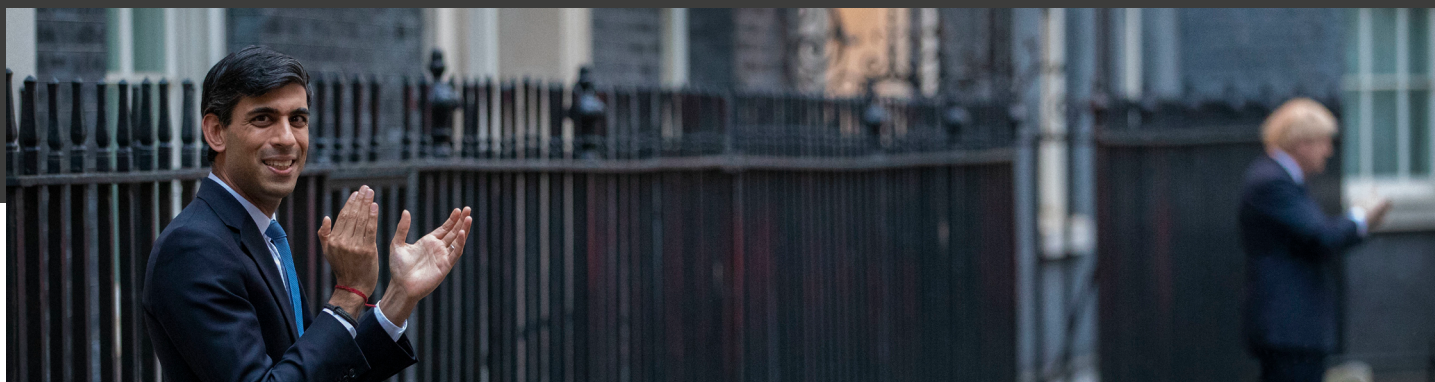


Constitution Unit

Monitor 84 / July 2023



Sunak's standards slipping

When Rishi Sunak became Prime Minister in October, he [made a noble promise](#) to head a government of 'integrity, professionalism and accountability'. These were welcome words, and they defined standards that all governments should be held to. Sunak's government is performing better against those standards than did its two immediate predecessors. Nevertheless, there are increasing concerns that it is still falling short, with potentially harmful consequences for the quality of governance and for public confidence.

Sunak inherited a difficult legacy from Boris Johnson (and Liz Truss, whose time in office was brief but eventful), and a difficult and divided governing party. Johnson has continued to cast a long shadow in the months since [the last edition of Monitor](#). Conservative Party divisions have come, if anything, even more to the fore.

The most dramatic single constitutional event has been Johnson's conflict with the House of Commons Privileges Committee (see page 2). Its investigation into whether he deliberately misled parliament over partygate attracted significant attention, first through the former Prime Minister's [appearance in front of the committee](#), and subsequently through events around the publication of its report.

[Rishi Sunak and Boris Johnson](#) (CC BY-NC-ND 2.0) by [HM Treasury](#).

Apprised of the committee's conclusions, Johnson [chose to resign his seat](#) rather than contest his case in parliament (and possibly with the voters of Uxbridge and South Ruislip), and he and his supporters chose instead to rubbish the committee. The shock of a former Prime Minister facing parliamentary sanctions for such behaviour was only heightened by this undignified response – which triggered the committee to issue [a further damning report](#).

Alongside these events, Johnson's long-awaited resignation honours list [caused further ructions](#) (see page 11). Crucially, it also triggered at least one further by-election by one of his supporters (one of three taking place on the day *Monitor* was published, with others likely to follow). Johnson supporter Nadine Dorries threw [fierce accusations of misbehaviour](#) at Sunak for not appointing her to the Lords. Although Sunak hit back, insisting that he had properly followed recommendations from the House of Lords Appointments Commission, he crucially showed no public resistance to Johnson's nominees – including some [whose names had been connected to partygate](#), and others who went on to attack the Privileges Committee. Sunak himself was also painfully absent when the committee's report was debated in parliament, [arguing unconvincingly that he needed to be elsewhere](#). While [118 Conservative MPs voted to support its conclusions](#), including Leader of the House of Commons Penny Mordaunt, he failed to stand alongside them.

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These are not the only ways in which patterns set by the past Prime Minister hang over the present one. Multiple instances have continued of the government's disrespect for parliamentary scrutiny (see page 4), including over the Strikes (Minimum Service) Bill, Retained EU Law (Revocation and Repeal) Bill and Illegal Migration Bill. The last of these also raised serious questions about the government's respect for international law, and its treatment of refugees. The bill was subject to [multiple defeats](#) in the House of Lords, stoking tensions between the two chambers (see page 14).

The [report into bullying allegations](#) made against former Justice Secretary Dominic Raab offered another opportunity for Sunak to show his mettle. Raab did depart, but – in a response not wholly unlike Johnson's – used the opportunity to lash out against his accusers, who in this case were civil servants. Again, likely for fear of angering the right of his party, Sunak stayed silent rather than defending a core constitutional institution (see page 10).

Outside parliament, the government is proceeding with its controversial [strategy and policy statement](#) for the Electoral Commission, though with modifications following criticism from parliamentary committees and the Commission itself (see page 8). The Commission also presented initial analysis of the impact of the new voter ID rules in the Elections Act 2022, as applied to the local elections in May – unsurprisingly concluding that some voters had been denied their opportunity to cast a ballot (see page 8).

Of course not all in the last period has been downbeat. Raab's departure signalled the [demise of the government's Bill of Rights Bill](#) (see page 14) which many had seen as threatening to undermine checks and balances. His replacement, Alex Chalk, [soundly stated his commitment to defending the rule of law](#) at his swearing-in ceremony. Attorney General Victoria Prentis has also been widely seen as a breath of fresh air – notwithstanding the problems over the Illegal Migration Bill. The King's coronation offered a fillip to many (see page 13), and the Scottish government has [reaffirmed](#) its commitment to greater use of deliberative mechanisms to involve citizens in policymaking (see page 10).

With the general election increasingly looming, the Unit held its [summer conference](#) in June, with an emphasis on what positive changes can be made in future, rather than looking backwards at what may have gone wrong (see page 20). A series of panels discussed ideas that

could be pursued either by this government, or by a new government after the coming general election, including potential 'quick wins' that might be implemented immediately. These range from a simple change of tone, to measures such as empowering the Independent Adviser on Ministers' Interests, reining back use of delegated legislation, or committing to a smaller House of Lords. In the medium term, there are many important changes that could be made, such as reforming electoral law, putting key regulators into statute, improving structures for intergovernmental relations, and developing devolution in England. All of these and more are discussed in [the Unit's latest report](#), published jointly with the Institute for Government, which sets out a full menu of options for this or a future administration (see page 21).

[Unit research on public attitudes](#) shows that voters want stronger checks and balances, and greatly value honesty and integrity in politics. Sunak seemed to recognise this at the start of his term, but he has subsequently struggled to maintain those standards. That may not be his central problem, but it is one of a set of factors that are clearly damaging his government in the eyes of voters.



[Harriet Harman \(CC BY 2.0\)](#) by [University of Salford](#).

Privileges Committee report on Boris Johnson

On 15 June, the Commons Privileges Committee, chaired temporarily by Harriet Harman, published its [final report](#) on whether Boris Johnson deliberately misled the Commons over 'partygate', and whether he had committed a contempt of the Commons by so doing. This followed a heated [oral evidence session](#) in

March, at which Johnson repeatedly denied deliberately misleading MPs.

After the committee had sent him confidential extracts from a provisional version of its report, Johnson announced his intention to resign as an MP on 9 June. In his [resignation statement](#), Johnson attacked the committee as a biased ‘kangaroo court’ and criticised its procedures and findings. The statement misleadingly claimed that he had been ‘forced out, anti-democratically, by a committee’. In reality, the committee could only recommend a sanction to MPs – [it could not impose one itself](#). Had MPs voted in such a way as to trigger the provisions of the [Recall of MPs Act 2015](#), a by-election would only then have taken place if 10% of his constituents had signed a ‘[recall petition](#)’, which he could have campaigned against. Johnson would then have been free to stand in any resulting by-election. Instead of letting these procedures run their course, he opted to resign.

The committee concluded that Johnson had deliberately misled both the Commons and the committee itself, committing a ‘serious contempt’. It also found that his resignation statement’s criticism of the committee, and breach of confidentiality, constituted a further serious contempt of parliament. It indicated that, had Johnson not resigned, it would have recommended a lengthy suspension, of 90 days. Given that this was now redundant, it also recommended that Johnson be denied a former member’s pass, meaning that he will only be able to visit the Commons as a guest. MPs [overwhelmingly approved the report](#) on 19 June with just [seven MPs](#) voting against it. There were, however, some notable Conservative abstentions, [including Rishi Sunak](#).

The committee subsequently published a [supplementary report](#) on 29 June, in which it outlined what it considered to be a ‘co-ordinated attack’ on the integrity of its process and described ‘improper pressure’ applied to its members by MPs and peers, including Johnson allies Jacob Rees-Mogg, Nadine Dorries and Lord (Peter) Cruddas, alongside a body headed by the latter, called the Conservative Democratic Organisation. Lord (Zac) Goldsmith of Richmond Park, who was also named, [apologised for his conduct](#) and subsequently [resigned](#) as a minister, ostensibly for reasons connected to government policy. The attacks also triggered [complaints to the Parliamentary Commissioner for Standards](#).

The report was [debated in the Commons](#) on 10 July and a motion approving the report was passed without the

need for a vote. Of the MPs named in the report, only Michael Fabricant [apologised](#) during the course of the debate, and Nadine Dorries did not speak at all.

Parliamentary standards rules

The House of Commons Commission [published proposals](#) for the ‘risk-based exclusion’ from the parliamentary estate of MPs under investigation for violent or sexual criminal offences. The Commission’s report summarised responses to its earlier consultation and set out plans based on case-by-case risk assessment, with mitigations short of exclusion also available. The proposed procedure could be triggered at any point in the criminal justice process, without the need to wait for a decision to charge, if the relevant parliamentary authorities were presented with credible allegations by the police.

The report was [debated in the Commons](#) on 12 June and MPs discussed a variety of factors that should influence the design of any exclusion scheme, including the safety of MPs and staff, confidentiality, proxy votes, the threshold for potential exclusion, and the presumption of innocence. The Commons will be asked to consider a motion establishing an exclusion mechanism in due course. During the debate, the Leader of the Commons, Penny Mordaunt, [announced](#) her desire for a review of the entire standards regime to determine if it was fit for purpose. She also proposed launching ‘a forum enabling political parties, Government, Parliament and other relevant stakeholders to come together and tackle specific practical issues of concern’.

Meanwhile, the Commons Committee on Standards published two reports setting out new rules regulating [the use of Commons stationery](#) and [all-party parliamentary groups](#).

