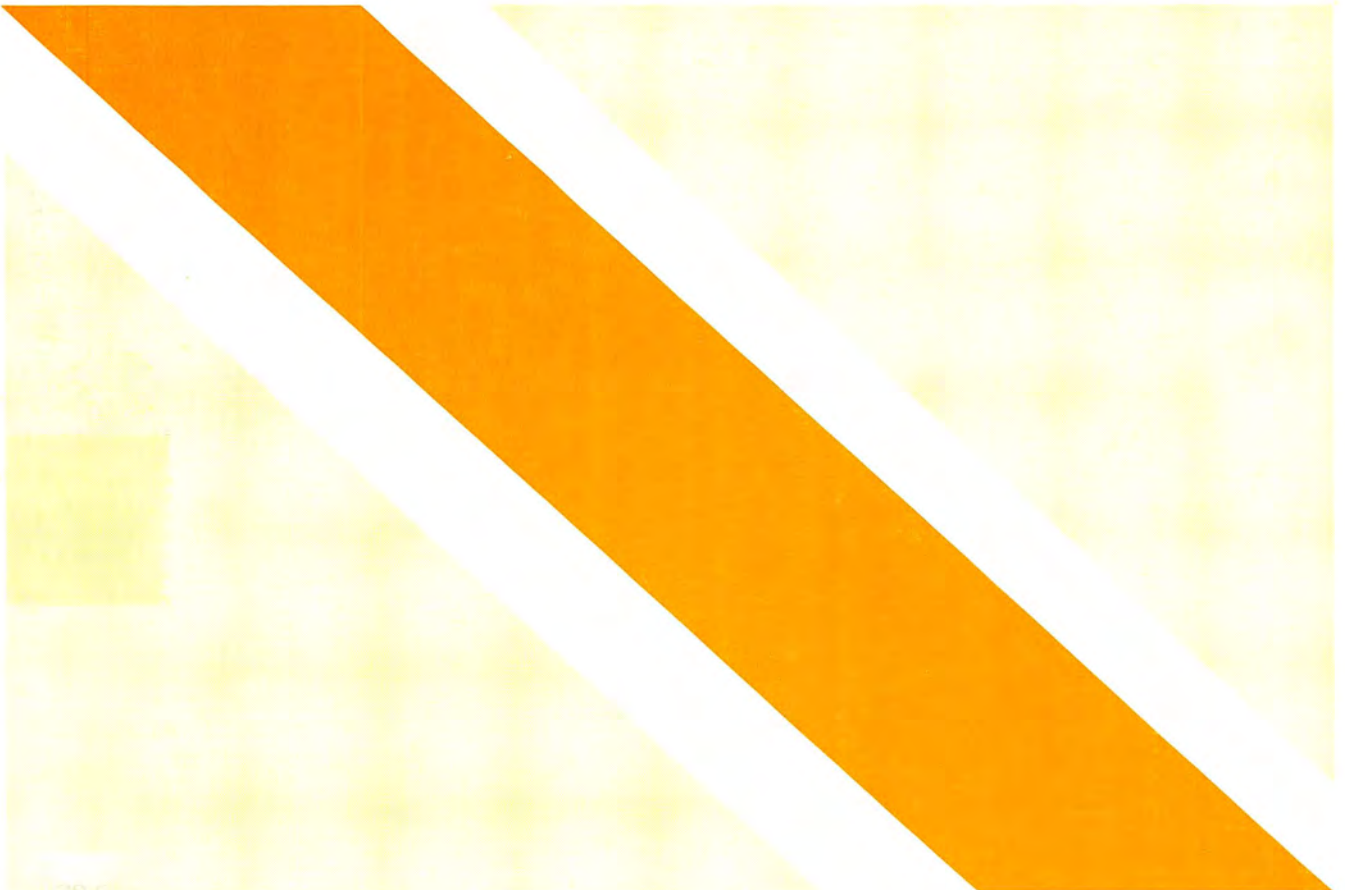




Britain's System of Government



Government

The United Kingdom constitution, unlike that of most other countries, is not contained in any single document. Formed partly by statute, partly by common law and partly by convention, it can be altered by Act of Parliament, or by general agreement to create, vary or abolish a convention. The constitution thus adapts readily to changing political conditions and ideas.

The organs of government are clearly distinguishable although their functions often intermingle and overlap. The legislature, Parliament, is the supreme authority. The executive consists of: (1) the Government—Cabinet and other ministers who are responsible for initiating and directing national policy; (2) government departments, which are responsible for national administration; (3) local authorities, which administer and manage many local services; and (4) public corporations responsible for operating particular nationalised industries or, for example, a social or cultural service, subject to ministerial control in varying degrees. The judiciary determines common law and interprets statutes, and is independent of both legislature and executive.

The Monarchy

The British people look to the Queen not only as their head of State, but also as the symbol of their nation's unity. The monarchy is the most ancient secular institution in the United Kingdom. During the last thousand years its continuity has only once been broken (by the establishment of a republic which lasted from 1649 to 1660) and, despite interruptions in the direct line of succession, the hereditary principle upon which it was founded has always been preserved. The royal title in the United Kingdom is: 'Elizabeth the Second, by the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of Her other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith'. The form of the royal title is varied for those other member states of the Commonwealth of which the Queen is head of State,¹ to suit the particular circumstances of each. Other member states are republics or have their own monarchies.

The seat of the monarchy is in the United Kingdom. In the Channel Islands and the Isle of Man the Queen is represented by a Lieutenant-Governor. In the other member nations of the Commonwealth of which the Queen is head of State, her representative is the Governor-General appointed by her on the advice of the ministers of the country concerned and completely independent of the United Kingdom Government.

In the United Kingdom dependencies the Queen is usually represented by governors, who are responsible to the British Government for the good government of the countries concerned.

The title to the Crown derives partly from statute and partly from common law rules of descent. Lineal Protestant descendants of a granddaughter of James I of England and VI of Scotland (Princess Sophia, the Electress of Hanover) are alone eligible to succeed, and although succession is not bound to continue in its

¹ The other Commonwealth countries of which the Queen is head of State are: Antigua and Barbuda, Australia, Bahamas, Barbados, Belize, Canada, Fiji, Grenada, Jamaica, Mauritius, New Zealand, Papua New Guinea, Saint Christopher and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Solomon Islands and Tuvalu.

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The page numbers are those of the handbook.

Other chapters are also available in this form.

Note: The term 'Britain' is used informally in this pamphlet to mean the United Kingdom of Great Britain and Northern Ireland. 'Great Britain' comprises England, Wales and Scotland.

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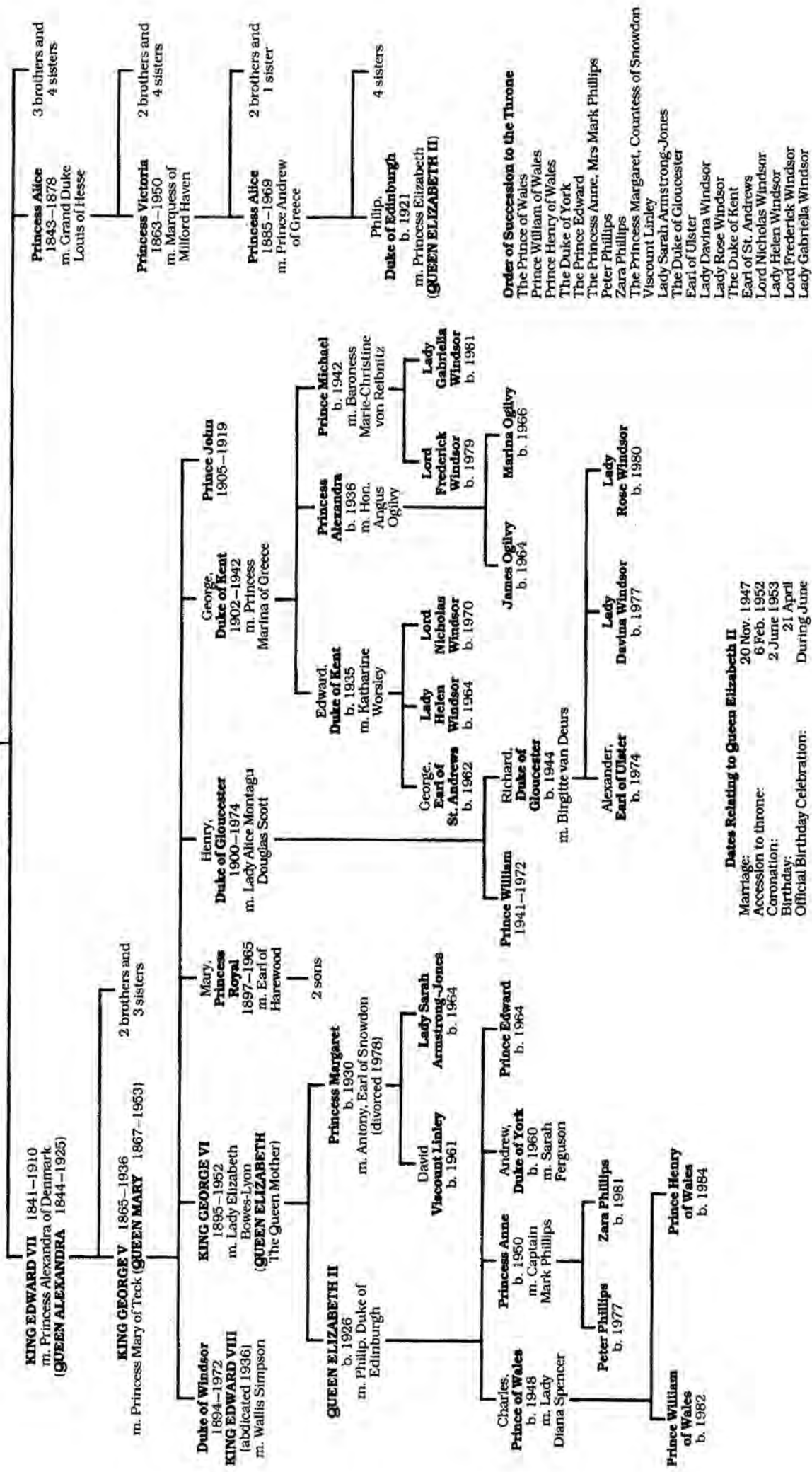
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The Royal Family

From the reign of Queen Victoria, to September 1986

QUEEN VICTORIA 1819-1901

m. Prince Albert of Saxe-Coburg and Gotha (Prince Consort)



Order of Succession to the Throne
 The Prince of Wales
 Prince William of Wales
 Prince Henry of Wales
 The Duke of York
 The Prince Edward
 The Princess Anne, Mrs Mark Phillips
 Peter Phillips
 Zara Phillips
 The Princess Margaret, Countess of Snowdon
 Lady Sarah Armstrong-Jones
 The Duke of Gloucester
 Earl of Ulster
 Lady Davina Windsor
 Lady Rose Windsor
 The Duke of Kent
 Earl of St. Andrews
 Lord Nicholas Windsor
 Lady Helen Windsor
 Lord Frederick Windsor
 Lady Gabriella Windsor
 Lord Andrew Windsor
 Lord Birgitta van Deurs
 Alexander, Earl of Ulster
 Lady Davina Windsor
 Lady Rose Windsor
 James Ogilvy
 Marina Ogilvy

Dates Relating to Queen Elizabeth II
 Marriage: 20 Nov. 1947
 Accession to throne: 6 Feb. 1952
 Coronation: 2 June 1953
 Birthday: 21 April
 Official Birthday Celebration: During June

present line, it can be altered only by common consent of the member nations of the Commonwealth of which the Queen is Sovereign.

The sons of the Sovereign have precedence over the daughters in succeeding to the throne. When a daughter succeeds, she becomes Queen-Regnant, and the powers of the Crown are vested in her as though she were a king. While the consort of a king takes her husband's rank and style, the constitution does not give any special rank or privileges to the husband of a Queen-Regnant although in practice he fills an important role in the life of the nation, as does the Duke of Edinburgh.

The Sovereign succeeds to the throne as soon as his or her predecessor dies and there is no interregnum. He or she is at once proclaimed at an Accession Council to which all members of the Privy Council are summoned. The Lords Spiritual and Temporal (see p 36), the Lord Mayor and Aldermen and other leading citizens of the City of London are also invited.

The Sovereign's coronation follows the accession after a convenient interval. It is a ceremony which has remained essentially the same for over a thousand years, even if details have often been modified to conform to the customs of the time. It takes place at Westminster Abbey in London in the presence of representatives of the Houses of Parliament and of all the great public interests of the United Kingdom, of the Prime Ministers and leading members of the other Commonwealth nations, and of representatives of other countries.

The Queen personifies the State. In law, she is head of the executive, an integral part of the legislature, head of the judiciary, the commander-in-chief of all armed forces of the Crown and the 'supreme governor' of the established Church of England. As a result of a long process of evolution, during which the monarchy's absolute power has been progressively reduced, the Queen acts on the advice of her ministers, which she cannot ignore. The United Kingdom is governed by Her Majesty's Government in the name of the Queen.

