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PUTTING GOATS AMONGST THE WOLVES
APPOINTING MINISTERS
FROM OUTSIDE PARLIAMENT

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The Constitution Unit

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Foreword

By Professor Robert Hazell

The title of this report refers to Gordon Brown's decision to appoint half a dozen Ministers from outside Parliament in order to build a 'government of all the talents' – leading such Ministers to be called Goats. It provoked a wave of interest in appointing more Ministers from outside Parliament, with senior politicians like John Major and Douglas Hurd supporting such a move. But not all the Goats proved successful, and interest in the topic has largely died away; although the new coalition government has also appointed a small number of Ministers from outside Parliament, as this report shows.

Although seemingly a small change, appointing more Ministers from outside Parliament raises quite big constitutional issues: about how much separation there should be between the Executive and Parliament; how Ministers from one House might be made more accountable to the other; and what accountability mechanisms

Preface

By Peter Scott QC

My decision to support this report was motivated by a growing interest in the constitution and conventions of the United Kingdom. Personally, I would find it difficult to describe fully or accurately the rules under which our government functions. A general idea perhaps, an imperfect understanding of the detail, and disappointment when the system fails to deliver what seems, not necessarily rightly, to be the right outcome is the best I can do. I suspect that many of us could not do much more.

If my suspicion is well-founded, any institution which seeks in a scholarly and non-

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Summary of Key Points

In 2007 Gordon Brown appointed several ministers with no previous political or parliamentary experience. This prompted a debate about the desirability of appointing ministers from outside Parliament.

Advocates of such ministers point to the limited talent pool in the House of Commons, and argue that outsiders can significantly widen the skills and experience available to the government. The size and complexity of modern government requires ministers with more technocratic skills.

Opponents point to the high failure rate of such ministers, measured by their short time in office. Their lack of political and parliamentary skills was said to be a serious handicap.

This study set out to explore the arguments for appointing ministers from outside Parliament, and to study the experience of such appointees. It also looked at the overseas experience, in countries where such appointments are more common.

We found a wide range of views and experience. A few of these new UK 'outsider' ministers were regarded as successful, and several as failures. Most were given little or no induction. Some felt that too much emphasis was placed on the parliamentary role. Many were critical of the lack of clear delegation or objectives.

The overseas experience also proved less distinctive than generally supposed. Many of those appointed from technocratic backgrounds turned out to have significant political experience as well, at local and regional level, or as party officials.

There were no special problems of accountability at Westminster, since all such outsiders were appointed as junior peer ministers and so became accountable to the House of Lords. The main complaint arose in relation to Lords Mandelson and Adonis, who were not directly accountable to the House of Commons. The Commons could have devised accountability mechanisms, but chose not to do so, because they did not want to facilitate the appointment of more Secretaries of State in the Lords.

The government's plans for an elected second chamber would put an end to the practice of appointing outsider ministers to the Lords. Outsider ministers, if

1. Introduction

into the Lords and made a minister under Margaret Thatcher), brought in to review health and safety laws, and until recently the 'enterprise tsar'.[11]

But there have also been a small number of 'outside' ministerial appointments to the Lords by the Conservatives: Jonathan Hill, former special adviser and head of John Major's political office, as Parliamentary Under-Secretary of State for schools;[12] and Lord (James) Sassoon, former Treasury civil servant and adviser to the then Shadow Chancellor as the Commercial Secretary to the Treasury.[13] The Government has also recently announced the appointment of Lord (Stephen) Green, former Chairman of HSBC, as Trade Minister.[14]

In this report we aim to ask:
> What are the main arguments for appointing ministers from outside Parliament?
> What has been the experience of those appointed to ministerial positions for their relevant skills?
> How should such ministers be made accountable to Parliament?

We examine a small number of countries—France, Sweden and the Netherlands, which require all their ministers to remain outside parliament, and select some from beyond the parliamentary pool. We have also included a chapter on the United States: it is far removed from the UK, but given the number of references to the US experience by interviewees, it seemed important to explain the differences and to puncture some myths. For instance, it is assumed that US Cabinet members are the equivalent of UK cabinet ministers, when they are more like political permanent secretaries. Similarly, there is an assumption that 'experts' are appointed to US cabinet positions; but all too often these experts are unable to manage the politics, and are replaced by hybrid types—federal public servants with long government experience.

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[11] Hough, A. and Hope, C. (2010). 'Lord Young: new 'enterprise czar' sparks row over small business red tape' The Telegraph (1 November).
http://www.telegraph.co.uk/news/newstopics/politics/8101535/Lord-Young-new-enterprise-czar-sparks-row-over-small-business-red-tape.html; and BBC News, "Lord Young apology over 'never had it so good' remarks", BBC News, 19 November 2010. http://www.bbc.co.uk/news/uk-politics-11793486. The other appointment of notice is Alan Milburn, former Labour Minister, who has been appointed as 'social mobility tsar': BBC News. (2010). 'Labour's Alan Milburn accepts coalition role' (15 August). http://www.bbc.co.uk/news/uk-politics-10977806

[12] Biography: Lord Hill of Oareford. Available at: http://www.parliament.uk/biographies/jonathan-hopkin/53839.

[13] Armitstead, L. (2010). 'Lord Sassoon: Back to the Treasury for the third time' The Telegraph (4 June). http://www.telegraph.co.uk/finance/financetopics/profiles/7801742/Lord-Sassoon-Back-to-the-

2. Ministerial Selection, Expertise and Accountability

2.1 The problems of ministerial selection

> I decided to reshuffle the Cabinet. There's a kind of convention that it should be done every year. It's clear that governments need refreshing and there is a need to let new blood through. Also, a prime minister or president is always engaged in a kind of negotiation over the state of their party that requires people's ambitions to be assuaged. ... If you don't promote someone, after a time, they resent you. If you promote them, you put someone else out, and then that person resents you. You look for an elaborate index of methods to keep the offloaded onside, but let me tell you from experience: it never works. [...] Unless you give them something that really is spectacular as an alternative to being a minister, then they aren't fooled [...] So, you have to reshuffle. But here's some advice: you should always promote or demote for a purpose, not for effect. With this one, I determined that we should make a splash, show we still had vigour, show I was still governing for the future.[15]

Leaving aside the questions this passage from Tony Blair's autobiography raises about ministerial ten

There was a perceived need for the appointment of outsiders for two reasons. The first was that the pool of ministerial candidates was too limited: in the UK candidates for ministerial appointment were generally confined to those within the legislature. This pool might shrink over time, particularly as a government came into a third term of office—often with a smaller majority, and with a number of MPs having 'done their time' and perhaps been found wanting. The second reason was the apparent professionalisation of politics, and politicians. People brought into Parliament, and those who remained in Parliament, were perceived to have a narrow range of skills. It followed (though not inevitably) that those appointed from the legislature to become ministers would also have a narrow range of skills. Put differently, it was not clear that the skills needed to be a successful politician were the same skills needed to be an effective minister.

This perceived gap in skills and experience had apparently led recent Prime Ministers to look outside the traditional pool of ministerial candidates, and appoint as a means of injecting expertise into government a number of outsiders who had been successful in other fields.