MPs’ conduct

The Committee on Standards has issued several reports on individual cases of misconduct since the last issue of *Monitor*. One of these [ordered](#) former Health Secretary Matt Hancock to [apologise to the Commons](#) after he attempted to influence an investigation into a Conservative colleague.

The Commons [voted to suspend](#) independent MP Margaret Ferrier for 30 days for breaching Covid-19 regulations, [triggering a recall petition](#) in her constituency, Rutherglen and Hamilton West (see page 10).

Chris Pincher – whose behaviour led indirectly to Boris Johnson’s ousting as Prime Minister last summer – was also [investigated](#). Accused of groping someone at an event at the Carlton Club, he told the committee that he was too intoxicated to remember the incident, and argued that the Code of Conduct for MPs did not apply as he was at the event in a personal capacity. The committee found against him, concluding that he had attended as an MP and had engaged in improper conduct. It recommended his suspension from the Commons for eight weeks, which, if implemented, will trigger the recall process mentioned above.

Two MPs have also successfully appealed against findings of misconduct. Conservative MP David Warburton [resigned](#) in response to allegations of harassment and illegal drug use, prompting a by-election in his constituency (see page 10). He admitted to having taken cocaine, but said he was resigning because he felt that he had been denied a fair hearing into the other allegations, and claimed that the [Independent Complaints and Grievance Scheme](#) (ICGS), which – unlike the Committee on Standards – operates independently of MPs, was ‘not fit for purpose’. The Independent Expert Panel (IEP), which hears appeals in ICGS cases, subsequently [upheld his appeal](#) and ordered that the harassment allegations be re-investigated, on the basis that the original investigation was ‘inadequate’ and that the reasoning of the Standards Commissioner was insufficiently clear.

In another case, the IEP [cleared SNP MP John Nicolson](#) of using social media to bully former Culture Secretary Nadine Dorries, overturning an earlier finding by the Standards Commissioner. The outcomes of appeals are not usually reported unless the original decision is upheld, but the panel decided to publish its findings because the allegations were public knowledge.

Lords appointments controversies

Rarely does an issue of *Monitor* pass without some kind of controversy over appointments to the Lords; but the past few months have seen even more controversy than usual. Since the announcement of his departure as Prime Minister last July, rumours had swirled about Boris Johnson’s possible resignation honours list (see page 11) including the possibility of [large numbers of peers](#). It was widely noted that Johnson hoped to appoint four sitting MPs, including Nigel Adams and Nadine Dorries, to the Lords – but allow them to [hold their Commons seats](#)

until the general election. This unprecedented suggestion presented significant challenges both to the House of Lords Appointments Commission (HOLAC) and to Prime Minister Rishi Sunak. It was reported that HOLAC had [rejected these names](#) (alongside several others), on the basis that it could not conduct propriety checks so far in advance. Separately there was significant pressure, from both [expert voices](#) and [opposition parties](#), for Sunak to block Johnson’s honours list, at least until the outcome of the Privileges Committee inquiry was known.

HOLAC [reported to the government](#) in February, and the list was initially delayed but then [approved on 9 June](#), precisely as Johnson was considering the Privileges Committee’s report. Later that same day he announced, as did Dorries and Adams, that he was stepping down from the Commons. [Dorries publicly alleged](#) that promises to her over a peerage had been broken, and [Sunak claimed](#) that Johnson had pressed him to overrule HOLAC’s recommendation. Meanwhile, a few days later, [fresh allegations emerged](#) about lockdown-breaking activities by one peerage nominee, former Conservative London mayoral candidate Shaun Bailey (while [several others](#) on the wider list had allegedly been involved in Number 10 lockdown parties). Unit Director Meg Russell was among those arguing that this whole episode had [brought the honours system into disrepute](#), and had placed the King in a difficult position. Opposition leader Keir Starmer responded by [proposing](#) an end to resignation honours. But the question of a list for short-lived Prime Minister Liz Truss [remains](#). Prior to these events, Lord Speaker Lord (John) McFall of Alcuith had [spoken out](#) in April about the risks of insufficient experts being appointed to the House of Lords (rather than donors or political aides).

Another significant but little-noted controversy is that Lord (David) Frost, Johnson’s former Brexit negotiator, has [joined the candidates list](#) to potentially become a Conservative MP. He could become the first peer to use retirement provisions to move to the Commons, opening up a route that Meg Russell [warned when this provision was introduced](#) would be problematic, and which the [Lords Constitution Committee](#) suggested would require ‘legislative action to be taken’.

Parliamentary scrutiny of government

The government’s approach to parliamentary scrutiny continues to be a cause for concern, with the use of secondary legislation and broad powers for ministers

generating particular criticism. A notably stark example was ministers' decision to enact via secondary legislation [public order proposals](#) that had previously been rejected by the Lords when put forward as amendments during the parliamentary passage of the [Public Order Act 2023](#). This manoeuvre was criticised by both [expert groups](#) and parliamentarians, including the [Lords Secondary Legislation Scrutiny Committee](#), which said that ministers had not adequately consulted on the proposals, and noted the failure of the government's explanatory memorandum to acknowledge the earlier parliamentary defeats. The substance of the regulations has also been [condemned by civil society groups](#) on the basis that they unduly restrict the right to protest.

The regulations faced trouble in the Lords, where Green Party peer Baroness (Jenny) Jones of Moulsecoomb proposed a 'fatal' motion which would have blocked the regulations entirely, and Labour faced [criticism](#) for not supporting this. But the government first presented the statutory instrument (unusually) for debate on the floor of the Commons on 12 June, where it [passed easily](#). This made Lords opposition difficult, since MPs, elected by their constituents, had already approved the measures. On 13 June peers then [backed a Labour motion](#) expressing regret at the process but defeated the fatal motion. The regulations thus [came into force](#) on 15 June.

Speaker Lindsay Hoyle [castigated Rishi Sunak](#) for making a major announcement about the NHS outside parliament on 30 June, calling this 'not acceptable'. Sunak faced hostile questioning about this and other matters on which he is accused of failing to defend parliament (including during the Johnson case) at his regular [appearance in front of the Commons Liaison Committee](#) on 4 July.

The government was also criticised for announcing major changes to the [Retained EU Law \(Revocation and Reform\) Bill](#) in the press. The Secretary of State for Business and Trade, Kemi Badenoch, was called to the Commons by Hoyle to answer an [urgent question](#). He [rebuked her](#) for not announcing the changes to parliament in person.

Those changes eased the bill's passage through parliament. As originally introduced, it sought to automatically repeal most [retained EU law](#) at the end of 2023. Following protests by business and environmental groups as well as criticism at Lords committee stage (see [Monitor 83](#), page 4), the government tabled amendments to replace the general [sunset clause](#) with

a specified [schedule of retained EU law](#) to be repealed at the end of this year. This change of government policy was sharply criticised by some Brexiters, including those on the European Scrutiny Committee, before which Badenoch [appeared in June](#). One committee member, for example, said the decision went against the will of the Commons, which had approved the original approach before Badenoch's policy shift.

Nevertheless, the bill retained sweeping delegated powers for ministers to repeal or replace further items of retained EU law. The government defended this approach in its responses to highly critical reports from the [Constitution Committee](#), [Secondary Legislation Scrutiny Committee](#) and [Delegated Powers and Regulatory Reform Committee](#). These arguments did not convince members of the [Senedd](#) or [Scottish Parliament](#), both of which refused legislative consent.

The scale and reach of the bill's delegated powers were the focus of [six defeats](#) in the Lords at report stage. It went through several rounds of ping pong, with the Lords twice proposing successive [amendments in lieu](#) on two key topics: the maintenance of environmental protections, led by Crossbencher Lord (John) Krebs, and more stringent parliamentary scrutiny for regulations revoking and replacing retained EU law, led by Crossbenchers Lord (David) Anderson of Ipswich and Lord (David) Hope of Craighead. These were repeatedly rejected by the Commons on government advice. On its third return to the Lords, the minister responsible for the bill, Lord (Martin) Callanan, [offered assurances](#) on the government's approach to scrutiny and information provision, after which peers backed down. Lord Anderson later [ruefully noted](#) that the Lords had ultimately to defer to the Commons, which had 'declined to assert its own role in the scrutiny of vital laws'. The bill received royal assent on 29 June.

Concerns have also been raised about the Illegal Migration Bill (see page 14) and the [Strikes \(Minimum Service Levels\) Bill](#). The Lords Constitution Committee [published a report on the latter in March](#), which highlighted the lack of detail on the 'minimum service levels' to be enforced under the bill, which would 'hinder the ability of Parliament to scrutinise the policy underlying the Bill'. The committee also recommended removing a '[Henry VIII](#)' power that would allow ministers to alter other primary or secondary legislation, on the grounds that the government had not provided a satisfactory explanation for its necessity.

Select committee changes

There were several alterations to Commons select committees in April, following the machinery of government changes [reported in the last issue of Monitor](#).

The Science and Technology Committee is now called the Science, Innovation and Technology Committee, a name change which reflects the fact that it has taken on oversight of the new Department for Science, Innovation and Technology in addition to its [existing cross-departmental remit](#). The committee, chaired by Conservative Greg Clark, remains otherwise unchanged.



[Greg Clark \(CC BY 3.0\)](#), Wikimedia Commons.

More extensive change has taken place elsewhere. The SNP-chaired International Trade Committee has been abolished, following the merger of the Department for International Trade with parts of the Department for Business, Energy and Industrial Strategy (BEIS) to form the new Department for Business and Trade. The former Business, Energy and Industrial Strategy Committee, chaired by Labour MP Darren Jones, has updated its name and remit to scrutinise this new department; its membership remains unchanged. The SNP has instead been allocated the chair of the new Energy Security and Net Zero Committee, which was created to shadow another new department, also formed from parts of BEIS. Former International Trade Committee chair Angus Brendan MacNeil [won the Commons-wide election](#) to chair this, beating his party colleagues Kirsty Blackman and Stewart Malcolm McDonald.

The abolition of the International Trade Committee means that the Commons no longer has a dedicated treaty scrutiny committee. The Business and Trade Committee has [confirmed](#) that it intends to hold inquiries on treaty-related topics, including the scrutiny of future Free Trade Agreements, and the 2026 review of the UK–EU Trade and Cooperation Agreement. Nonetheless, as

trade and treaty specialists have [noted with concern](#), the changes have reduced treaty scrutiny capacity in the Commons.

Restoration and Renewal

The state of the Palace of Westminster and the long-delayed Restoration and Renewal (R&R) Programme continues to cause concern. On 17 May, the Commons Public Accounts Committee (PAC) [warned in a report](#) that ‘there is a real and rising risk that a catastrophic event will destroy the Palace before it is ever repaired and restored’. According to the committee, years of procrastination and the retaking of decisions means that, ‘the scope of the work, in terms of what a restored Palace would look like and how work would be undertaken, remains uncertain’, five years on from the landmark [decision to move out of the Palace](#) during the necessary repairs. The committee identified ‘the ability of politicians to take the necessary decisions’ as ‘the programme’s top risk’.