Within this framework, and in spite of a trend during the past hundred years towards assigning powers directly to ministers, there are still important acts of government which require the participation of the Queen. These include summoning, proroguing (discontinuing until the next session without dissolution) and dissolving Parliament; giving royal assent to Bills passed by Parliament; appointing many important office holders, including government ministers, judges, officers in the armed forces, governors, diplomats and bishops and some other senior clergy of the Church of England; conferring peerages, knighthoods and other honours¹; and remitting all or part of the penalty imposed on a person convicted of a crime. An important function is appointing the Prime Minister and by convention the Queen invites the leader of the political party which commands a majority in the House of Commons to form a government. In international affairs, the Queen as head of State has the power to declare war and make peace, to recognise foreign states and governments, to conclude treaties and to annexe or cede territory.

With rare exceptions (as when appointing the Prime Minister), those acts involving the use of 'royal prerogative' powers are nowadays performed by government ministers who are responsible to Parliament and can be questioned about a particular policy. It is not necessary to have Parliament's authority to exercise these powers, although Parliament has the power to restrict or abolish a prerogative right.

Ministerial responsibility in no way detracts from the importance of the Queen's role in the smooth working of government. She holds meetings of the

¹ Although most honours are conferred by the Queen on the advice of the Prime Minister, a few are conferred on her personal selection—the Order of the Garter, the Order of the Thistle, the Order of Merit and the Royal Victorian Order.

Privy Council, gives audiences to her ministers and other officials at home and overseas, receives accounts of Cabinet decisions, reads dispatches and signs numerous state papers; she must be informed and consulted on every aspect of national life; and she must show complete impartiality.

Such is the significance attached to these royal functions that provision has been made for a regent to be appointed to perform them should the Queen be totally incapacitated. The regent would be the Queen's eldest son, the Prince of Wales, then those in succession to the throne who are of age. In the event of the Queen's partial incapacity or absence abroad, there is provision for appointing Counsellors of State (the Duke of Edinburgh, the four adults next in line of succession, and the Queen Mother) to whom the Queen may delegate certain royal functions. However, Counsellors of State may not, for instance, dissolve Parliament (except on the Queen's express instructions), or create peers.

Ceremonial and Royal Visits

Ceremonial has always been associated with British kings and queens, and, in spite of the change in the outlook of both the Sovereign and the people, many traditional customs and ceremonies are retained. Royal marriages and royal funerals are marked by public ceremony, and the Sovereign's birthday is officially celebrated in June by Trooping the Colour on Horse Guards Parade. State banquets take place when a foreign monarch or head of State visits Britain; investitures are held at Buckingham Palace and the Palace of Holyroodhouse in Scotland to bestow honours; and royal processions add significance to such occasions as a State opening of Parliament, when the Queen drives from Buckingham Palace to Westminster. Each year the Queen and other members of the royal family visit many parts of the United Kingdom. Their presence at scientific, artistic, industrial and charitable events of national and local importance encourages nationwide interest and publicity. The Queen pays state visits to foreign governments, accompanied by the Duke of Edinburgh. She also undertakes lengthy tours in the other countries of the Commonwealth. Other members of the royal family pay official visits overseas, occasionally representing the Queen, and often in connection with an organisation or a cause with which they are associated.

Royal Income and Expenditure

About 85 per cent of all expenditure arising from the royal family's official duties is met by public departments. This includes the costs of the royal yacht, the Queen's Flight, travel by train and the upkeep of the royal palaces. Apart from this the Queen's public expenditure on staff and expenses incurred in carrying out official duties as head of State is financed from the Civil List, approved by Parliament. (In 1986 this was £4.1 million.) Her private expenditure as Sovereign is met from the Privy Purse, which is supplied mainly from the revenues of the Duchy of Lancaster¹; and her personal expenditure as a private individual from her own personal resources. There are annual allowances approved by Parliament to other members of the royal family, though not to the Prince of Wales, who as Duke of Cornwall is entitled to the net revenue of the estate of the Duchy of Cornwall (he voluntarily surrenders a quarter of the revenue to the Exchequer). The Queen pays into the Exchequer a sum equivalent to that provided by Parliament in respect of certain members of the royal family.

Parliament

Parliament is the supreme legislative authority. Its three elements, the Queen, the House of Lords and the elected House of Commons, are outwardly separate.

¹ The Duchy of Lancaster is an inheritance which, since 1399, has always been enjoyed by the reigning Sovereign; it is kept quite apart from his or her other possessions and is separately administered by the Chancellor of the Duchy.

are constituted on different principles, and meet together only on occasions of symbolic significance such as the State opening of Parliament when the Commons are summoned by the Queen to the House of Lords. As a law-making body, however, Parliament usually requires the concurrence of all its parts.

Parliament can legislate for the United Kingdom as a whole, for any of the constituent parts of the country separately, or for any combination of them. It can also legislate for the Channel Islands and the Isle of Man, which are Crown dependencies and not part of the United Kingdom, having subordinate legislatures which make laws on island affairs.¹

Free from any legal restraints imposed by a written constitution, Parliament is able to legislate as it pleases: generally to make, unmake, or alter any law; to legalise past illegalities and make void and punishable what was lawful when done and thus reverse the decisions of the ordinary courts; and to destroy established conventions or turn a convention into binding law. It can prolong its own life beyond the normal period without consulting the electorate.

In practice, however, Parliament does not assert its supremacy in this way. Its members bear in mind the common law and have tended to act in accordance with precedent and tradition. The validity of an Act of Parliament which has been duly passed, promulgated and published cannot be disputed in the law courts, but no Parliament would be likely to pass an Act which it knew would receive no public support. The system of party government helps to ensure that Parliament legislates with its responsibility to the electorate in mind.

As a member of the European Community, the United Kingdom recognises the various types of Community legislation, and sends 81 elected members to the European Parliament.

The Functions of Parliament

The main functions of Parliament are (1) to pass laws, (2) to provide, by voting taxation, the means of carrying on the work of government, (3) to scrutinise government policy and administration, particularly proposals for expenditure, and (4) to debate the great political issues of the day. In discharging these functions Parliament helps to bring the relevant facts and issues before the electorate. By custom, Parliament is also consulted before the ratification of all important international treaties and agreements, the making of treaties being, in theory at least, a royal prerogative exercised on the advice of the Government and not subject to parliamentary approval.

The Meeting of Parliament

A Parliament has a maximum duration of five years, but is often dissolved and a general election held before the end of this term. The maximum life has been prolonged by legislation in such rare circumstances as the two world wars. Dissolution and writs for a general election are ordered by the Queen on the advice of the Prime Minister.

The life of a Parliament is divided into sessions. Each usually lasts for one year—beginning and ending most often in October or November and interspersed with 'adjournments' at night, at weekends, at Christmas, Easter and the late (English) Spring Bank Holiday and during a long summer recess starting in late July or early August. The average number of 'sitting' days in a session is about 175 in the House of Commons and about 150 in the House of Lords. At the start of each session the Queen's speech to Parliament outlines the Government's broad policies and proposed legislative programme. Each session is terminated by prorogation. Parliament then 'stands prorogued' until the new

¹ The legislatures of the Channel Islands (the States of Jersey and the States of Guernsey) and the Isle of Man (the Tynwald Court) consist of the Queen, the Privy Council and the local assemblies. It is the duty of the Home Secretary, as the Privy Council member primarily concerned with island affairs, to scrutinise each legislative measure before it is submitted to the Queen in Council.

session opens (on occasions Parliament has been dissolved without prorogation). A short speech is made on behalf of the Queen summarising Parliament's work during the past session. An adjournment does not affect uncompleted business, but prorogation terminates nearly all parliamentary business, so that all public Bills not completed lapse, and must be reintroduced in the next session unless they are to be abandoned.

The House of Lords

The House of Lords consists of the Lords Spiritual and the Lords Temporal. The Lords Spiritual are the Archbishops of Canterbury and York, the Bishops of London, Durham and Winchester, and the 21 senior diocesan bishops of the Church of England. The Lords Temporal consist of (1) all hereditary peers and peeresses of England, Scotland, Great Britain and the United Kingdom who have not disclaimed their peerages, (2) all life peers and peeresses, and (3) those Lords of Appeal ('law lords') created life peers to assist the House in its judicial duties. Hereditary peerages carry a right to sit in the House (subject to certain disqualifications), provided the holder establishes his or her claim and is 21 years of age or over, but anyone succeeding to a peerage may, within 12 months of succession, disclaim that peerage for his or her lifetime. Disclaimants lose their right to sit in the House but gain the right to vote at parliamentary elections and to offer themselves for election to the House of Commons.

Temporal peerages, both hereditary and life, are conferred on the advice of the Prime Minister. They are usually granted either in recognition of service in politics or other walks of life or because the Government of the day wishes to have the recipient in the House of Lords. The House also provides a place in Parliament for men and women whose advice is useful to the State, but who do not wish to be involved in party politics.

In mid-1986 there were 1,175 members of the House of Lords, including the two archbishops and 24 bishops. The Lords Temporal consisted of 761 hereditary peers who had succeeded to their titles, 29 hereditary peers who have had their titles conferred on them (including the Prince of Wales), and 359 life peers, of whom 21 were 'law lords'. Of the total, 92 peers were not in receipt of a writ of summons and 136 peers were on leave of absence from the House (see below). Of the 114 Irish peers 47 were entitled to sit in the House of Lords because they were holders of an English, Scottish or United Kingdom peerage. Other Irish peerages which pre-date the union of Great Britain and Ireland in 1800 do not entitle their holders to membership of the House of Lords.

Not all peers with a right to sit in the House of Lords attend the sittings.¹ Peers who frequently attend the House (the average daily attendance is about 320) include elder statesmen and others who have spent their lives in public service. They receive no salary for their parliamentary work, but can recover expenses incurred in attending the House and certain travelling expenses (for which there are maximum daily rates).

The House is presided over by the Lord Chancellor, who takes his place on the woolsack² as *ex-officio* Speaker of the House. In his absence his place may be taken by a deputy speaker, a deputy chairman or, if neither is present, by a speaker chosen by the Lords present. The first of the deputy speakers is the Lord Chairman of Committees, who is appointed at the beginning of each session and takes the chair in all committees, unless the House decides otherwise. The Lord

¹ Some hereditary peers do not establish their claim to succeed and so do not receive a writ of summons entitling them to sit in the House. Lords may apply for leave of absence for the duration, or for the remainder, of a Parliament.

² The woolsack is a seat in the form of a large cushion stuffed with wool from several Commonwealth countries; it is a relic from the medieval period when wool was the greatest source of the country's wealth.

Chairman and the Principal Deputy Chairman of Committees are salaried officers of the House.

The permanent officers include the Clerk of the Parliaments who is responsible for the records of proceedings, including judgments, and for the promulgation of Acts of Parliament, and who is also the accounting officer for money voted to the House; the other Clerks at the Table who, with the Clerk of the Parliaments and the other officers and officials of the House, are collectively known as the Parliament Office; the Gentleman Usher of the Black Rod, who is also Serjeant at Arms in attendance upon the Lord Chancellor and is responsible for security and for accommodation and services in the House of Lords' part of the Palace of Westminster; and the Yeoman Usher who is Deputy Serjeant at Arms and assists Black Rod in his duties.

The House of Commons

The House of Commons is elected by universal adult suffrage and consists of 650 Members of Parliament (MPs). At present 27 are women. Of the 650 seats, 523 are for England, 38 for Wales, 72 for Scotland, and 17 for Northern Ireland.

General elections are held after a Parliament has been dissolved and a new one summoned by the Queen. When an MP dies or resigns¹ or is given a peerage, a by-election takes place. Members are paid an annual salary of £18,500 (from January 1987) and an allowance of £20,140 for secretarial and research expenses. They also have a number of other allowances, including travel allowances, a supplement for London members and, for provincial members, subsistence allowances and allowances for second homes. (For ministers' salaries, see p 49.)

The chief officer of the House of Commons is the Speaker, elected by MPs to preside over the House. Other officers are the Chairman of Ways and Means, and two deputy chairmen who act as Deputy Speakers, elected by the House on the nomination of the Government. They, like the Speaker, neither speak nor vote other than in their official capacity. The House is administered by a Commission chaired by the Speaker.

Permanent officers (who are not MPs) include the Clerk of the House of Commons, who is the principal adviser to the Speaker of the House on its privileges and procedures; his department has responsibilities relating to the conduct of the business of the House and its many committees. The Clerk is also accounting officer for the House. The Serjeant at Arms, who waits upon the Speaker, carries out certain orders of the House, is the official housekeeper of the Commons part of the building, and is responsible for its security. Other officers serve the House in the Library, the Department of the Official Report (*Hansard*), the Administration Department and the Refreshment Department.

Parliamentary Electoral System

For electoral purposes the United Kingdom is divided into constituencies, each of which returns one member to the House of Commons. To ensure equitable representation four permanent Boundary Commissions, one each for England, Wales, Scotland and Northern Ireland, make periodic reviews of constituencies and recommend any redistribution of seats that may seem necessary in the light of population movements or other changes. Their last recommendations were submitted to Parliament in 1982–83 and formed the basis for the constituencies in the 1983 general election.

