Parliament Explained 3

Parliament & Government

Parliament is responsible for making the Government accountable for its actions.

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Introduction

The Parliament of the United Kingdom consists of:

- The Queen (our hereditary monarch)
- The House of Lords (approximately 750 unelected Members)
- The House of Commons (646 elected Members of Parliament)

All three combine to carry out the work of Parliament. The Government consists of approximately 100 members of the political party which has the majority of seats in the House of Commons. It proposes policies which determine the running of the country.
What do we mean by Parliament?

Parliament is the highest legislative authority in the UK — the institution responsible for making and repealing all UK law. Often it is assumed that the term Parliament refers solely to the House of Commons, when in fact the authority of Parliament is made up of three constituent parts — the Queen and the Lords as well as the elected Commons. It is true that much of the practical authority of Parliament lies with the House of Commons, as the elected representatives of the people of the UK, but the House of Lords (although unelected) also carries out valuable work on our behalf (for further information on the House of Lords see Parliament Explained booklet No 6).

The work of Parliament

How does Parliament spend its time?

Making laws (legislation)

The Queen, Lords and Commons all have to agree to any new law which is passed (for details of how laws are made see Parliament Explained booklet No 4).

Examining the work of Government

Both the Lords and the Commons examine the work of the Government on behalf of the public. They do this by asking the Government questions, by debate and through committees of inquiry known as Select Committees. Parliament, therefore, challenges the Government and makes it explain its policies.

Controlling finance

Only the House of Commons can give permission for the Government to collect taxes. The House of Commons decides what taxes shall be collected and how the money shall be spent. As Members of Parliament are the people’s representatives, it is only right that they should give their consent before the people have to pay taxes.
Protecting the individual
Parliament safeguards the interests of the public as a whole by examining the work of the Government. Members of Parliament (Members of the House of Commons) also protect the rights of the individual. Each Member of Parliament represents the people of a certain area. The United Kingdom is divided into 646 of these areas, known as constituencies. Anyone who feels he or she has been unfairly treated by central government can complain to his or her local MP, who will do his or her best to investigate the problem and find a solution.

Examining European proposals
When Britain joined the European Union it was agreed that Britain should obey EU laws. Both Houses of Parliament have committees which examine European proposals before they become law. The likely effects of European laws upon Britain are, therefore, known before they are passed. These special committees find out in advance what adjustments will be needed. The UK sometimes has to alter its laws to bring them into line with new European laws. Parliament is then able to prepare for the necessary changes.

Debating current affairs
Both Houses of Parliament hold general debates on matters of national and international importance. These debates can be on any subject, for example education, trade, or our relations with a particular foreign country.

Hearing appeals
The House of Lords is the highest court of appeal in the country. There is no further appeal from the House of Lords and so it serves as a court of last resort for the UK – in effect the supreme court. However, the Constitutional Reform Act 2005 sets up a new supreme court (from October 2009), separating the judicial and legislative functions of the House.
The Government

What is the Government?
The Government is like the management of the country. It makes the important decisions, e.g. about foreign policy, education, or health, but many of these decisions have to be approved by Parliament. However the Government can decide to go to war without consulting Parliament as this is done on behalf of the Monarch. If Parliament thinks that a particular Government policy is against the public interest, then it can force the Government to change its mind. A proposal might then be altered, or perhaps withdrawn altogether. In April 1986 the House of Commons voted against the Government’s Shops Bill. A majority in the House at that time opposed the Government’s plans for Sunday trading.

So what exactly is the Government and how is it different from Parliament? Over 1,000 people are entitled to sit in the two Houses of Parliament, but only about 100 of these belong to the Government. Members of the Government are usually members of either the House of Commons or the House of Lords, to enable Parliament to keep a check on their work by asking questions, debating, etc.

Who chooses the Cabinet?
Members of the Cabinet are chosen by the Prime Minister. As in other modern Cabinets, the majority of the members of Tony Blair’s Cabinet are drawn from the House of Commons. Nevertheless there are always a few members from the House of Lords. At the start of 2006 there were two Peers in Tony Blair’s Cabinet. All the members of Tony Blair’s Cabinet belong to the Labour Party. The Labour Party gained the right to form a Government by winning the general election in May 1997, June 2001, and again in May 2005. Tony Blair, the leader of the Labour Party, became Prime Minister. He then selected a team of ministers to serve in his Government. Previously, the Conservative Party had formed the Government because it won the general elections of 1979, 1983, 1987 and 1992. Margaret Thatcher made many changes to her Government team during her time as Prime Minister. John Major succeeded Margaret Thatcher as leader of the Conservative Party and as Prime Minister in November 1990. One of his first tasks was to reorganise the Cabinet and he made several changes during his time in Government. His first Cabinet to be selected after the Conservative Party’s fourth consecutive general election victory in April 1992 included, for the first time since 1979, two women MPs as Cabinet ministers. (Tony Blair’s first Cabinet included five women Members, and that chosen in May 2005 includes six).

