

## Contribution from anonymous

Dear commission team

Please find below my responses to two of your questions on legislation and the use of technology.

### **Could technology improve the access to and usability of both legislation and the law-making process for the citizen, representatives and professionals (such as lawyers), and if so do you have any suggestions?**

The UK has a proud history of constitutional reform and promoting the establishment of modern forms of democracy. The list of achievements is awe inspiring; the Magna Carta in 1215, the first English Parliament in 1265, establishing the right to vote in 1430, the "Bill of Rights" in 1685, the Great Reform Act in 1832, the People's Charter 1838, the Second Reform Act in 1867, the Third Reform Act in 1884, the Representation of the People Act in 1918, the Equal Franchise Right in 1928 and most recently the setting up of "devolved" Parliaments for Northern Ireland, Scotland and Wales in 1998. The UK should continue to explore new areas of constitutional development and seek to be a world beacon of democratic excellence.

However, constitutional reform seems to be stagnating at a time when it might realistically be expected to accelerate. The recent slow pace of constitutional creativity is surprising considering that the technology explosion in the late 20<sup>th</sup> Century has infinitely improved all other aspects of modern life. Technology should be an enabler to modernise representative democracy and bring politics into alignment with modern expectations and demands. However, it is clear that many of our elected representatives view technology with suspicion and this may be the main reason for uninspiring levels of technology uptake in our parliamentary processes.

Technology is the tool that could extend the franchise from the insignificance of an individual vote to the power of real participation and review. Technology can be part of the natural maturing of democracy that inevitably subjects our politicians to greater scrutiny and improves the quality of our political representation. Technology should not be seen as the harbinger of direct democracy with the inevitable policy anarchy that would follow. Politicians should not fear technology, it is clear that our elected political representatives remain an important factor in a stable democracy. Radical use of technology, employed in tandem with our existing legislative processes can be viewed as a force for improvement and better policymaking.

### **Suggestion for change:**

The voting public should be given a unique, electronic electoral PIN and encouraged to participate in the democratic process through government hosted, internet voting on all legislative bills and amendments proposed by the two current legislative chambers. Traditional methods of voting at general and local elections and national referenda should not change and we should continue to elect constituency representatives. The primacy of the House of Commons and representative politics should be retained and therefore the public vote on individual bills should only be used to provide political analysis and an insight into the prevailing public view which in turn will be incredibly helpful to legislators and the quality of legislation.

A new virtual House should be set up called “the House of Electors” which will examine and vote on Bills and amendments from the House of Commons and House of Lords. It will not create binding amendments and the decisions of the House of Electors will be purely informative. The ability of the House of Electors to collectively raise ideas and suggestions should be investigated further. For example, contributors to the House of Electors could raise internal petitions within the house for amendments and those proposals with the highest votes could be put forward to the Commons or Lords for consideration.

This change would mean that the UK would be effectively adopting a radical new form of UK democracy .... a 'Tricameral Legislature'. The three-way legislative process would bring new life to the electorate. An House of Electors sitting alongside the two existing legislative chambers will directly and efficiently engage the public on new policies and legislation. The new chamber will provide a sounding board for policymakers which could influence policy choices in the Commons or the Lords. The process of engagement for the new House of Electors with the other houses should be the subject of further study to ensure that the parliamentary process and the passage of bills is as streamlined as possible.

The use of a unique personal identifiers can substantially minimise the risk of voting fraud. Clearly if on-line banking has developed to the extent that it is possible to protect an individual's money then there is no valid argument that says that a vote cannot be protected as well as an individual's bank account. In addition, the non-binding nature of the output of the House of Electors means that attempts to manipulate votes e.g. by organised minority groups can be ignored by the primary legislative chambers, the Commons and the Lords. Unusual voting patterns can be easily picked up and eliminated by the incorporation of monitoring tools and technical analysis.

Professional politicians may be uncomfortable with ceding this level of scrutiny to the electorate but that should be viewed as a good thing. Examination by the vast pool of expert knowledge within the populace will put an onus on politicians to be more circumspect in their approach and civil servants are likely to be more careful in preparing their policy impact assessments. By providing the means to become more directly engaged, the collective knowledge of interested electors will improve the quality and longevity of new acts of legislation and at the same time provide the scrutiny that will raise the standards of our political representation.

**Should technology be used to integrate citizens' views better into the legislative process? At what stage of the legislative process would this work best? How could the Public Reading Stage be improved?**

The public are often accused of not being interested in voting or the political system but very little has been done to encourage or enable participation. Voting is seen by the public to have very little value when there are few obvious distinctions between politicians and policies across the main political parties. In fact, the public has grown cynical of the political classes which are increasingly drawn from an ever decreasing talent pool.

Party membership is dwindling and is increasingly filled with political careerists rather than world wise practical talent. Political nepotism remains rife in parliament and the reliance on

networks rather than the use of talent to achieve political greatness is of great concern to the close observer.

The political classes have of course always been resistant to change, why would they change something that has served them so admirably to this point? One tactic frequently employed by the political establishment is to dismiss reform of the constitution as something that has no interest to the electorate. This may be true, but are any politicians making a real effort to explain to the public the importance of maintaining a strong constitution?

A healthy political system is one that needs continual updating to prevent it becoming vulnerable to 'engineering' by organised groups and political parties. Stagnation in a two party system inevitably leads to a form of 'buggins' turn with two political parties viewing government as a rotating entitlement to political power rather than an instrument of public service. Inevitably, in such a system, the need of the party is put before the needs of the people. The political world in Westminster is becoming an entrenched and resistant cartel devoid of competition leaving no real choice for the voter at the ballot box. It is not really a surprise that voting and political engagement is on the decline.

Vested power and tired political systems lead to the promotion of less able politicians, poorer decision making and in worst cases greed and corruption. When politicians are not properly scrutinised and their performance not adequately assessed, the general ability of the political class is allowed to decline. A healthy democracy and public scrutiny should be placed higher than any other priority in society. Simply put, a poor political system lacking appropriate scrutiny and balance will allow less able politicians the opportunity to make poor decisions on important matters such as jobs, health and education.

Given the opportunity and a degree of encouragement, the public will fully embrace new routes to engage in the political system – but only if the changes are seen to bring genuine new influence. Technology is the vehicle to reinvigorate this new engagement if change is fully embraced and is sufficiently radical to be of lasting impact. Wider scrutiny of legislation by the people, enabled by the use of electronic technology and the creation of a new virtual legislation chamber can be the catalyst for policy improvement. By replacing the superficiality of the current Public Reading Stage, the House of Electors could serve as a dramatic advancement for UK democracy and demonstrate that the UK can be world leaders in constitutional reform again.

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