The committee were clearly torn between PASC Chairman Tony Wright's well-known

2.2 Professionalisation and expertise

A key presumption of the Goats and Tsars report was an increasing professionalisation of government. This is not a new   Thnwvat ohy9(w)(o)7K(

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developed a 360 degree feedback tool to help with evaluation and professional development for Ministers.[29]

What all these approaches have in common is identifying the main arenas in which Ministers have to exercise their wide range of skills: in the department, across departments, in Parliament, and in society. David Marsh and colleagues have provided a basic table of a

Table 2.2 The Skills and Roles of a Minister

Policy	Executive/ managerial	Political	Public
Understanding the policy-making process	Leadership in the Department	Negotiations with other Departments/ Cabinet	Briefing media, giving radio and TV interviews
Setting clear strategy, objectives and priorities	Setting budgets and controlling expenditure	Handling relations with governing party	Meeting and negotiating with interest groups

Approving green

2.3 The study of ministerial careers

Three chapters in this report describe how other countries set out to recruit ministers with technocratic experience and political skills. There are also comparative studies of ministerial recruitment, although the study of ministerial careers remains very much in its infancy. Jean Blondel and Jean-Louis Thiébault's The Profession of Government Minister in Western Europe[31] remains the classic work in the field of ministerial careers. For our purposes, one finding of this work is thsin

expertise remains difficult.[36] Traditionally, political scientists have looked to a number of basic measures: education and professional experience.[37] One problem with such measures is that they are narrow: these may not be the only measures of expertise. Such studies may therefore underestimate the presence of those able to meet the demands of a particular portfolio within government. More generally, there is often a buried assumption that 'politician' and 'expert' are mutually exclusive, when they are not.

Very little of the literature comes close to normative issues, such as evaluating what are the characteristics of a successful minister, or what skills may be useful for a minister.[38] The British literature on this subject reflects the broader literature noted above, and is only just beginning to engage in systematic analysis.

2.4 Accountability

Goats and Tsars also examined the issue of accountability. The question of accountability is at the heart of the constitutional relationship between Parliament and the executive. Ministers are responsible to Parliament for the decisions and actions of their departments. In more recent times, this has often been secured by recruiting ministers from the democratically-elected House of Commons. The Commons jealously insists that it is the function of the chosen representatives of the people to hold the executive to account. They seek to do so on the floor of the House, in committees and by questioning the executive both in and outside the House. In this context, the accountability of ministers in the Lords raises its own questions.

In the past, it was not uncommon for a Prime Minister to appoint a number of peers to major offices of state. But with the widening of the franchise it gradually became accepted that the Prime

Tsars

question between the two chambers will be a different one and will need specific consideration.

In the chapters that follow, we set out the experience of a number of countries—including the UK—and how they have dealt with ministerial selection, the appointment of ministers from outside Parliament, and how 'non-parliamentary ministers' are made accountable.

3. United Kingdom

This chapter introduces the standard format adopted in the comparative chapters. Readers may wish to skip the next couple of pages, which provide basic data.

At a glance, United Kingdom (population 62m)
Parliamentary form of government

Legislature: bicameral Parliament
> The House of Commons has 650 MPs directly elected by first past the post for a maximum five year term
> The House of Lords currently has 744 peers, 92 of which are hereditary, the remainder being appointed for life

Executive:
> Ministerial appointment is compatible with legislative membership
> Ministers can in theory be appointed from outside Parliament, but in practice are appointed from Parliament
> Ministers in Cabinet: currently 23

## 3.1 Constitutional and political context

The UK is a constitutional monarchy. Formally, it is the Monarch who appoints the Prime Minister and the Government. But in practice this is determined by the political parties themselves.

The UK has a parliamentary form of government, which means that the executive is mostly drawn from the legislature. The legislature[40] consists of two houses of Parliament, the House of Commons and the House of Lords. The House of Commons is the dominant house, being democratically elected by a first past the post electoral system. The Commons can scrutinise, amend and reject all legislation; and a vote of confidence lost in the Commons will normally lead to the resignation of the Government.

The House of Lords is the 'subordinate' house, because of its composition. Like the Commons, it can scrutinise legislation, but its powers to amend and reject legislation are limited: it cannot block money bills, and can only delay legislation for one session of Parliament. Originally, the Lords consisted of hereditary peers, but the 1958 Life Peerages Act allowed for the appointment of life peers. The 1999 House of Lords Act removed all but 92 of the hereditary peers, in effect making the Lords a primarily ap0 0 1 96.72 446.12 Tm   [(.)-1.9(1)]TJ   ET   Q   4 r

than 95 ministers may sit and vote in the House of Commons at any one time. The Ministerial and Other Salaries Act 1975 also limits the number of paid ministerial salaries to 109, but is broken down by category, giving governments some flexibility in the actual number of ministers appointed. In addition, this Act has been worked around by having unpaid ministers: if ministers, particularly peer ministers, are willing to accept unsalaried posts, governments can appoint more payroll ministers in the Commons. Including whips, the current government has a total of 119 ministers : 95 ministers in the Commons; 24 in the Lords.[45]

Figure 3.1 Members of the House of Lords
in paid government positions (1900-2010)[46]
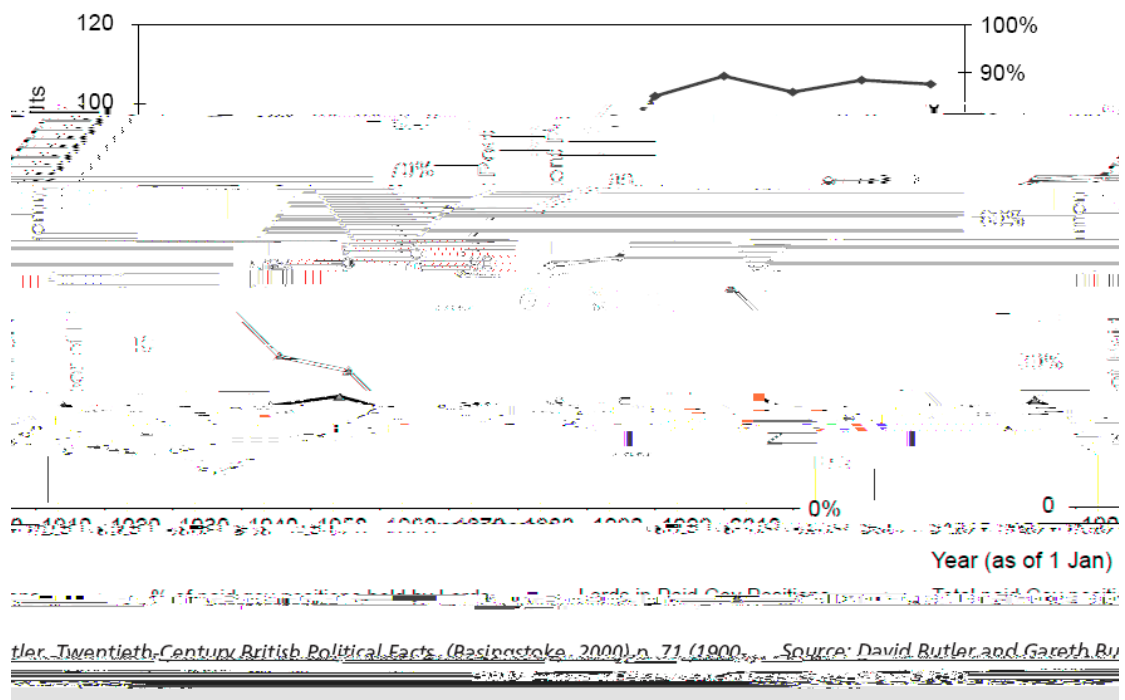
ministers has remained relatively stable at about 20% of the total number of ministers—about 20-25 peers. By implication, the rise in the number of ministers over time is mostly attributable to increases in the number of Commons ministers.

between the previous occupation of the minister and the position he or she holds in government. Potential ministers must be fast learners, and need intellectual ability.