Elections are by secret ballot. British citizens and citizens of other Commonwealth countries, together with citizens of the Irish Republic, may vote provided

¹ An MP who wishes to resign from the House can do so only by using the technical device of applying for an office under the Crown (Bailliff of the Chiltern Hundreds or Steward of the Manor of Northstead), ancient offices which disqualify the holder from membership of the House but which carry no salary and have no responsibilities.

they are aged 18 or over, resident in the United Kingdom, registered in the annual register of electors for the constituency and not subject to any disqualification. People not entitled to vote include members of the House of Lords, patients detained under mental health legislation, sentenced prisoners and people convicted within the previous five years of corrupt or illegal election practices. Service voters (members of the armed forces and their spouses, Crown servants and staff of the British Council employed overseas, together with their wives or husbands if accompanying them) may be registered for an address in a constituency where they would live but for their service.

Each elector may cast one vote, normally in person at a polling station. Service voters resident abroad and merchant seamen may vote by proxy or, if in the United Kingdom at the time of the election, by post. Electors who are physically incapacitated or unable to vote in person because of the nature of their work are also entitled to vote by post. The Representation of the People Act 1985 extends (from February 1987) the franchise to British citizens abroad for a period of five years after leaving the United Kingdom and extends the right to apply for an absent vote to all those who, including holidaymakers, cannot reasonably be expected to vote in person at the polling station.

Voting is not compulsory; nearly 73 per cent of a total electorate of some 42 million people voted in the general election of June 1983. The candidate who polls the most votes in a constituency is elected.

British citizens and citizens of other Commonwealth countries, together with citizens of the Irish Republic, may stand and be elected as MPs provided they are aged 21 or over and are not subject to any disqualification. Those disqualified include undischarged bankrupts; people sentenced to more than one year's imprisonment; clergy of the Church of England, Church of Scotland, Church of Ireland and Roman Catholic Church; peers; and holders of certain offices listed in the House of Commons Disqualification Act 1975. The latter include holders of judicial office, civil servants, some local government officers, members of the regular armed forces, or the police service, some members of public corporations and government commissions, and in addition British members of the legislature of any country or territory outside the Commonwealth. A candidate's nomination for election must be signed by two electors as proposer and seconder, and by eight other electors registered in the constituency. He or she does not require any party backing. A candidate must also deposit £500, which is forfeited if his or her votes do not exceed 5 per cent of those validly cast.

The maximum sum a candidate may spend on an election campaign is £3,240 plus 2·8 pence for each elector in a borough constituency or 3·7 pence for each elector in a county constituency. A candidate may post an election address to each elector in the constituency, free of charge. All election expenses, apart from the candidate's personal expenses, are subject to the statutory limit.

The Political Party System

The party system, existing in one form or another since the eighteenth century, is an essential element in the working of the constitution.

The present system relies heavily upon the existence of organised political parties, each laying policies before the electorate for approval. The parties are not registered or formally recognised in law, but in practice most candidates in elections, and almost all winning candidates, belong to one of the main parties.

For the last 150 years a predominantly two-party system has operated, and since 1945 either the Conservative Party, which can trace its origins to the eighteenth century, or the Labour Party, which emerged in the last decade of the nineteenth century, has held power. The Liberal Party, which last formed a government on its own in 1906–16, can also trace its origins to the eighteenth century, while the Social Democratic Party was formed in 1981 and made an alliance with the Liberal Party in the same year. Other parties include two

nationalist parties, Plaid Cymru (founded in Wales in 1925) and the Scottish National Party (founded in 1934). In Northern Ireland there are a number of parties; the largest of those represented in the House of Commons are the Ulster Unionist Party, which was formed in the early part of this century, and the Democratic Unionist Party, founded in 1971 by a group which broke away from the Ulster Unionists.

The percentages of votes cast for the main political parties in the general election of June 1983 and the resulting distribution of seats in the House of Commons are given in Table 3.

Table 3: Percentages of Votes Cast, and Members Elected, in the 1983 General Election

Party	% of votes cast	Party	Members elected
Conservative	42.4	Conservative	397
Labour	27.6	Labour	209
Liberal-Social		Liberal	17
Democratic Alliance	25.4	Social Democratic	6
Others	4.6	Scottish National	2
		Plaid Cymru (Welsh Nationalist)	2
		Ulster Unionist (Northern Ireland)	11
		Democratic Unionist (Northern Ireland)	3
		Ulster Popular Unionist (Northern Ireland)	1
		Social Democratic and Labour (Northern Ireland)	1
		Sinn Fein (Northern Ireland) ^a	1
		Total	650

^a The member of Sinn Fein (the political wing of the Provisional IRA) has not taken his seat.

Note: On 1 August 1986 the state of the parties (excluding the Speaker and his three deputies) was as follows: Conservative 391; Labour 208; Liberal 19; Social Democratic 7; Scottish National 2; Plaid Cymru (Welsh Nationalist) 2; Ulster Unionist 10; Democratic Unionist 3; Ulster Popular Unionist 1; Social Democratic and Labour 2; Sinn Fein 1.

The party which wins most seats (although not necessarily the most votes) at a general election, or which has the support of a majority of members in the House of Commons, usually forms the Government. By tradition, the leader of the majority party is asked by the Sovereign to form a government; and about 100 of its members in the House of Commons and the House of Lords receive ministerial appointments (including appointment to the Cabinet—see p 49) on the advice of the Prime Minister. The largest minority party becomes the official Opposition with its own leader and 'shadow cabinet'.

Leaders of the Government and Opposition sit on the front benches of the Commons with their supporters (the back-benchers) sitting behind them. Similar arrangements for the parties also apply to the House of Lords; however, Lords who do not wish to be associated with either the Government or the Opposition may sit on the 'cross-benches'. The effectiveness of the party system in Parliament rests largely on the relationship between the Government and the

opposition parties. Depending on the relative voting strengths of the parties in the House of Commons, the Opposition might seek to overthrow the Government by securing its defeat on a 'matter of confidence'. In general, however, its aims are to contribute to the formulation of policy and legislation by constructive criticism; to oppose government proposals that it considers objectionable; to secure concessions on government Bills; and to increase public support and enhance its chances of electoral success.

The detailed arrangements of government business are settled, under the direction of the Prime Minister and the Leaders of the two Houses, by the Chief Government Whips in consultation with the Chief Opposition Whips. The Chief Whips together constitute the 'usual channels' often referred to when the question of finding time for debating some particular issue is discussed. The Leaders of the two Houses are primarily responsible for the direction of business and for providing facilities for the Houses to debate matters about which they are concerned.

Outside Parliament, party control is exercised by the national and local organisations. Inside Parliament, it is exercised by the Chief Whips and their assistants (chosen within the party) whose duties include keeping members informed of forthcoming parliamentary business, maintaining the party's voting strength by ensuring that members attend important debates, and conveying to the party leadership the opinions of back-bench members. The importance a party attaches to a vote on a particular issue is indicated to the MPs by the underlining (once, twice or three times) on the notice sent to them; failure to comply with a 'three-line whip' is usually seen as rebellion against the party's policy. Party discipline tends to be less strong in the Lords than in the Commons.

The Chief Government Whip in the Commons is Parliamentary Secretary to the Treasury; of the other Government Whips, three (one of whom is Deputy Chief Whip) are officers of the Royal Household, five hold titular posts as Lords Commissioners of the Treasury and five are Assistant Whips. Salaries are also paid to the Chief Opposition Whips in both Houses and to two of the Opposition Assistant Whips in the Commons. The Government Whips in the Lords hold offices in the Royal Household and act as government spokesmen.

Annual assistance from public funds helps opposition parties to carry out their parliamentary work at Westminster. It is limited to parties which had at least two members elected at the previous general election or one member elected and a minimum of 150,000 votes cast. The amount is: £1,500 for every seat won plus £3 for every 200 votes, up to a maximum of £450,000. Since 1945 there have been six Conservative and six Labour Governments and the great majority of members of the House of Commons have represented either the Conservative or the Labour Party.

Parliamentary Procedure

Parliamentary procedure is based on custom and precedent, partly formulated in standing orders governing details of practice in each House. The system of debate is much the same in the two Houses: the subject originates in the form of a motion (a proposal made by a member in order to elicit a decision from the House). When a motion has been moved, the Speaker proposes the question as the subject of debate. At the end of each debate the question may be agreed to without voting, or else is decided by a vote on a simple majority. The main difference between the two Houses is that in the Lords the office of Speaker carries with it no authority to check or curtail debate, such matters being decided by the general sense of the House, whereas in the Commons the Speaker has full authority to give effect, promptly and decisively, to the rules and orders of the House. The Speaker of the Commons must guard against abuse of procedure or infringement of minority rights; has discretion to allow or disallow

a closure motion (to end discussion so that the matter may be put to the vote); and has powers to check irrelevance and repetition in debate, and to save time in other respects. In cases of grave disorder the House can be adjourned or the sitting suspended by the Speaker. Voting in the Commons is under the direction of the Speaker, whose duty it is to pronounce the final result. In the event of a tied vote the Speaker gives the casting vote, but only in accordance with established conventions which preclude an expression of opinion on the merits of the question.

The voting procedure in the House of Lords is similar to that in the Commons, except that the Speaker or chairman has an original, but no casting, vote. Bills and subordinate legislation are in general allowed to proceed in the form before the House unless a majority votes to reject or amend them; on other motions the question is decided in the negative unless there is a majority in favour. When the House is sitting judicially (the Lords is the final court of appeal for civil cases in Britain and for criminal cases in England, Wales and Northern Ireland) the judgment under appeal is not changed if the votes are equal.

The Commons has a public register of MPs' financial interests. Members with a relevant pecuniary interest in a matter before the House, direct or indirect, must declare it when taking part in a debate, though to act as a disqualification from voting the interest must be direct, immediate and personal. In any other proceedings of the House or in transactions with other members or with ministers or civil servants, MPs must also disclose any relevant financial interest or benefit.

Proceedings of both Houses are public, except on extremely rare occasions; the minutes (in the Commons called Votes and Proceedings and in the Lords, Minutes of Proceedings) and the speeches (The Official Report of Parliamentary Debates, *Hansard*) are published daily. The records of the Lords from 1497 and of the Commons from 1547, together with the parliamentary and political papers of certain past members of the Houses, are available to the public on application to the House of Lords Record Office. Parliament is not normally televised, but proceedings are recorded and sound transmissions of some are made on television and radio, either live or recorded. A Parliamentary Sound Archive has been established. Debates on televising proceedings have taken place on several occasions and, most recently, in November 1985 the House of Commons voted against televising its proceedings. A televised broadcasting experiment of proceedings in the Lords began in early 1985 and in May 1986 the House authorised the televising to continue.

Legislative Proceedings

The law undergoes constant reform in the courts as established principles are interpreted, clarified or reapplied to meet new circumstances, but substantial changes are the responsibility of Parliament and the Government through the normal legislative process.

A draft law takes the form of a parliamentary Bill. Most Bills are public Bills involving measures relating to public policy, but there are also private Bills which deal solely with matters of individual, corporate or local interest. Hybrid Bills are public Bills which may in certain respects affect private rights, and their passage through Parliament is governed by a special procedure which allows those affected to make representations. Public Bills can be introduced, in either House, by a government minister or by a 'private' member. Most public Bills that become law are in practice sponsored by the Government.

Before a government Bill is finally drafted, there is normally considerable consultation with professional bodies, voluntary organisations and other agencies interested in the subject matter, such as major interest and pressure groups which aim to promote a specific cause. Proposals for legislative changes are sometimes set out in government 'White Papers' which may be debated in

Parliament before a Bill is introduced. From time to time consultative documents, sometimes called 'Green Papers', set out for public discussion government proposals which are still at a formative stage.

Bills must be passed by each House. As a rule government Bills likely to raise political controversy go through the Commons before the Lords, while those of an intricate but uncontroversial nature often pass through the Lords first. (Consolidation Bills are always introduced in the House of Lords.) A Bill with a mainly financial purpose is nearly always introduced in the Commons, and a Bill involving taxation must be based on resolutions agreed by that House, often after debate, before it can be introduced. If the main object of a Bill is to create a public charge, it can only be introduced by a minister or, if brought from the Lords, be proceeded with in the Commons if taken up by a minister, an arrangement which gives the Government considerable control over legislation.

At the beginning of each session private members of the Commons ballot for precedence in introducing a Bill on one of the Fridays specially allocated; the first 20 are successful. After the ballot a private member may also present a Bill after question time (see p 45), or seek to introduce a Bill under the 'ten minute rule' which allows two speeches, one in favour of and one against the measure, after which the House decides whether to allow the Bill to be brought in. Private members' Bills do not often proceed very far, but a few become law each session. If one secures a second reading, the Government usually introduces any necessary money resolution. Private members' Bills may be introduced in the House of Lords at any time, but the time that can be given to them in the Commons is strictly limited.

