

Ministers Reflect Baroness Stowell



14 September 2017

Biographical details

Parliamentary history

2011–present: Conservative Member of the House of Lords

Government career

2014–16: Leader of the House of Lords and Lord Privy Seal

2013–14: Parliamentary Under-Secretary (Department for Communities and Local Government)

2012–13: Lords Spokesman (Women and Equalities; Department for Work and Pensions)

2011–13: Baroness in Waiting (HM Household) (Conservative Deputy Chief Whip)

Baroness Tina Stowell was interviewed by Daniel Thornton and Tess Kidney Bishop on 14 September 2017 for the Institute for Government's Ministers Reflect project.

Baroness Stowell reflects on the important and misunderstood role of Parliament, the tricky business of being a Lords minister and how the civil service has changed over 30 years. Her advice to new ministers: take the Lords seriously and accept that sometimes you have to lose.

Daniel Thornton (DT): Perhaps we could start by talking about your first day as a minister, what happened and how it came about.

Baroness Stowell (BS): My first job was as a government whip. I think it's important actually to start with that because I don't think it's properly understood, certainly not within Whitehall, the difference between a Lords whip and a Commons whip.

To become a government whip in the House of Lords is a very different responsibility to becoming a government whip in the House of Commons. In the Commons you have a flock that you shepherd and you are also attached to a government department, and it's your job to manage the relationships between that department, to a certain extent, and the House of Commons. In the House of Lords you have that, but a whole lot more, I describe it sometimes as understudy for ministers. You have to sometimes actually be at the dispatch box yourself and speak for the Government. So you are much more of a junior minister in a conventional understanding of that term than you are as a whip in the House of Commons.

When I first became a government whip, which was in 2011, we were in coalition government. In the House of Lords there is usually only ever one departmental minister per government department. But during coalition government we didn't have, necessarily, a Lords minister in every government department because some of the ministerial posts were taken up by Lib Dems in the Commons. So some of us whips would become spokesmen as well. We would be the only person representing a government department actually in the House of Lords.

When I first became a government whip and I was invited to join the Government, I think it must have been Lord Strathclyde, who was then the Leader of the House [of Lords], who invited me to see him. It wasn't a reshuffle. Angela Browning, who'd been a minister in the Home Office, had resigned through ill health and there had been this series of knock-on effects. It wasn't like we were all waiting to see if we were going to be promoted. And I was told that I was going to be a whip and my initial departments were DECC [Department of Energy and Climate Change], the Home Office, DFID [Department for International Development], and... I can't remember what else now. It seemed to be a lot of them.

DT: Very broad...

BS: Yes, very broad. And the scary thing is you are suddenly thrust into the spotlight. My first year was as a junior whip and I was only ever understudying for ministers, I wasn't a spokesman. I remember the first time I ever had to repeat a government statement and it was, of all things, about feed-in tariffs. Now, I knew nothing about any of this stuff and I think it was a UQ [urgent question] rather than a statement. It was very sudden with very little time to prepare. So it's very tough to be a whip in the House of Lords.

DT: And there are a lot of experts in the House of Lords, aren't there?

BS: Lots of experts, yes. A lot of people who join the frontbench in the House of Lords are from outside politics completely. Some of them join because they are experts and go into government departments and are recognised as experts in that government department. So they are treated seriously within the department, but may be less experienced when it comes to handling the politics of the chamber.

But you also find that some people join the government frontbench without this experience, particularly as whips in the House of Lords, and it's a really, really tough gig. It's much harder than anybody really appreciates, because you are having to do things and expose yourself at the dispatch box to be challenged on matters that you have no day to day involvement in. You've got to either be full of a sense of public duty in order to do it, or feel that this may lead you onto other things. But some of the government whips that first take that on, they're not experts, they're generalists, and they aren't even political either. So it's a huge amount to ask them to do and they get very, very little support from the relevant departments.

DT: How did that work? Say you've got an urgent question on feed-in tariffs, who briefs you on feed-in tariffs?

BS: Well, as a government whip, you rely on the private office of the relevant minister in order to fix up the different civil servants in the department. I mean, it's probably got a bit better now but, there were some departments where we didn't have a government minister, as in we didn't have a Lords minister, so there was no Lords private office either. You were kind of bottom of the tree. I can't begin to describe how low down the pecking order you are in terms of anybody caring about making sure that you are briefed. It's pretty grim actually.

DT: But you had experience, compared to some other people who've ended up in the role, of the Number 10 press office, and so on.

BS: Oh yes, I was lucky. For me, the policy topics were brand new, but the answering questions and having to handle myself at dispatch box and understanding what was happening, that was fine.

I had a range of different previous roles that I think helped me during my frontbench career, all the way through to being Leader of the House, but my time as a press officer, oddly, or a communications person, was the most invaluable when I was a whip

because that's basically what you're doing. You're just trying to do your best in boiling down something which you could not possibly begin to get a handle of the detail in order to sound mildly convincing to these bunch of experts who know that you don't really know what you're talking about. I used to say that when you are preparing for a question or a statement, it's like doing an A-level every day. You cram like crazy to soak up all of this information on a topic which is very, very alien to you in order to competently present the government position. And quite often you'd be facing people that are the world's leading authority on the topic.