As a result of this mixture of constitutional and political constraints, there have been very few ministers appointed from 'outside' Parliament. Indeed, Prime Ministers wanting to bring 'talent' into government have been forced by the strictures of these constraints to first bring candidates into Parliament—either parachuting their candidates into a 'safe seat' for his or her party after appointment; or in more recent times, first grant the candidate a peerage and appoint them to the House of Lords. It is the experience of the latter that we investigate in the next chapter.

3.3 Executive-legislative relations and accountability

Ministers are responsible to Parliament in two ways: they are responsible collectively for the actions of the government (collective cabinet responsibility); and they are responsible to Parliament for the decisions and actions of their departments (individual ministerial responsibility). The focus here is on individual ministerial responsibility, or accountability. This may require of a minister that she redirect questions; report or inform Parliament; explain issues to Parliament; make amends for mistakes; and ultimately, where necessary, take 'sacrificial' responsibility—i.e., resign.[52]

███████████████████████████ takes two institutional forms: questioning in the chamber; and scrutiny before select committees, with the nature of these accountability mechanisms differing somewhat in each house.

(and ditto correspondence from peers to a Commons Minister). This second exception illustrates the lack of logic in the system: MPs can write to a Lords Minister and receive a written reply, but they cannot put down a written parliamentary question to the same Minister.

What works against accountability, however, is the nature of the relationship between legislature and executive, when moderated by political parties. This has been noted above, but deserves repeating. Members of both houses of Parliament have a number of roles. In their role as members of the legislature they are expected to scrutinise and hold accountable the government of the day. As (mostly) members of political parties, they are expected to vote with their parties; and if that party forms part of the executive they are expected to support it.

4. The Experience of Ministers Recruited from outside Parliament

4.1 Introduction

Minister without Portfolio. Many of these appointments were regarded as successful, even though at least one (Maclay) held both Houses of Parliament in contempt.[54]

Churchill similarly appointed a number of outsiders during wartime. Jan Smuts was again invited to join the Imperial War Cabinet in 1939 as the most senior South African in favour of war. Lord Beaverbrook, a prominent media mogul, was also 'recalled' into government, but this time by PM Churchill, serving as Minister for Aircraft Production (1940–41) and later Minister of Supply (1941–42). Richard Casey, an Australian politician, was made Minister Resident in the Middle East in 1942. Churchill picked Casey to meet the demand for having an Australian representative in the War Cabinet.[55]

However, in peacetime, and particularly the postwar period, the recruitment of those 'from the outside' into British government has been less common. There have been a number of experts and non-politicians appointed as advisers, such as Sir (later Lord) Derek Rayner—and more recently, 'tsars' such as Sir Philip Green,[56] but we look here solely at the appointment of outsiders to ministerial posts.

Recruitment of outsiders into the House of Commons has been particularly rare. The two examples most commonly referred to are Frank Cousins and John Davies. Cousins had been General Secretary of the Transport and General Workers' Union and member of the Trades Union Congress, and President of the International Transport Workers' Federation. He was 'parachuted' into a safe seat in 1965 in Harold Wilson's Labour government, and was made Minister of Technology (1964-66). John Davies had been Director-General of the Confederation of British Industry before being recruited by Edward Heath, who wanted to inject experience from the business world into government. Although Davies initially failed to be selected as a Conservative candidate in 1969, he was later found a safe seat in 1970. Shortly after being elected, Davies was made Secretary of State for Trade and Industry, but remained in ofe Eor T1-2.9(v)12.0(ly)-507.0(40-4.9(h)-4.9o)-2.9(rl4in)-5yatrs i9-4.9(e)

After being made a life peer in 1978, Cockfield became Minister of State at the Treasury (1979-82); the Secretary of State for Trade (1982-83); Chancellor of the Duchy of Lancaster (1983 -84). In government Cockfield was seen as a man of wide experience and intellect, but was regarded as more of a technocrat than a grassroots politician.[58] Lord Young's background was in business; but he had also advised Keith Joseph on privatisation; and was later Chairman of the Manpower Services

Table 4.1 Tony Blair's 'Outsider' Ministers

Name, background	Position	Date appointed to the House of Lords	Date appointed minister and date resigned	Total time as minister
Lord Simon of Highbury, former businessman	Minister for Europe	16/05/1997	16/05/1997-29/07/1999	2 years 2 months
Lord Sainsbury of Turville, former businessman	Under Secretary of State, Dept of Trade and Industry	03/10/1997	28/07/1998-10/11/2006	8 years 3 months
Lord Macdonald of Tradeston, former broadcaster and businessman	Minister for Business and Industry, Scottish Office Minister for Transport, Dept for Transport Duchy of Lancaster, Cabinet Office	02/10/1998	03/08/1998-29/07/1999 29/07/1999-09/06/2001 09/06/2001-13/06/2003	4 years 10 months
Lord Falconer of Thoroton, former barrister	Solicitor General Minister of State, Duchy of Lancaster, Cabinet Office Minister of State, Dept for Transport, Local Government and the Regions Minister of State,			

Table 4.2 Gordon Brown's

minister	Privy Council Office		11/10/2010	
Baroness Kinnock of Holyhead, MEP	Minister of State, Foreign and Commonwealth Office	30/06/2009	30/06/2009 -11/05/10	11 months

Table 4.3 David Cameron's 'Outsider' Ministers

Name, background	Position	Date appointed to

4.3 On being a minister

of our interviewees talked of how much more demanding the Lords had become since 1997.

Stories of what ministers do (particularly junior ministers) abound. These range from inhabiting an empty portfolio to being overworked and overburdened; from being frustrated by civil servants to being 'captured' by them, and so on.[62] Some have suggested that outsider ministers, and particularly Brown's 'goats' did not find the ministerial experience comfortable, pointing to their generally brief periods of ministerial tenure.[63] Former trade minister Lord Jones of Birmingham complained before the Public Administration Committee that his experience as a junior minister was:

> one of the most dehumanising and depersonalising experiences a human being can have. The whole system is designed to take the personality, the drive and the initiative out of a junior minister.[64]

Have other ministers appointed from outside Parliament had similar experiences? We focus mostly on the experiences of outsider ministers: not being socialised in parliamentary culture, they may offer a fresh perspective on the experience of being a minister. We can look at this in terms of the four functional roles of ministers noted in chapter 2: the policy role; the executive-managerial role; the political role; and the public role.

