very pleased to welcome a new group of Constitution Unit Fellows. The eight Fellows are senior academics at other universities who will have strong links to the Unit through contributing to our publications, research and events. Future editions of *Monitor* will provide occasional updates on their research.

Professor Justin Fisher



Justin Fisher is Professor of Political Science, Director of the Magna Carta Institute and Head of the Department of Politics, History & the Brunel Law School at Brunel University London. He has acted as an adviser to many political bodies, including parliament, the Ministry of

Justice, the Committee on Standards in Public Life, the Electoral Commission and the Council of Europe. His work focuses principally on political parties and elections – especially areas related to party finance and campaigning. He is currently principal investigator of an ESRC-funded study of constituency campaigning at the [2015 General Election](#).

Professor Michael Kenny



Michael Kenny is Director of the Mile End Institute at Queen Mary, University of London. He was awarded a Major Research Fellowship by the Leverhulme Trust in 2012–13 to complete a study of the cultural, political and constitutional dimensions of the English question and

this work culminated in his book [The Politics of English Nationhood](#). He is currently conducting a major project evaluating the implementation of ‘English votes for English laws’, and is a Visiting Research Fellow at the [Centre on Constitutional Change](#).

Professor Cristina Leston-Bandeira



Cristina Leston-Bandeira is Professor of Politics at the School of Politics and International Studies, University of Leeds. She is the Co-Convenor of the PSA Parliaments and Legislatures specialist group and she works in the area of comparative legislatures. Cristina’s research

has recently focused on parliament and public engagement and she is currently co-leading a project on how the UK parliament engages the public in the legislative process.

Professor Andrew Le Sueur



Andrew Le Sueur is Professor of Constitutional Justice at the University of Essex and is involved in practical law reform issues as a member of the Jersey Law Commission. His interests span constitutional and administrative law, including courts and the ‘justice infrastructure’, judicial

review and the challenges faced by very small legal systems. He is part of the team leading development of the Nuffield Foundation’s cross-disciplinary UK Administrative Justice Institute.

Professor Kate Malleson



Kate Malleson is Professor of Law at Queen Mary, University of London. Her main research interests are the judiciary, the legal system and the constitution. She has a particular interest in judicial selection processes and the challenge of increasing diversity in the composition

of the judiciary. She recently completed, with colleagues from the Constitution Unit and Birmingham University, a three year AHRC funded project on ‘The politics of judicial independence in the UK’s changing constitution’. Its findings were published in a book of the same title by CUP in 2015.

Professor Nicola McEwen



Nicola McEwen is Professor of Territorial Politics at the University of Edinburgh. She is Associate Director of the ESRC Scottish Centre on Constitutional Change, and Managing Editor of *Regional and Federal Studies*, the leading European journal in the field of territorial

politics. She has published widely in the field of territorial politics, multi-level government and nationalism, and is actively involved in informing debate within the wider policy and political community, through media work, consultancy and public engagement.

Professor Richard Wyn Jones



Richard Wyn Jones is Director of the Wales Governance Centre at Cardiff University and has written extensively on constitutional developments in Wales, on nationalism, and on sub-state regional governance in Europe. Richard has also been centrally involved in all the election surveys

conducted in Wales since 1997 and is Co-Director of the Future of England Surveys that have traced the growing politicisation of English national identity.

Professor Petra Schleiter



Petra Schleiter is Professor of Comparative Politics at the Department of Politics and International Relations, University of Oxford. Petra is a comparative political scientist whose research examines how political institutions shape representation and accountability. Her

comparative approach informs her work on the UK constitution. She has published on the implications of the Fixed-Term Parliaments Act (2011), the UK's caretaker conventions and recognition rules, placing these constitutional features in comparative context. She regularly gives evidence to parliamentary committees.

Bulletin Board

Events

To sign up to our events, visit the Constitution Unit [event page](#). Seminars are free and open to all. They are held in the Council Room, Rubin Building, 29–30 Tavistock Square unless otherwise specified.

50 fewer MPs: Challenges for the Next Constituencies Review?

Professor Ron Johnston and Tony Bellringer, Secretary to the Boundary Commission for England, 27 October 2015, 6pm. Wilson Room, Portcullis House, Houses of Parliament
[Register](#)

Britain's New Political Class: All Change in the House?

Dr Jennifer vanHeerde-Hudson,
30 November 2015, 6pm [Register](#)

These seminars are funded by the family of Barbara Farbey, late of UCL, who greatly enjoyed them

Watch our previous events online on our [Vimeo page](#)

Unit in the news

Where next for UKIP? Robert Hazell suggests they need to use the next European Parliament election as a catalyst for 2020 ([New Statesman](#), 18 May 2015)

Robert Hazell on government defeats in the Lords ([Financial Times](#), 21 May 2015)

Robert Hazell on SNP decision to vote against bill to relax ban on fox hunting ([Financial Times](#), 14 July 2015)

Meg Russell in the media on the next steps for House of Lords reform in light of the revelations about Lord Sewel (see links and *BBC Radio Scotland* transcript [here](#), 27–29 July 2015)

Robert Hazell reflects on his two decades as Director of the Constitution Unit ([BBC R4 Westminster Hour](#), 2 Aug 2015)

Meg Russell comments on the new House of Lords appointments, including an appearance on the *Today* programme (see links [here](#), 27 Aug 2015)

Alan Renwick discusses the EU referendum question on *Sky News* and the BBC's *PM* (1 Sep 2015)

Robert Hazell explains what is meant by 'purdah' in light of the controversy over the rules for the EU referendum ([BBC R4 The World at One](#), 2 Sep 2015)

Robert Hazell interviewed by *The World Tonight* about Jeremy Corbyn's leadership of the Labour Party, the Privy Council and the monarchy ([BBC R4 The World Tonight](#) [14:20], 17 Sep 2015)



The Constitution Unit



Constitution Unit Blog

www.constitution-unit.com

Bulletin Board

Unit publications

Graham Gee, Robert Hazell, Kate Malleson and Patrick O'Brien. *The Politics of Judicial Independence* (Cambridge University Press, June 2015). [Order online](#).

Jack Simson Caird, Robert Hazell and Dawn Oliver, *The Constitutional Standards of the House of Lords Select Committee on the Constitution, Second Edition* (Unit report, Aug 2015). [View online](#).

Alan Renwick, 'A British Constitutional Convention?' *Political Insight* (September 2015). [View online](#).

Delivering a Reserved Powers Model of Devolution for Wales (Unit and Wales Governance Centre report, Sep 2015). [View online](#).

Roger Masterman, *Supreme, Submissive or Symbiotic? British Courts and the European Court of Human Rights* (Unit report, Oct 2015). [View online](#).

Publications to note

Constitution Reform Group, *Towards A New Act of Union: A Discussion Paper* (Sep 2015). [View online](#).

Jeffrey Jowell, Dawn Oliver, and Colm O'Cinneide (eds), *The Changing Constitution*, 7th edition (Oxford University Press, June 2015). [Order online](#).

Alan Page *Constitutional Law of Scotland* (W. Green, June 2015). [Order online](#).

Contributors to *Monitor 61*

Jim Gallagher, Daniel Gover, Robert Hazell, Jennifer Hudson, Michael Kenny, Cristina Leston-Bandeira, Christine Reh, Alan Renwick, Meg Russell, Jack Sheldon, Alan Trench and Brian Walker.

The issue was edited by Sonali Campion and Jack Sheldon.