DT: What advice would you give to somebody who is about to become a new whip in the Lords?

BS: It's such a good question. I would say: worry less about the detail. When you are a government whip, the House is actually quite sympathetic. They know that you're not going to have a full grasp of all the detail. Worry less about the detail, but be clear about what it is you are trying to say and why. That's where the civil service is really bad. The civil service will give you a briefing folder, as thick as a brick, but they are very, very bad at actually saying to you look, we know that you can't get all of this, but let's give you some basics to help you at this moment in time. And I think that's what you need. What I would advise any new whip to do is be quite firm in pressing for the most simple and fundamental information in order to do a perfectly competent job, without feeling that you've got to actually present yourself as an expert, because you just can't.

DT: How did you find working with government colleagues as a whip? How did that work? How did you find out what was going on across the rest of government?

BS: I suppose it was two-fold. As the government whip you would be invited to the weekly departmental ministerial meetings, though not all secretaries of state are as diligent as others on organising such things. But yes, you would get to go to those meetings. And the Leader of the House, and I continued this practice when I was Leader, holds a weekly meeting of all the Lords frontbench. And I tend to think of that as our own mini Cabinet because all the government departments would be represented and that would be a way for the Leader to be able to brief all the ministers, including the whips, on the more general picture coming out of Cabinet and what have you. So you get a sense of what was going on there, but most of the time the whips feel very isolated. It's not good.

DT: How can that be fixed?

BS: Generally speaking, I think Whitehall needs to start taking Parliament more seriously. It's a year now since I have been out of government, so I don't know how much better they have got in understanding how to handle the House of Commons with a slim majority, or no majority now. But I do think even if they've got better at that they need to recognise that the House of Lords is an important part of the parliamentary process as well.

I know resources are always short. There are always more important things for people to worry about, and I can see that in the order of priority you wouldn't necessarily feel that all the questions or general debates in the House of Lords are things you need to worry about. But I think you do need to make sure that whoever it is that is representing your department feels involved enough in your department that they too want to do a good job for you. I think quite often, particularly as a whip, you can be made to feel that you are a nuisance, which is awful. When they are speaking for your department, it's actually something that you should respond to.

DT: Did you raise this with relevant secretaries of state? Was it possible to discuss these issues?

BS: Well, you know, as far as you could. Some secretaries of state were more responsive than others. I was always conscious, that in the great scheme of things it's not a top priority and they were under a lot of pressure. But I just think we ask people to take on responsibilities and they're quite tough, as I say. If you are a whip in the House of Lords, you are usually in the House in the morning or in your departments being briefed on how to get your head around whatever policy issue or legislation you are involved in at that time, because you also ride as a wingman to the government minister on legislation too and have to take notice of amendments and so on and so forth. And then you've got your responsibilities in the House. I mean, when the House is sitting they can't leave, so they're probably at work 14 hours a day.

DT: Yes. It's tough personally, isn't it?

BS: Yes. I mean, don't get me wrong, they are members of the House of Lords, they aren't underprivileged people, but it's like anybody. They have been given a responsibility, or they have accepted a responsibility, and I think there needs to be a recognition that you want them to do a good job. I mean, I'm not trying to say they're in the workhouse, but I just don't think there is a proper understanding, within Whitehall. A little bit more thought could go a long way.

DT: So then you became an ordinary minister, as it were, in DCLG [Department for Communities and Local Government].

BS: Yes. Before that, I think it's worth saying, the second year I was a whip I was a spokesman, and as a government whip I led two pieces of legislation. So before I was even in a department, I led a joint DWP [Department for Work and Pensions] and Treasury bill through the House of Lords and we did that quite successfully. And then I also led the equal marriage bill for the House of Lords which, a) was very contentious, b) was a landmark piece of legislation and it was led by a whip.

DT: Presumably the support for this process was a bit more intense

BS: Yes, when I took those two bills that was quite different. I had great support from the team, both in DWP and [the] Treasury. But again, as far as the legislative process is concerned, I think there is a discussion to be had about how the House of Lords features in the legislative process.

DT: What's your perspective on that?

BS: Generally speaking, my experience was that Whitehall, and I include in this both the government ministers and the civil servants, could do a better job at driving legislation or getting legislation through Parliament than they do, just by thinking about it differently. So, to come back to my point about taking Parliament seriously, I got the impression that there was a tendency within Whitehall, and I say this with experience of having been a civil servant as well, to assume that once a decision has been made, that legislation is necessary and will be presented to Parliament that it will happen. As in, well we've decided so that's it, it's going to happen.

More needs to be done to consider how best to present that legislation and present the case for it and think about the challenges and difficulties that the bill will face through its journey. Of course the landscape in Parliament is now so different as far as the numbers are concerned in the House of Commons. But when we first returned in 2015 with a small majority, it was a much more testing position in a parliamentary sense than in coalition, on the numbers. I was clear that all bills needed to be as short and as focused as they could possibly be in order to succeed.