However, almost all outsider ministers pointed to an immediate problem. First, there was very little in the way of induction or introduction: "I was dropped right in it. A few weeks after appointment I was taking a bill through the Lords." "It was sink or swim."[65] This was partly a result of the lack of understanding on the part of Prime Ministers about the role of the House of Lords: "[The Prime Minister] told me not to worry much about the Lords: he said I wouldn't be spending much time there", said one former outsider. This situation has apparently improved: the Government's Chief Whip may explain the nature of a minister's duties at appointment, and there are induction courses for new ministers available at the National School for Government.[66]

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[62] Former ministers have recently related some of their stories before the Public Administration Select Committee: see: http://www.publications.parliament.uk/pa/cm201011/cmselect/cmpubadm/uc530-i/uc53001.htm; see also: Laurin, D. "No way to run a life let alone a country" The Guardian Public (17 September) http://www.guardianpublic.co.uk/ministerial-life-culture-whitehall-comment.
[63] Hasan, M. (2009). '

Two former outsider ministers suggested that one possible remedy is to provide a 'mentoring' process, whereby a more experienced minister acts as a guide for a newly-appointed minister. Informally, some of the outsider ministers have been offering advice to outsider ministers on their own initiative. Another possibility is something written: some jurisdictions also provide guides on ministerial office.[67] Such an induction guide might cover more practical issues, like the nature of the

It was the political-parliamentary function of the ministerial office which caused outsider ministers the most difficulty, but this is not to say it made the job impossible: on the whole, outsider ministers interviewed appeared to welcome the challenge. Interviewees acknowledged that many outsider ministers did not start well, but over time learnt to manage their parliamentary role.

There may be too much emphasis placed on ministers' parliamentary role at the expense of other aspects of ministerial office.[72] In fairness, this is also due to the limited sample of interviewees, many of whom had long been socialised into the 'culture' of Houses of Parliament. Some more sympathetic to outsiders noted that little attempt was made to compare the parliamentary performance of outsiders with other peer ministers, or indeed Commons ministers: it was not clear that outsiders were any worse. Some observers suggested that the current outsiders— Lords Hill and Sassoon—were in fact better than the Conservative working peers in terms of how they handled the Lords. And very few observers commented on outsider ministers' accomplishments in terms of policy and executive managerial functions.

For some outsider ministers, this emphasis on Parliament and the political ignored the executive-managerial or policy work they did—despite the fact that many outsiders had been brought in precisely for their extra-parliamentary expertise and experience. There was little sense that they had been evaluated for their work as people with skills relevant to their portfolio. Moreover, the fact that these outsider ministers had not come from a political party or through the traditional recruitment path sometimes put them at a disadvantage. One outsider minister complained that jealousy caused by thwarted ambition sometimes spilled over into team relations. He could never be sure if he would be backed up by the party.[73] The answer, in riposte, is to join the party of government. Many working peers thought membership in the party was a prerequisite: it ensured loyalty.[74]

4.3.2 The executive-managerial and policy roles
Most outsider ministers revelled in the policy function. Policy, and policy implementation, was the reason they had been brought into government. There was ambivalence, however, on the part of outsider ministers in relation to these two functions. Many expressed concern about the 'silo' nature of government, and about the lack of 'joined-up' government. For some, the civil service was a large machine, no different in terms of institutional logic from other businesses. But at least one outsider minister thought that government was only deceptively similar to commercial organisations, especially in relation to the detailed decisions ministers had to take: "I made more decisions in the first week tht.74TJ   ET   Q

Almost all outsider ministers interviewed thought that traditional understandings and expectations of ministerial office had become outdated. For a start, it involved outmoded ideas about what any one individual could realistically handle. All outsider ministers registered concern about the amount of work a junior minister was expected to do. "It was the most exhausting job I'd ever done. It was relentless", said one former businessman and outsider.[76] This echoes David Laughrin's recent discussion of ministerial overload.[77]

This was a result of the lack of clear lines of delegation, and the lack of any job description. All outsider ministers interviewed thought that the role of a minister should be limited to strategic direction, rather than being a jack of all trades. One outsider minister said:

> [Ministers] shouldn't get involved in running the department. I think there should be a much clearer cut of responsibilities: permanent secretaries should run departments and ministers should deal with policy. Otherwise it's hopeless. Very few ministers have ever run anything. There is no way you're going to convert them into good managers.[78]

Another stated that what was needed was a rethink of what it meant to be a minister   n   49(e)-1go policy

before their respective select committees in the Commons, and would have welcomed the opportunity for greater accountability.

Both the Lords and Commons Procedure Committees devised new means to deal

too much

skills and expertise that would be useful for the parliamentary aspect of ministerial office:

> There's a parliamentary ethos that many of the [outsider ministers] seem to lack. [...] To get the best out of the system, you have to understand the system and play by the rules. It doesn't require a genius, but there needs to be some experience.[84]

More generally, and as already noted, 'ordinary' working peers evaluated outsider ministers by their parliamentary performance. Since, in their minds, most outsider ministers performed poorly, they argued that such appointments should be kept to a minimum. However, one observer (a working peer) of one of Brown's 'goats' commented that having someone with technocratic expertise in the departmental field on the ministerial team was highly beneficial, particularly at departmental meetings.

Some working peers made the argument that outsiders were best placed as advisers, not ministers. Outsiders could still utilise their experience and expertise as advisers; but the essence of being a minister was being accountable to Parliament. Most outsider peer ministers thought being an adviser or even a 'tsar' did not compare: as an adviser one remained separate or distanced from government. It might allow for greater flexibility in terms of being able to deal with 'horizontal' (that is, crosscutting) issues, but "If you want to make things happen, you have to be a minister and get involved."[85] Most accepted the oddities of ministerial life: this was what they had signed up to.

The parallels between the situation of outsider ministers and external appointments to the civil service are striking.[86] In an earlier report on external appointments, the Public Administration Select Committee had noted the problems faced by outsiders joining the senior civil service: poor organisational fit; heightened expectations and/ or a predisposition towards setting up new recruits to fail; a lack of standards with which to evaluate performance; and poor retention rates. It was suggested that recruitment at a lower level to allow a period of adjustment, clearer reasons for appointment, clearer definition of role, and the establishment of an evidence base with which to evaluate performance may provide better results in the future. All of these apply equally to outsider ministers.

On the idea of pre-appointment hearings, opinion split. Perhaps half the interviewees thought this was a good idea; but the other half baulked at the idea of constraining the prerogative of the Prime Minister to select ministers. All outsider ministers interviewed thought fixed term appointments was a good idea: after all,

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[84] Interview with former peer minister.

[85] Interview with former peer minister.

[86] Public Administration Select Committee (2010) Outsiders and Insiders: External Appointments to the Senior Civil Service

much more radical step than the current practice of appointing outsider Ministers to the Lords. It would present a challenge for each House of Parliament to devise its own procedures for holding such Ministers to account: through inviting them to appear before Select Committees; and/or granting them speaking rights to answer oral Questions, reply to debates and take bills through one or other House. The House of Commons, faced with the choice in 2008-09 in relation to Lords Mandelson and Adonis, decided on limiting their accountability to the Commons to appearing before Select Committees; though these ministers answered questions and were able to make statements and sponsor government bills in the Lords.

The Commons might make a different choice with Ministers wholly outside Parliament, and want to impose more effective accountability. The second chamber would also need to decide how to hold outsider Ministers to account. There is a risk that Parliament might turn its back on such Ministers, to signal its disapproval at anyone being appointed from outside the parliamentary pool; but the risk seems slight, since (unlike with Lords Ministers) the consequence would be for outsider Ministers to have no accountability at all.

