

<p>Institution: University of Lincoln</p>
<p>Unit of Assessment: 21 – Politics and International Studies</p>
<p>Title of case study: Legislators, Representatives and Experts: influencing parliamentary reform</p>
<p>1. Summary of the impact</p> <p>Through engagement with government, parliamentary committees, individual parliamentarians, and the media, this research has generated impact which is both significant and far reaching. It has influenced substantive reform in parliamentary oversight of the intelligence and security agencies and contributed to proposals for House of Lords reform. It has also informed debates about various aspects of parliamentary reform by challenging prevailing assumptions, including through engagement with the media and by influencing the work of other groups with an interest in parliamentary reform, such as the Electoral Reform Society and the Equality and Human Rights Commission.</p> <p>2. Underpinning research</p> <p>Recent years have seen renewed debate about the role of Parliament, and parliamentary reform. The research that underpins this case study has sought to broaden understanding and influence debate in relation to the legislative, scrutiny and representative roles of Parliament in a number of policy areas. Modernisation, social policies and welfare reform were key elements of the Labour governments’ reform programme from 1997, and of the Coalition government elected in 2010. Research on Parliament and the intelligence services anticipated and coincided with proposals by the Coalition Government for significant reform of parliamentary scrutiny of the intelligence services.</p> <p>The case study draws upon a number of related pieces of research focusing on the common themes of legislative scrutiny and the representative role of Parliament:</p> <ul style="list-style-type: none"> • <i>Parliament and Welfare Policy (2004-2007)</i> – research examined the role of parliament in relation to a key area of public policy. Focusing in particular on MPs’ attitudes towards welfare, and their perception of their role and influence on policy, it drew upon interviews with 10% of MPs and a small number of Peers; • <i>The House of Lords and Welfare Policy (2008-2009)</i> – a grant from the Nuffield Foundation allowed Bochel and Defty to expand their research by focusing on the attitudes to and scrutiny of social policy in the House of Lords. This involved interviews with 10% of members of the House of Lords. This research also explored a number of issues related to the role of the House of Lords, particularly in the context of proposals for reform; • <i>Parliamentary scrutiny of the Intelligence and Security Services (2009-2012)</i> – this project, funded by the Leverhulme Trust, built upon earlier research by Defty. Through detailed analysis of parliamentary business, coupled with interviews with a large sample of parliamentarians, the research provided a new and groundbreaking assessment of the extent to which Parliament is effective in scrutinising intelligence and security issues, and its capacity to provide effective oversight of the intelligence and security agencies. <p>Key findings</p> <ul style="list-style-type: none"> • The research on Parliament and welfare policy found, for example, some evidence to support claims for the emergence of a new cross-party consensus on welfare, particularly in the House of Commons. • The research on the House of Lords challenged existing arguments about the perceived expertise of the Second Chamber, and provided new evidence of the various ways in which ‘representation’ is understood within and in relation to the House of Lords. It also identified significantly less consensus than in the House of Commons, which may have significant implications for the passage of social policy legislation. • While existing research on Parliament and the intelligence services had focused almost exclusively on the work of the Intelligence and Security Committee, this project considered other actual and potential forms of parliamentary scrutiny of intelligence, including

parliamentary questions, debates and select committees. This significantly expanded upon existing knowledge. It suggested that in addition to the form and powers of legislative oversight committees, alternative variables in determining the effectiveness of legislative oversight may be the extent to which legislatures are interested in the work of intelligence and security agencies, and the extent of parliamentary knowledge and understanding of intelligence.

The research was carried out by Professor Hugh Bochel (PI) and Dr Andrew Defty (CI). For the parliament and intelligence project a research associate, Dr Andrew Dunn, was appointed in November 2009. Dunn left the University in August 2010 (he returned as a lecturer in Social Policy in April 2013 and is submitted under UOA22) and was replaced by Jane Kirkpatrick. Defty was promoted from Research Fellow to Senior Lecturer in 2010, and to Reader in 2013.