Since the Second World War, all Governments have been formed either by the Labour Party or the Conservative Party. Members of the same party are more likely to agree on a programme of policies. Having won the election, they will also have the support of the majority of MPs in the House of Commons. This will enable them to put their policies into practice.

What is the Cabinet?
The most senior members of the Government are known as the Cabinet.

General elections with winning parties and leaders.
Which positions are included in the Cabinet?

The Prime Minister decides which positions will be included in his or her Cabinet. Heads of Government Departments will usually all be Cabinet ministers. A Cabinet must be large enough to include senior ministers whilst small enough to allow for constructive discussion. There is no limit on the size of the Cabinet but the number of salaried Secretaries of State is limited to 21 by the 1975 Ministerial and Other Salaries Act. The Cabinet chosen by Tony Blair in May 2005 consisted of:

- Prime Minister, First Lord of The Treasury and Minister for The Civil Service
- Deputy Prime Minister and First Secretary of State
- Chancellor of The Exchequer
- Leader of The House of Commons and Lord Privy Seal
- Secretary of State for Constitutional Affairs and Lord Chancellor
- Secretary of State for Foreign and Commonwealth Affairs
- Secretary of State for The Home Department
- Secretary of State for The Environment, Food and Rural Affairs
- Secretary of State for International Development
- Secretary of State for Work and Pensions
- Secretary of State for Transport, and Secretary of State for Scotland
- Secretary of State for Health
- Secretary of State for Northern Ireland and for Wales
- Secretary of State for Defence
- Chief Secretary to The Treasury
- Leader of the House of Lords and Lord President of the Council
- Secretary of State for Trade and Industry
- Secretary of State for Education and Skills
- Secretary of State for Culture, Media and Sport
- Parliamentary Secretary to The Treasury (Chief Whip)
- Minister Without Portfolio and Party Chair
- Minister of Communities and Local Government

When and where does the Cabinet meet?

Cabinet meetings are usually held on a Thursday morning in the Cabinet room at 10 Downing Street. The Prime Minister can summon the Cabinet to meet at any time and meetings will be more frequent when the political situation requires.
Can Governments include members of more than one party?

Before 1945 there were several Governments whose members were drawn from a variety of different parties. This is known as coalition government. Coalitions have, in the past, usually been formed in times of national crisis, for example during war time, in periods of economic difficulty or if no party has a majority. Party differences were laid aside while the crisis lasted and the parties agreed on a programme which could be supported by as many MPs as possible.

What are Government Departments?

Most of the ministers of the Cabinet are heads of Government Departments. Governing in the 21st century is a very complicated business. The work of Government is, therefore, divided among Departments which each specialise in a particular subject, e.g. defence, education, trade and industry. The number and responsibilities of Government Departments can be changed by the Prime Minister according to the needs of the country. The Department of National Heritage was created by John Major after his election in April 1992 and in July 1997 was re-named the Department of Culture, Media and Sport by Tony Blair when he became Prime Minister following the May 1997 election. Following the general election in June 2001 the Prime Minister, Tony Blair, made a number of changes to Government Departments including disbanding the Ministry of Agriculture, Fisheries and Food and setting up the Department of the Environment, Food and Rural Affairs (environmental matters had previously been dealt with by the Department of the Environment, Transport and the Regions). The Department for Education and Employment was re-named the Department for Education and Skills and the Department for Social Security became the Department for Work and Pensions.

The minister in charge of a Department is usually of Cabinet rank. He or she may have been chosen for his or her special interest in, or knowledge of, the subjects handled by the Department and will make all the important decisions affecting the Department. He or she is usually assisted by one or more junior ministers who are not in the Cabinet. These non-Cabinet ministers have a variety of titles. Some of the more senior are known as Ministers of State, others are called Parliamentary Under-Secretaries of State or Parliamentary Secretaries. The majority of members of the Government belong to the House of Commons, but major Departments often have at least one minister who is a member of the House of Lords. He or she will then be able to answer any Questions which are asked and speak on behalf of his or her Department in the House of Lords. Within each Department, the ministers each specialise in different aspects of the Department’s work. The five ministers in the Department for Environment, Food and Rural Affairs share out their work as follows:

HM Treasury, one of the Government Departments situated in Whitehall.
Biofuels

Mr. Letwin (West Dorset): To ask the Secretary of State for Environment, Food and Rural Affairs what proportion of arisings from forestry waste were used as biomass fuel in 2004–05.