If the government, in framing their proposals for Lords reform, wanted to retain the capacity to appoint a small number of outsider Ministers who would sit in the Lords, they might seek to do so by maintaining a small quota for such appointments: say five in a Parliament, or two at any one time in the Ministry. This would resemble the proposal first floated in Lord Irvine's 2001 White Paper on Lords reform (which posited a statutory Appointments Commission controlling the numbers of nominations from each party) that "the Government believes it right to retain the discretionary right for the Prime Minister to appoint a small number of people—four or five a parliament—directly as Ministers in the Lords".[89] The same proposal was repeated in Lord Falconer's 2003 consultation paper on Lords reform, which said "the Government believes there is a good case to retain the discretionary right for the Prime Minister to appoint upn   BT   0 1 90 320.1.0(t)5.(v)12.0(e)-1325.0(

5. The Comparative Experience

politics in these countries have trouble adjusting to parliamentary life: its procedures, processes and general 'culture'. T

6. The Netherlands

At a glance, The Netherlands (population 16.6m)
Parliamentary form of government

Legislature: the bicameral Staten-Generaal (States-General), which has 225 members in total

> The Tweede Kamer (Second Chamber or House of Representatives) has 150 members directly elected by proportional representation for 4 year term
> The Eerste Kamer (First Chamber or Senate) has 75 members indirectly elected by the provincial legislatures for 4 year term

Executive:

> Ministerial appointment is incompatible with legislative membership
> Ministers can be appointed from outside Parliament, and often are
> Ministers in Cabinet: currently 12
> Number of junior ministers: currently 8

6.1 Constitutional and political context

The Netherlands has traditionally had a high number of 'outsiders' appointed as ministers. By one account, until the late 1960s only 35% of all ministers came from the Dutch Parliament or had had parliamentary experience.[92] Even now, 'outsiders' remain a significant minority in Dutch cabinets, and of European states the Netherlands is an outlier in terms of appointing many outsiders to ministerial posts.

The Netherlands is a constitutional monarchy. Direct elections and a parliamentary system of government were introduced into the Dutch constitution in 1848; a system of proportional representation in 1917; and a universal franchise in 1919. The Cabinet and Parliament are now the most important institutions in the Dutch political system.[93]

The Netherlands is also a parliamentary democracy. The government of the day relies on the support of Parliament, and ministers are accountable to Parliament. There is a bicameral legislature, consisting of the House of Representatives and the Senate. The House of Representatives numbers 150 MPs and the Senate 75 Senators.

The House of Representatives is the dominant chamber. By convention (for this is nowhere written in the Constitution), a successful motion of no confidence would result in the resignation of the relevant minister, Cabinet or the dissolution of

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[92] Andeweg, R. and Bakema, W. (1994). 'The Netherlands: Ministers and Cabinet Policy', in Laver, M. and Shepsle, K. (eds.), Cabinet Ministers and Parliamentary Government. Cambridge: Cambridge University Press, p. 63.
[93] Section 42 of the Dutch Constitution states:
1. The Government shall comprise the King and the Ministers.
2. The Ministers, and not the King, shall be responsible for acts of government.

Parliament. It alone has the power to initiate and amend legislation; and as a rule it is the chamber in which governments are most carefully scrutinized. Members of the House of Representatives are elected by proportional representation, and so no one

generally speaking departmental heads, and so the number of Cabinet ministers has increased with the expansion of the Dutch government over the 20th century.

The office of junior minister was introduced in 1946. They attend Cabinet only when Cabinet ministers are absent, but have no voting rights. They may provide expertise, but generally speaking, their function is related to the coalitional nature of Dutch government: they are usually appointed by a coalition partner to act as a watchdog over a Cabinet minister. In recent years the number of junior ministers has dropped.[97]

The Dutch PM has no power to determine ministerial appointment, or indeed, deselection. Ministerial selection is the province of coalition parties, and in particular, their leaders. The only constitutional constraint on ministerial selection is that ministers cannot be MPs, except during points of transition between governments (in this sense, all Dutch ministers are 'outsiders'). Ministers who are members of the legislature must resign their posts and be replaced by those following them on their respective party lists.[98] There is no great issue here: the Dutch have a particularly pure form of proportional representation. Thus there is no issue about the loss of a constituency link, because the entire country serves as one large constituency.

1967, 35% of ministers had parliamentary experience,[103] but between 1967 and 2007, the proportion of ministers with parliamentary experience and/ or experience

There does appear to be a

the right of written questions is rarely used in practice. The House of Representatives holds ministers accountable in three basic ways. MPs can ask questions or 'interpellations': questions are for individual ministers and allow for a response by the initiating MP; interpellations are only for broad important issues, are directed to the government generally, and can lead to broad general debate. The former must be answered within a week; the latter within one month. MPs can pass policy proposals (motions), which may lead to a vote of confidence. Finally, by vote of a majority of the House, the House can choose to establish an inquiry. By law, ministers must submit themselves to public scrutiny by such an inquiry. In practice, however, accountability is very much like the UK system, particularly in recent years, because of tightening party discipline under conditions of coalition government.

There is a long-standing debate in the Netherlands about whether to characterise executive-legislature relations as 'dualistic' or 'monistic'.[113] In the past, executive-legislative relations in the Netherlands had been considered dualistic, in that the executive and legislature have clear and distinct roles. Thus, as noted, being a minister is incompatible with membership in Parliament, and a high proportion of ministers are not appointed from Parliament. There is also a physical separation: for instance, when appearing in Parliament, government ministers sit separately from parliamentarians, on a set of seats which are not embossed with the parliamentary insignia.

More recently, scholars have noted signs of monism—the absence of a clear distinction between the executive and the legislature. There are a number of signs of this. A key manifestation is that the number of ministers appointed from Parliament, and/ or having political experience has increased. Moreover, in a 2001 study, two-thirds of MPs thought the primary dividing line was not between Cabinet and Parliament, but between cabinet and coalition parties, and opposition parties.[114]

6.5 Conclusion

There are particularly local reasons for the high incidence of 'technocratic' ministers in the Netherlands: the highly segmented and religious nature of Dutch society encouraged the selection of ministers who were 'above' politics. With the decline of religion, and the intensification of coalition politics, the traditional separation between executive and legislature in the Dutch political system has begun to break down. While maintaining the requirement of relevant technocratic knowledge and experience, Dutch political parties in selecting ministers have begun to focus on candidates with clear 'political' experience as well.

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[113] The following draws upon Andeweg, R.

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7. France

At a glance, France (population 65.4m)
Semi-presidential form of government

Legislature: the Parlement français which has 920 members in total
>The Assemblée nationale (National Assembly) consists of 577 députés (deputies), directly elected for a five year term under a 'two round' plurality system
>The Sénat (Senate) consists of 343 senators, indirectly elected by staggered elections every three years for a term of six years

Executive:
>Prime Minister selects ministers, but subject to Presidential approval

In practice, however, much depends on electoral arithmetic. If the President's political party controls the National Assembly, the President is the dominant figure in Cabinet, and in French politics generally, with the Prime Minister very much his subordinate. If the President and Prime Minister belong to different parties, then matters change. Known as cohabitation, it is usually the Prime Minister who becomes the dominant Cabinet figure in domestic politics, with the President retreating to his domain of foreign affairs. There have been three periods of cohabitation (1986-8; 1993-5; and 1997-2002), but these have been exceptional.[116]

The French Parliament, which consists of the National Assembly and the Senate, is in practice very much subject to the 1958 Constitution's attempt to provide strong executive government. The National Assembly is the dominant chamber, its members being elected by universal suffrage by a two-round plurality system. It alone has the power of confidence, although this has rarely been used in practice. In theory it can scrutinise, amend and reject legislation, but these powers are heavily circumscribed by the Constitution.