The process of passing a public Bill is similar in both Houses. The Bill receives a formal first reading on introduction, is printed, and after a while (between one day and several weeks depending on the nature of the Bill) is given a second reading after a debate on its general principles and merits. In the Commons a non-controversial Bill may be referred to a second reading committee to decide whether it should be read a second time. After a second reading in the Commons, a Bill is usually referred for detailed examination to a standing committee (see p 43). If the House so decides, the Bill may be referred to the whole House sitting in committee. The committee stage is followed by the report stage, during which further amendments may be considered. At the third reading a Bill is reviewed in its final form and may again be debated. The House may vote to limit the time devoted to examining a Bill by passing a government timetable motion, commonly referred to as a 'guillotine'. After the third reading a Commons Bill is sent to the Lords where it goes through broadly the same stages. In the Lords, after the second reading, a Bill is considered by a committee of the whole House unless the House takes the rare decision to refer it to a Public Bill Committee. It is then considered on report and read a third time; at all these stages amendments may be made. A Bill which starts in the Lords and is passed by that House is then sent to the Commons for all the stages there. Amendments made by the second House generally must be agreed by the first, or a compromise reached, before a Bill can become law.

Most government Bills introduced and passed in the Lords pass through the Commons without difficulty because of their non-controversial nature. However, if a non-governmental Lords Bill were unacceptable to the Commons it would generally not become law since no debating time would be allotted to it. The Lords, on the other hand, do not in general prevent a Bill insisted upon by the Commons from finally becoming law. Normally they either accept the Bill without changes, or amend and return it for consideration by the Commons, who frequently agree to the amendments made. In practice, the Lords pass without amendment Bills authorising taxation or national expenditure. A Bill that deals only with taxation or expenditure must become law within one month

of being sent to the Lords, whether or not they agree to it, unless the Commons directs otherwise. If no agreement is reached between the two Houses on a non-financial Commons Bill (or an amendment to it) the Lords can in practice delay the Bill (with certain exceptions) for about 13 months. At the end of this time it may, in accordance with the Parliament Acts, be submitted to the Queen for royal assent, provided it has again been passed by the Commons. A Bill to lengthen the life of a Parliament would require the full assent of both Houses in the normal way.

The limitations on the power of the Lords, contained in the Parliament Acts 1911 and 1949, are based on the belief that the principal legislative function of the non-elected House nowadays is to act as a chamber of revision, complementing, not rivalling, the elected House.

When a Bill has passed through all its parliamentary stages, it is sent to the Queen for royal assent, after which it is part of the law of the land and known as an Act of Parliament. The royal assent has not been refused since 1707.

Private Bills, promoted by people or organisations outside Parliament (often local authorities) to give them special powers not granted by the general law, go through substantially the same procedure as public Bills, but most of the work is done in committee, where procedures follow a semi-judicial pattern: the promoter must prove the need for the powers or privileges sought and the objections of opposing interests are heard. Both sides may be legally represented.

Delegated Legislation

Delegated legislation, used to relieve pressure on parliamentary time, gives ministers and other authorities the power to regulate administrative details after a law has been passed. To minimise the risk that powers thus conferred on the executive might supersede or weaken parliamentary government, they are normally delegated to authorities directly responsible to Parliament. Moreover, the Acts of Parliament by which particular powers are delegated normally provide for some measure of parliamentary control over legislation made in carrying out these powers, for instance, by reserving to Parliament the right to affirm or annul the orders themselves. Certain Acts also require direct consultation with organisations affected before rules and orders can be made.

A joint committee of both Houses reports on the technical propriety of these 'statutory instruments'. In order to save time on the floor of the House, where statutory instruments may be considered, the Commons also uses standing committees to consider the merits of instruments, with any decisions reserved to the House.

Parliamentary Committees *Committees of the Whole House*

Either House may resolve itself into a committee (of the whole House) to consider Bills in detail after their second reading. A committee of the whole House is presided over by the Chairman of Ways and Means (the Chairman of Committees in the House of Lords) or a deputy chairman.

Standing Committees

House of Commons standing committees include those which examine public Bills at the committee stage and, in certain cases, at the second reading and report stages; two Scottish standing committees; the Scottish Grand Committee; the Welsh Grand Committee; and the Northern Ireland standing committee. Ordinary standing committees have no distinctive names, being referred to simply as Standing Committee A, B, C, and so on, and are each appointed specially to consider a specific Bill. Each has between 16 and 50 members with a party balance reflecting as far as possible that in the House as a whole. The Scottish Grand Committee, which comprises all 72 Scottish members and 10 to 15 others (and may be convened in Edinburgh), considers the principles of Scottish Bills referred to it at second reading stage, the Scottish

estimates and other matters concerning Scotland only. The Welsh Grand Committee, with all 38 Welsh members and up to five others, considers Bills referred to it at second reading stage, and matters concerning Wales only. The Northern Ireland committee considers matters relating specifically to Northern Ireland. A standing committee on regional affairs attended by any of the 523 members from the English constituencies is occasionally appointed to consider matters relating to the English regions. The Lords' equivalent to a standing committee, a Public Bill Committee, is rarely used.

Select Committees

In 1979 a new House of Commons select committee structure was set up in an attempt to provide closer examination of government departments and policies, and of the way ministers discharge their responsibilities.

This was in response to a recognition that Parliament was probably less effective a check on the executive than it had been for much of the nineteenth century. With the growth of mass political parties, the individual independence of many MPs has tended to become subordinated to party interests, and with the great extension of the range and complexity of central government activities, and the parallel growth of bureaucracy, MPs have a more difficult task in checking the actions of ministers and their departments.

The 14 committees examine the expenditure, administration and policy of the main government departments and related bodies. The Foreign Affairs Committee, for example, 'shadows' the work of the Foreign and Commonwealth Office, and there are select committees on Scottish and Welsh Affairs. The committees are constituted on a party basis, in approximate proportions to party strength in the House. Other regular committees include those on European Legislation, Defence, Public Accounts, Members' Interests, the Parliamentary Commissioner for Administration, and Sound Broadcasting. The Committee of Selection and the Standing Orders Committee have duties relating to private Bills, and the Committee of Selection also chooses members to serve on standing and select committees. A Liaison Committee considers general matters relating to select committees. On rare occasions a parliamentary Bill is examined by a select committee, a procedure additional to the usual legislative process—(an example of this which occurs every few years is the Armed Forces Bill).

In their scrutiny of government policies, the committees question ministers, senior civil servants and interested bodies and individuals. Through hearings and published reports, they bring before Parliament and the public a body of fact and informed opinion on many important issues, and build up considerable expertise in their subjects of inquiry.

In the House of Lords, besides the Appeal and Appellate Committees in which the bulk of the House's judicial work is transacted, there are two major select committees with several sub-committees on the European Communities and on Science and Technology. There are also select committees on House of Lords' Offices, Hybrid Instruments, Leave of Absence and Lords' Expenses, Personal Bills, Private Bills, Standing Orders, Privileges, Procedure, Selection and Sound Broadcasting and Television.

Joint Committees

Joint committees are also appointed in each session to deal with Consolidation Bills and delegated legislation. The two Houses may also agree to set up joint select committees on other subjects.

Party Committees

In addition to the official committees of the two Houses there are several unofficial party organisations or committees. The Conservative and Unionist Members' Committee (the 1922 Committee) consists of the back-bench membership of the party in the House of Commons. When the Conservative Party is

in office, ministers attend its meetings by invitation and not by right, but when the party is in opposition, the whole membership of the party may attend meetings and the leader appoints a consultative committee which acts as the party's 'shadow cabinet'. The Parliamentary Labour Party is a corporate body comprising all members of the party in both Houses; when the Labour Party is in office a liaison committee acts as a channel of communication between the Government and its back-benchers in both Houses; when the party is in opposition the Parliamentary Labour Party is organised under the direction of an elected Parliamentary Committee which acts as the 'shadow cabinet'

Other Forms of Parliamentary Control

The effectiveness of parliamentary control of the Government is a subject of continuing discussion, both inside and outside Parliament. Control is exercised finally by the ability of the House of Commons to force the Government to resign by passing a resolution of 'no confidence' or by rejecting a proposal which the Government considers so vital to its policy that it has made it a 'matter of confidence' or, ultimately, by refusing to vote the money required for the public service. In addition to the system of close scrutiny by select committees, the House of Commons offers a number of opportunities for a searching examination of government policy by both the Opposition and the Government's own back-benchers.

These include:

1. Question time when for an hour on Monday, Tuesday, Wednesday and Thursday, ministers answer MPs' questions. The Prime Minister's question time takes place on Tuesday and Thursday. Parliamentary questions are one means of eliciting information about the Government's intentions, as well as a way of airing, and possibly securing redress of, grievances brought to MPs notice by constituents. MPs may also put questions to ministers for written answers, which are published in *Hansard*, the official report. (At question time in the House of Lords questions are addressed to the Government rather than to a particular minister.)
2. The right of MPs to use motions for the adjournment of the House to open discussions on constituency cases or matters of public concern. There is a half-hour adjournment period at the end of the business of the day; and immediately before the adjournment for each recess (Christmas, Easter, spring and summer), a full day is spent discussing matters raised by private members. Moreover, an MP wishing to discuss a 'specific and important matter that should have urgent consideration' may, at the end of question time, ask leave to move the adjournment of the House. If the Speaker accepts the terms of the motion, the MP asks the House for leave for the motion to be put forward. Leave can be given unanimously, or it can be given if 40 or more MPs support the motion or if fewer than 40 but more than ten support it and the House (on a vote) is in favour. Once leave has been given, the matter is debated for three hours, usually on the next day.
3. The 19 Opposition days each session when the Opposition can choose subjects for debate.
4. Debates on the occasion of the passage, three times a year, of Consolidated Fund or Appropriation Bills, when members can exercise their traditional right of 'raising grievances', on matters for which any minister is responsible, when voting the necessary supplies (money) for the Crown.

Procedural opportunities for criticism of the Government also arise during the debate on the Queen's speech at the beginning of a session, during debates or motions of censure for which the Government gives up part of its own time, and during debates on the Government's legislative proposals.

Opportunities for criticism and examination of government policy are provided in the House of Lords at daily question time, during debates on specific motions and in questions (which can be debated) at the end of the day's business as well as during debates on specific legislative proposals.

The main responsibilities of Parliament, and more particularly of the House of Commons, in managing the revenue of the State and payments for the public service are to authorise the taxes and duties to be levied and the various objects of expenditure and the sum to be spent on each. It also has to satisfy itself that the sums granted are spent only for the purposes which Parliament intended. No payment out of the central Government's public funds can be made and no taxation, charges or loans authorised, except by Act of Parliament, although interim payments can be made, within limits, from the Contingencies Fund. Scrutiny of public expenditure is carried out by House of Commons Select Committees (see p 44).

To keep the two Houses informed of European Community developments, and to enable them to scrutinise and debate Community policies and proposals, there is a select committee in each House (see p 44), and ministers make regular statements about Community business.

*Parliamentary
Commissioner
for
Administration*

The Parliamentary Commissioner for Administration (the 'Parliamentary Ombudsman') investigates, independently, complaints of maladministration when asked to do so by MPs on behalf of members of the public. Powers of investigation extend to administrative actions by central government departments but not to policy decisions (which can be questioned in Parliament) nor to matters affecting relations with other countries. Complaints by British citizens arising from dealings with British posts overseas are open to investigation in some circumstances. The Commissioner has access to departmental papers and reports the findings to the MP who presented the complaint. The Commissioner is required to report annually to Parliament. In addition, he or she publishes details of selected investigations at quarterly intervals and may submit other reports where necessary. A Commons select committee has responsibility for overseeing the Commissioner's work.

**Parliamentary
Privilege**

Each House of Parliament has certain rights and immunities to protect it from unnecessary obstruction in carrying out its duties. The rights apply collectively to each House and individually to each member.

For the Commons the Speaker formally claims 'their ancient and undoubted rights and privileges' at the beginning of each Parliament. These include freedom of speech; freedom from arrest in civil actions; exemption from serving on juries, attending as witnesses or serving as sheriffs; and the right of access to the Crown, a collective privilege of the House. Further privileges include the rights of the House to control its own proceedings (so that it is able, for instance, to exclude 'strangers' if it wishes), to pronounce upon legal disqualifications for membership and to declare a seat vacant on such grounds; and to penalise for breach of its privileges and for contempt.

The privileges of the House of Lords closely resemble those of the House of Commons.

The Privy Council

Until the eighteenth century, the Sovereign in Council, or Privy Council, was the chief source of executive power in the State. As the system of Cabinet government developed, however, the Privy Council became less prominent. Many powers were transferred to the Cabinet as an inner committee of the Council, and much of its work was handed over to newly created government departments, some of which were originally committees of the Privy Council.

Nowadays the main function of the Privy Council is to advise the Queen to approve Orders in Council (those made under prerogative powers, such as Orders approving the grant of royal charters of incorporation; and those made under statutory powers). Members of the Privy Council attending meetings at which Orders are made do not thereby become personally responsible for the policy upon which the Orders are based; this rests with the minister responsible for the subject matter of the Order in question, whether or not he or she was present at the meeting.

The Privy Council also advises the Crown on the issue of royal proclamations, some of the most important of which relate to prerogative acts (such as summoning or dissolving Parliament). The Council's own statutory responsibilities, which are independent of the powers of the Sovereign in Council, include powers of supervision over the registering bodies for the medical and allied professions.

Apart from Cabinet ministers, who must be Privy Counsellors and are sworn in on first assuming office, membership of the Council (retained for life except for very occasional removals) is accorded by the Sovereign on the recommendation of the Prime Minister to eminent people in independent monarchical countries of the Commonwealth. There are about 390 Privy Counsellors. A full Council is summoned only on the death of the Sovereign or when the Sovereign announces his or her intention to marry.

