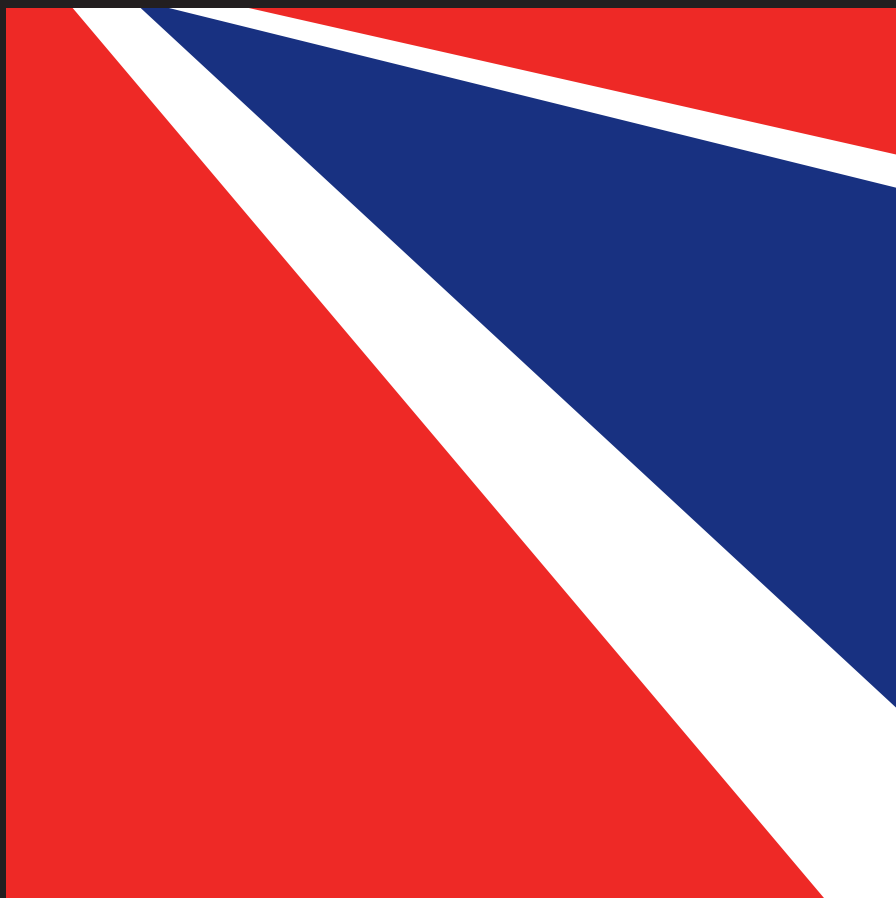




Ministry of
JUSTICE



A brief guide to the
Governance of Britain



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March 2008



Foreword by the Rt. Hon Jack Straw MP
Lord Chancellor and Secretary of State for
Justice

How Britain is governed really matters. Living in a democratic society is something we should all care about because it gives us control over our own lives.

It is also the fundamental basis of our constitution.

Constitutional renewal is about making that system work as well as possible. It may have detailed and technical elements, but as a project, far from being abstract or obscure, constitutional renewal is relevant to everyone.

Britain's constitution is not contained in a single document like those of the United States or South Africa. The rules which determine how Britain is run - the governance of Britain - are to be found in different documents, or in custom.

The Governance of Britain is not a final blueprint for a constitutional settlement. It is the first step in a national conversation. The Government wants as many people as possible to take part in the debate. Broad discussion on this is vital to our strength as a democracy.

The Government are thinking about two basic questions: how we should hold power accountable, and how we should uphold and enhance the rights and responsibilities of the citizen. I hope you will think about those questions too, and write to me with your thoughts at the Ministry of Justice, 54 Victoria Street, London SW1E 6QW or email governance@justice.gsi.gov.uk.

A handwritten signature in black ink, appearing to read 'Jack Straw'.

Jack Straw
Lord Chancellor and Secretary of State for Justice

1 The story so far

The British constitution has never stood still. It has developed constantly to meet the needs of the time. Developments have included:

- Magna Carta in 1215 setting out the rights of the people against the King.
- The first English and Scottish Parliaments in the thirteenth century, which involved the people in decisions that affected their lives.
- Bill of Right and Claim of Right in 1689, which established in England and Scotland the rights of Parliament against the Crown.
- Acts of Union, with Scotland in 1707 and Ireland in 1801.
- Cabinet Government in the eighteenth century, which rooted power firmly with ministers responsible to Parliament.
- Electoral Reform Acts of the nineteenth century, which gave more and more men the vote.
- Extension of the vote to all men in 1918 and all women in 1928.
- Joining the EEC in 1972.

In short, the constitution has always been living and dynamic. It is from this constant evolution that we draw strength.

When the Government was elected in 1997 it began an ambitious programme of constitutional reform. The measures it passed included:

- Devolution to Scotland, Wales and Northern Ireland, passing power closer to the people.
- Human Rights Act, enshrining your fundamental rights in UK law.
- Freedom of Information Act, giving you the right of access to public information.
- Removal of 90% of hereditary peers from the House of Lords.
- Making the Bank of England independent.
- Creating an independent Supreme Court.

The Government is proud of these achievements, but they were never intended to be the final word in constitutional change. The next section sets out why the Government has decided to go further.