The day after the PAC report was published, the Parliamentary Works Estimate Commission, a joint body consisting of peers and MPs, [produced its own report](#), in which it welcomed the new R&R governance structure (the creation of which was discussed in [Monitor 83](#), page 5). The report stated that ‘the Programme appears to have made considerable progress since this time last year’. Both committees, however, stressed the need to maintain momentum.

The shortlisting of options to deliver the works is due to be endorsed by the [Restoration and Renewal Client Board](#) – which consists of members of the Commons and Lords commissions and is responsible for making critical strategic choices and recommendations on R&R – before the summer recess, and then should be debated by peers and MPs before the end of 2023. With the cost of maintenance of the Palace currently running at [£2 million per week](#), failing to meet this deadline would be costly.

Proxy voting

On 16 March the Commons Procedure Committee published a [report](#) that recommended that a pilot scheme of permitting proxy votes for MPs absent due to long-term illness or injury should become permanent. It also made recommendations on changes to the culture and practices of the Commons to enable greater participation by such MPs in parliamentary business.

The committee received the government's [response to the report](#) on 25 April. Leader of the Commons Penny Mordaunt confirmed that the government supported the principle of increasing access to proxy votes because it was keen to create a more inclusive working environment. However, she expressed concern that the provision to require an MP entitled to a proxy vote to be absent from the parliamentary estate could have 'unintended consequences': an MP with a long-term illness might find attending divisions difficult but occasionally wish to attend parliament for debates or other types of business at short notice. The government also requested that the committee consider the method by which the Speaker will be able to certify a member as eligible for a proxy, and expressed reservations about a proposed reform of the practice of '[nodding through](#)', asking the committee to reconsider its recommendation that MPs could be nodded through when absent, provided that they had been on the estate earlier in the sitting.

Correcting the record

On 29 June the Commons Procedure Committee [published the report](#) of its inquiry into correcting the parliamentary record. Like the reports of the Privileges Committee (see page 2), this addressed concerns about the problem of MPs (and particularly ministers misleading the House of Commons; but it focused on detailed procedural matters and on generic arrangements, rather than on a single case.



Unit Director Meg Russell giving evidence to parliament.

Unit Director Meg Russell was among [those submitting evidence](#) to the inquiry (a version of which can be [found on the Unit blog](#)). Alongside groups such as Full Fact and the Institute for Government, she encouraged the committee to think broadly, in terms of whether more can be done to discourage persistent presentation of misleading information to parliament. But the inquiry's

terms were narrow, and the committee stuck to core questions of whether it can be made easier for MPs who wish to correct the record to do so, and whether the record itself can be made more navigable for users.

Recommendations included clearer connections, via hyperlinks, between original statements and corrections, and that the system of reporting currently used by ministers should ideally be extended to other MPs. The wider points were not addressed in the report.

Elections, referendums and democratic engagement



Local elections, voter ID, and challenges of election administration

Local elections were held in many parts of England on 4 May and throughout Northern Ireland two weeks later (see page 16).

The English elections were unexpectedly bad for the Conservatives: the party's own prediction that it could lose up to 1000 councillors had widely been seen as mere [expectations management](#); but in fact it [lost 1063](#). Labour, the Liberal Democrats, and the Greens all made gains – of 537, 407, and 241 seats respectively. The number of councils where the Conservatives had a majority fell from 81 to just 33, while Labour numbers rose by 22 to 71, and Lib Dem numbers by 12 to 29. The Green Party [gained outright control](#) of a council – Mid Suffolk – for the first time.

There were also four mayoral elections: in Bedford, Leicester, Mansfield, and Middlesbrough. Under changes introduced by the [Elections Act 2022](#), these votes were held under [First Past the Post](#), rather than the [Supplementary Vote](#) system that had been used since directly-elected mayors were introduced in 2000. Thus, voters expressed just their first preference, rather than first and second preferences as previously. And votes were not transferred if the top candidate failed to secure an absolute majority. Given that the Conservatives are currently few voters' second preference, the change was expected to benefit their candidates, and so it proved. The party gained the [Bedford mayoralty](#) from the Liberal Democrats by a margin of 145 votes, securing just under a third of the vote. Had Supplementary Vote still been the voting method, transfers from the Labour and Green

candidates (who won 32% of the votes between them) would almost certainly have kept the Lib Dem in office.

Another innovation – also introduced by the Elections Act – was the requirement for voters at polling stations to show ID (see [Monitor 81](#), page 9). This change had long been [recommended by the Electoral Commission](#). But there was a widespread perception among [experts outside the Commission](#) and others – such as [civil society groups](#) – that it would do more harm than good: many electors would find themselves unable to vote, while there was no evidence that fraud at polling stations was anything other than tiny. Former Conservative Cabinet minister Jacob Rees-Mogg suggested in a [speech in May](#) that the reform was a deliberate ‘gerrymander’.

The Electoral Commission published an [interim analysis](#) of the effects of the voter ID requirement in June. Drawing on survey research, it found that 87% of people in England (outside London, where there were no elections) were aware of the voter ID requirement by April. Awareness was lower among younger people, those from ethnic minorities, and those who said they had no valid ID. Using data from polling stations, the Commission said that ‘At least 0.25% of people who tried to vote at a polling station in May 2023 were not able to because of the ID requirement’. These were people – around 14,000 in total – who were turned away from a polling station and who did not subsequently return with valid ID. The Commission acknowledged that this was an underestimate of those affected: some voters would have realised they lacked appropriate ID before getting to the ballot issuing desk. In the Commission’s survey, ‘4% of the people who said they did not vote gave an unprompted reason that was related to the ID rules – 3% said they did not have the necessary ID and 1% said they disagreed with the need to show ID’ – though these responses might also have deviated from the reality. The Commission will produce a more detailed analysis in September.

The Association of Electoral Administrators published a [review of the elections](#). It set out how multiple factors had made delivering the elections unusually difficult. These included the voter ID requirement and other changes introduced by the Elections Act, a growth in postal vote applications shortly before the deadline, unreliable postal vote deliveries, and increasing challenges in securing polling station staff. The report pointed out that further challenges lie ahead: additional Elections Act measures to be implemented in the

coming months include changes to postal votes and the enfranchisement of all overseas citizens; the switch to new parliamentary constituency boundaries will add complexity; pressures on staff will be much greater in a general election, with higher turnout and voting in every part of the country; the [repeal of the Fixed-term Parliaments Act](#) makes timetables unpredictable. The report warned that administrators’ ‘ability to successfully deliver polls is being compromised by continual and unsystematic changes to the democratic process’. It called for a range of measures, including implementation of the Law Commission’s recommendation for [simplification of electoral law](#).

Implementing the Elections Act 2022

The [Elections Act 2022](#) changed many aspects of electoral law (see [Monitor 79](#), pages 6–7). Some of these – including the introduction of voter ID requirements at polling stations in Great Britain, and a switch in the voting system for mayoral elections – were implemented in the May local elections (see previous story). Other elements are coming into effect more slowly (a [timeline](#) was published in April), but have made progress.

One notably controversial element is the ‘strategy and policy statement’ setting out government priorities for the work of the Electoral Commission. Ministers published the [draft statement](#) in August 2022 (see [Monitor 82](#), page 7). This was strongly criticised by the Electoral Commission and three parliamentary committees (see [Monitor 83](#), page 7). In June, ministers produced a [revised version](#), including substantial changes from the original. In a move intended to assuage concerns about endangering the Commission’s independence, the heading at the top of the first page had changed from ‘Priorities for the Electoral Commission’ to the less directive ‘Government strategic and policy priorities relating to elections, referendums and other matters in respect of which the Commission has functions’. The text affirmed that the Commission ‘will remain responsible for determining’ its strategy and priorities. It no longer suggested that some of the Commission’s statutory functions had higher priority than others. MPs and peers have until mid-September to make representations on the draft; their approval is then needed before it can come into force.

The Elections Act also introduces ‘digital imprints’: a requirement for online election advertisements and other relevant materials to carry a note on who is responsible

for them, as printed materials have long needed. This provision can come into force only once statutory guidance on its interpretation has been agreed. [Draft guidance](#) was published by the Electoral Commission in May and was due to be laid before parliament as *Monitor* went to press. Assuming neither chamber of parliament objects, this is expected to come into force in November.

Ballot Secrecy Act

The [Ballot Secrecy Act](#) received royal assent in May. This new law – which originated as a private member’s bill in the House of Lords – is designed to prevent what has come to be called ‘family voting’, where one person accompanies another to the polling booth to influence their vote. It secured cross-party support and concluded its parliamentary passage – with third reading in the House of Commons – in March, without a division.

Boundary reviews completed

The review of constituencies for elections to the House of Commons was completed in late June, as the four boundary commissions – for [England](#), [Wales](#), [Scotland](#), and [Northern Ireland](#) – all published their final reports. Their recommendations followed a process lasting over two years: initial proposals were made in the summer and autumn of 2021 (see [Monitor 78](#), page 8, and [79](#), page 7) and revised proposals in autumn 2022 ([Monitor 82](#), page 8).

As is typical at the final stage of the review process, changes from the previous proposals were generally relatively small, moving individual wards from one constituency to another rather than shifting broader configurations. There were, however, unusually many

such adjustments, reflecting the fact that the boundary commissions had a substantial job in this review, with many of the new constituencies being markedly different from the old. The scale of the overall redrawing of boundaries stems, in turn, partly from the fact that the review was overdue, and partly from changes introduced by the [Parliamentary Constituencies Act 2020](#), reducing the scope for variation in constituency sizes.

For the first time, again due to the 2020 legislation, the recommendations made by the boundary commissions are final, to be implemented without a parliamentary vote. Ministers must bring the new boundaries into law, through an Order in Council, ‘as soon as reasonably practicable’ and at the latest within four months (‘unless there are exceptional circumstances’). The Order will specify the date on which the new boundaries will come into force, and they will apply to any general election falling on or after that date. By-elections occurring before the next general election will, however, proceed on the old boundaries.

Parliamentary by-elections

Three parliamentary by-elections were scheduled for the day of *Monitor*’s publication, and several more are expected.

After Boris Johnson, Nigel Adams and David Warburton resigned from parliament in June, ministers acted quickly to move the writs for by-elections in their constituencies. All three votes take place on 20 July, the day the Commons rises for its summer recess. There are 17 candidates in Johnson’s former constituency of [Uxbridge and South Ruislip](#), 13 in [Selby and Ainsty](#), and eight in [Somerton and Frome](#).