3. References to the research

Nuffield Foundation, Small Grants Scheme (SGS/34825), £7,402, The House of Lords and Welfare Policy, awarded: June 2007, completed: June 2008.

Leverhulme Trust, Research Project Grant £96,879, Parliamentary Scrutiny of the Intelligence and Security Services, awarded: 2009 completed: 2012.

Bochel, H. and Defty, A. (2007) *Welfare Policy Under New Labour: Views from Inside Westminster*, Bristol: The Policy Press.

Defty, A. (2008) 'Educating Parliamentarians about Intelligence: The Role of the British Intelligence and Security Committee', *Parliamentary Affairs*, 61, 4: 621-641.

Bochel, H. and Defty, A. (2010) 'A Question of Expertise: The House of Lords and Welfare Policy', *Parliamentary Affairs*, 63, 1: 66-84

Bochel, H. and Defty, A. (2012) "A More Representative Chamber": Representation and the House of Lords', *Journal of Legislative Studies*, 18, 1: 82-97.

4. Details of the impact

This research has generated significant and wide reaching impact. Dissemination of research outputs and engagement with the media has *informed the debate* by challenging existing views in a number of key areas of reform. It has also had a significant direct *influence on the reform process* through contributions to government consultations and select committee inquiries, and the dissemination of findings to policymakers. It has also had a *wider reach* by influencing others with an interest in reform, who have used it in various ways to support their own proposals and submissions to the reform process.

The House of Lords: expertise and reform

- **Informing the debate** – research on expertise in the House of Lords has had a particular impact. The article, 'A question of expertise', was featured in a package on Radio 4's *The Westminster Hour* in 2010, which included an interview with one of the authors (1). It has also been referenced in a number of House of Lords library notes, including on House of Lords reform, regional representation in the House of Lords, and the House of Lords Appointments Commission (2).
- **Influencing the reform process** – the researchers submitted evidence to the Joint Committee on the Draft House of Lords Reform Bill in 2011. Several aspects of this evidence were referred to in the Committee's report, in particular on the patchy nature of expertise in the House, the fairness of places reserved for particular religious groups, and concerns about the efficacy of the Government's proposals for by-elections to the second chamber (3). The research also informed a submission in 2011 by the researchers to the House of Lords Constitution Committee's inquiry into the process of constitutional reform, which was also referenced in the Committee's report (4).
- **Wider reach** – the research has influenced other groups interested in House of Lords reform, featuring, for example, in the Electoral Reform Society's evidence to the Joint

Committee on the Draft House of Lords Reform Bill, to support the Society's call for a deepening of expertise within the second chamber, and in the Campaign for Science and Engineering's policy report on *House of Lords Reform and Expertise* (5).

Parliament and the intelligence and security services

- **Informing the debate** – the research has been carried out at a time when there has been considerable debate over the scrutiny of intelligence, and has fed into this debate at a number of levels. It has twice been discussed on BBC Radio 4's *The Westminster Hour* (in 2009 and 2011) in relation to proposed reform of the Intelligence and Security Committee (ISC), including a debate between Defty and a former Chair of the ISC (6). It has been cited in a number of House of Commons briefing papers on the ISC (7).
- **Influencing the reform process** – evidence submitted by the researchers to the government's consultation on the *Security and Justice* Green paper (2011) had a direct influence on subsequent proposals for reform. The submission was cited several times in the government's response, and several of the recommendations and elements of the subsequent Bill reflected those from the submission. The research provided evidence, including data from interviews with over 100 parliamentarians, that highlighted considerable support for reform of the ISC, including its reconstitution as a committee of parliament, a position which was subsequently adopted in the Justice and Security Bill. The Government's response also highlighted the submission's recommendation that 'the ISC could and should do more to engage with Parliament in order to enhance wider knowledge and understanding of the Agencies and the nature and limitations of intelligence', and, following reform, the ISC has moved towards holding some evidence sessions in public (8). This research also contributed to submissions by Bochel, Defty, Kirkpatrick and others to the House of Lords Constitution Committee's 2011 inquiry into the process of constitutional reform, and on the restrictions on the interception of MPs' communications to the Government's consultation on Parliamentary Privilege in 2012.
- the interviews conducted for this research themselves also provided significant engagement with key individuals – senior officials, Ministers and other parliamentarians – who were directly involved in the formulation of proposals for reform of the Intelligence and Security Committee. A summary of findings was also sent to all participants and other interested parties in 2012. Correspondence shows, for example, that the briefing paper was read by the Secretary of State for Justice and the Minister for Justice, while the Clerk of the Joint Committee on the National Security Strategy circulated it to Committee members. The research also prompted at least one MP to table a number of parliamentary questions regarding the interception of MPs' communications (9).
- **Wider reach** – as with the research on the House of Lords, this research also impacted on other organisations interested in reform. The researchers' earlier work on reform of the ISC featured in the Equality and Human Rights Commission's submission to the Justice and Security Consultation, and was cited in Democratic Audit's 2012 audit of democracy in the UK, which highlighted the research's emphasis on the role of select committees as providing an alternative means of scrutiny beyond the ISC (10).