2 The next chapter – what we are doing, and why

In the last ten years Britain's constitutional 'hardware' has been significantly changed. New institutions have been created and landmark Acts of Parliament have been passed. Now is the time to build on that by transforming the 'software' too, and work towards a new constitutional culture, which entrusts Parliament and the people with more power. The aim is to create a renewed relationship between government and the people it serves, to bring people closer to decision-making so they are, and feel, engaged in the choices that affect their lives.

If we can revitalise our political system, and articulate and celebrate what it means to be British, our society will become stronger and more confident. We will renew our sense of purpose and national unity, equipping us to meet the challenges of a world changing at a dizzying pace.

The Government wants to achieve its goals by reforms in four areas: it wants to limit its own powers, to make itself more accountable for those powers it retains, to reinvigorate our democracy and to build a new relationship between the citizen and the state.

Shifting power

The Government believes that in a modern democracy some powers it currently exercises should be shared or transferred to the people's representatives in Parliament.

- Deploying troops and making treaties.
- Seeking the agreement of Parliament to its dissolution and calling a general election.

- Making public appointments.
- Running the Civil Service.
- Looking at the role of the Government's chief legal adviser, the Attorney General.

Increasing accountability

A successful country needs strong leadership from a strong Government, but even where Government retains powers they should be subject to proper scrutiny and oversight by Parliament and public.

- Parliamentary oversight of the work of the Security Services.
- Public discussion of a draft programme of proposed new laws, before the final package is announced in the Queen's Speech.
- Simpler and clearer reporting of Government spending to Parliament.

Reinvigorating democracy

As well as shifting power from Government to Parliament, we need to involve the public more in making decisions. The Government has set out its plans to do this.

- Consideration of moving to weekend voting, to make it easier for people to exercise their democratic right.
- Review of protests near Parliament, to allow as much freedom as possible to make your case directly.
- Finding direct ways to hold the people who provide our local services, like education and health, to account.
- Reinvigoration of the petitions system, so Parliament and government hear more clearly what the people are saying.

Uniting around shared values

A strong nation is one united around shared values and sense of purpose. Only a national discussion can bring us to an agreement as to what these values are, and only by discussing them will people come to identify with them, and support them.

- Lord Goldsmith is conducting a review of Citizenship.
- The Government will launch a major consultation on a new British Bill of Rights and Responsibilities.
- There will be an inclusive national debate to develop a British Statement of Values.

The renewal of the constitution is a process, not an event, and a process in which the Government wants as many people to take part as possible. This renewal will come as much from how we set about the journey, as the final destination that we reach.

The sort of questions we need to consider include:

- Do you feel you have a say in how the country is run?
- Do you want more of a say?
- How do you want to have your say?
- What role should politicians play?
- What can Westminster politicians learn from you?

These are the Government's proposals, but how can you get involved?

3 Next Steps

As part of the programme for constitutional renewal the Government has been consulting with the public to hear people's views on how we can renew our constitution. A public engagement event has been held in Leicester; a website has been set up where you can get the latest information on the Governance of Britain programme; and, in addition to the Green Paper that was published in July 2007, five consultation documents have also been published covering:

- The role of the Attorney General (closed on 30 November 2007);
- War Powers and Treaties (closed on 17 January 2008);
- Judicial Appointments (closed on 17 January 2008);
- Protests near Parliament (closed on 17 January 2008); and
- Flag flying (closed 9 November 2007).

The Government is now considering the consultation responses it has received and will respond in due course.

If you would like to know more about the Governance of Britain (including the consultations that took place), please go to our website - <http://governance.justice.gov.uk> - where you can find the Government's original Green Paper, the Consultation documents, speeches and the latest news articles around the Governance of Britain.

Useful links

Governance of Britain – central source of information for the programme

<http://governance.justice.gov.uk>

Ministry of Justice – the department overseeing the programme

www.justice.gov.uk

No 10 – the Prime Minister’s speeches on the constitution will appear here

www.number10.gov.uk

Cabinet Office – leads on reforms to the Civil Service, public appointments and the oversight of the security services

www.cabinetoffice.gov.uk

Department for Communities and Local Government – leads on local government

www.communities.gov.uk

Parliament – see the reports of Committees on our proposals

www.Parliament.uk

Scottish Parliament – the devolved legislature

www.scottish.Parliament.uk

Scottish Executive – the devolved administration

www.scotland.gov.uk

National Assembly for Wales – the devolved legislature and administration

www.wales.gov.uk

Northern Ireland Assembly – the devolved legislature

www.niassembly.gov.uk

Northern Ireland Executive – the devolved administration
www.northernireland.gov.uk

The Monarchy – the source of many Government powers
www.royal.gov.uk

Judiciary of England and Wales – upholds the law, including the constitution
www.judiciary.gov.uk

Lord Goldsmith Review of Citizenship – investigating renewal of citizenship
www.justice.gov.uk/reviews/citizenship.htm

Intelligence and Security Committee – reforms are proposed
www.cabinetoffice.gov.uk/intelligence.aspx

Church of England – changes may come to Church appointments
www.cofe.anglican.org

Civil Service – advises ministers and carries out their policy
www.civilservice.gov.uk

Information Commissioner – protects your right to know
www.ico.gov.uk

<http://governance.justice.gov.uk>
Email: governance@justice.gsi.gov.uk