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A by-election was initially expected on the same day in Mid Bedfordshire, after Nadine Dorries [announced her intention](#) to resign immediately from the Commons. But she subsequently delayed doing so, [saying](#) she first wanted more information on why she had been refused a peerage. There was speculation that she was seeking to [‘prolong the political pain’](#) for the Prime Minister. Notwithstanding the delay, the parties, expecting a poll before long, proceeded to [select their candidates](#). It is now unclear if and when a by-election will go ahead.

Two further by-elections are also widely expected. The suspension of Margaret Ferrier from parliament for 30 days for breaching Covid-19 restrictions (see page 3) has automatically triggered a recall petition in her constituency of Rutherglen and Hamilton West. This [opened on 20 June](#) and, in accordance with the requirement for a six-week signing period under the [Recall of MPs Act 2015](#), will remain open until 31 July. If 10% of those on the constituency’s electoral register sign it, Ferrier will be removed as MP and a by-election will be called. Should that happen, she will be entitled to stand again if she wishes – though not for the SNP, as the party has already selected another candidate. Meanwhile, if Chris Pincher is suspended from parliament for eight weeks as recommended by the Standards Committee (see page 4), the same process will be triggered in his constituency of Tamworth.

The recall petition in Rutherglen is the fourth to have been triggered since the legal provision came into force. Two of the previous three led to by-elections: in Peterborough in 2019, 28% of eligible voters petitioned for the removal of Fiona Onasanya; several months later, Chris Davies was removed in Brecon and Radnor after 19% of voters signed the petition (see [Monitor 72](#), page 10). But the first recall petition – against Ian Paisley Jr, in North Antrim in 2018 – failed, when only 9.4% of eligible voters signed it (see [Monitor 70](#), page 8).

Institutionalising deliberative democracy in Scotland

The Scottish government [responded](#) in March to the report of its working group on [Institutionalising Participatory and Deliberative Democracy](#), which had been published a year earlier. As outlined in [Monitor 81](#) (page 9) the working group – whose members included the Unit’s Alan Renwick – made recommendations under two headings: ‘developing a broad range of participation and democratic innovations’; and ‘using this system as a

basis to establish routine use of Citizens’ Assemblies in Scotland’. It proposed that a unit be established within the Scottish government responsible for participation, which would develop infrastructure for citizens’ assemblies and other initiatives. Other proposals included a National Participation Strategy, a Participation Academy to train organisers and facilitators, and ‘a children and young people’s democracy symposium to co-develop a Citizens’ Assembly for under 16s’.

The Scottish government responded positively to all of the recommendations. It made clear, however, that, given budgetary constraints, any steps towards implementation in the short term would be tentative, including an impact assessment of the two citizens’ assemblies that have been held in Scotland to date, and preparatory work towards bringing together a unit within government responsible for participation.

Executive



Ministerial standards

Recent months have seen three Cabinet ministers accused of potentially breaching the Ministerial Code. The most serious accusations were against the Deputy Prime Minister and Justice Secretary, Dominic Raab, which described him as bullying civil servants. Barrister Adam Tolley KC was [asked by Rishi Sunak](#) in November to conduct a formal investigation into the allegations. Tolley’s [report](#) was published in April. It upheld two out of eight complaints against Raab, concluding that his behaviour was intimidating, and that he had been ‘unreasonably and persistently aggressive’ in meetings. The findings also said that his ministerial conduct had ‘involved an abuse or misuse of power in a way that undermines or humiliates’. Raab resigned in response. In his [resignation letter](#), he claimed that the inquiry was flawed, and that the report’s conclusions ‘set a dangerous precedent for the conduct of good government’. He later [accused](#) a small faction of civil servants of coordinating a plot to oust him. Institute for Government Director Hannah White criticised the ‘[extraordinarily poor grace](#)’ of Raab’s resignation letter, and Rishi Sunak’s failure to respond by defending high ministerial standards and the integrity of the civil service.

Similar bullying accusations [emerged in April](#) against Alok Sharma, a former Business Secretary and COP26

President. It was reported that Sharma had berated and sworn at staff and reduced one junior official to tears. Staff were said to have raised concerns on at least four occasions in 2020 but did not take any formal action. Sharma [denied](#) the allegations, and in the absence of a formal complaint, the matter was not pursued further.

Allegations of a different type were made against Home Secretary Suella Braverman, who was caught speeding in June 2022, when serving as Attorney General. She was offered a choice between accepting a fine and points on her licence or taking a speed awareness course. She allegedly [asked civil servants](#) about arranging a course just for her and asked a special adviser to try to arrange a one-on-one course, but was told it was a private matter, and so not for the civil service. She then opted to pay the fine and accept the points. The Prime Minister was [urged to launch an investigation](#) into whether or not there had been a breach of the Ministerial Code. After speaking to Laurie Magnus, the Independent Adviser on Ministers' Interests, he [concluded](#) that no investigation was necessary.

Labour has confirmed details of its plans for an Independent Ethics and Integrity Commission. On 13 July, Deputy Leader Angela Rayner [told the Institute for Government](#) that the proposals included integrating the Advisory Committee on Business Appointments and the Independent Adviser into the new Commission, and giving Commission staff the ability to start investigations and impose meaningful sanctions on their own authority. Rayner also committed to placing the Commission on a statutory footing and making it independent of MPs and ministers.

Cabinet reshuffle

The resignation of Dominic Raab prompted a small [government reshuffle](#). Oliver Dowden, the Secretary of State in the Cabinet Office, was given the additional title of Deputy Prime Minister. More consequentially, Alex Chalk, a former Solicitor General, was promoted from a junior ministerial role at the Ministry of Defence to succeed Raab as Lord Chancellor and Justice Secretary (see page 14). Chalk is the third person to have been appointed Justice Secretary since September. The move led to a minor reshuffle in the junior ministerial ranks, and Chloe Smith returned to the Cabinet from the backbenches to serve as Science, Innovation and Technology Secretary during Michelle Donelan's maternity leave.

Johnson's resignation honours

Boris Johnson's resignation honours provoked criticism of both him and Rishi Sunak, who as Prime Minister was responsible for recommending that Johnson's nominations be approved by the monarch. In addition to criticism of some of Johnson's choices to receive a peerage (see page 4) concerns were raised about several other people awarded honours, which included [former Downing Street aides](#) involved in organising and defending partygate events that were later found to be unlawful.

Experts – including the Unit's [Meg Russell](#) and the [Institute for Government](#) – criticised Rishi Sunak for not taking the opportunity to reject some of the appointments and underline his commitment to integrity and standards in public life. Press critique was equally fierce, with some columnists [calling on a Labour government to rescind the list](#) by passing legislation should the party win the next general election. Keir Starmer's response to the saga was to [state](#) that he would not submit a resignation honours list should he become Prime Minister. Following the Commons vote on the Privileges Committee report, which concluded that Johnson was in contempt of parliament (see page 3), the Liberal Democrats [wrote to the government's Forfeiture Committee](#) urging it to revoke all of the honours on the list.

Covid-19 inquiry



[Baroness \(Heather\) Hallett \(CC BY 3.0\)](#).

The government applied for judicial review of the ruling by Baroness (Heather) Hallett, chair of the [Covid-19 public inquiry](#), that it should disclose all WhatsApp messages between Boris Johnson and his ministers and advisers, along with his diaries and notebooks. At issue

was a legal dispute about the scope of the inquiry's powers under the [Inquiries Act 2005](#). The government claimed that much of the material was 'unambiguously irrelevant' and that disclosure 'would be likely to be highly inefficient and an unnecessary waste of both time and resource'. Baroness Hallett considered that she, as chair of the inquiry, needed to see all the material to make the final judgement on what is relevant.

Before the decision to apply for judicial review, the Cabinet Office legal team reviewed Johnson's diaries, and later [referred him to the police](#) after the documents indicated further possible breaches of the Covid-19 lockdown legislation. This led Johnson to [seek new legal representation](#). Johnson then [offered](#) to provide all of his WhatsApp messages direct to the inquiry in unredacted form.

The judicial review application was heard in June and the High Court's [judgment](#) was published on 6 July. [The government lost](#). The court ruled that Baroness Hallett had acted rationally when issuing the notice of disclosure, and in her ruling compelling the government to comply with it. The government has [said that it will not appeal the decision](#) and will comply fully with the inquiry.

Public appointments

The Commissioner for Public Appointments operates under the [Public Appointments \(No 2\) Order in Council 2019](#). This allows the Commissioner to delegate functions, which proved useful when William Shawcross [recused himself](#) after beginning an investigation into [Richard Sharp's appointment as chair of the BBC](#).

The investigation was delegated to barrister Adam Heppinstall KC, whose [report](#) was published on 28 April.

Boris Johnson had personally approved Sharp's appointment in February 2021. The report found that Sharp had breached the [Governance Code for Public Appointments](#) by failing to declare his involvement in helping to arrange a secret £800,000 loan made to Johnson. Sharp said that the failure was inadvertent, but the report found that it nonetheless created a 'potential perceived conflict of interest'. Sharp resigned as a consequence, and the role has since been [re-advertised](#).

The report was particularly critical of 'pre-briefing' that Sharp had been the government's preferred candidate, which was likely to deter other suitable people from

applying. 'In this case such pre-briefing may well have discouraged people from applying for this role. It can also undermine efforts made to increase diversity.'

The government has also failed to improve its public appointments process in a broader sense, having [missed its own diversity targets](#) of ensuring that 50% of public appointees are women, and 14% come from ethnic minority backgrounds. However, recent appointment trends showed some cause for optimism: half of new appointments made in 2021–22 went to women, compared to 46% for reappointments, while 17% of new appointments went to ethnic minority candidates, compared to 9% of reappointments. That optimism should, however, be tempered by a fall in disabled appointees, with just 6% of public appointees declaring a disability, compared to 10% in 2020.

ACOPA report on Sue Gray

On 3 March it was [reported](#) that the Leader of the Opposition, Keir Starmer, had invited the Second Permanent Secretary in the Cabinet Office, Sue Gray, to be his chief of staff (see [Monitor 83](#), page 11). This caused great controversy because of her seniority in Whitehall, and because she had led the [internal government inquiry](#) into partygate. Boris Johnson [questioned her role](#) in that inquiry following the revelation that she would be working for Labour in the future. The Cabinet Office said that it was reviewing the circumstances of her resignation amid concerns that she had breached the civil service rules on impartiality by holding secret talks with Labour.

Gray's proposed appointment required clearance from the [Advisory Committee on Business Appointments](#) (ACOPA), which regulates potential conflicts of interest when ministers and senior officials leave Whitehall for jobs where they could exploit privileged information. On 30 June ACOPA published [a letter](#) advising that Gray should not commence her new role until six months after her civil service departure date, which will be in September. The committee said that it had found 'no evidence' that Gray's decision making or impartiality had been impaired during her final months in post. Nonetheless, on 3 July, the [government announced](#) that its inquiry had concluded that Gray broke the Ministerial Code. This was treated with some scepticism, and widely seen as a politically motivated claim, with [some former senior officials](#) hinting that Cabinet Secretary Simon Case may have advised against it.