The Senate is the subordinate chamber. It is composed of Senators indirectly elected by electoral college at local government level for a term of six years—this, coupled with a minimum age threshold has given the Senate an inbuilt conservative majority. It has similar powers to the National Assembly, but governments are not responsible to the Senate, and so for the most part the Senate confines its role to the revision of legislation.

7.2 Ministers and ministerial selection

7.2.1 Ministers
There is a hierarchy of ministers (in descending order):
      Ministres
      Ministres déléguées
      Ministres d'Etat
      Secrétaires d'Etat

Ministres hold a particular portfolio and have overall responsibility for a particular government deparment; Ministres déléguées and Ministres d'Etat usually have responsibility for a particular policy or subject within a portfolio; Secrétaires d'Etat is an honorific title for long serving politicians, but may be used in coalitions to ensure balance.

7.2.2 Ministerial selection
As noted earlier, the President appoints the Prime Minister and on the advice of the Prime Minister all other ministers. This depends on whether the President's party controls 1
intents and purposes the Prime Minister becomes the President's deputy. In such

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[116] Since 2005, the electoral cycles of the President and Legislature have now been synchronised, which has reduced the potential for cohabitation.

circumstances, it is the President who selects and dismisses ministers—indeed, the President may dismiss the Prime Minister. Under cohabitation, the matter becomes

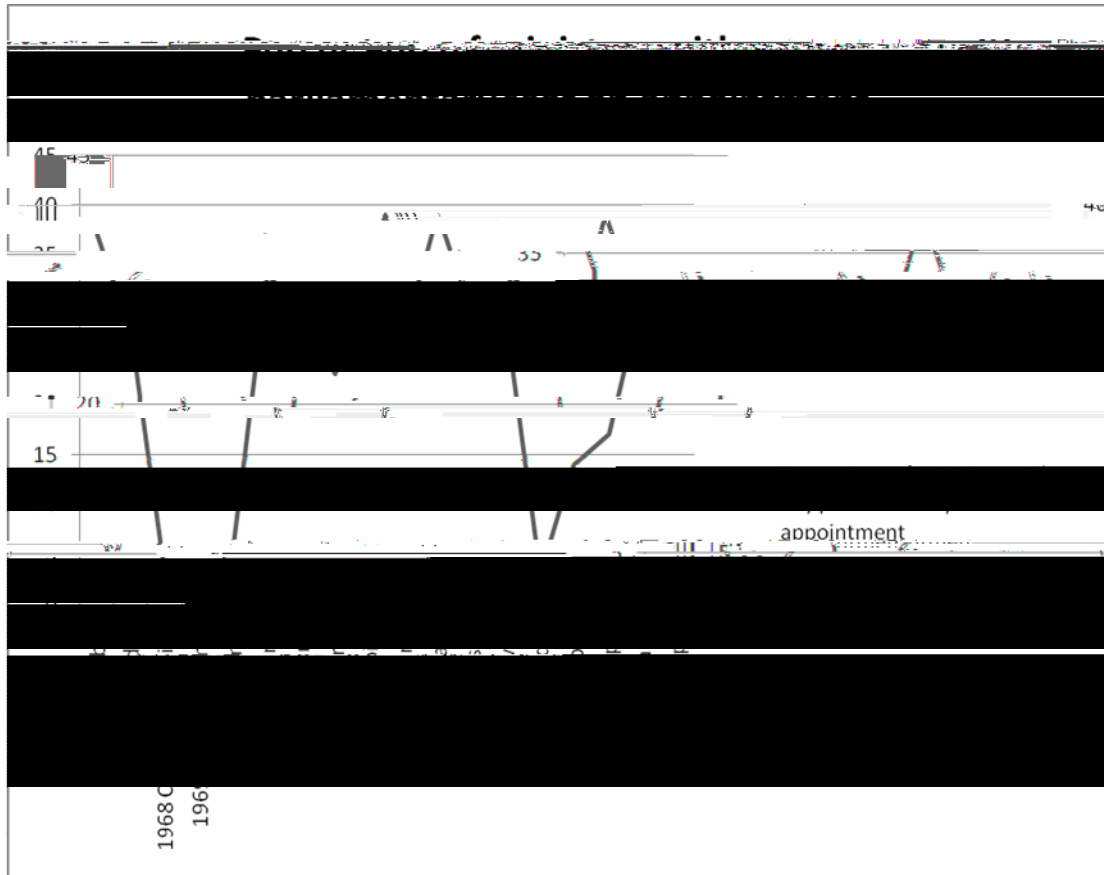Figure 7.1 Percentage of French Ministers without any parliamentary seat on appointment, 1958-2005[123]

Figure 7.2 Political experience of French Ministers
(percentage of initial ministers), 1959-2005 by 15 year periods[124]

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[123] Taken from Knapp, A. and Wright, V. (2006). The Government and Politics of France. London: Routledge., p. 130.
[124] Using data taken from Kam, C. and Indridason, I. (2009). 'Cabinet Dynamics and Ministerial Careers in the French Fifth Republic', in Dowding, K. and Dumont, P. (eds.) The Selection of Ministers in Europe: Hiring and Firing. Abingdon: Routledge, 41-55, p. 45.

Figure 7.1 shows the percentage of ministers appointed without any parliamentary seat on appointment, but this needs to be read in tandem with Figure 7

example: the government is able to end all debate by turning votes on amendments into votes on confidence.[136]

What was not foreseen in enacting the 1958 Constitution was that there would be relatively stable parliamentary majorities, thus exacerbating executive control over the legislature. Only once has a French government been subject to a successful motion of censure—that is, a vote of no confidence. However, during periods of cohabitation, both the National Assembly and the Senate have asserted themselves—particularly through the use of legislative amendment.[137]

7.4 Conclusion

The French political system has been marked by the memory of the experience of the Fourth Republic. Thus, the Fifth Republic has been characterised by an extraordinarily strong (although not necessarily effective) executive, and a relatively supine legislature. All French ministers are 'non-parliamentary' because of the constitutional prohibition on holding ministerial office and membership in the legislature at the same time. However, having strong Ministers outside Parliament has not led to a stronger Parliament (as some, such as Tony Wright, might have hoped). Nor has the appointment of outsider reduced the influence of party politics. The great majority of ministers of the Fifth Republic have previously been MPs, or have had parliamentary experience. Expertise is valued, but this is also ingraineT

8. Sweden

At a glance, Sweden (population 9.4m)
Parliamentary form of government

Party and parliament are important recruitment pools, despite the constitutional separation of legislature and executive. Between 1945 and 2007, around 60% of ministers had been a member of Parliament.[143] Party political connections are also important: around 70% had a party background. The leaders of the governing parties are almost always given ministerial office. Bäck et al have suggested that in periods of coalition government, those with parliamentary experience are more likely to be appointed as ministers. However, this may be dependent on the size of the coalition parties. Boston argues that smaller parties have sometimes chosen to appoint non-parliamentary candidates to ministerial posts because of party size: although a member's seat is replaced when on ministerial appointment, the party may not want to lose skilled MPs to government.[144] Political parties are also keen to appoint those with local government experience

'expertise' and experience from working in the subject area, either in Parliament or at local government level.[149]

Table 8.1 Backgrounds of Ministers in Swedish Governments, 1952-2007[150]

