

Policy Discussion Paper No.5

Constitutional and Electoral Reform

Introduction

This paper covers two related but separate issues. Other related issues such as devolution and localism will be dealt with elsewhere.

Constitutional reform – the problems

1. The Royal Assent as a constitutional compliance check no longer works. In the old days the monarch could interpret our unwritten constitution and deny assent to a bill from parliament. Now the Queen must be completely above politics, as a result of which unconstitutional bills like the Lisbon Treaty get automatic assent.
2. The House of Lords is no longer an effective revising chamber as it has been stuffed by unlimited numbers of Labour and Tory cronies over the years.
3. The House of Commons has conflicts of interest in its current responsibilities such as for the judiciary, MPs' pay and expenses, the boundaries commission and appointments to the House of Lords.
4. The quality of political debate and government has been undermined by the fact that necessarily MPs are not experts at anything. The people rightly may choose whoever they like to represent them. In the past both the Civil Service and the House of Lords were sources of ability available to MPs to provide advice. Political correctness has now undermined the Civil Service and cronyism the House of Lords.

Constitutional reform – the solution

1. An elected Constitutional Council to advise the monarch on constitutional affairs and be responsible for a written constitution as well as all those responsibilities in which Parliament itself has too much of a vested interest. It need not be a large chamber, perhaps regionally elected, and preferably with restricted qualifications for candidature to ensure ability.
2. A House of Lords appointed by the Constitutional Council. Only an appointed House will have the ability for the job of being a revising chamber. In any case a directly elected House of Lords would produce a conflict of accountability with the House of Commons and be a recipe for buck-passing.
3. A written constitution focused on institutional structure and responsibilities rather than on any bill of rights, which properly belong on the statute book. It would be the point of reference for decisions on granting the Royal Assent and Royal Prerogative. Changes to the Constitution could only be made by popular referendum.
4. A Civil Service whose members are recruited and promoted on the basis of merit alone.

Electoral reform – the problems

1. The current first past the post (FPTP) system does not accurately reflect majority opinion across the country in a proportional manner.
2. It is difficult to attract people of experience and ability to stand for Parliament. As a result most MPs have little experience of work in the 'real world'.
3. Invariably at selection hustings of all the parties the local candidate is selected. This properly reflects the priorities of the electorate and as a result there are many first-class back-bench MPs in all the parties doing a sterling job for their constituents. However it also means there are few first-class front-bench MPs capable of doing a sterling job for their country.

Electoral reform – the solution

1. We need a hybrid system which produces both back-bench and front-bench MPs, perhaps in the ratio of 2:1 although that is adjustable. Such a system uses FPTP for the backbenchers and a list system for the front-benchers, though they would be interchangeable after election.
2. The ballot paper need not change but the number of constituencies are reduced to reflect the number of backbenchers, say 400. The remaining 200 seats are selected from the party lists in proportion to all the votes by party across the country which were not for successful constituency MPs. This simultaneously introduces proportionality and preference. Each party may be free to decide its own basis of list preference, and some may decide to use the losing constituency candidates with the most votes whilst others may produce a list of non-constituency candidates on a basis of their own. Successful list candidates may be referred to as National MPs but may be allocated to constituencies as second MPs by their parties.
3. MPs should be paid in proportion to their earnings prior to entering parliament subject to suitable maximum and minimum salaries. The exact basis and reviews should be determined by the Constitutional Council.
4. Potentially corrupting donations by unelected institutions such as the Unions or Big Business should be ended. Individuals should also be limited to a percentage of their taxable income or savings so they can't act as conduits for others.
5. Add modest proportional state funding for all candidates in national and local elections; a small amount for each vote to be paid annually after each election until the following election in that constituency irrespective of whether they were actually elected.
6. Restrict postal voting to the disabled and those posted overseas but also offer all voters online advance voting at town halls and other designated polling stations around the country and abroad where access is guarded by a need to confirm physical identification.