Johnson was himself [investigated by ACOBA](#) after notifying the body of his new role as a *Daily Mail* columnist only on the day that his first article for the newspaper was published. Former ministers are required to seek advice from ACOBA before accepting new employment for two years after leaving office. The committee's chair, Lord (Eric) Pickles, subsequently [reported to the government](#) that Johnson was guilty of a 'clear and unambiguous breach of the government's Rules and requirements of the Ministerial Code'. ACOBA cannot impose a sanction, which is a matter for the government. The letter restated the committee's position that the relevant rules were 'out of date' and called on the government – as the committee has been doing for several years – to create a 'modern framework' for considering business appointments. This letter stated that this should include 'greater clarity about what [conduct] is and is not acceptable', and a system of sanctions for non-compliance with the rules.

PACAC report on ombudsman

On 28 March, the Commons Public Administration and Constitutional Affairs Committee (PACAC) published a [report](#) on its annual scrutiny session with the Parliamentary and Health Service Ombudsman (PHSO), Rob Behrens, whose seven-year term ends next year. PACAC scrutinised the PHSO's annual report against four criteria: casework and productivity; staff management; value for money; and impact on other organisations. It also considered the findings of the [Peer Review](#) of the PHSO conducted by the International Ombudsman Institute, which reported in November 2022.

The committee reiterated calls for new legislation to update the PHSO's statutory framework. It said that the 'MP filter', which requires complaints to be made via MPs, should be removed, and that the Ombudsman should gain new powers to investigate matters on its own initiative.

It has now been five years since the publication of the draft [Public Service Ombudsman Bill](#) by the government. In the absence of broader reform, the committee commended the efforts of the PHSO to improve complaints handling through the development of [Complaint Standards](#) for the NHS and UK central government, and urged the Cabinet Office to promote the Complaint Standards more widely.

Monarchy, church and state



The coronation of King Charles III

On 6 May, King Charles became the fortieth monarch to be crowned at Westminster Abbey since William the Conqueror in 1066. The [order of service](#) had been published only a week beforehand, suggesting last-minute wrangling over the details. The service remained predominantly Anglican, but other faith leaders were in the procession that preceded the arrival of the King. Despite efforts by the Unit's Robert Hazell and Bob Morris to persuade the government to revise and update the [accession and coronation oaths](#), in which the King swears to be a faithful Protestant, and to uphold the rights and privileges of the Church of England, both remain unchanged.

The congregation was smaller than at the Queen's coronation in 1953, with 2000 guests instead of 8000, and the service was shorter, lasting two hours instead of three. There were 50 tickets for MPs and 50 for peers, and only the Archbishop of Canterbury and the Prince of Wales made [homage](#), compared with all the orders of the aristocracy in 1953, when all 800 hereditary peers were invited.

Despite the difficulties of combining such an ancient ceremony with modern values and sensibilities, press commentary was broadly favourable. The government was [criticised](#) for rushing through the [Public Order Act 2023](#) days beforehand to create extra powers in relation to restricting the activities of protesters, and the police were [accused of heavy-handed policing](#), which led to 52 anti-monarchy protesters being [arrested](#).



[Abolish The Monarchy \(CC BY-SA 2.0\)](#) by [alisdare1](#).

[Polling](#) after the coronation showed a boost in support for King Charles, with 63% satisfied with the job he is doing, and satisfaction with Prince William rising 11 points to 73%. However, while 62% said they want to keep the monarchy, the 28% who favoured a republic was the highest [recorded by Ipsos](#) in 30 years.



New Lord Chancellor and the Bill of Rights Bill

Alex Chalk, a former Solicitor General, was appointed Lord Chancellor and Justice Secretary on 21 April, following the resignation of Dominic Raab (see page 10). His appointment and early parliamentary performances were well received by [legal commentators](#). Questions were raised about whether his tenure would mean the end for the much-criticised [Bill of Rights Bill](#), which had been a personal political priority for Raab, but had not progressed even as far as second reading in the Commons in the 12 months since its first introduction (during which time Raab had been [sacked](#) as Justice Secretary by Liz Truss, only to be [reappointed](#) to the role by Rishi Sunak).

It seemed likely that Raab's departure would doom the bill, but it was not until 27 June that Chalk [confirmed in the Commons](#) that the government was abandoning it, and that he remained alive to the need to 'recalibrate and rebalance our constitution' when necessary. The bill had been heavily criticised by [legal commentators](#), [former judges](#), [human rights organisations](#) and parliament's [Joint Committee on Human Rights](#) as a threat to the protection of civil liberties and 'a solution in search of a problem'. Its demise provoked almost universally positive responses, with the notable exception of Raab, who was not in the Commons chamber to hear the announcement, but later [expressed his disappointment](#).

The Illegal Migration Bill

The [Illegal Migration Bill](#) completed its parliamentary passage in July. It had provoked widespread opposition, with some experts saying it will [lead to a 'confrontation'](#) with the European Court of Human Rights, and others calling it [a threat to the constitution](#), on the grounds that

it undermines parliamentary sovereignty, the rule of law, the devolution settlement, and the separation of powers.

When introducing the bill on 7 March, Home Secretary Suella Braverman [told the Commons](#) that she was unable to make a [statutory declaration](#) that it was compatible with the European Convention on Human Rights, which the government can make only if it thinks it is more likely than not to survive a legal challenge. Braverman said that the government was taking a 'novel' approach to the problem of illegal migration, and that this explained her inability to make the declaration. Nonetheless, it was the government's position that the bill should go ahead, and that it was compatible with the UK's international law obligations.

The Lords Constitution Committee published [a report](#) on 19 May, in which it warned that the bill had 'very considerable constitutional implications', raising major concerns about its impact on the rule of law and the protection of civil liberties. In particular, the committee noted that several clauses would significantly restrict access to justice, with some precluding individuals from applying for judicial review of the decision to remove them from the UK. The committee also noted that the bill would grant an 'unusual degree of power' to the executive, for example by enabling a minister to declare individual human rights claims 'inadmissible', a decision that is currently made by the courts. The Lords Delegated Powers and Regulatory Reform Committee [expressed concern](#) about the lack of proper scrutiny of these new powers. The Joint Committee on Human Rights, which published its [analysis of the bill](#) and [proposed several amendments](#), echoed these criticisms.

The bill initially passed through the Commons with relative ease, but ran into trouble in the Lords, where the government had suffered [20 defeats](#) by the time peers returned the bill to MPs. Concerns about compliance with international law led to peers inserting a clause clarifying that the bill will not require any act or omission that would conflict with the European Convention on Human Rights and several other key international treaties to which the UK is a signatory. The part of the bill preventing courts from granting interim remedies was removed, and an amendment preventing the 'duty to deport' in the bill from applying retrospectively passed easily. Peers also amended the bill in response to concerns that it was granting the government too much power. For example, several amendments designed to restrict the government's ability to detain pregnant

women and unaccompanied children passed by large margins. After the initial set of Lords amendments, there was [talk](#) of the government using the [Parliament Acts](#) or packing the Lords with government-appointed peers to ensure the bill's passage. This proved unnecessary. During ping pong, the government gave way on making the bill retrospective, and some other amendments related to detention, but then [made clear](#) that it would make no more concessions. The Lords then decided to give way, and the bill was [passed on 17 July](#).

The Lord Chief Justice and his successor

The Lord Chief Justice, Lord Burnett of Maldon, attended his [annual evidence session](#) before the Lords Constitution Committee on 14 June, the last before his retirement in September. The committee started by asking him to clarify [comments](#) he had made about separating the role of Lord Chancellor from that of Justice Secretary. He told the committee that he believed 'the need to nurture the rule of law and everything that attaches to it' was so important to the functioning of the government that the minister responsible for it should not be 'distracted' by other things, and should be a senior politician who was not 'looking for promotion' – a principle that he said had been upheld until Ken Clarke (now Lord Clarke of Nottingham) left the role in 2012. He added that it was important for the Lord Chancellor to have a role in overseeing constitutional matters, but that it was not clear who in government had that responsibility now, or 'with what enthusiasm they are looked at'. He also spoke about backlogs in the court system, the availability of legal aid, and the serious gender imbalance at the top of the judiciary (only one of the 12 current Supreme Court Justices is a woman, meaning that a large number of panels for Supreme Court cases will be all male).

On 10 June, it was [reported that a woman was to be named Lord Chief Justice](#) for the first time, after it was confirmed that the shortlist to replace Lord Burnett consisted of two candidates: Lady Justice Carr, a Court of Appeal judge, and Victoria Sharp, President of the King's Bench Division.

On 15 June, the government announced that Carr was the successful candidate, and that she will take office on 1 October. The title is normally accompanied by a life peerage, although serving judges are prohibited from participating in parliamentary proceedings.



Lady Justice Carr ([Open Government Licence 3.0](#)).

Nations and regions



England

The government published two new 'trailblazer devolution deals', negotiated with [Greater Manchester](#) and the [West Midlands](#), on 15 March, just after the last issue of *Monitor* went to press. Both areas will gain strategic control over the Affordable Housing Programme; establish a joint governance board for post-16 technical education; co-design future employment support programmes; and take part in the governance of local rail services. They will also convene a range of joint boards with central government and have opportunities to input into national policymaking.

Cornwall Council has abandoned a plan to introduce a directly elected mayor following adverse results [from a consultation](#), and will now pursue a non-mayoral deal instead. Rumours indicate that few areas are now seeking mayoral devolution deals, although [Hull and East Riding](#) is one possible exception to this trend. Areas seeking a 'level 2' (non-mayoral) deal are rumoured to include Bedfordshire, Northamptonshire and Milton Keynes, Lancashire, Cheshire and Warrington, Devon, and Gloucestershire.

Elsewhere, directly elected mayoralities continue to make headlines. The government has [ordered an independent review](#) into the South Tees Development Corporation following [allegations of corruption and illegality](#). Levelling Up Secretary Michael Gove said that

the review would be conducted by a panel appointed by him. Lisa Nandy, his Labour shadow, criticised the decision, saying that the National Audit Office should have been assigned the task. Meanwhile, five London boroughs have [applied for judicial review](#) of Mayor Sadiq Khan's decision to extend the Ultra-Low Emission Zone (ULEZ), the creation of which was [originally proposed](#) by then Mayor Boris Johnson. A [hearing](#) took place in early July, but no decision had been announced by the time *Monitor* went to press.