Committees of the Privy Council

There are a number of advisory Privy Council committees whose meetings differ from those of the Privy Council itself in that the Sovereign cannot constitutionally be present. These may be prerogative committees, such as those dealing with legislative matters submitted by the legislatures of the Channel Islands and the Isle of Man and with applications for charters of incorporation; or they may be provided for by statute as are those for the universities of Oxford and Cambridge and the Scottish universities.

The Judicial Committee of the Privy Council is the final court of appeal from the courts of the United Kingdom dependencies, courts of independent members of the Commonwealth which have not discontinued the appeal, courts of the Channel Islands and the Isle of Man, and certain other courts, some professional and disciplinary committees and ecclesiastical sources.

Administrative work is carried out in the Privy Council Office under the Lord President of the Council, a Cabinet minister.

Her Majesty's Government

Her Majesty's Government is the body of ministers responsible for the administration of national affairs.

The Prime Minister is appointed by the Queen, and all other ministers are appointed by the Queen on the recommendation of the Prime Minister.

The majority of ministers are members of the Commons, although the Government is also fully represented by ministers in the Lords. The Lord Chancellor is always a member of the House of Lords.

Composition

The composition of governments can vary both in the number of ministers and in the titles of some offices. New ministerial offices may be created, others may be abolished, and functions may be transferred from one minister to another.

Prime Minister

The Prime Minister is also, by tradition, First Lord of the Treasury and Minister for the Civil Service. The head of the Government became known as the Prime Minister during the eighteenth century. The Prime Minister's unique position of authority derives from majority support in Parliament and from the power to

choose ministers and to obtain their resignation or dismissal individually. By modern convention, the Prime Minister always sits in the House of Commons.

The Prime Minister informs the Queen of the general business of the Government, presides over the Cabinet, and is responsible for the allocation of functions among ministers.

The Prime Minister's other responsibilities include recommending to the Queen a number of appointments. These include: Church of England archbishops, bishops and deans and some 200 other clergy in Crown 'livings'; high judicial offices, such as the Lord Chief Justice, Lords of Appeal in Ordinary, and the Lords Justices of Appeal; Privy Counsellors, Lords-Lieutenant and certain civil appointments, such as Lord High Commissioner to the General Assembly of the Church of Scotland, Poet Laureate, Constable of the Tower, and some university posts; and appointments to various public boards and institutions, such as the British Broadcasting Corporation, as well as various royal and statutory commissions. Recommendations are likewise made for the award of many civil honours and distinctions and of Civil List pensions (to people who have achieved eminence in science and the arts and are in some financial need). The Prime Minister also selects the trustees of certain national museums and institutions.

The Prime Minister's Office at 10 Downing Street (the official residence in central London) has a staff of civil servants who attend to the day-to-day discharge of the Prime Minister's numerous responsibilities. The Prime Minister may also appoint special advisers to the Office from time to time to assist in the formation of policies.

Departmental Ministers

Ministers in charge of government departments, who are usually in the Cabinet, are known as 'Secretary of State' or 'Minister', or may have a special title, as in the case of the Chancellor of the Exchequer.

Non-Departmental Ministers

The holders of various traditional offices, namely the Lord President of the Council, the Chancellor of the Duchy of Lancaster, the Lord Privy Seal, the Paymaster General and, from time to time, Ministers without Portfolio, may have few or no departmental duties and are thus available to perform any special duties the Prime Minister may wish to give them. In the present Government the Lord President of the Council, for example, co-ordinates the presentation of information on government policies and the Paymaster General is Minister for Employment in the Department of Employment.

Lord Chancellor and Law Officers

The Lord Chancellor holds a special position, being a minister with departmental functions and also head of the judiciary. The four Law Officers of the Crown are: for England and Wales, the Attorney General and the Solicitor General; for Scotland, the Lord Advocate and the Solicitor General for Scotland.

Ministers of State

Ministers of State usually work with ministers in charge of departments with responsibility for specific functions, and are sometimes given titles which reflect these particular functions. More than one may work in a department. A Minister of State may be given a seat in the Cabinet and paid accordingly.

Junior Ministers

Junior ministers (generally Parliamentary Under-Secretaries of State or, where the senior minister is not a Secretary of State, simply Parliamentary Secretaries) share in parliamentary and departmental duties. They may also be given responsibility, directly under the departmental minister, for specific aspects of the department's work. The Parliamentary Secretary to the Treasury and other Lords Commissioners of the Treasury are in a different category as Government Whips (see p 40).

Ministerial Salaries

The salaries of ministers in the House of Commons range from £30,760 a year (from January 1987) for junior ministers to £47,020 for Cabinet ministers. The Prime Minister receives £58,650 and the Lord Chancellor (from July 1986) £79,400.¹

Ministers in the Commons, including the Prime Minister, receive a parliamentary salary of £13,875 a year (which is included in the above figures) in recognition of their constituency responsibilities and are entitled to claim the other allowances which are paid to all MPs (see p 37).²

The Cabinet

The Cabinet is composed of about 20 ministers chosen by the Prime Minister and may include departmental and non-departmental ministers. Its origins can be traced back to the informal conferences which the Sovereign held with leading ministers, independently of the Privy Council, during the seventeenth century. After the Sovereign's withdrawal from an active role in politics in the eighteenth century, and the development of organised political parties stimulated by successive extensions of the franchise from 1832 onwards, the Cabinet assumed its modern form.

The functions of the Cabinet are: the final determination of policies, the supreme control of government and the co-ordination of government departments. The exercise of these functions is vitally affected by the fact that the Cabinet is a group of party representatives, depending upon majority support in the House of Commons.

Cabinet Meetings

The Cabinet meets in private and its proceedings are confidential. Its members are bound by their oath as Privy Counsellors not to disclose information about its proceedings; although after Cabinet papers have been in existence for 30 years they may be made available for inspection in the Public Record Office. Diaries published by several former ministers have given the public an insight into Cabinet procedures in recent times.

Normally the Cabinet meets for a few hours once or twice a week during parliamentary sittings, and rather less often when Parliament is not sitting. To keep the amount of work coming before the Cabinet within manageable limits, a great deal of work is carried on through the committee system, which involves the reference of issues either to a standing Cabinet committee or to an *ad hoc* committee composed of the ministers primarily concerned. The committee then considers the matter in detail and either disposes of it or reports upon it to the Cabinet with recommendations for action. The present Cabinet has four standing committees: a defence and overseas policy committee and an economic strategy committee both under the chairmanship of the Prime Minister; and a home and social affairs committee and a legislation committee, both under the chairmanship of the Lord President of the Council. Sub-committees of the standing committees may be established. Membership and terms of reference of all Cabinet committees are confidential.

Non-Cabinet ministers may be invited to attend meetings on matters affecting their departments, and may be members of Cabinet committees. The Secretary of the Cabinet and other senior officials of the Cabinet Office also attend meetings of the Cabinet and its committees as appropriate.

The Cabinet Office

The Cabinet Office, headed by the Secretary of the Cabinet, under the direction of the Prime Minister, comprises the Cabinet Secretariat, the Central Statistical Office, the Management and Personnel Office and the Historical Section.

¹ These figures show the salaries to which the holders are entitled; however, the Prime Minister and the Lord Chancellor of the present Government have decided to draw no more than the salary payable to other Cabinet ministers.

² The Leader of the Opposition in the Commons receives a salary for the post, as well as a parliamentary salary; the Leader of the Opposition in the Lords also receives a salary.

The Cabinet Secretariat serves ministers collectively in the conduct of Cabinet business and operates as an instrument in the co-ordination of policy at the highest level.

The Central Statistical Office is concerned with the preparation and interpretation of the statistics necessary to support economic and social policies and management, and co-ordinates the statistical work of other departments.

The Management and Personnel Office is responsible for the management and organisation of the Civil Service and recruitment into it, training, efficiency, personnel management and senior appointments.

The Historical Section of the Cabinet Office is in the process of completing the official histories of the second world war, and is responsible for the preparation of official histories of certain peacetime events.

Ministerial Responsibility

'Ministerial responsibility' refers both to the collective responsibility which ministers share for government policy and actions and to ministers' individual responsibility to Parliament for their departments' work.

The doctrine of collective responsibility means that the Cabinet acts unanimously even when Cabinet ministers do not all agree on a subject. The policy of departmental ministers must be consistent with the policy of the Government as a whole. Once the Government's policy on a matter has been decided, each minister is expected to support it or resign. On rare occasions, ministers have been allowed free votes in Parliament on government policies involving important issues of principle.

The individual responsibility of a minister for the work of his or her department means that, as political head of that department, he or she is answerable for all its acts and omissions and must bear the consequences of any defect of administration, any injustice to an individual or any aspect of policy which may be criticised in Parliament, whether personally responsible or not. Since most ministers are members of the House of Commons, they must answer questions and defend themselves against criticism in person. Departmental ministers in the House of Lords are represented in the Commons by someone qualified to speak on their behalf, usually a junior minister.

Departmental ministers normally decide all matters within their responsibility, although on important political matters they usually consult their colleagues collectively, through the Cabinet or a Cabinet committee. A decision by a departmental minister binds the Government as a whole.

The responsibility of ministers for their departments is an effective way of keeping government under public control, for the knowledge that any departmental action may be reported to and examined in Parliament discourages the taking of arbitrary and ill-considered decisions.

On assuming office ministers must resign directorships in private and public companies, and must order their affairs so that there is no conflict between public duties and private interests.

Government Departments

Government departments are the main instruments for giving effect to government policy when Parliament has passed the necessary legislation, and for advising ministers. They may, and frequently do, work with and through local authorities, statutory boards, and government-sponsored organisations operating under various degrees of government control.

A change of government does not necessarily affect the number or general functions of government departments, although a radical change in policy may be accompanied by some organisational change.

The work of some departments (for instance, the Ministry of Defence) covers the United Kingdom as a whole. Other departments (like the Department of Employment) cover England, Wales and Scotland, but not Northern Ireland. Others, such as the Department of the Environment, are mainly concerned with affairs in England.

Some departments, such as the Department of Trade and Industry, maintain a regional organisation, and some which have direct contact with the public throughout the country (for example, the Department of Employment) also have local offices.

A department is usually headed by a minister. Certain departments in which questions of policy do not normally arise are headed by a permanent official, and a minister with other duties is responsible for them to Parliament. For instance, ministers in the Treasury are responsible for the Central Office of Information, Her Majesty's Stationery Office, HM Customs and Excise, the Inland Revenue and a number of small departments including the Treasury Solicitor's Department, the Royal Mint, and the National Investment and Loans Office. Departments generally receive their funds directly out of money provided by Parliament and are staffed by the Civil Service.

Non- Departmental Public Bodies

A number of bodies with a role in the process of government are neither government departments nor part of a department (in April 1985 the figure was 1,653). Known as non-departmental public bodies, but often popularly described as 'quangos' ('quasi-autonomous non-governmental organisations', although there is no precise definition of the term), they are of three kinds: executive bodies, advisory bodies and tribunals. Executive bodies normally employ staff and have their own budget; they consist of public bodies which carry out, among other duties, administrative, executive, regulatory and commercial functions. They operate typically within broad policy guidelines set by departmental ministers but are in varying degrees independent of government in carrying out their day-to-day responsibilities. Examples include the Arts Council of Great Britain, the British Council, the Commonwealth Development Corporation and the Commission for Racial Equality. Tribunals are a specialised group of judicial bodies which are akin to courts of law. They are normally set up under statutory powers which also govern their constitution, functions and procedure. Tribunals often consist of laymen, but generally have a legally qualified chairman. They tend to be less expensive, and less formal, than courts of law. Independently of the executive, tribunals decide the rights and obligations of private citizens towards one another or towards a government department or other public authority. Important examples are industrial tribunals, rent tribunals and social security tribunals. Tribunals usually consist of an uneven number of people so that a majority decision can be reached. Members are normally appointed by the minister concerned with the subject. Tribunals and advisory bodies do not normally employ staff or spend money themselves, but their expenses are paid by government departments concerned; a note on advisory bodies is set out below.

As a result of reviews of non-departmental public bodies undertaken in 1979 and subsequently, nearly 700 have been abolished or otherwise rationalised with an annual saving of £100 million at 1984 prices. Scrutiny of these bodies continues with a new programme to improve performance and value for money announced at the end of 1984.

Advisory Bodies

Many government departments are assisted by advisory councils or committees which undertake research and collect information, mainly to give ministers access to informed opinion before coming to a decision involving a legislative or

executive act. In some cases a minister must consult a standing committee, but usually advisory bodies are appointed at the discretion of the minister:

The membership of the advisory councils and committees varies according to the nature of the work involved, and will usually include representatives of varying interests and professions.

In addition to the standing advisory bodies, there are committees set up by the Government to examine and make recommendations on specific matters. For certain important inquiries Royal Commissions, whose members are chosen for their wide experience and diverse knowledge, may be appointed. Royal Commissions examine written and oral evidence from government departments, interested organisations and individuals, and submit recommendations. The Government may accept the recommendations in whole or in part, or may decide to take no further action or to delay action. Inquiries may also be undertaken by departmental committees.