	1950s	1960s	1970s	1980s	1990s	2000s	Entire period
Political background							
MP	62%	39%	67%	70%	67%	58%	63%
Held party position	60%	67%	78%	78%	81%	73%	72%
MP or held party position	70%	72%	83%	82%	82%	76%	80%
MP and held party position	51%	33%	62%	65%	66%	55%	59%
Expert Background							
Union member	22%	44%	21%	26%	18%	7%	22%
Held private sector position	19%	26%	45%	37%	37%	26%	34%
Held public sector position	43%	56%	74%	83%	84%	58%	72%
Some expert background	60%	72%	82%	93%	93%	75%	80%
Number of observations	37	39	78	107	89	55	405

[149] Beckman, L. (2006). 'The Competent Cabinet? Ministers in Sweden and the Problem of Competence and Democracy', Scandinavian Political Studies 29: 111-129.
[150] Adapted from Hanna Bäck, Patrick Dumont, Henk Erik Meier, Thomas Persson, Kåre Vernby "Does European Integration Lead to a "Presidenet, a

Figure 8.1 Background of Ministers in Swedish Governments, 1952-2007[151]

It is worth noting that some externally-recruited ministers have found it difficult to adapt to parliamentary business, even those with non-parliamentary political experience. Outsiders often found it difficult to grasp subtle points of the informal system—which are not talked about—and in judging the mood of the house.[152] There is apparently no tailored induction for new ministers.

There are no clear figures on ministerial turnover. However, Bäck et al argue that the rate of ministerial turnover may relate to the officeholder of the premiership; but more importantly, the form of government. In accordance with the argument that reshuffles are less common under coalition government, there were higher turnover rates under single party minority government.[153]

8.3 Ministers and Cabinet

The Government consists of the Prime Minister and not less than five Ministers. Cabinet size ranges from 16 to 22, with an average of 19 ministers.[155] Cabinet meetings are ritualistic in nature, with the real decisions taking place at more informal meetings of ministers. Because of the longevity of Social Democrat rule, most Swedish cabinet members know each other well and thus are more inclined to cooperate and avoid conflict. Ministers remain fairly autonomous, and other ministers rarely intervene in each other's field, but they also remain subject to collective cabinet responsibility.

However, individual ministerial responsibility is understood differently in Sweden, because government functions are allocated quite differently. There are 12 ministries. These are small, and unlike ministries or departments in other European

meet with ministers.[160] However, MPs have found other means of informal contact and influence with ministers—in particular, through the position of MPs generally in the policy-making process (i.e., on commissions or boards of agencies).[161] Swedish ministers have also tried in different ways to ensure informal contact with MPs and their parties: for instance, the Social Democratic government in the 1990s allowed the leader of the parliamentary party group to attend Cabinet meetings.[162]

In terms of accountability to Parliament, the government as a whole is responsible to Parliament, and may be subject to a vote of no confidence. If a government loses a vote of no confidence, the entire government resigns: this has only happened once.[163] A no confidence vote can be directed against individual ministers, but is rarely done: again, this requires an absolute majority of the Swedish Parliament. The threat of a no confidence motion has forced one minister to resign to avoid censure.[164]

There are several standing (select) committees, but perhaps the most important for our purposes is the Committee on the Constitution. This committee reports twice annually, first on administrative aspects of Ministers' performance (such as dilatory responses to parliamentary questions), and then on more political matters.[165]

There are three kinds of questions which may be asked of Swedish ministers: written questions, direct or oral questions, and interpellations.[166] Written questions must be answered by the relevant minister within four working days. Direct oral questions are asked of ministers at weekly question time. Interpellations are on broad topics of importance, and are submitted in writing. Ministers must answer within two weeks, or explain why there has been a delay. After a Minister answers the interpellation, all other MPs may reply to the minister.

8.5. Conclusion

Sweden only introduced a separation of legislature and executive in Sweden in 1971. Until then, most ministers had been members of Parliament. Since then, however, in practice many of those appointed to ministerial office

9.2 Constitutional and Political Context

interests; the Attorney General should be a lawyer; the Secretaries of the Treasury, Labor and Commerce should have the confidence of their 'communities'.

Expertise, or perhaps 'competence', is another consideration, particularly as the work of executive government has become more complex over time. Presidents have chosen to appoint candidates based on other characteristics, which may have attributed to relatively high turnover rates.[173]

Ideology is important. Presidents prefer to nominate those who share similar values and goals, or at least ideological compatibility. Bennett notes that a President will also take into account not just the candidate's compatibility with the President, but the candidate's compatibility with the department and constituents.[174]

Attempts are made

In addition, there are certain characteristics Presidents look for in potential candidates. They want someone with management capabilities—again, to deal with government departments. However, even those from private business backgrounds have found it difficult to be good administrators in the federal government. Previous governmental, political or legal experience is valued highly: it is imperative that a Cabinet member is comfortable and proficient in the political environment. This allows them to deal successfully with the Congress, interest groups, and the press. A personal relationship with the President is common, as is the requirement of loyalty and commitment.[179] Both are presumed to decrease friction, and ensure the President's programme will be implemented.

Given these constraints, what kind of people have been appointed to Presidential Cabinets? In practice, the largest recruitment pools for Cabinet level posts have been non-elective politics (that is, government administration), law, commerce, and finance.[180]

Once the President has selected a possible candidate, the candidate's background is extensively scrutinised. If no conflicts are found, the Office of the Counsel to the President overseeing the background check process will clear the candidate and submit the nomination to the Senate. This is a two stage process: there is a Senate committee hearing, and if successful a further full Senate vote.[181] More recently, the Senate has become increasingly individualistic and partisan, and one symptom of this is that the nomination process has become far slower and more uncertain.[182] This has been seen in recent years with the use of the 'filibuster', increasing the average time needed for Senate confirmation.[183] Once the Senate confirms a nomination, the President must sign the commission, after which the official is sworn in.[184] To some extent, the confirmation process, with the popular imagery of intense politicking anₔh0.0(t)-4.(e)-1.380.0(b)-4.94ecome   fare sgt6 san0..94rufssrist

9.4 The Background of Cabinet Members

The largest 'talent pool' for appointees (both initial and replacement) is that of 'non-elective politics'—that is, government administration. Democratic presidents also tend to appoint those with a background in law (50%), compared with Republican presidents (36%). Republican presidents, on the other hand, tend to have slightly more appointees with an experience in elective politics (35%) compared to the Democrats (24%).[189] Members of the House of the Representatives and the Senate have been made Cabinet Secretaries: they are required to resign legislative office prior to executive appointment. A notable example of this is Hilary Clinton, a Senator for New York until President Obama appointed her as Secretary of State in 2009.

Note should be taken of the increase in the number of replacements with non-elective political experience compared with the number of original appointees in Table 1. This may be due to an increase in demand for liaison between Congress and the President as the Presidential term progresses. Cabinet Members with experience in non-elective politics are more likely to serve as good liaisons and to bridge gaps between the executive and the legislature which become more apparent in the latter part of a presidential term.

Figure 9.1 Background of US Cabinet Members, Original and Replacement Appointees

9.5 Relationships within the Executive: the President, Cabinet, the Executive Office of the President, and the White House Office

As already noted, Cabinet is not the sole source of advice for the President. There is some debate about the importance of the Cabinet within the US core executive: it has been suggested that Presidents have developed a tendency to ignore Cabinet

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[189] Ibid, p. 126.

members;[190] others disagree.[191] The President is not obliged to take advice from his Cabinet members, and it is up to the individual President to choose to what extent to employ the services the Cabinet offers. There are various factors which can be taken into account: personality, proximity, competing political responsibilities and actors.