The government has [named Josh Goodman](#) as the interim Chief Executive of the new Office for Local Government (OFLOG), after appointing Lord (Amyas) Morse to chair the body in January. OFLOG has begun the work of collating sources of local government statistics. In the medium term it is expected to take on responsibility for developing metrics by which the performance of metro-mayors can be judged.

Northern Ireland

The 25th anniversary of the Belfast/Good Friday Agreement in April saw [many notable figures visit Belfast](#), including President Joe Biden, who [said](#) that he was there to 'make sure the Brits didn't screw around' with the Agreement. Three months on, the Agreement institutions remain in abeyance, as the Democratic Unionist Party (DUP) continues to boycott them due to its opposition to the Northern Ireland Protocol. With no Assembly or Executive, there is very limited [government by civil servants](#).

The [Windsor Framework](#), the deal between the UK and EU over the Protocol (see [Monitor 83](#), page 13) was [approved by 515 votes to 29](#) in the Commons on 22 March, with the DUP joining Boris Johnson and Liz Truss (among others) in voting against it. The party said that it continued to have 'concerns', but was slow to tell the UK government its explicit demands, waiting until late June to [submit an 18-page document](#). Since it has refloated old ideas about 'mutual enforcement' of EU and UK obligations replacing internal border controls – which implies renegotiation of the Windsor Framework – doubts remain over its commitment to resumed devolution.

Sinn Féin [won the most seats](#) following the local elections on 18 May and [nationalist parties won more votes than unionists](#) for the first time, the latest in a series of thresholds in the shrinking of political unionism. Alliance support strengthened significantly, continuing a

recent trend. The DUP suffered only a minor drop in vote share, whilst harder-line unionist forces failed to break through, which may give DUP leaders greater latitude to compromise on the Protocol.

In the absence of proper government, Northern Ireland Secretary Chris Heaton-Harris stepped in to [set budgets for each ministerial department](#), delivering some substantial real-terms reductions. Painful cuts followed, but the Head of the Northern Ireland Civil Service, Jayne Brady, has [made it clear](#) that she does not believe officials can lawfully make some of the necessary budget decisions. If the DUP boycott continues into the autumn, the UK government will need to decide between assuming a role nearer to direct rule, or temporarily changing the rules so that the DUP veto can be overcome.

Following the local election results, a significant proportion of people polled [said that a united Ireland is likely in the next two decades](#), but polling evidence [suggests that majority support for unification is unlikely](#) in the immediate future. However, [the argument is increasingly made](#) that the approach of political unionism in recent years has gravely damaged the Union.

Scotland

Humza Yousaf was [elected to replace Nicola Sturgeon](#) as First Minister and leader of the SNP on 27 March. The contest also indirectly led to the [resignation of SNP chief executive Peter Murrell](#), Sturgeon's husband, following a dispute about misleading party membership numbers.

Murrell was subsequently [arrested](#) in April and questioned by police as part of a long-running investigation into SNP finances, which commenced in July 2021 following complaints from party members that funds raised for campaigning in a promised independence referendum had been spent on other things. Party Treasurer and MSP Colin Beattie was then [arrested](#) in June, [as was Sturgeon](#). No decision has yet been made on who, if anyone, to charge formally, and with what. Sturgeon has robustly [asserted her innocence](#) of any wrongdoing.

The legal process will take its course (protected by Scotland's strict contempt of court laws), but the political consequences are already being felt. Yousaf's government has been overshadowed by it, and

[SNP support has fallen](#) since Sturgeon resigned. It nevertheless remains the most popular party in opinion polls, and [support for independence remains at or over 45%](#).

The SNP's difficulties will impact the independence debate. A special party conference took place on 24 June, at which Yousaf set out his views on achieving independence, although a formal decision will not be taken by the party until October. In his [speech](#), he was generally [interpreted](#) as telling members that a win in Scotland at the next general election would constitute a mandate to apply further pressure on Westminster to authorise a second independence referendum, a change from Sturgeon's position that the election itself should constitute a de facto poll. Yousaf also implied that he would view seats won – rather than how many people supported pro-independence candidates – as his yardstick.



[First Minister Humza Yousaf meeting with Welsh counterpart Mark Drakeford \(CC BY 2.0\)](#) by [Scottish Government](#).

When Yousaf became First Minister he inherited two major policy disputes with the UK government related to commitments in the SNP's [agreement with the Scottish Greens](#). The first is on equality legislation, where the UK government used longstanding powers in the [Scotland Act 1998](#) to block the [Gender Recognition Reform \(Scotland\) Bill](#) (see [Monitor 83](#), page 14). The Scottish government [applied for judicial review](#) of this decision, thus keeping faith with its coalition partners, but the case will proceed slowly. The second relates to legislation on a deposit and return scheme for bottles and cans. UK ministers used [controversial powers](#) in the [UK Internal Market Act 2020](#) to [restrict its application](#), in order to preserve a single UK market in relation to glass and plastic bottles. The Scottish government has put the legislation (which also faced other problems) [on hold until at least October 2025](#).

Wales

On 28 June the Boundary Commission for Wales [tabled its final map](#) of the country's new and redrawn Westminster constituencies. The plans follow the UK parliament's decision to make constituency electorates more equal (see page 9) and entail Wales losing eight of its 40 existing seats, with boundary changes everywhere except for the protected island constituency of Ynys Môn (Anglesey).

The 32 new electoral divisions will form the building blocks for 16 proposed new Senedd constituencies if Welsh government and Plaid Cymru plans for a larger, 96-member Senedd are realised. The First Minister, Mark Drakeford, has [confirmed](#) that a Senedd electoral reform bill will be tabled after the summer recess, along with another bill dealing specifically with the implementation of parliamentary gender quotas.

In May, Plaid Cymru's leader, Adam Price, [announced his resignation](#) after a [Plaid-commissioned report](#) concluded that a 'culture of harassment, bullying and misogyny' existed within the party. Rhun ap Iorwerth stood unopposed and was [confirmed as the new leader](#) in June. It is unclear how this will affect the dynamic of the party's cooperation deal with Labour, which underpins majority support in the Senedd for the electoral reforms outlined above. As yet, there have been no indications of any change.

The parties worked together to ensure that the Senedd [voted on 20 June to refuse legislative consent](#) for the UK government's Illegal Migration Bill (see page 14). The Minister for Social Justice, Jane Hutt, argued that the bill would 'fundamentally undermine our nation of sanctuary vision' and would potentially impose functions on devolved Welsh authorities. The act of withholding a legislative consent motion is non-binding on the UK government but does act as a weathervane for the state of intergovernmental relations.

One area where Plaid and Labour are not in agreement is water management and regulation, which is not covered by the cooperation agreement. Plaid has [publicly stated its disappointment](#) that the Welsh government has not triggered a mechanism to devolve water regulatory policy and implement an intergovernmental protocol to manage cross-border water issues, as outlined in the [Wales Act 2017](#).

Justice reform remains on the agenda. In June the Welsh government published a [white paper](#) that

proposed the creation of a first-tier tribunal for Wales alongside the first ever Wales-only appeal tribunal, both of which would be administered by an arms-length independent entity. Counsel General Mick Antoniw [told the Senedd](#) that the move 'lays the foundation for a future where justice is devolved'.



Public opinion on constitutional matters

Following the publication of the Privileges Committee's report into Boris Johnson's conduct (see page 3), snap polls by [YouGov](#) and [Savanta](#) found that clear majorities of the public – 69% and 66% respectively – agreed with the committee's conclusion that the former Prime Minister had deliberately misled the Commons. Although Conservative and Leave voters were comparatively less likely to agree, both surveys found that a majority still concurred with the Privileges Committee's conclusions. However, 40% of Conservative voters felt that the committee had not given Johnson a fair hearing, with only 33% saying that he had been condemned by a just process.

Research by [Panelbase](#) for the *Sunday Times* found that the SNP did not have an outright lead in a Scottish Westminster voting intention poll for the [first time](#) since 2014 (they were tied with Labour on 34%). Although other Scottish Parliament and Westminster polls have shown the SNP ahead of Labour, there has been a clear [narrowing](#) since the resignation of First Minister Nicola Sturgeon and the ongoing police investigation into the party's finances (see page 16).

The Policy Institute at King's College London released new data for the UK from the [World Values Survey](#). In line with [research](#) by the Unit, the findings suggested a relatively [low level of trust](#) in the UK's political institutions and [limited satisfaction](#) with how the UK's political system was functioning. Despite this, [support](#) for more authoritarian forms of government was muted, and respondents also placed great value on having a democratic political system.

Polling conducted by [YouGov](#) one month after the coronation of King Charles III found a slight improvement in his favourability ratings (up six percentage points from April 2023). Although there was significant media

coverage of the arrests of several anti-monarchist protesters at the coronation itself (see page 13), a [plurality of the public](#) (41%) felt that the police had 'got the balance about right' in their response.



Special commission in Poland

Serious concerns have been expressed about [a special commission](#) established by the Polish government in May, ostensibly designed to investigate Russian influence on internal Polish security. The commission has the power to ban individuals from holding public office for up to 10 years without input from the courts. Members of the commission are to be appointed by the lower house of parliament – in which the current government's party, Law and Justice, has a majority – and the Prime Minister has the power to directly appoint the commission's chair. This is the latest move by the Polish government in a [gradual but systematic process of dismantling checks on the executive](#).

The law was [first proposed at the end of last year](#) and later approved by the government-dominated lower house of the Polish parliament before being rejected by the opposition-controlled Senate. It has been [heavily criticised](#), including by legal bodies that have previously supported the government. Critics are concerned about arbitrary use of the new powers, which could be used to prevent opposition leaders and other individuals from standing in the upcoming general election or taking their seats once elected. The introduction of the legislation establishing the commission galvanised popular opposition and [sparked protests](#) across the country. International critics, including the [US](#) and [EU](#), have echoed domestic concerns that the commission's powers could be abused for political ends.

The scale of the opposition to the proposals led President Andrzej Duda to submit the law to the country's constitutional tribunal – which itself has been [plagued by controversy](#) – for judicial review. On 8 June the European Commission [commenced legal action](#) by initiating an 'infringement procedure' against Poland for violating numerous EU legal principles, including the 'principle of democracy' and rights to effective judicial protection.

Judicial reform proposals in Israel

In January, the Israeli government [proposed wide-ranging amendments to the legal system](#) that raised significant rule of law concerns. The headline proposals were that judicial review should no longer extend to the country's [Basic Laws](#), with judicial decisions on other legislation to be rendered reversible by a simple majority vote in the Knesset, Israel's unicameral parliament. Other parts of the original reform package included removing the ground of 'reasonableness' as a justification for judicial review; increasing the government's representation on the panel responsible for selecting judges; and removing ministerial obligations to follow legal advice.

