

## **UK Government Green Paper on the Governance of Britain**

Gordon Brown used his first address to the House of Commons as Prime Minister on 3 July 2007 to set out his vision for constitutional renewal, as detailed in the 'Governance of Britain' Green Paper. Building on his predecessor Tony Blair's record of constitutional reform, which included the devolution settlement, the Human Rights Act 1998 and reform of the House of Lords, the new Prime Minister appears keen to ensure certain constitutional issues remain high on the political agenda. However, no consideration is given to the new Scottish Government's proposals for a Referendum (Scotland) Bill to provide for the Scottish Government to negotiate with the UK Government to achieve independence for Scotland.

Far from outlining a final blueprint for the UK constitutional settlement, the 'Governance of Britain' sets out the Government's intention to engage in public consultation on certain key proposals. To that end, the majority of the commitments in the Green Paper are commitments to conduct further consultation rather than concrete final proposals for reform. The provisional measures outlined in the Green Paper have two key aims: firstly, to limit the powers of the Executive and, secondly, to make the Executive more accountable. The Government is hopeful that the outcome of this investigation is the forging of a new relationship between the Government and the citizen.

The stated goals of the UK Government's programme for constitutional reform are:

- "To invigorate the UK democracy, with people proud to participate in decision-making at every level";
- "To clarify the role of government, both central and local";
- "To rebalance the power between Parliament and the Government, and give Parliament more ability to hold the Government to account"; and
- "To work with the British people to achieve a stronger sense of what it means to be British and to launch an inclusive debate on the future of the country's constitution".

In order to work towards these key goals, the UK Government has proposed the following key measures:

- Limit the prerogative power to deploy troops abroad

The Government can currently exercise the prerogative power to deploy the Armed Forces for armed conflict overseas without requiring any formal parliamentary approval. The Green Paper states that the Government believes the approval of the Parliament should be necessary "for significant, non-routine deployments of the armed forces".

- Streamline the process of public appointments

The Government proposes that nominees for certain public positions should be subject to a pre-appointment hearing before the relevant parliamentary select committee. The hearing would be non-binding, but Ministers would be able to consider the committee's report and decide whether to proceed with the appointment.

- Role of the Attorney General

The Attorney General is the chief Law Officer (legal advisor) to the Crown with ministerial responsibility for criminal and civil justice, with control of the main prosecuting authorities. He is also responsible for exercising certain functions as guardian of the public interest. It is a role which has attracted criticism of late due to the potential for conflicts of interest or the appearance of them. The Government has issued a consultation document on the

future role of the Attorney General inviting comments from stakeholders on how best to alleviate such conflicts.

- National Security Strategy

The Green Paper details the Government's intention to publish a National Security Strategy setting out the framework for dealing with the full range of current security challenges. To oversee the delivery of the strategy, a National Security Committee, chaired by the Prime Minister, will be established. This Committee will replace the existing Ministerial Committees on Defence and Overseas Policy, Security and Terrorism, and Europe.

- Consultative process on the legislative programme

The Government proposes seeking the public's views on its forthcoming legislative programme prior to any formal announcement by Her Majesty The Queen in The Queen's Speech at the start of the parliamentary Session.

- Regional Ministers

Following the appointment of Ministers for the English Regions in June 2007, the role of the Regional Ministers will be extended to include representing the Government with regard to central government policy at regional select committee hearings and at parliamentary debates focused specifically on the region, amongst other responsibilities.

- House of Lords reform

Building on recent intensive discussions on the proposed reform of the House of Lords, the Government is committed to developing reforms for a "substantially or wholly elected second chamber" and is committed to "removing the anomaly of the remaining hereditary peers".

- Public Petitions

The Government proposes revising the current parliamentary petitions procedure to make it easier for the public to engage with Parliament.

The timetable for implementation of these proposed reforms is uncertain. Some of the reforms proposed will be taken forward immediately, whilst others will be the subject of legislative initiatives in the next Parliamentary session. At the same time, the Government plans to reinvigorate the national debate on citizenship and British values and will conduct a series of events around the country in order to obtain citizen stakeholder feedback as a means of informing future legislative initiatives.

The Green Paper acknowledges that some of the measures it proposes will ultimately depend upon the support of the devolved legislatures for their implementation. The UK Government "hopes that the devolved administrations will be equally involved in the dialogue to come". Whilst the wide-ranging proposals put forward by Gordon Brown claim to represent the "first step in a national conversation" on Britain's constitutional future, the Scottish Government is currently leading a national conversation within Scotland on the future governance arrangements of Scotland.

#### Weblinks:

- ['Governance of Britain' Green Paper, July 2007](#)
- [Human Rights Act 1998](#)