Government Information Services

Each of the main government departments has its own information division or directorate, public relations branch or news department staffed by professional information officers responsible for communicating their department's policies and activities to the news media and the public (sometimes using publicity services provided by the Central Office of Information—see p 53) and for advising their department on the public's reaction to them. The presentation of government policy is co-ordinated, at official level, by the Prime Minister's Press Secretary. As press adviser to the Prime Minister, the Press Secretary and other staff in the Prime Minister's Press Office have direct and constant contact with the parliamentary press through regular meetings with the Lobby correspondents (a group of political correspondents who have the special privilege of access to the Lobby of the House of Commons where they can talk privately to government ministers and other members of the House) and other day-to-day contacts. The Prime Minister's Press Office forms the accepted channel through which information about parliamentary business is conveyed to the media.

of An outline of the principal functions of the main government departments is given below. Departments are arranged in alphabetical order, except for the Scottish and Northern Ireland departments which are grouped at the end of the section and the Cabinet Office, which was described on p 49. Further information on the work of some departments is given in later chapters under the relevant subject headings.

DEPARTMENT *Main areas of responsibility*

The work of many departments listed on pp 52–5 covers the United Kingdom as a whole. Where this is not the case, the following abbreviations are used: (GB) for functions covering England, Wales and Scotland; (E, W & NI) for those covering England, Wales and Northern Ireland; (E & W) for those covering England and Wales; and (E) for those concerned with England only.

Ministry of Agriculture, Fisheries and Food

Policies for agriculture, horticulture and fishing (E & W); food policies.

Office of Arts and Libraries

General promotion of arts (GB); library and information services (E with advice to W and NI); national museums (E); public libraries and local museums (E); British Library (E); national heritage.

DEPARTMENT	<i>Main areas of responsibility</i>
HM Customs and Excise	Collecting and accounting for revenues of Customs and Excise, including value added tax; agency functions including controlling certain imports and exports and compiling overseas trade statistics.
Ministry of Defence	Defence policy and control and administration of the armed services.
Department of Education and Science	General promotion of education (E); the Government's relations with universities (GB); fostering civil science in Britain and internationally.
Department of Employment	Manpower policies, labour legislation, payment of unemployment benefit through local offices and issue of work permits to workers from overseas; health and safety at work; small businesses; tourism (GB); Race Relations Employment Advisory Service and policy for the Careers Service (E); international representation on employment matters.
Department of Energy	Policies for all forms of energy, including its efficient use and the development of new sources; the Government's relations with the nationalised energy industries and the Atomic Energy Authority.
Department of the Environment	Policies for planning, local government, new towns, housing, construction, inner city matters, environmental protection, water, the countryside, sport and recreation, conservation, historic buildings and ancient monuments (E); and Property Services Agency (GB).
Export Credits Guarantee Department	Provision of insurance for exporters against risk of not being paid for goods and services, and access to bank finance for exports; insurance cover for new investment overseas.
Foreign and Commonwealth Office	Conduct of Britain's overseas relations.
Department of Health and Social Security	National Health Service, personal social services provided by local authorities, and certain aspects of public health, including hygiene (E); the social security system (GB).
Home Office	Administration of law and order including criminal justice, police service, prisons and probation services; electoral matters; civil defence; fire services; licensing laws; approval of local authority by-laws; regulation of firearms and dangerous drugs (E & W). Gaming and lotteries (GB). Policies for immigration and nationality, race relations, broadcasting and sex discrimination. Responsibilities related to the Channel Islands and the Isle of Man.
Central Office of Information	Provision of publicity and other information services on behalf of government departments and a number of public agencies.
Board of Inland Revenue	Administration of the tax laws.

DEPARTMENT	<i>Main areas of responsibility</i>
The Law Officers' Department	Provision of advice to the Government on English law and representation of the Crown in appropriate domestic and international cases, both civil and criminal, by the Law Officers of the Crown for England and Wales—the Attorney General and the Solicitor General (E & W). The Attorney General is also Attorney General for Northern Ireland.
The Lord Chancellor's Department	Administration of the Supreme Court (Court of Appeal, High Court, Crown Court) and the county courts (E & W), together with certain other courts and tribunals, and all work relating to judicial and quasi-judicial appointments. Responsibility for promoting general reforms in the civil law and for operating the Legal Aid and Advice Scheme. (The Home Office has important responsibilities for the criminal law.)
Management and Personnel Office	(Part of the Cabinet Office.) Organisation, management and efficiency of the Civil Service (GB).
Ordnance Survey	Official surveying and mapping, including geodetic surveys and associated scientific work and topographic surveys covering all of Great Britain and some overseas countries.
Overseas Development Administration	Administration of financial aid to, and technical co-operation in, developing countries.
Parliamentary Counsel Office	Drafting of government Bills (except those relating exclusively to Scotland); advising departments on parliamentary procedure (E, W & NI).
Paymaster General's Office	Provision of banking services for government departments other than the Boards of Inland Revenue and Customs and Excise, and the payment of public service pensions.
Office of Population Censuses and Surveys	Administration of the Marriage Acts and local registration of births, marriages and deaths; population estimates and projections; compilation of health statistics; censuses (E & W). Surveys for other government departments (GB).
Procurator General and Treasury Solicitor's Department	Provision of a common legal service for a large number of government departments. Duties include instructing Parliamentary Counsel on Bills and drafting subordinate legislation; providing litigation and conveyancing services; and giving general advice on the interpretation and application of the law (E & W).
Her Majesty's Stationery Office	Provision to Parliament, government departments and certain public bodies of stationery, printing and related services; and publication and sale of government documents.
Office of Telecommunications	Monitoring of British Telecom and other public and non-public telecommunications operators.

DEPARTMENT	<i>Main areas of responsibility</i>
Department of Trade and Industry	Industrial and commercial policy, including: industrial innovation policy; international trade policy; commercial relations and export promotion; competition policy; company law; insolvency; consumer protection; and safety. Sponsorship of manufacturing and service industries (excluding transport industries); radio regulation (GB).
Department of Transport	Land, sea and air transport including sponsorship of the nationalised airline, rail and bus industries; airports; domestic and international civil aviation; shipping and the ports industry; navigational lights, pilotage, HM Coastguard and marine pollution; oversight of road transport (GB); motorways and trunk roads; and oversight of local authorities' transport planning (E).
HM Treasury	Broad economic strategy with particular responsibilities for public finance and expenditure, including control of manpower and pay in the Civil Service.
Welsh Office	Many aspects of Welsh affairs including health and personal social services; education, except for terms and conditions of service, student awards and the University of Wales; the Welsh language and culture; local government; housing; water and sewerage; environmental protection; sport; agriculture and fisheries; forestry; land use, including town and country planning; countryside and nature conservation; new towns, ancient monuments and historic buildings; roads; tourism; a range of matters affecting the careers service and the activities of the Manpower Services Commission in Wales; selective financial assistance to industry; the urban programme in Wales; the operation of the European Regional Development Fund in Wales and other European Community matters; non-departmental public bodies; civil emergencies; all financial aspects of these matters including Welsh rate support grant; and oversight responsibilities for economic affairs and regional planning in Wales.

SCOTLAND

Scotland has its own system of law and wide administrative autonomy. The Secretary of State for Scotland, a Cabinet minister, has responsibility in Scotland (with some exceptions) for both formulating and carrying out policy relating to agriculture and fisheries, education, law and order, local government and environmental services, social work, health, housing, roads and certain aspects of shipping and road transport services.

The Secretary of State also has a major role in the planning and development of the Scottish economy, and important functions relating to industrial development, with responsibility for financial assistance to industry, for the Scottish Development Agency, and the Highlands and Islands Development Board, the Scottish Tourist Board and for the work of the Manpower Services Commission and the Careers Service. The Secretary of State plays a full part in determining energy policy, particularly in relation to responsibility for the electricity supply industry in Scotland. He is also responsible for the government interest in a range of other functions from fire services to sport.

The distinctive features and the different conditions and needs of Scotland and its people are reflected in separate Scottish legislation on many domestic matters or else in special provisions applying to Scotland alone, inserted in Acts which otherwise apply to the United Kingdom generally.

The Secretary of State discharges his responsibilities principally through the Scottish Office's five departments, supported by Central Services (see p 56) and four smaller departments—the Department of the Registers of Scotland, the

Scottish Record Office, the General Register Office for Scotland and the Scottish Courts Administration.

United Kingdom government departments with significant Scottish responsibilities have offices in Scotland with delegated powers and work closely with the Scottish Office.

An outline of the main functions of the Scottish departments is given below.

DEPARTMENT	<i>Functions</i>
Department of Agriculture and Fisheries for Scotland	Promotion of the agricultural and fishing industries.
Scottish Development Department	Housing; roads; building control; water supplies and sewerage; environmental protection and the countryside; land-use planning; general policy relating to local government organisation; ancient monuments and historic buildings; certain transport functions.
Industry Department for Scotland	Industrial and regional economic development matters; energy; tourism.
Scottish Education Department	Education (excluding universities); student awards; libraries; museums and galleries; sport and recreation; the arts; social work services.
Scottish Home and Health Department	Central administration of law and order (including police service, criminal justice, legal aid and penal institutions); the National Health Service; fire, home defence and civil emergency services.
Central Services	Services to the five Scottish departments. These include the Office of the Solicitor to the Secretary of State, the Scottish Information Office, and Finance Divisions.
Lord Advocate's Department and Crown Office	Provision of legal advice to the Government on issues affecting Scotland and the principal representation of the Crown for litigation in Scotland by the Law Officers of the Crown for Scotland (the Lord Advocate and the Solicitor General for Scotland); control of all prosecution in Scotland.
Scottish Courts Administration	Organisation, administration and staffing of the courts and court offices; jurisdiction and procedure of civil courts; enforcement of judgments; and programme of Scottish Law Commission.
Other Administrative Departments	Department of the Registrar General for Scotland; Scottish Record Office; Department of the Registers of Scotland.

NORTHERN IRELAND

Between 1921 and 1972 Northern Ireland had its own Parliament and Government, subordinate to the Parliament at Westminster, but in 1972, following the resignation of the Northern Ireland Government, the British Government assumed direct responsibility with a United Kingdom Cabinet

minister responsible for functions previously exercised by the Northern Ireland Government. Attempts have been made by successive governments to find a means of restoring devolved government to Northern Ireland on a basis that would command widespread acceptance throughout the community. The most recent attempt failed in June 1986 when the Northern Ireland Assembly, elected in 1982, was dissolved after it ceased to discharge its responsibilities of making proposals for the resumption of devolved government and of monitoring the work of the Northern Ireland departments. The Government expressed the hope that a new Assembly would be established which would contribute to the better government and administration of Northern Ireland.

The Secretary of State for Northern Ireland is the Cabinet minister responsible for Northern Ireland. Through the Northern Ireland Office he has direct responsibility for constitutional developments, law and order and security, and electoral matters. The work of the Northern Ireland departments, whose functions are listed below, are also subject to the direction and control of the Secretary of State.

DEPARTMENT	<i>Functions</i>
Department of Agriculture	Development of agricultural, forestry and fishing industries; administration of agricultural grant schemes; advisory service to farmers; agricultural research, education and training.
Department of Economic Development	Development of industry and commerce, as well as the administration of government policy in relation to tourism, energy, harbours and minerals; administration of an employment service and labour training schemes and assistance to industrial development, through the Industrial Development Board for Northern Ireland.
Department of Education	Central policy, co-ordination, legislation, oversight, and financial control of the five education and library boards and education as a whole from nursery to adult and continuing education, youth services, sport and recreation, cultural activities and community services and facilities including the improvement of community relations.
Department of the Environment	Housing (policy, programmes and finance); planning (regional strategy, development plans, development control and comprehensive development); construction and maintenance of roads, transport and traffic management, and motor taxation; water and sewerage; environmental protection; ordnance survey; collection of rates; historic monuments and buildings; maintenance of public records; and certain controls over local government.
Department of Finance and Personnel	Control of public expenditure; liaison with HM Treasury and the Northern Ireland Office on financial matters, economic and social planning and research; valuation and Lands Service; formulation of policy and co-ordination of arrangements for personnel management; general management and control of the Northern Ireland Civil Service.
Department of Health and Social Services	Health, personal social services and social security.

The Civil Service

The Civil Service is concerned with the conduct of the whole range of government activities as they affect the community, ranging from policy formulation to carrying out the day-to-day duties that public administration demands.

Civil servants are servants of the Crown. They are responsible to the minister in whose department they work for carrying out his or her policies. Ministers alone are answerable to Parliament for their policies and the actions of their staff (though civil servants may give evidence to parliamentary select committees on their minister's behalf). In the determination of policy the civil servant has no constitutional responsibility or role distinct from that of the minister. A change of minister, for whatever reason, does not involve a change of staff. (Ministers sometimes appoint special advisers from outside the Civil Service; the advisers are paid from public funds, but their appointments come to an end when the Government's term of office finishes, or when the Minister to whom the special adviser is appointed leaves the Government or moves to another appointment.)

