

## Media Release

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**Contact:**

Sandra Homewood, Bingham Centre Administrator

E: [s.homewood@binghamcentre.biicl.org](mailto:s.homewood@binghamcentre.biicl.org) T: +44 (0)20 7862 5154

### United Kingdom is at a constitutional crossroads, says Bingham Centre, which makes a number of proposals including a Charter of the Union.

The UK is at a constitutional crossroads and needs major changes to work effectively, according to a report published today by the Bingham Centre for the Rule of Law following a major review of devolution in the UK by a distinguished and independent Commission. The piecemeal development of devolution means that the overall constitutional fabric of the UK has been weakened. The process should start with a new Charter of the Union to provide the framework for a fair and durable settlement between the four nations of the Union.

Professor Sir Jeffrey Jowell QC, Director of the Bingham Centre and Chair of the Commission said:

‘urgent action is needed to make our piecemeal devolution arrangements stable, coherent and workable’.

The report sets out a number of key steps forward for a new constitutional settlement:

- A new **‘Charter of the Union’** which will set out key principles that already underpin the devolved constitution to be interpreted in the light of the specific devolution Acts, proclaiming key values such as respect for democracy, the rule of law, subsidiarity and autonomy, as well as shared defence and social solidarity.
- **Reform of financial arrangements** – The working of the block grant, reductions made from it for devolved taxes, and its amount fails to deliver UK-wide equity. Devolved and UK Government finances need to be disentangled from each other. This will mean an end to the current Barnett formula.
- The **careful introduction of English votes for English laws’**. This should only apply to bills or provisions which have a ‘distinct and separate’ effect for England, and there are fewer of those than

many think.

- **Devolution within England** is also important, and needs to develop in a more transparent and systematic way.
- **Reform to the architecture of the Union state, including** much clearer arrangements for intergovernmental relations (now based on informal processes); the holding of referendums, and reform of the House of Lords. There should be a single 'Secretary of State for the Union' rather than separate ministers responsible for different parts of the devolution arrangements.

The report also warns of a potential constitutional clash between the Westminster government and the Scottish Parliament about plans to replace the Human Rights Act with a UK Bill of Rights. The report says a refusal by the Scottish Parliament to pass a motion of consent could foreshadow different human rights regimes in different parts of the UK.

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**ENDS**

**FOR MORE INFORMATION PLEASE CONTACT:**

Sandra Homewood, Bingham Centre Administrator

E: [s.homewood@binghamcentre.biicl.org](mailto:s.homewood@binghamcentre.biicl.org) T: +44 (0)20 7862 5154

**NOTES TO EDITORS:**

1. The report will be launched on 20 May 2015, at Middle Temple Hall at 18:00 hours. Please contact the Centre Administrator, Sandra Homewood on [s.homewood@binghamcentre.biicl.org](mailto:s.homewood@binghamcentre.biicl.org) if you wish to attend.
2. Professor Sir Jeffrey Jowell QC, Chair of the Commission can be contacted on [jowell.binghamcentre@biicl.org](mailto:jowell.binghamcentre@biicl.org)  
Tel: 020 7862 5166
3. Members of the Review Commission are:
  - Professor Sir Jeffrey Jowell KCMG QC Director of the Bingham Centre for the Rule of Law (Chair)
  - Professor Linda Colley, Shelby M. C. Davis 1958 Professor of History at Princeton University
  - Gerald Holtham, Managing Partner at Cadwyn Capital LLP. Cardiff Business School
  - Professor John Kay, Visiting Fellow, Nuffield College, Oxford
  - Sir Maurice Kay, Former Vice President of the Civil Division of the Court of Appeal
  - Professor Monica McWilliams, Professor, Transitional Justice Institute, University of Ulster
  - Professor Emerita Elizabeth Meehan, Professor at the School of Politics and International Relations at University College, Dublin
  - Philip Stephens, Chief political commentator, Financial Times
  - Professor Adam Tomkins, Professor of Public Law at the University of Glasgow (Rapporteur)

- Professor Tony Travers, Director of British Government at the London School of Economics
  - Alan Trench, Devolution expert, author of 'Devolution Matters' blog (Advisor)
4. **Full details of the review, including its remit and biographies of its members, are on its website at:**  
[www.biicl.org/bingham-centre/devolution](http://www.biicl.org/bingham-centre/devolution)
  5. **Embargoed advance copies of the Report:** contact Claudia Mansaray (Marketing Manager) [c.mansaray@biicl.org](mailto:c.mansaray@biicl.org) or Sandra Homewood (Bingham Centre Administrator) [s.homewood@binghamcentre.biicl.org](mailto:s.homewood@binghamcentre.biicl.org)
  6. The Bingham Centre was launched in December 2010 to honour the work and career of Lord Bingham of Cornhill, a great judge and passionate advocate of the rule of law. It is the only international centre of excellence solely dedicated to the study, promotion and enhancement of the rule of law worldwide. It does this by defining the rule of law as a universal and practical concept; highlighting threats to the rule of law; promoting high quality studies and training, and supporting capacity-building on the rule of law which enhances economic development and political stability.