Personality matters: George Bush Senior had a very close relationship with his Cabinet, while President Johnson treated Cabinet meetings with a degree of disdain.[192] In many cases, the President is not acquainted with Cabinet members before they assumed the office.[193] Some Presidents feel more comfortable seeking advice from those they trust rather than from those with whom they have no previous relationship. George Bush Senior, for instance, appointed to his Cabinet a high proportion of 'presidential friends'- persons with whom he worked before and

bureaucracy.[200] Many of the EOP's offices were created to provide advice to the President independent of the departments of state.

Some EOP members are in practice equal in status to Cabinet Secretaries. For example, the National Security Adviser who heads the National Security National Security Council, is at least as powerful as the Secretaries of State and Defence.[201] Unlike the Cabinet, the EOP members need not be confirmed by the Senate, except in a few rare instances. The EOP and Cabinet members often work together in cabinet councils—ad hoc expert groups formed around a specific topic or an issue. Cabinet councils are created by the Presidentn

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10. Conclusion

There is a history of appointing outsiders into British government, but in recent

So the pressures in the US to appoint those with political experience are not dissimilar to those in the UK.

Finally,

11. Recommendations

Appointment and training of outsider Ministers

Any future appointments of outsider Ministers should be of 'hybrid' candidates who have both technocratic and political skills. They are more likely to be successful than purely technocratic appointments.

Outsiders should be prepared to join the governing political party. This would indicate they have a long term commitment, and help to build trust with fellow Ministers.

Outsiders may face special difficulties when appointed to ministerial office, and may require different training, especially about their parliamentary role. That is best provided by the whips.

Newly appointed ministers might also benefit from a mentoring system: a more experienced minister (or former minister) could act as a guide.

Accountability on appointment

Pre-appointment scrutiny seems necessary only for outsider Ministers, and in particular complete outsiders who are not expected to join either House. In that respect they have some similarities with the 60 senior public appointments currently subject to pre-appointment scrutiny hearings. The hearing should be conducted by the relevant departmental Commons Select Committee. As now, the committee could not veto a candidate; but a negative report might persuade the Prime Minister to think again, or deter the candidate from taking up the appointment.

Accountability in office

Provision should be made for an institutional space in which members of both Houses can meet freely. Some Ministers in the Lords felt disadvantaged by their inability to meet MPs in the Commons, unlike colleagues in the Lords who had come from the Commons. Accountability is not met just by formal mechanisms. It involves an element of responsiveness, which in turn means being available. The current convention preventing members from circulating in another House inhibits this.

Understandably, there are concerns on the part of the Commons to maintain the traditional pathway to ministerial recruitment. But this should not lead to a failure to hold accountable Secretaries of State in the Lords with major departmental responsibilities.

If in future the second chamber is elected, any outsider Ministers would have to remain wholly outside Parliament, because the Prime Minister could no longer appoint them to the Lords. Each House of Parliament would then need to devise effective procedures for holding such Ministers to account: through inviting them to appear before Select Committees; and/or granting them speaking rights to answer oral Questions, reply to debates and take bills through the House.

Appendix: Biographies of Outsiders

Set out in this appendix are short biographies of current and former 'outsider' appointments. We have not attempted to catch them all.

Lord Maclay of Glasgow

Before entering government, Maclay was chairman of Maclay & Macintyre Ltd, shipowners in Glasgow. In 1916 he was admitted to the Privy Council and appointed Minister of Shipping (1916-21). This was seen as a vital appointment by the PM Lloyd George. Maclay had been known in shipping circles as a successful manager of cargo steamers, and his appointment was regarded in the shipping industry as a good one. Maclay refused to sit in either Houses of Parliament while taking the office, as he held Parliament in such low esteem, and was instead represented in the Commons by a parliamentary secretary. Lloyd George intended for shipping to become nationalised, but this plan was altered slightly by Maclay, who laid stress on the positive virtues of free enterprise. Maclay was raised to the peerage after having left government in 1922.

Sir Eric Geddes

Frank Cousins

Frank Cousins' background was in the Transport and General Workers' Union; he was the National Officer and the National Secretary of the Road Transport Section, and then General Secretary (1956–69). He was seconded to be the Minister of Technology in PM Harold Wilson's government (Oct. 1964–July 1966). He was not initially a member of either House of Parliament, but won the seat of Nuneaton in January 1965. It has been suggested that Wilson brought Cousins into the Government in at least partly in order to remove an awkward character from the trade union leadership. However Cousins did not take to Parliamentary life, and took the view that the traditional practices wasted time and were calculated to 'prevent practical men from getting things done.' He resigned from the office over the wage freeze brought in by the government in 1966, and left the House of Commons a few months, returning to his union office.

John Davies

John Davies' background was in business; he was the director of BP Trading (1960), Vice-Chairman and Managing Director, Shell Mex and BP (1961–65) and Director-General of the CBI (1965–69). PM Edward Heath recruited Davies in 1969 to join his government if he could win a seat in the Commons, as Heath believed that senior business figures serving in senior posts would provide more expert management. As a former managing director of Shell who had been the CBI's first director-general, Davies was a hugely distinguished businessman. He won the seat of Knutsford, Cheshire in the 1970 election, and immediately became Minister of Technology. He quickly moved to be the first Secretary of State for Trade and Industry and President of the Board of Trade (1970-72). His period in government is regarded as having been largely disastrous and is mainly remembered for two things - his use of the expression "lame ducks" to describe struggling businesses and his rescue nationalisation of Rolls-Royce in 1971. Although he stayed on to the end of the Heath government, in 1974, and later became Mrs Thatcher's frontbench spokesman

Trade and Industry (1987-1989). Young was a particular favourite of PM Margaret Thatcher, who said "other people bring me problems; David brings me solutions." However the Cabinet did not feel the same way, and Norman Tebbit had a particularly difficult relationship with Young. As Secretary of State for Trade and Industry, Young was responsible for privatising the last of the state industries in the department. He resigned from the Cabinet in 1989 but remained active within the Conservatives, becoming Deputy Chairman of the Conservative Party until the resignation of Thatcher. Young returned to politics in 2010; he was appointed by PM David Cameron to review health and safety laws, however he resigned in November 2010 over comments that Britons had 'never had it so good' despite the 'so called recession.'

Lord Falconer of Thoroton

Lord Darzi of Denham

Before entering the Lords in 2007, Lord Darzi had a successful career in the NHS; he

Lord Mandelson of Foy

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Russell, M. (2000). Reforming the House of Lords: Lessons from Overseas. Oxford: Oxford University Press.

Russell, M. (2001). 'What are Second Chambers for?', Parliamentary Affairs, 54: 442

Robert Hazell founded the Constitution Unit in 1995 to do detailed research and planning on constitutional reform in the UK. The Unit has done work on every aspect of the UK's constitutional reform programme: devolution in Scotland, Wales, Northern Ireland and the English regions, reform of the House of Lords, electoral reform, parliamentary reform, the new Supreme Court and judiciary, the conduct of referendums, coalition government, freedom of information, and the Human Rights Act.

The Unit conducts academic research on current or future policy issues, often in collaboration with other universities and partners from overseas. We organise regular programmes of seminars and conferences. We do consultancy work for government and other public bodies. We act as special advisers to government departments and parliamentary committees. We work closely with government, parliament and the judiciary. All our work has a sharply practical focus, is concise, clearly written, and relevant to policy makers and practitioners.