Including part-time staff (two part-time officers being reckoned as equivalent to one full-time), in January 1986 there were around 597,000 civil servants (nearly half of them women), roughly half of whom were engaged in the provision of public services, such as paying sickness benefits and pensions, collecting taxes and contributions, running employment services, staffing prisons, and providing services to industry and agriculture. Just over a quarter were employed in the Ministry of Defence. The rest were divided between: central administrative and policy duties; service-wide support services, such as accommodation, printing and information; and largely financially self-supporting services, for instance, those provided by the Department for National Savings and the Royal Mint.

The total number includes about 99,000 'industrial' civil servants, mainly manual workers in government industrial establishments.

Over three-quarters of civil servants work outside London. As part of its policy of controlling the cost and size of the Civil Service and to improve its efficiency, the Government set a target in 1980 of reducing the number of civil servants by 14 per cent to 630,000 by April 1984. This was achieved as was the target for April 1985 (by when numbers had fallen to 599,000). It is planned to achieve a further reduction to 590,000 by April 1988 at which date the Civil Service will have been reduced by around one-fifth since 1979. At the same time reforms of all aspects of the management of government departments are being implemented to ensure improved management performance, in particular through the sharper accountability of individual managers based on clear objectives and responsibilities. These reforms include an experimental performance-related pay scheme, and other means to encourage and reward improved performance.

Northern Ireland has its own Civil Service and Civil Service Commission, modelled on its counterpart in Great Britain. Interchange of staff between the two Civil Services occurs to a minor extent only.

Central Management and Structure

Responsibility for central co-ordination and management of the Civil Service is divided between the Treasury and the Cabinet Office (Management and Personnel Office). In addition to its other functions, the Treasury is responsible for controlling Civil Service manpower, pay, pensions and allowances, while the Management and Personnel Office, which is part of the Cabinet Office and under the control of the Prime Minister, as Minister for the Civil Service, is responsible for the organisation, structure, management and overall efficiency of the Service. The function of official Head of the Home Civil Service is combined with that of Secretary to the Cabinet. At the senior levels of the Home Civil Service

there is an open structure of unified grades which, with few exceptions, covers all posts whatever the nature of their duties. Grades 1, 2 and 3 replace the former grade titles of Permanent Secretary, Deputy Secretary and Under-Secretary while Grades 4, 5, 6 and 7 cover the senior levels of most occupational groups and classes down to Principal, Principal Scientific Officer, Principal Professional and Technology Officer and equivalent levels.

Below this the structure of the non-industrial Civil Service is based on a system of categories and occupational groups, which are the basic groupings of staff for the purposes of recruitment, pay and personnel management. These include the General Category (covering the Administration, Economist, Statistician, Information Officer and Librarian groups), the Science Category, the Professional and Technology Category (including architects, surveyors, electrical and mechanical engineers, graphics officers and marine services staff), and the Training, Legal, Police, Secretarial, Data Processing, Research Officer, Social Security, Security and Museum Categories. These 12 categories account for some 75 per cent of non-industrial staff. Work requiring specialist skill is always done by appropriately qualified individuals.

Personnel management policies encourage the deployment of staff so that talent can be used to the best advantage, and, with higher posts open to people of outstanding ability (whatever their specialist background or original method of entry into the Service), ensure that people with the necessary qualities can gain suitably wide experience to fit them for posts at the highest levels. The exchange of staff between the Civil Service and industry is also encouraged.

The Diplomatic Service

The Diplomatic Service, a separate service of some 4,650 or so people, provides the staff for the Foreign and Commonwealth Office and at United Kingdom diplomatic missions and consular posts abroad. Its functions include advising on policy, negotiating with overseas governments and conducting business in international organisations; promoting British exports and trade generally, administering aid, presenting ideas, policies and objectives to the people of overseas countries; and protecting British interests abroad.

The Service has its own grade structure, linked for salary purposes with that of the Home Civil Service, and conditions of work are in many ways comparable while taking into account the special demands of the Service, particularly of postings overseas. Members of the Home Civil Service and the armed forces, and individuals from the private sector, may serve in the Foreign and Commonwealth Office and at overseas posts on loan or attachment.

Recruitment and Training

Recruitment of staff to the middle and higher levels of the Home Civil Service and the Diplomatic Service is the responsibility of the Civil Service Commission which, in conjunction with departments, ensures that staff are selected solely on merit through fair and open competition. The selection of junior staff, such as those engaged in clerical and manual work, is undertaken by the departments.

For the Administration Group, the central part of the Home and Diplomatic Civil Services, entry is at three levels relating broadly to the academic achievements of: a second class honours degree, or better; GCE Advanced level; and GCE Ordinary level. The selection procedure for the highest of these levels (the Administration Trainee entry) comprises qualifying tests, followed by tests and interviews at the Civil Service Selection Board and an interview by the Final Selection Board. For the next level (the Executive Officer entry) selection involves qualifying tests followed by an interview. For the lower level (the clerical entry) selection is normally by interview of those holding the prescribed educational qualifications.

Entry to the professional and technical grades usually requires appropriate qualifications, and selection is on the basis of past record and by interview.

Most government departments employ full-time training officers and tutors to help to identify staff training needs and to organise training by the most appropriate methods (for example, formal courses or self-instruction). The Civil Service College provides training most efficiently undertaken centrally. Use is also made of external institutions.

Civil servants under the age of 18 may continue their education by attending courses usually for one day a week ('day release' schemes). Adult staff may be entitled to financial assistance to undertake, mainly in their own time, private studies leading to recognised educational or professional qualifications in approved subjects. There are also opportunities for civil servants to obtain fellowships for research in areas of interest both to themselves and to their departments.

**Promotion and
Terms of
Service**

Departments are responsible for promotion at all grade levels. Normally promotion is from grade to grade, but there can be accelerated promotion for staff who show exceptional promise. Promotion or appointment to Grades 1 and 2 and all transfers between departments at these levels are approved by the Prime Minister, who is advised by the official head of the Home Civil Service.

Terms of service for civil servants are generally governed by agreements between senior officials (the Official Side of the National Whitley Council) and representatives of the employees (the Trade Union Side of the National Whitley Council). For industrial civil servants, the negotiating body is the Joint Co-ordinating Committee of government industrial establishments.

**Political and
Private
Activities**

Civil servants are required to discharge loyally the duties assigned to them by the Government of the day of whatever political persuasion. For the Civil Service to serve successive governments of different political complexions it is essential that ministers and the public should have confidence that civil servants' personal views do not cut across the discharge of their official duties. The purpose of the rules which govern political activities by civil servants is to allow them the greatest possible freedom to participate in public affairs without infringing these fundamental principles. The rules are concerned with political activities liable to give public expression to political views, rather than with privately held beliefs and opinions.

The Civil Service is divided into three groups for the purposes of deciding the extent to which individuals may take part in political activities. The 'politically free' group, consisting of industrial staff and non-office grades, are free to engage in any political activity including adoption as a candidate for the United Kingdom or the European Parliament (although they would have to resign from the Service if elected). The 'politically restricted' group, which mainly comprises Principal and equivalent grades and above, are debarred from national political activities but may apply for permission to take part in local political activities. The 'intermediate' group, which comprises all civil servants not in either of the other two groups, may apply for permission to take part in national or local political activity, apart from candidature for the United Kingdom or the European Parliament.

Where required, permission is granted to the maximum extent consistent with the reputation of the Civil Service for political impartiality and the avoidance of any conflict with official duties. It is granted subject to a code of discretion requiring moderation and the avoidance of embarrassment to ministers.

Generally, there are no restrictions on the private activities of civil servants, provided that these do not bring discredit on the Civil Service, and that there is no possibility of conflict with official duties. For instance, a civil servant is required to seek permission before taking part in any outside activity which

involves the use of official experience, or before accepting a directorship in any company holding a contract with his or her department.

As a general rule the political views of civil servants are not a matter of official concern. However, no one whose loyalty is in doubt may be employed on work vital to the security of the State. For this reason certain posts are not open to those who are known to be members of communist or fascist organisations or of subversive groups, or associated with them in such a way as to raise legitimate doubts about their reliability, or to anyone whose reliability may be in doubt for any other reason.

Each department is responsible for its own internal security, advised as necessary by the Security Service. The Security Commission, if requested to do so by the Prime Minister after consultation with the Leader of the Opposition, may investigate and report on breaches of security in the public service and advise on changes in security procedure.

Local Government

A wide range of public services is provided by democratically elected local authorities throughout the United Kingdom. The gradual expansion of local services, particularly in the period between the late 1940s and mid-1970s, has inevitably led to a steady rise in local government expenditure and in its support from central funds. In recent years central government has sought to check this growth as part of a general policy of reducing public expenditure. Measures introduced to promote greater efficiency and cost-effectiveness include the holding back of central government grant from authorities spending above government targets, the prescription of maximum levels of spending and rates for selected high-spending authorities in England and Wales, the establishment in England and Wales of the independent Audit Commission to audit accounts and seek economical use of resources, and the encouragement given to local authorities to examine the scope for seeking competitive tenders for the provision of many of the services carried out by their own staff. In Scotland there is an independent Commission for Local Authority Accounts and similar action has been taken to control local authority expenditure. Moreover, since staff costs form such a significant part of public expenditure, local authorities have been urged to reduce staff levels. Local authorities in England, Wales and Scotland are now required to publish quarterly staffing levels for particular services.

The specific powers and duties of local authorities are conferred on them by Parliament, or by measures made under its authority. The actual administration, and the exercise of discretion within statutory limits, are the responsibility of the local authority. In the case of certain services, however, ministers have powers to secure a measure of national uniformity in the standard of a service provided, to safeguard public health, or to protect the rights of individual citizens. For some services the minister concerned has wide powers of supervision; for others there are strictly limited powers.

The main links between local authorities and the central government are: in England, the Department of the Environment, although other departments are concerned with various local government functions; in Scotland, the Scottish Office; in Wales, the Welsh Office; and in Northern Ireland, the Department of the Environment for Northern Ireland.

Principal Types of Local Authority

England and Wales (outside Greater London) are divided into 53 counties, within which there are 369 districts. All the districts and 47 of the counties—the 'non-metropolitan' counties—have independent, locally elected councils with separate functions. County authorities provide the large-scale local government

services, while the district authorities are responsible for the more local ones (see p 63).

In Greater London (an area of about 1,580 sq km (610 sq miles) and a population of some 7 million) the local government authorities are the councils of 32 London boroughs and the Corporation of the City of London, while in the six metropolitan counties there are 36 district councils.

Until April 1986 Greater London and the metropolitan counties had their own councils but these were abolished by the Local Government Act 1985, which was designed to create a more effective, economical and accountable system by removing a tier of local government. As a result most of the functions previously carried out by the Greater London Council and the metropolitan county councils have been transferred to the London borough and metropolitan district councils. A small number of services (namely, waste regulation and disposal in certain areas; the police and fire services, including civil defence, and public transport in all metropolitan counties; and the fire service, including civil defence, in London) which require a statutory authority over areas wider than the boroughs and districts are now run by joint authorities composed of elected councillors nominated by the borough or district councils. Education in inner London is now the responsibility of a new, independent and directly elected authority (see p 64).

Special transitional bodies have been appointed to take responsibility for certain residual county council and Greater London Council matters. These include compensation, unassigned legal rights and liabilities and disposal of surplus property and, where appropriate, the management of debt and of the superannuation fund. The residuary bodies are required to prepare proposals to wind up their affairs as soon as practicable.

Within rural districts in England, parish councils or meetings are focuses for local opinion as bodies with limited powers of local interest. In Wales community councils have similar functions.

On the mainland of Scotland local government is on a two-tier basis: nine regions are divided into 53 districts, each area having its own elected council. There are three virtually all-purpose authorities for Orkney, Shetland and the Western Isles. Provision is also made for local community councils, although these are not local authorities.

The areas and electoral arrangements of local authorities are kept under review by the Local Government Boundary Commissions for England, Wales and Scotland.

In Northern Ireland 26 district councils are responsible for local environmental and certain other services. Statutory bodies, such as the Northern Ireland Housing Executive and area boards, are responsible to central government departments for the administration of major services such as housing, education and libraries, and health and personal social services. Regional services such as roads, water and sewerage, and planning, are the responsibility of central government, through the Department of the Environment for Northern Ireland.

Election of Councils

Local authority councils consist of a number of elected unpaid councillors presided over by a chairman. Councillors can claim a flat-rate attendance allowance or a financial loss allowance for performing council business; they are also entitled to travelling and subsistence allowances. Parish and community councillors cannot claim expenses for duties within their own areas.

In England, Wales and Northern Ireland each council annually elects a chairman and vice-chairman. Some districts have the ceremonial title of borough, or city, both granted by royal authority (in Northern Ireland by the Secretary of State). In boroughs and cities the chairman is normally known as

the Mayor (in the City of London and certain other large cities, he or she is known as the Lord Mayor). In Scotland the chairman of the district council of each of the four cities is called the Lord Provost. No specific title is laid down for the chairmen of other councils, but some are known as conveners, while others continue to use the old title of 'provost'.

Elections for any form of local government normally take place every four years. Hitherto metropolitan district elections have been held for a third of the seats in each year when there were no county council elections. Non-metropolitan district councils may adopt the same procedure or opt for whole council elections every four years. London borough councils have whole council elections every four years.

In Scotland, local elections are held every two years, alternately for districts and for regions and islands authorities, so that all types of authority are elected for four years at a time.