When first announced in February, the proposals triggered a campaign of [mass protests](#) that were ongoing as *Monitor* went to press five months later. The main labour union, Histadrut, [proposed a general strike](#). The Knesset initially proceeded with the plans nonetheless, [passing a law in March](#) that prevents the Supreme Court or Attorney General from declaring that the Prime Minister is unfit for office, which now instead requires a supermajority vote in both the Cabinet and the Knesset. This was particularly controversial as the current Prime Minister, Benjamin Netanyahu, is [on trial for corruption and other related offences](#). After the legislation was passed, the opposition called for a confidence vote, which [the government won](#) on 27 March.



[Protesters gather to demonstrate against judicial reforms](#) (CC BY-SA 4.0) by Oren Rozen.

Due to this sustained public and parliamentary pressure, Netanyahu agreed to negotiate with the parliamentary opposition. Those talks collapsed in June after the opposition [defeated](#) the government's plan to increase

its representation on the Judicial Selection Committee. Netanyahu then [announced](#) that the remaining reform plans will go ahead on a phased basis, with the government 'assessing public reaction' before proceeding with subsequent reforms.

The proposals relating to 'reasonableness' were being scrutinised by the Knesset as *Monitor* went to press. Critics – [including the Deputy Attorney General, Gil Limon](#) – are concerned that they amount to an unjustified restriction of judicial review, and a member of the Judicial Selection Committee compared the government's plans to efforts in Poland to empower the executive branch to the detriment of other checks and balances in the constitutional system (see previous article). On 2 July, it was [reported](#) that the government had agreed to soften the plans to permit courts to retain the rights to overturn the decisions of elected mayors on reasonableness grounds, whilst barring judges from overturning elected national officials on that basis.

The pressure on the government appeared to bear further fruit in late June, when Netanyahu [told the *Wall Street Journal*](#) that the Knesset override proposals were 'out' and that they would not be coming back.

People on the move

Dominic Raab resigned from the government on 21 April after an independent inquiry concluded that he had behaved inappropriately towards civil servants (see page 10). **Oliver Dowden** replaced him as Deputy Prime Minister, with **Alex Chalk** taking over from Raab as Lord Chancellor and Justice Secretary (see page 14).

Humza Yousaf was elected leader of the SNP and First Minister of Scotland in March, following the resignation of **Nicola Sturgeon** (see page 16). **Shona Robison** was appointed Deputy First Minister at the same time, in place of **John Swinney**. The ensuing government reshuffle led to the appointment of **Jamie Hepburn** to the new role of Minister for Independence.

Peter Murrell resigned as the chief executive of the SNP shortly before Yousaf's election (see page 16). **Michael Russell** took over from Murrell on an acting basis.

Caroline Dineage was elected to serve as Chair of the Commons Culture, Media and Sport Committee on 17 May after **Julian Knight** resigned in April.

Lord (Igor) Judge stepped down as convenor of the Crossbench peers on 1 May. The **Earl of Kinnoull** took over the role, so **Lord (Peter) Ricketts** replaced him as Chair of the European Affairs Committee.

Susannah Storey was appointed as Permanent Secretary to the Department for Culture, Media and Sport in June. She replaced **Sarah Healey**, who left the department in February.

Adam Price resigned as leader of Plaid Cymru on 10 May. **Llyr Gruffydd** was appointed as interim leader until the election of **Rhun ap Iorwerth** in June (see page 17). **Delyth Jewell** replaced **Siân Gwenllian** as deputy leader the following month.

Gavin Robertson was elected to replace **Paula Bradley** as deputy leader of the Democratic Unionist Party in June.

Elan Closs Stephens was appointed in June to chair the BBC Board on an acting basis following the resignation of **Richard Sharp** in May (see page 12).

Lord Turnbull, a senior Scottish judge, was appointed as Chair of the Omagh Bombing Inquiry in June.

Josh Goodman was appointed in June to serve as the interim Chief Executive of the new Office for Local Government (see page 15).

Constitution Unit news

Alan Renwick's inaugural lecture

In May, Alan Renwick gave [his inaugural lecture](#) as Professor of Democratic Politics at UCL. Alan came to UCL and the Unit in 2015 and was [promoted to the position of professor](#) in 2020 – his inaugural lecture was then delayed by Covid-19 restrictions.

The theme for the talk was 'How can we fix our democracy?'. Drawing on research spanning two decades, Alan began by identifying some of the problems afflicting democracy in the UK today and highlighted the need to find solutions with a chance of being implemented. He argued that electoral reform – on which he has written three books – would not be the panacea that some hope it could be – and that the path to achieving it is difficult. He then explored three possible types of reform that appear more promising: improving education about politics, media literacy, and reasoning; enhancing the quality of political information and discourse; and embedding processes of public deliberation such as citizens' assemblies more strongly within the system of representative democracy.

The event was chaired by the Dean of UCL's Faculty of Social and Historical Sciences, Professor Jennifer Hudson. Alan was introduced by Unit Director Professor Meg Russell and his talk was followed by a short appreciation by Professor Anand Menon, Director of UK in a Changing Europe at King's College London. A recording of the event is available as a [video](#) and a [podcast](#).

Constitution Unit summer conference

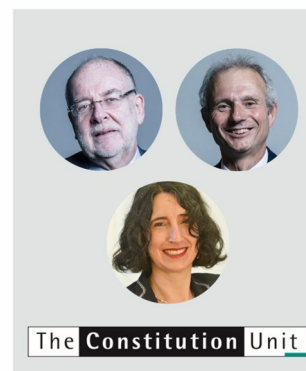
UCL CONSTITUTION UNIT CONFERENCE 2023

IMPLEMENTING CONSTITUTIONAL CHANGE

Speakers:

- Lord (Charlie) Falconer of Thoroton
- David Lidington

Chair: Professor Meg Russell



The keynote session from the Unit's summer conference.

On 28 and 29 June the Unit hosted a star-studded summer conference on 'The future of the constitution'. It comprised six panels, involving a mixture of politicians, academics and other experts. Initial sessions ran wholly online, covering parliament, devolution and the Union, the courts and the rule of law, elections and electoral reform, and constitutional standards. The closing session, which focused on implementing constitutional reform, was broadcast online, but held at UCL with a small, invited audience to hear from former Conservative de facto Deputy Prime Minister David Lidington, and former Labour Lord Chancellor

Lord (Charlie) Falconer of Thoroton. Other panellists included Shadow Cabinet members Emily Thornberry and Thangam Debbonaire, former Conservative Attorney General Jeremy Wright, Conservative peers Lord (Philip) Norton of Louth and Lord (Robert) Hayward, and former Scottish Labour leader Kezia Dugdale. Discussions focused on the future, and desirable changes – including some of those explored in the Unit’s latest report (see next article).

A full programme is listed below and [all sessions](#) are available to watch in [video form](#), and as episodes of the Unit’s [podcast](#).

New report: *Rebuilding and Renewing the Constitution*

The Unit’s [latest report](#) follows through on the theme from its summer conference, focusing upon realistic constitutional changes that could be introduced across the board, either by the current government or by an incoming government after the next general election, which is likely to be held in 2024. The report is jointly published by the Unit and the Institute for Government (IfG), with Unit Director Meg Russell and IfG Director Dr Hannah White as the primary authors, alongside the Unit’s Lisa James. Various others in both organisations, and beyond, have also contributed.

The report sets out a menu of possible constitutional changes, across five very similar areas to the Unit’s conference (the executive, parliament, the territorial constitution, courts and the rule of law, and elections and public participation), ending with a chapter on options for implementation. The proposals within it are drawn from reports by the Unit and IfG, as well as other nonpartisan expert bodies, and cross-party bodies such as select committees. Divided into ‘quick wins’, moderate changes and larger more controversial items, the report offers a menu for policymakers, with further reading for more detail on each point. It is intended to be a useful resource for political parties, and others, in the context of manifesto planning for the next general election.

More detail about the report can be found on our website, where it is free to download, and a summary appears on the Unit [blog](#).

New report: *The Agreement at 25*

Coinciding with the twenty-fifth anniversary of the Belfast/Good Friday Agreement in April, the Unit

published a [report](#) analysing options for Northern Ireland’s constitutional future. Written by Alan Whysall, a former civil servant involved in the Agreement negotiations who is now an Honorary Senior Research Associate at the Unit, the report argued that, for the foreseeable future, the 1998 Agreement will offer the only viable framework for governing Northern Ireland. At present, however, with devolved government suspended, the Agreement is in danger of withering away. The report concluded that urgent action is needed to resurrect the institutions in the short term, and that close partnership between the governments in London and Dublin is required to forge a stable path forward thereafter.

New report: *The British Monarchy*

Ahead of the coronation of King Charles, the Unit collaborated with UK in a Changing Europe to release a new report on the monarchy. Co-edited by former Unit Director Robert Hazell and written by 16 leading experts, [The British Monarchy](#) includes chapters on the King’s constitutional and political roles, the coronation’s religious significance, the funding of the royal family, the relationship between the media and the monarchy, public opinion, and the future of the monarchy.

The report was released just days ahead of the coronation, and was the fifth in a [series of reports](#) on the monarchy published by the Unit in the last nine months.

Chapters on [the role of the monarch during a constitutional crisis](#), [the monarch’s duties as head of the Church of England](#), [the role of other European monarchs in their national churches](#), and [the future of the monarchy](#) were also published unabridged on the Unit’s blog.

Meg Russell gives evidence to the Commons Administration Committee

On 5 June Unit Director Meg Russell [gave invited oral evidence](#) to the Commons Administration Committee, which is exploring how the Commons administration can better communicate the work of parliament. Appearing alongside Lord (Philip) Norton of Louth and BBC Parliamentary Correspondent Mark D’Arcy, Meg made a range of points about the challenges of communicating parliament’s work, and some of the positive aspects of the House of Commons communications team, but also where it might have room for future improvement. However, her central point concerned how such

parliamentary staff will always struggle to secure a good public reputation for the institution if some of its most senior members continue to talk it down.

LEF briefings

The Unit has published further briefings on core constitutional concepts, as part of its Legal Education Fund project on '[Constitutional Principles and the Health of Democracy](#)'. The most recent publications focus on the roles of the [civil service](#) and of [regulators](#), and follow earlier briefings on [standards in public life](#), [the rule of law](#), and [the role of checks and balances](#) in the UK constitution.

Briefings are available on the [project webpage](#) and on the Unit's [blog](#). You can also sign up to be alerted when new briefings are published, via our [mailing list](#).

Research volunteers

The Unit is, as always, grateful for the excellent work done by its research volunteers. A big thank you to former volunteers Qabas Al-Musawi, Billy Hohnen-Ford, Lydia Mourselas, Peter Mumford, Emily Thornton and William Noble.



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Events recently made available online

Recordings of all Unit events are available online, via the Unit's [podcast](#) and [YouTube](#) pages. To sign up for future events, please visit the Unit's [events page](#). Webinars are free and open to all.

