

Citizens' Assembly on Democracy in the UK:

Briefing Paper on Draft Resolutions and Recommendations

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d. When Parliament should sit

Possible recommendation	How it currently works	Commentary
1L A petition signed by half of the elected	At present the House of Commons can only	
Members of Parliament should be able to	be recalled from recess by a decision of the	
demand that Parliament is recalled from	government. Other MPs have no formal	
recess to debate important decisions.		

2. The Role of the Public

Possible recommendation	How it currently works	Commentary
2C. To make democracy in the UK the best it can be, the public needs to take	The BBC and other broadcasters have to provide impartial coverage of politics. But	Basic information on political processes,
responsibility for ensuring that they educate themselves to make an informed choice when they cast their vote, but to support this they need to be able to easily access dear, unbiased information about the political process, political parties and individual candidates.	basic information such as that described in the draft recommendation can be difficult to find.	difficult to provide.
2D. We need a strong, independent media, supported by enhanced regulation, to ensure the fair and balanced reporting of political issues and increased public access to reliable fact checking services.	The UK has a strong independent media sector. Broadcasters must report impartially, while print and online publications can express strong views. Regulation of the print and online media is often seen as quite weak.	This statement is fairly uncontentious, though how to make it work in practice would raise some big questions that the

2E To allow for effective public parti()-he

Possible recommendation	How it currently works	Commentary
2G. Ministers need to be knowledgeable in the field they are appointed to so that the public can be confident that the decisions they are recommending are responsible and evidence-based.	The Prime Minister will consider many factors when deciding on ministerial appointments. These could include expertise, as well as skills, and whether	It could be hard to come up with a formal knowledge test. So this might be an informal expectation instead.
2H. The people elected to represent the public in Parliament need to be more diverse and more closely represent the make-up of the UK population so that people can recognise themselves and their interests	priorities. At present, 66% of MPs are men and 34% are	

within the representative system.

3. The role of Petitions

Possible r	recommendation	How it currently works	Commentary
3C. The p	owers of the Petition system should		

4. The role of referendums

Proposed resolution: We believe that referendums are an important tool for direct democracy that can add to a good democracy in the UKby handing important decisions back to the people.

Possible recommendation	How it currently works	Commentary
4A. Referendums should be used sparingly and predominantly for constitutional issues of significant national (or regional) importance.	This basically describes how referendums are used in the UK at the moment.	Many people would agree that the strongest case for holding a referendum is on constitutional issues because decisions on the structure of government should not be made just by people who work in government.
		Other people think some other issues could also be suitable for referendums, such as moral questions.
4B. In order to generate the trust needed for genuine, free and authentic conversations, involvement and outcomes, when a referendum is called there should be an impartial, non-political body (like the Bectoral Commission) that is responsible for providing the public with clear, unbiased, factual information that they can use to	No body has this role at present, though the BBC and other broadcasters must provide impartial coverage.	Impartial information is provided and widely valued in referendum processes in some other countries, including Ireland, Switzerland, New Zealand, and parts of the United States. Sometimes information just sets out basic facts. In other cases it presents expert analysis of the effects of different options, or the findings of
understand the issues involved.		assemblies.

Possible recommendation

4C. Referendums should be used more frequently to hand power to the public, but should be restricted to clearly defined choices where the consequences of implementation can be accurately set out in advance - they need to unite people rather than divide them.

How it currently works

Commentary

For some referendums in the UK (e.g., devolution to Scotland, Wales, and Northern Ireland in 199747998 14.64 ref*

5. The role of deliberative processes (e.g. citizens' assemblies)

Proposed resolution: We believe that deliberative processes like c parliaments throughout the UK to understand the views of the public.

assemblies should be used more often by governments and

Possible recommendation	How it currently works	Commentary
5A. The results of deliberative processes like	nd	Few people would argue against this if a
Government or Parliament need to have an impact. When they are convened, there should be a guarantee that their results will be made public, their recommendations will receive a detailed response from the convening body, and they will be debated in Parliament.	elsewhere have had such a position. Those set up by the UK parliament have not yet had such guarantees.	assembly, most people would say it should take the , even if it has the right to reject them.
5B. Deliberative processes should be used on divisive issues that are really important to people, either locally or nationally, and widely publicised and scrutinised so that they become trusted by the public and politicians.	At the moment, there are no standard assemblies are called.	There would be little point in holding as assembly on in issue if everyone agrees what should happen. But if an issue is very divisive and many people have already made up their minds, members might not be willing to listen and learn. Assemblies might be best on difficult issues where the political parties and

Possible recommendation	How it currently works	Commentary
5C. The results of a deliberative process like		

decision makers but should not be binding, as that would be undemocratic since the members are not elected.

7. The role of the courts

Proposed resolution: We believe that there is an important role for the courts to play in limiting the laws that can be passed by government when they are seen to challenge basic rights and core democratic principles.

Possible recommendation	How it currently works	Commentary
7A. Courts should be able to overturn	If the government is challenged in court	This statement would strengthen the role of the
laws that are judged as violating	about a law on the basis that it breaches	courts on human rights, allowing them to overturn
legally recognised human rights.	the Human Rights Act, the court can rule	laws (in this limited case only). Some people would
Otherwise they should not have the		support this. Others would argue that it breaches
power to override the sovereignty of	cannot overturn it. The question then	the sovereignty of parliament by putting the courts
parliament.	returns to parliament to consider.	above MPs.
7B. The basic features of our	Individual rights to participate have some	Many countries that have written constitutions
democracy that protect the public s	additional protection under the Human	setting out basic features of democracy. These
constitutional rights to participate and	Rights Act (see 7A). Other features of	constitutions are often harder to change e.g.
be represented should be hard for any	democracy are not protected in the same	
government or parliament to change,	way. Under the principle of parliamentary	a referendum. There would need to be careful
and courts should be able to overturn,	sovereignty, parliament can normally make	thought about which questions this would apply to,
or require modifications to, laws that	or unmake any law. In general, if parliament	and also what extra process would be useful. The
challenge basic democratic rights.	agrees a change it will happen. Though	words after the comma on the role of the courts
	some constitutional changes are put to a	(which is already captured in other statements)
	referendum, this is not formally required.	might be replaced with consideration of this.