Anyone is entitled to vote at a local government election in Great Britain provided he or she is aged 18 years or over, is a British citizen, other Commonwealth citizen, or a citizen of the Irish Republic, is not subject to any legal incapacity and is registered as a local government elector for the area for which the election is held. To qualify for registration a person must be resident in the council area on the qualifying date. In Northern Ireland there are slightly different requirements.

A candidate for election as councillor normally stands as a representative of one of the national political parties, or of some local interest, or as an independent. Candidates must be British citizens, other Commonwealth citizens or citizens of the Irish Republic and aged 21 or over. In addition, they must be registered as local electors in the area of the local authority to which they seek election; or have resided in or occupied (as owner or tenant) land or other premises in that area during the whole of the 12 months preceding the day on which they are nominated as candidates or, in that 12 months, have had their principal or only place of work there. No one may be elected to a council of which he or she is an employee, and there are a number of other disqualifications.

Local authority areas are generally divided into electoral areas for local council elections. Administrative counties in England and Wales are divided into electoral divisions. Districts in England, Wales and Northern Ireland are divided into electoral 'wards', returning one councillor or more. In Scotland the electoral areas in the regions and islands areas are called electoral divisions, each returning a single member; the districts are divided into wards, similarly returning a single member. For parish or community council elections in England and Wales, each parish or community, or ward of a parish or community, forms an electoral area which returns one member or more.

The procedure for local government voting in Great Britain is similar to that for parliamentary elections. Postal voting for such elections is being introduced in 1987. In Northern Ireland local government elections are held on the basis of proportional representation and electoral wards are grouped into district electoral areas.

Functions and Services

Local authorities' functions are far-reaching. Some are primarily duties, others purely permissive.

Broadly speaking, functions in England and Wales are divided between county and district councils on the basis that county councils are responsible for matters requiring planning and administration over wide areas or requiring the support of substantial resources while district councils as a whole administer functions of more local significance.

English county councils are generally responsible for strategic planning,

transport planning, highways, traffic regulation, consumer protection, refuse disposal, police and the fire service. Education, libraries and the personal social services are functions of county councils in non-metropolitan areas and of district councils in metropolitan areas. All district councils are responsible, for instance, for environmental health, housing, decisions on most planning applications, and refuse collection. They may also provide off-street car parks subject to the consent of the county council. Powers to carry out some functions—such as the provision of museums, art galleries and parks—are available at both levels; arrangements depend on local agreement.

In the metropolitan counties the district councils are responsible for the full range of services (apart from the police, the fire service and public transport and, in some areas only, waste regulation and disposal—see p 62). In Greater London the boroughs and the City Corporation are responsible for a similar range of functions but London's police force is directly responsible to the Home Secretary. Responsibility for passenger transport has been transferred to London Regional Transport and in inner London education is administered by the Inner London Education Authority, an independent and directly elected authority with the same name, functions and geographical coverage as its predecessor, which was an autonomous committee of the former Greater London Council. That Council was unique among local authorities in being responsible for land drainage for the greater part of its area ('the London excluded area') and flood protection, including the Thames Barrier. These responsibilities now rest with the Thames Water Authority.

In Wales the division of functions between county and district councils is much the same as that between county and district councils in non-metropolitan areas of England.

Local authorities in England and Wales may arrange for any of their functions to be carried out on their behalf by another local authority, other than functions relating to education, police, the personal social services and national parks.

In Scotland the regional and district authorities discharge local government functions in a way broadly similar to that of authorities in England and Wales. Orkney, Shetland and the Western Isles, because of their isolation from the mainland, have single, virtually all-purpose authorities.

In Northern Ireland, local environmental and certain other services, such as leisure and the arts, are administered by the district councils. Responsibility for planning, roads, water supply and sewerage services is exercised in each district through a divisional office of the Department of the Environment for Northern Ireland. Area boards, responsible to central departments, administer locally education, public libraries and the health and personal social services. The Northern Ireland Housing Executive, responsible to the Department of the Environment, administers housing.

Internal Organisation of Local Authorities

Local authorities can co-operate or share among themselves the discharge of their functions. They have considerable freedom to make internal arrangements for carrying out their duties. Most use the committee system, whereby policy and principle are decided in full council, and committees administer the various services. Parish and community councils in England and Wales are often able to do their work efficiently in full session although they appoint committees from time to time as necessary. Some councils have policy advisory or co-ordinating committees with powers to originate policy, subject to the approval of the full council. The powers and duties of local authority committees (which may be advisory or executive) are usually laid down in the council's standing orders.

A council may delegate to a committee or an officer any of its functions, except those in connection with raising loans, levying rates (see p 66), or making financial demands on other authorities liable to contribute; these are legally

reserved to the council as a whole. An independent inquiry into the conduct of business in local authorities in Great Britain was completed in June 1986; the Government is considering its proposals.

**Public
Access**

The public (including the press) are admitted to council, committee and sub-committee meetings, and have a right of access to agenda, reports and minutes of meetings and certain background papers. Local authorities may exclude the public from meetings and withhold these papers only in limited circumstances specified by legislation.

**Officers and
Employees**

Nearly 3 million people are employed by local authorities in Great Britain. These include administrative, professional and technical staff, teachers, firemen, those engaged on law and order services, and manual workers. Nearly half of all local government workers are employed in the education service.

Although a few appointments must be made by all the authorities responsible for the functions concerned, councils are individually responsible within national policy requirements for determining the size, composition and deployment of their workforces. In Northern Ireland, each council must by law appoint a clerk of the council as its chief officer.

As a general rule, employees are of three kinds: heads of departments or chief officers; administrative, professional, clerical and technical staff; and manual workers. Senior staff appointments are usually made on the recommendation of the committee or committees particularly concerned; most junior appointments are made by heads of departments, who are also responsible for engaging manual workers. Appointments and engagements always conform to the council's set establishment, and committees are informed of appointments which they have not made themselves.

Pay and conditions of service for local authority staff are generally a matter for each council, although there are scales recommended by national negotiating machinery set up by the local authorities themselves.

Authorities differ in the degree to which they employ staff to carry out certain functions (for example, building work, street cleaning or refuse collection) or use private firms under contract. The Government's policy of promoting value for money is encouraging the use of private firms where there are resultant economies, and legislation is proposed to require authorities to open up further services to competition from the private sector. In the specific case of building and maintenance work, the Local Government, Planning and Land Act 1980 obliges authorities' direct labour organisations to bid for such work in open competition if they wish to undertake it.

**Local
Government
Finance**

In 1985–86 expenditure by local government in the United Kingdom was about £35,300 million, some 26 per cent of total public expenditure. Current expenditure amounted to some £31,300 million, and capital expenditure to about £4,000 million. Education accounts for about 40 per cent of the total. Most of the remainder is spent on law and order, housing and other environmental services, personal social services and transport.

*Current
Expenditure*

Local government current expenditure in England and Wales is financed by a combination of central government grants and local rates (a tax based on property values). A few services such as the police, housing and transport and the urban programme for inner city areas receive specific central government grants towards their cost. However, most central government support for current spending is provided through the rate support grant. This has two elements, domestic rate relief grant, which is paid to rating authorities as a direct subsidy to domestic rates, and block grant. Block grant is a general grant

which is designed to compensate for variations in the needs which local authorities have to provide for and for differences in the resources they may be able to raise in local rates. Each local authority's grant is, therefore, calculated to be sufficient for it to provide a similar level of service to that of other authorities while at the same time charging the same rate level. This system requires an assessment of each authority's need to provide services which takes account of over 60 different factors and characteristics of an authority's area and population.

Within this system, local authorities are free to decide on their overall level of spending and on their priorities between particular services. However, because of the need to control public expenditure, the methods for calculating an authority's entitlement to block grant have been amended in 1986–87 so that, for the majority of authorities, grant entitlement decreases as expenditure increases, thus providing an incentive for expenditure restraint. The previous system of setting expenditure targets for each authority has now been discontinued. The Government has power, subject to parliamentary approval, to fix upper limits on the rates of selected authorities whose spending it considers to be excessive. In 1986–87, 12 English authorities had an upper limit set on their rate levies.

In Scotland, the grant is distributed in three parts: the 'needs' element, designed to give most help to authorities whose spending needs are greatest; the 'resources' element, used to supplement the rate income of authorities whose rateable value per head of population falls below a standard figure, prescribed for each year; and the 'domestic' element, which compensates authorities for loss of rate income from reductions in rate poundage which they are required to give to householders. Local authorities are free to decide on their level of spending, but central government can make selective grant and rate reductions in the case of individual authorities planning excessive and unreasonable expenditure. Current expenditure guidelines are issued and the grant payable to authorities is reduced where the level of expenditure planned by authorities is in excess of the guidelines. The Government has power to set a general limitation on rates.

In Northern Ireland district councils receive central government grants comprising specific grants which assist with the financing of certain functions (for example, the acquisition of open space, and the provision of clean air) and certain capital projects (for example, leisure centres), and a general grant, which is paid by the Department of the Environment for Northern Ireland. The general grant compensates councils for loss of rate income arising from statutory derating of premises; it also contains a resources element which brings the rating resources of poorer councils up to a standard level determined by the Department.

Capital Expenditure

Local government capital expenditure (net of receipts) is financed mainly by borrowing with the remainder coming from grants and other income. The largest share in 1985–86—over 30 per cent in England and 40 per cent in Wales—goes to housing. Each local authority receives from the Government a capital expenditure allocation for the functions for which it is responsible. The allocation may be supplemented to some extent from capital receipts achieved by the authority. With other minor additions, these amounts constitute a ceiling on the authority's permitted capital expenditure for the year. They may normally be used for whatever services the authority wishes within its legal powers.

Rates

Rates are local taxes paid by the occupiers of land and property (with certain exceptions, see below) to meet part of the cost of local services. Each occupier's payment is calculated annually by the rating authority by multiplying the

rateable value of a property (broadly equivalent to its annual rental value) by the rate poundage—an amount per £ of rateable value fixed by the authority according to its projected financial needs. Rateable values are assessed periodically, and there is a system of appeals for disputed assessments. Crown (government) property is not rateable but payments are made, based on values assessed by the Treasury Valuer, in place of rates.

Government grants reduce domestic rates below the levels paid by commercial concerns. Rating relief is available in certain circumstances on premises adapted for the use of the disabled. Agricultural land and buildings (apart from living accommodation) and places of religious worship are exempted from rates. Charities pay half the full rate on premises occupied for charitable purposes and may be given further relief by rating authorities, who can also reduce or remit the rates for a wide range of non-profit-making bodies. In England and Wales a maximum of 50 per cent of the full rate may be levied on empty non-domestic properties, with complete exemption for empty warehouses and industrial property. In enterprise zones, which have been set up in certain areas to foster industrial and commercial regeneration, commercial and industrial properties are exempted from paying rates for ten years.

In Scotland industrial (including freight transport) premises are rated at 60 per cent of net annual value. Most empty properties pay no rates.

Proposals for the reform of local authority finance in Great Britain, which are designed to strengthen local democratic accountability, were announced in January 1986. The main features are a national non-domestic rate, the proceeds of which would be distributed to local authorities in proportion to the number of adults; a phased replacement of domestic rates by a community charge which each authority would set and which would be payable by every resident adult; and a grant system that would compensate for differences in local authorities' needs and would provide additional help by way of a fixed sum per adult. If adopted, the new system would first be introduced in Scotland, beginning in 1989. Its introduction in England and Wales would follow a revaluation of non-domestic rates which is planned to be completed by 1990.

In Northern Ireland all industrial premises are fully derated as are commercial premises in enterprise zones. Certain other properties, such as freight transport and recreational premises, are partially derated.

Loans

Each year, local authorities receive a borrowing approval which enables them to raise loans under their general powers to finance capital expenditure up to the limit given in the approval. In Northern Ireland long-term borrowing by district councils is subject to central approval; in Scotland central approval is given to capital expenditure, not to loans.

Local authorities may raise long-term loans by means of private mortgages, issuing stock upon The Stock Exchange and bonds which may or may not be quoted on The Stock Exchange. Local authorities also have right of access to the Public Works Loan Board, financed by the Exchequer, or, in Northern Ireland, to the Consolidated Fund, for long-term borrowing to finance a proportion of their reckonable capital payments, and may borrow temporarily for a limited proportion of their current outstanding loan debt.

Control of Finance

Local councils normally have a finance committee to keep their financial policy under constant review. They must have their annual accounts audited by independent auditors appointed by the Audit Commission in England and Wales, or by the Commission for Local Authority Accounts in Scotland. In Northern Ireland this role is exercised by a local government audit section appointed by the Department of the Environment for Northern Ireland.

**Local
Governme
Complain
System**

A complaints system for local government in England and Wales involves independent statutory Commissions for Local Administration comprising local commissioners (local government Ombudsmen). The English Commission has three local commissioners and the Welsh, one. In Scotland the statute provides for a single commissioner. All commissioners are responsible in their particular area for investigating citizens' allegations of injustice resulting from maladministration by local authorities. In normal circumstances, the Commissioners can only initiate an investigation at the request of a local councillor.

In Northern Ireland a Commissioner for Complaints deals with complaints alleging injustices suffered as a result of maladministration by district councils and certain other public bodies.

Reading List

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