I have been fortunate enough to be invited to provide evidence to committees in both Houses of the UK Parliament and to the Scottish Parliament, mainly in my professional capacity as an economist, and as a member of various government advisory groups. My comments here are given purely in a personal capacity.

I believe the committee system is one of the great strengths of our Parliamentary system; yet the work of committees is not given wide publicity or fully appreciated. There are exceptions to this lack of public profile. I contributed to the deliberations of the Commons Treasury Committee in the aftermath of the financial crash where its role and influence was very evident and closely followed by the press and broadcasters. The Commons Public Accounts Committee regularly receives wide coverage given the nature of its reports, and the Commons Culture, Media and Sport Committee is currently receiving a lot of publicity over its enquiry into the use of digital media in connection with elections. But most of the outstanding work of committees goes on under the radar so far as the general public is concerned and, while some of the responsibility for this may rest with the media, it is not easy to see how this might be changed.

Comparing and contrasting Westminster and the Scottish Parliament, I believe that it is a strength of the Scottish Parliament that its committees combine scrutiny and legislative roles, something which is kept separate in the Commons. All bills going through the Scottish Parliament are sent to the relevant subject or standing committee rather than to a specially created Bill Committee, which means the Committee has engagement from the pre-legislative enquiry stage right through to detailed consideration of the content of the Bill. Members of the Committee are closely involved and the Committee itself can significantly shape legislation, as was seen for example in the passage of the Climate Change Bill (Scotland) 2009.

Both in the Scottish Parliament and in the Commons, committees are however limited by remits that match the distribution of functions between government departments/Ministers. Their role tends primarily to focus on scrutiny and holding Ministers to account rather than forward thinking. Especially in the context of the consequences of Brexit, which will be profound, I wonder whether the present enquiry might be willing to consider whether the House of Lords might develop its committee arrangements beyond its traditional ‘revising chamber’ role and consider a more pro-active approach, drawing on the undoubted experience and
expertise of its members but also on external expertise, particularly from the research community in new ways.

There is a gap at present between formal committees of enquiry, rarely used because of the expense involved and the formality of the proceedings, appropriate to a quasi-judicial retrospective examination of a controversial action of government (e.g. the Chilcott enquiry) or a very complex and technical matter (such as human embryo fertilisation) and Parliamentary enquiries which, as suggested earlier, inevitably focus on the actions of government. In the context of Brexit, which will have effects right across the spectrum, affecting the capacity of government to deliver properly thought through legislation, it would be prudent for all levels of the legislature, including the Lords, to consider how it might best contribute to forward thinking, rather than being merely reactive.

Consideration could be given to deploying the expertise in the Lords in combination with research expertise in our Universities, Research Institutes and elsewhere to engage with the major challenges that the country will face in orientating itself to a post-Brexit world. There will be work to do that goes beyond the scope of a Parliament enquiry as previously conceived but which falls short of a committee of enquiry. There is a danger that the legislature is overwhelmed by the volume of legal changes required and equally a danger, especially for a revising chamber, that it is reactive rather than pro-active. My first suggestion is that the Lords give consideration to creating committees that concentrate on future challenges broadly conceived, rather than reflecting departmental structures. Our economic prospects are tied up with trade arrangements which in turn link to e.g. how we support investment in science and technology. Some separation of activity is necessary to divide up functions but should this correspond to the architecture of government or might there be better ways to contribute to strategic thinking? I don’t have a particular map in mind for how this might best be achieved. That depends on the interests of the members of the House and how its sees its role develop. My view is that the circumstances we face are such that more sustained engagement with future thinking is required and that involves moving outside the silos that government administrative structures impose.

My second suggestion is equally radical. Senior academics, including myself, are invited to participate in deliberations by committees of Parliament either as advisors or witnesses to enquiries. Hopefully I and my colleagues provide useful information to committees but I would question whether the current arrangements make best use of the expertise in our research intensive universities, such as the Russell Group
Universities whose Board I currently chair. In the new circumstances that we now face post Brexit, I wonder whether there might be opportunities, especially if my first suggestion is taken up, for a more sustained engagement to take place with the sector that for example involves the identification of active researchers at an early- or mid-career stage whose expertise might play a useful role in assisting enquiries and who might gain significantly in their own learning by being involved in such a process. This would need to be carefully managed so that outcomes and expectations were aligned, but I can see value in taking an initiative forward. I think this could benefit both the universities and the Parliament and help build capacity within the system. So far as using the expertise of more senior people is concerned, might this be explored in some more detail? There is a lot of good practice in the way in which current House of Lords Committees use their advisors but, especially if there was a wish to develop a forward looking agenda, it might make sense to link this with some of the knowledge exchange activities of universities so that these can be combined to best advantage.

Professor Sir Anton Muscatelli

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