5. Sources to corroborate the impact

1. BBC Radio 4, *The Westminster Hour*, 12 September 2010, http://news.bbc.co.uk/1/hi/programmes/the_westminster_hour/8992503.stm.
2. House of Lords Library Notes, *Possible Implications of House of Lords Reform*, 25 June 2010, <http://www.parliament.uk/briefing-papers/LLN-2010-014>; *Regional Representation in the House of Lords*, 6 March 2012, <http://www.parliament.uk/briefing-papers/LLN-2012-007>; *House of Lords Appointments Commission*, 9 May 2012, <http://www.parliament.uk/briefing-papers/LLN-2012-016>.
3. Joint Committee on the Draft House of Lords Reform Bill, Report, 2010-2012, *Draft House of Lords Reform Bill*, 23 April 2012, <http://www.publications.parliament.uk/pa/jt201012/jtselect/jtdraftref/284/284i.pdf>.

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4. House of Lords, Select Committee on the Constitution, 15th Report, 2010-2012, *The Process of Constitutional Change*, 18 July 2011, <http://www.publications.parliament.uk/pa/ld201012/ldselect/ldconst/177/177.pdf>.
5. Campaign for Science and Engineering, Policy Report, *House of Lords Reform and Expertise*, June 2012, <http://sciencecampaign.org.uk/?p=10018>.
6. BBC Radio 4, *The Westminster Hour*, 1 February 2009, http://news.bbc.co.uk/1/hi/programmes/the_westminster_hour/7863972.stm; BBC Radio 4, *The Westminster Hour*, 21 August 2011, http://news.bbc.co.uk/1/hi/programmes/the_westminster_hour/9569653.stm.
7. House of Commons Library, Standard Notes: *The Intelligence and Security Committee*, 21 April 2009 <http://www.parliament.uk/briefing-papers/SN02178.pdf>; *The Intelligence and Security Committee: A Select Bibliography*, 18 October 2011, <http://www.parliament.uk/briefing-papers/SN06126.pdf>.
8. *Justice and Security Consultation, Government Response*, 29 May 2012, <http://consultation.cabinetoffice.gov.uk/justiceandsecurity/>.
9. Letter from Lord McNally, Minister of State, Ministry of Justice, 16 February 2012; Letter from Karl McCartney, MP, 7 March 2012; *Hansard* Parliamentary debates – Commons 14 November 2011, col.501W, 15 Nov 2011 col. 672W.
10. Green Paper on Justice and Security – response of the Equality and Human Rights Commission, http://consultation.cabinetoffice.gov.uk/justiceandsecurity/wp-content/uploads/2012/58_Equality%20and%20Human%20Rights%20Commission.pdf; Wilks-Heeg, S., Blick, A., and Crone, S. (2012) *How Democratic is the UK? The 2012 Audit*, Liverpool: Democratic Audit.