The Secretary of State for Environment, Food and Rural Affairs (Margaret Beckett): Information on the removal of tree tops and branch wood for use as fuel following conventional timber harvesting operations is not routinely collected. However, the Forestry Commission estimates that less than 2,000 tonnes of this material, from a possible 500,000 tonnes, was removed from woodland and used as fuel in England last year.

Climate Change

Peter Law (Blaenau Gwent): To ask the Secretary of State for Environment, Food and Rural Affairs what her assessment is of the most cost-effective way to mitigate the projected climate change set out in the document Avoiding Dangerous Climate Change, published by her Department on 30 January.

The Minister of State (Climate Change and the Environment) (Mr. Elliot Morley): The most effective way to mitigate the effects of climate change described in Avoiding Dangerous Climate Change is by a response as broadly based as possible. This needs to involve adaptation as well as emissions reduction. Emissions reduction should address all anthropogenic greenhouse gases and all economic sectors, including reduction of emissions from deforestation, and there should be enhancement of the uptake and storage of carbon by forests and soils. It will be most cost effective if action to limit and reduce emissions extends to the greatest possible number of countries, consistent with the principle of common but differentiated responsibility set out in the United Nations Framework Convention on Climate Change and the Kyoto Protocol. The framework provided by the Convention and the Protocol will facilitate function of market mechanisms which promote cost effectiveness.

Recycling

Keith Vaz (Leicester East): To ask the Secretary of State for Environment, Food and Rural Affairs what her Department’s targets are for recycling of waste for each of the next five years.

The Parliamentary Under-Secretary of State for Environment Food and Rural Affairs (Local Environment, Marine and Animal Welfare) (Mr Ben Bradshaw): All Defra sites monitor the amount of waste generated and the amounts recycled, by waste stream. An annual target of at least 1 per cent. reduction in waste generated is incorporated in site-based Environmental Management Systems. Defra is working to increase recycling rates by at least 5 per cent. each year with the aim of reaching a 75 per cent. recycling/composting rate overall.

Department for Environment, Food and Rural Affairs

1. Secretary of State
   (Cabinet Minister, Head of Department, sits in the House of Commons)
   Has overall responsibility for the work of the Department.
   Normally represents the UK at the European Union Agricultural Council.

2. Minister of State (Climate Change and the Environment)
   (Non-Cabinet Minister, sits in the House of Commons)
   Responsibilities include sustainable development, climate change, water issues, flood and costal defence and energy efficiency.

3. Parliamentary Under-Secretary of State (Junior Ministers)
   • Parliamentary Under-Secretary of State (Local Environment, Marine and Animal Welfare)(Commons)
     Responsibilities include air quality and noise, animal health and welfare, fisheries and local environment quality.
   • Parliamentary Under-Secretary of State (Rural Affairs, Landscape and Biodiversity)(Commons)
     Responsibilities include forestry issues, Inland and British Waterways, natural resource protection and horse issues.
   • Parliamentary Under-Secretary of State (Sustainable Farming and Food)(Lords).
     Responsibilities include pesticides, food industry, organics, nano-technology and horticulture.

The Department for Environment, Food and Rural Affairs has three non-Cabinet ministers in the House of Commons, who, together with the Secretary of State, will all answer Questions on their areas of responsibility during the Department’s Question Time which will take place once every four weeks. The Junior Minister in the Lords will take responsibility for all of his Department’s issues whenever they arrive in the House of Lords.

What happens when there is a change in Government?

During the last 35 years there have been ten general elections. Four of these resulted in a change of Government:

1970
Conservatives took over from Labour

1974 (February)
Labour took over from Conservatives

1979
Conservatives took over from Labour

1997
Labour took over from Conservatives

On each of these occasions the ministers in each Department changed. Ministers of the winning party took over from those of the losing party. The two main parties often have very different ideas — for example, about education, housing and industry.

How do Departments function when Governments change?

In order to maintain continuity within the Departments, each Department is staffed by permanent officials, known as civil servants. Civil servants are politically neutral and serve each Government, regardless of which party is in power. Some ministers stay in a post for only a short time before moving elsewhere. Civil servants, on the other hand, may spend many years in one Department, and they therefore have the time to become experts in the work of their Department. In fact, they may know far more about it than the minister does, although they will look to him or her for political direction.
How do civil servants help Ministers?

Ministers have to rely on civil servants for advice and information. When, for example, a minister is required to answer Questions in the House on the work of his or her Department, he or she will rely heavily on the information supplied by the Department’s civil servants.

The extracts on page 7 from Question Time in the House of Commons show the type of questions which might be directed at the Secretary of State for the Environment, Food and Rural Affairs and his/her junior ministers, and the sort of answer which they would supply.

What else do civil servants do?