[Combatting democratic backsliding: what works?](#)

Ken Godfrey, Executive Director of the European Partnership for Democracy, **Kim Lane Scheppele**, Laurance S Rockefeller Professor of Sociology and International Affairs at Princeton University, **Dr Seema Shah**, Head of Democracy Assessment at International IDEA.

Chair: **Professor Meg Russell**, Director of the Constitution Unit.

Recorded on 22 May.

[How can we fix our democracy?](#)

The inaugural lecture of **Professor Alan Renwick**, Deputy Director of the Constitution Unit, with an introduction by **Professor Meg Russell**, and an appreciation by **Professor Anand Menon**, Director of UK in a Changing Europe.

Recorded on 16 May.

[Ministers also have rights: balancing executive prerogatives and executive scrutiny](#)

The inaugural lecture of **Peter Riddell**, Honorary Professor in Political Science, University College London, with an introduction by **Professor Meg Russell** and a response from **Jack Straw**, former Home Secretary, Justice Secretary and Leader of the House of Commons.

Recorded on 26 April.

[The Belfast/Good Friday Agreement at 25: what should London's priorities be?](#)

Cathy Gormley-Heenan, Professor of Politics and Provost of Ulster University, **Simon Hoare**, Chair of the House of Commons Northern Ireland Affairs Committee, **Baroness (Angela) Smith of Basildon**, Labour spokesperson on devolved issues in the House of Lords, **Alan Whysall**, Honorary Senior Research Associate at the Constitution Unit.

Chair: **Professor Alan Renwick**.

Recorded on 25 April.

[The parliamentary battle over Brexit and the constitution](#)

Professor Meg Russell, Director of the Constitution Unit, **Lisa James**, Research Fellow at the Constitution Unit, **Joanna Cherry**, SNP MP and lead litigant in *Cherry v Advocate General for Scotland*, **David Gauke**, former Lord Chancellor in the May government, **Dr Robert Saunders**, Reader in Modern History at Queen Mary University of London.

Chair: **Professor Alan Renwick**.

Recorded on 23 March.

[The parliamentary battle over Brexit and the Conservative Party](#)

Professor Meg Russell, **Lisa James**, **Lord (Gavin) Barwell**, former Chief of Staff to Theresa May, **Graham Brady**, Chair of the 1922 Committee of Conservative backbenchers.

Chair: **Professor Anand Menon**.

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The Future of the Constitution: Constitution Unit Conference 2023

Recordings of all panels are available on [YouTube](#) and will all in due course be published in [podcast](#) form.

Day 1, 28 June

Panel 1: Parliament

Thangam Debonnaire, Shadow Leader of the House of Commons, **Dr Brigid Fowler**, Senior Researcher at the Hansard Society, **Alexander Horne**, barrister and Visiting Professor at Durham University, **Lord (Philip) Norton of Louth**, Professor of Government at the University of Hull.

Chair: **Dr Tom Fleming**, Lecturer in British and Comparative Politics at the Constitution Unit.

Panel 2: Devolution and the Union

Kezia Dugdale, Director of the John Smith Centre and former Leader of the Scottish Labour Party, **Dr Anwen Elias**, member of the Independent Commission on the Constitutional Future of Wales, **Professor Michael Kenny**, Director of the Bennett Institute for Public Policy.

Chair: **Professor Alan Renwick**, Deputy Director of the Constitution Unit.

Panel 3: Courts and the rule of law

Laura Farris, Conservative MP, **Fiona Rutherford**, Chief Executive of Justice, **Emily Thornberry**, Shadow Attorney General.

Chair: **Murray Hunt**, Director of the Bingham Centre for the Rule of Law.

Day 2, 29 June

Panel 4: Elections and electoral reform

Sarah Birch, Professor of Political Science at King's College London, **Lord (Robert) Hayward**, Conservative member of the House of Lords, **John Pullinger**, Chair of the Electoral Commission, **Cat Smith**, Labour MP and former Shadow Secretary of State for Young People and Democracy.

Chair: **Professor Alan Renwick**.

Panel 5: Constitutional standards

Lord (David) Anderson of Ipswich, Crossbench peer and former Independent Reviewer of Terrorism Legislation, **Dr Hannah White**, Director of the Institute for Government, **Jeremy Wright**, former Attorney General and former member of the Committee on Standards in Public Life.

Chair: **Professor Meg Russell**, Director of the Constitution Unit.

Keynote session: Implementing constitutional change

Lord (Charlie) Falconer of Thoroton, former Secretary of State for Constitutional Affairs and Lord Chancellor, **David Lidington**, former Lord Chancellor and Leader of the House of Commons.

Chair: **Professor Meg Russell**.

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Unit in the news

Bob Morris was quoted in the [Express](#) on the role of King Charles III in negotiations about the Northern Ireland Protocol (27 February). Robert Hazell was quoted in the [Times](#) on the same subject (28 February).

A Unit report, [House of Lords Reform: Navigating the Obstacles](#), (which was also [discussed on the Unit blog](#)) was mentioned in *Politico*'s daily [London Playbook](#) briefing (3 March).

Meg Russell was quoted on the electoral benefits for politicians who display moral integrity in a [Conversation](#) article on the honours system (6 March).

The Unit's report, [Public Preferences for Integrity and Accountability in Politics](#) was briefly discussed by the author of *Politico*'s daily [London Playbook](#) briefing, and was the subject of an article on [Mirage](#) (both 7 March). Its findings were also mentioned in a comment piece on the [Sky News website](#) (26 March), on the [New Statesman Podcast](#) (17 April) and in an article about financial integrity in politics on the [UK in a Changing Europe blog](#) (24 April).

Robert Hazell appeared on an episode of Radio 4's [Analysis](#) to discuss the challenges facing the monarchy (19 March).

Meg Russell and Lisa James spoke about their book, [The Parliamentary Battle Over Brexit](#), during an appearance on Rafael Behr's [Politics on the Couch](#) podcast (21 March). They discussed the same subject on the [Bunker](#) podcast (28 March), on Radio 4's [Today in Parliament](#) (31 March), on *Times* Radio (7 April) and on UCL's [Uncovering Politics](#) podcast. The book was discussed on the [A Lawyer Writes](#) blog (13 March) and recommended by journalist Ian Dunt in a column published on [inews](#) (7 April). The book was reviewed on the [Brexit and Beyond](#) blog (21 March) and in the [Irish Times](#) (16 April). The launch event for the book was mentioned in *Politico*'s daily [London Playbook](#) briefing (23 March).

[Written evidence](#) provided to parliament by Alan Renwick and Conor Kelly on the effectiveness of the Good Friday/Belfast Agreement institutions was referred to in a [blogpost](#) on the UK in a Changing Europe website (23 March).

Meg Russell appeared on LBC to discuss House of Lords reform (25 March).

Bob Morris was quoted in articles on [Slice](#) (27 March), in the [Royal Fascinator](#) newsletter (21 April) and on the [CBC News](#) website (3 May) in pieces on the coronation ceremony. The Unit is also mentioned as a source in an [inews](#) article for the claim that the UK is the only European country to retain such a ceremony (24 April).

Several Unit reports and blogposts were quoted or referenced in a House of Commons Library [research briefing](#) on Northern Ireland (28 March).

The Unit's report, [Swearing in the New King: the Accession and Coronation Oaths](#), was quoted in a comment piece in the [Times](#) on the role of King Charles as Defender of the Faith (15 April). Robert Hazell was quoted on [Yahoo!news](#) talking about the same report (26 April).

A blogpost on [Sluggie O'Toole](#) recommended a [Unit blogpost](#) by Alan Whysall on the Belfast/Good Friday Agreement (16 April).

Robert Hazell appeared on YLE Finland's [Yle Utiset](#) to discuss the public perception of the monarchy amongst younger people (1 May).

Robert Hazell's report, [Future Challenges for the Monarchy](#), was quoted in a [Times](#) article about how the coronation of King Charles could be the last such ceremony to take place in the UK (4 May). Robert was also quoted in an article on the [Sky News website](#) about coronation ceremonies in other European countries (4 May). An interview with Robert covering the same subjects was published in [Le Monde](#) (6 May), and he was quoted in a report on the coronation during an episode of NPR's [All Things Considered](#) (5 May).

Robert Hazell was quoted in an article on the [Sky News website](#) about the experience of being a member of the royal family (5 May).

Bob Morris was quoted in an article on [Geo News](#) about what Prince William's coronation ceremony might look like (7 May).

A book co-authored by Robert Hazell and Bob Morris, [The Role of Monarchy in Modern Democracy](#), was quoted

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in a [Washington Post](#) article about monarchs in countries other than the UK (7 May).

A [blogpost](#) by Meg Russell on Boris Johnson's resignation honours was quoted in an editorial on the same topic in the [Guardian](#) (19 June). Meg discussed the same topic on Radio 4's *Today* programme and BBC Radio Scotland (both 12 June).

Columnist Catherine Bennett quoted the Unit's report, [House of Lords Reform: Navigating the Obstacles](#), in a [Guardian](#) comment piece advocating the abolition of the House of Lords (25 June).

Meg Russell discussed the process of parliamentary ping pong on *Times Radio* (4 July), Radio 4's [The Week in Westminster](#) (8 July) and Radio 4's [Today in Parliament](#) (14 July).

Committee appearances

Meg Russell gave evidence to the Administration Committee on how to improve the media image of parliament ([5 June](#)).

Unit publications

Meg Russell, Hannah White and Lisa James, [Rebuilding and Renewing the Constitution: Options for Reform](#) (Unit report, co-published with the Institute for Government, July).

Robert Hazell and Anand Menon (editors), [The British Monarchy](#) (Unit report co-published with UK in a Changing Europe, May).

Alan Whysall, [The Agreement at 25: A Time for Constitutional Change in Northern Ireland?](#) (Unit report, April).

Publications to note

Aileen McHarg, [The Contested Boundaries of Devolved Legislative Competence: Securing Better Devolution Settlements](#) (Bennett Institute and Institute for Government, May).

Michael Kenny and Jack Newman, [Devolving English Government](#) (Bennett Institute and Institute for Government, April).

Alison Young, [Constitutional Entrenchment and Parliamentary Sovereignty](#) (Bennett Institute and Institute for Government, March).

Calum Green, [Play by the Rules: Using Citizens' Juries to Improve and Enforce Rules for MPs](#) (Involve, June).

Contributors to Monitor 84

Sophie Andrews-McCarroll, Dave Busfield-Birch, James Cleaver, Veronika Fikfak, Tom Fleming, Jim Gallagher, Robert Hazell, Lisa James, Alexandra Meakin, Luke Nicholas, Alan Renwick, Meg Russell, Mark Sandford and Alan Whysall.

The issue was edited by Dave Busfield-Birch.



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