Only a small proportion of civil servants are involved in research work. Many civil servants have professional and technical skills. They may be scientists, computer experts or librarians. Others staff offices throughout the country and run services such as the benefits system. Nowadays, many work in agencies at one step removed from, but still under the control of, the main Department. The Civil Service employs people with a wide range of skills because it is not only concerned with offering advice and information to ministers. A minister also relies on the Civil Service to carry out his or her instructions.

As these instructions will involve a variety of tasks, you can see why a variety of skills and abilities are required in order to carry them out. This diagram illustrates the relationship between a minister and his civil servants.

What is the relationship between Parliament and the Government?

It has already been seen how Members of both Houses can challenge the Government in committees, in debates and by questioning it about its work. Parliament has to ensure that the Government is working properly and that its decisions are in the public interest. Every Member, no matter what party he or she belongs to, has the duty of examining the work of the Government, but it is the Opposition which plays the leading part in this.

Who are the Opposition?

The Opposition consists of all those parties which, as a result of the last general election, are not part of the Government. It is made up of the Official Opposition (the Opposition party with the largest number of members) and a number of smaller parties.
Where do the Government and Opposition sit in both Houses of Parliament?

In both Chambers the two sides, Government and Opposition, sit facing one another. If, for example, you were to sit in the Public Gallery of the House of Commons, you would see the Government sitting to the left of the Table. The Opposition parties would be seated on the right.

In each chamber, Government ministers sit on the front bench on the Government side. They are therefore known as Government front-benchers. Members of either House who belong to the same party as the Government but who do not hold a Government post are known as Government back-benchers. The Official Opposition is divided in the same way. On the Opposition front bench sit the Official Opposition spokespeople, e.g. on education, health or defence. Each of these spokespeople concentrates on studying the work of a particular Government Department. The senior spokespeople from the Official Opposition are often referred to as the ‘Shadow Cabinet’ because they shadow the work of the Government. By keeping themselves up to date in their own subject areas both they and the spokespeople from the other Opposition parties are able to mount challenges to the Government, criticising its policies and questioning the wisdom of ministers’ decisions. Opposition spokespeople must keep themselves properly informed, not only to enable them to challenge the Government but also because one day, after an election, they might become Government ministers themselves.
What role does the Opposition play?

The Opposition can challenge the Government, during Question Time, in committee and by debate. In addition the Opposition may oppose the Government’s attempts to make new laws. When a Government comes to power, it usually plans to make certain changes, particularly if it has just taken over from another party. Many of these changes will be brought about through the passing of new laws and the Opposition will usually put forward arguments against these. Most MPs tend to be loyal to their own party. After all, they would not belong to a party if they did not agree with what it stood for. Nevertheless all MPs are technically free to vote as they wish. Perhaps an MP from the governing party will agree with what the Opposition have said on a certain matter. After all an MP may agree with the broad outline of Government policy while disagreeing with some of the details. If he or she feels that a Government proposal is not in the public interest, he or she can vote with the Opposition, or not vote at all. The strength of the Opposition in Parliament helps to protect the public.

Who has power: Parliament or Government?

If a Government performed particularly badly, its own supporters might desert it. If it lost a Vote of Confidence in the House of Commons, the Government would then call a general election which it might lose, as happened to the Labour Government in 1979. Parliament is the supreme authority and can therefore play an important part in bringing down a Government. The power of Parliament could also be used to check a Government which tried to dictate to the people — in other words, a Government which had become too powerful. Because of this tradition of a strong Parliament it would be much harder for a dictator to take over in Britain, than in certain other countries.

Let us finish by reviewing the ways in which Parliament can limit the power of Government:

- By voting against its proposed laws
- By restricting the funds which the Government has to spend
- By asking Questions which test the Government
- By challenging the Government in debates
- By examining Government work in committees

In the end, therefore, the power of the Government depends on the support of the House of Commons which, in turn, depends on the support of the electorate.

Find Out More

Archives
Archives from 1497, including original Acts of Parliament, are kept in The Parliamentary Archives which is open to the public. Contact: 020 7219 3074. E-mail: archives@parliament.uk

Hansard
The day’s proceedings are printed in the Official Report, (separate volumes are produced for the Commons and Lords) referred to as Hansard after its original printer. It is also available at www.parliament.uk by 8.00 the following morning, or an unedited version is available approximately three hours behind real time.

Television
The televising of Parliament was pioneered by the House of Lords in 1985, followed by the House of Commons in 1989. The proceedings of both Houses can be seen on the BBC’s parliamentary channel when the House is sitting.

Website
Go to www.parliament.uk for general information on the role and function of both Houses, or details of membership, future business, legislation and Select Committee activity. It is also possible to view a live webcast of House proceedings at the same address.

A website for young people can be found at www.explore.parliament.uk

Education enquiries
Applications for Gallery tickets or educational visits and resources can be obtained from:

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Image from a live television broadcast of the Opposition front bench in the House of Commons.