One of my things that I used to bang on about all the time was that every piece of legislation should be considered as like a campaign. You spend all this time and effort as politicians preparing and campaigning to win an election, you go knocking on doors, you go on the telly, you know what you are trying to say. When you then get into government, to deliver on that programme with legislation, it's almost as if you arrive at the front door of Parliament and you say, "Let's get boring." Any sense of the need to sell this stuff to Parliament just goes out the window. I think that comes from not understanding that people, even your own side, need to be reminded what this is all about, why are you trying to do it, and actually feel part of something which is bigger than a boring process of scrutiny.

As a business manager and Leader of the House, I used to find it quite surprising that departments, civil servants and secretaries of state and ministers together, were not very good at being able to explain why they were trying to bring this legislation forward and make a strong case for it.

When I was responsible for the DWP bill, I was just a government whip. It was an uprating bill and it was something that was not in the legislative programme. Something had been in the Autumn Statement on capping welfare benefits by 1% and it needed its own piece of legislation.

At the time, it was very contentious and the view was that it would get through the Commons, but in the House of Lords it would face a lot of difficulty. What I was told – don't forget I was just a whip and this was my first piece of legislation – was, "Don't worry if you are defeated on this bill, if it comes back to the Commons we should be able to correct it." So whether it was that permission to fail or not, I don't know. They certainly expected me to fail. But I felt, well, there should be a way of doing this and I'm going to prove it.

The team of civil servants who had been involved in getting that piece of legislation through the House of Commons then came to work with me in the House of Lords. There was this army of people from the Treasury, and an army of people from the DWP. This was a very technical type bill, most of which was over my head initially as this is not my natural habitat. But we worked harder at presenting a stronger case for what we were trying to do and, in my mind, repackaged our case. I was clear that we needed to be able to convince people, on my own benches and on the crossbenches, not just of the rational and economic case of this legislation, but also the emotional case. Anyway, to cut a long story short, we never were defeated on any division on that bill; we won every division, we got it through. That reinforced to me that actually, with more thought and preparation to the way in which we consider the opinions represented in Parliament as part of the parliamentary process, we would be much more likely to succeed and not face so much difficulty as we do now.

DT: What did you do that worked in terms of campaigning in Parliament and what more would you want government to be doing?

BS: What I mean by that is that when you try and work out a campaign you think, this is what I want to do. Take equal marriage for an example: we've decided that we want to change the law so couples of the same sex can marry, but have we refined as clearly as we need to why we want to do this? When we look at the parliamentary profile and the different kind of views that will be in Parliament, have we worked out exactly who is opposed to this, and why they are opposed to it? Who is in favour of it and why they are? Amongst those who are undecided, what exactly is it that they are concerned about and how are we going to manage them?

It's not that there is none of this, but I used to get the impression that the parliamentary aspect of it was considered dull. Yet actually there's so much drama here. You've got to be able to understand the human beings who are going to engage with you and debate your legislation. You've got to be open to the idea that in the process of parliamentary scrutiny, in the challenge and debate, that your legislation could actually be improved. You should not be going in there saying, "Don't you dare change my legislation." It's almost like, within Whitehall, it's seen as a process that has to be gone through without properly appreciating the benefit of it. The purpose of the parliamentary process is not taken seriously and that affects how clear bill teams are about the purpose of the legislation – not just what that legislation is designed to achieve but why it was worth doing it in the first place.

I don't understand why there's such a gap in the relationship between Whitehall and Parliament. Do you not feel that there's a gap?

DT: Yes, I think there is. I think the civil servants perhaps feel that it's something they don't understand that well, it's somewhere they've not got much control and that this is politics and somehow not their job. That's constraining really. And they don't spend much time over at Parliament on the whole.

BS: No, and they don't understand it. When I went into DCLG as a minister, that was my first entry back into Whitehall properly – I left the civil service in '96. Even the parliamentary branches don't seem to understand Parliament very well, the basics. It's quite poor. I know that there's been a huge amount of efficiencies and everything else, but more generally, what surprised me was how process is no longer as important in Whitehall as it used to be.

I mean, I've worked with some great civil servants. The guys who I worked with on these bills whether it was equal marriage or the uprating bill, they were great. As a team, I felt we worked really well together. Because I said, "This is not going to be boring. This is something which is important." But I was surprised at the lack of process. Nobody likes unnecessary bureaucracy. When I was first a civil servant in the '80s some of the process was... thank God it's not like that anymore, you'd never get anything done. But it's almost like there's just none at all, and I think that's a problem. I don't feel as if there is enough basic training of civil servants. Just in having them understand the role of a minister.

DT: As a minister, were you clear what your priorities were? What you wanted to achieve?

BS: Well, this is the other thing. There are two types of departmental Lords ministers. The ones I have already talked about: experts that arrive in the department and are there because they are bringing an external expertise. I should imagine that they are respected, rightly so, and their policy areas reflect their expertise. Then you've got generalists that go into departments and what tends to happen when the policy is divided up and portfolios are established, is that the generalist House of Lords minister usually gets the worst, mundane bit of the policy.

Now, that's both understandable and, in many ways, right. It's right because those Commons ministers need to be subjected to more accountability by their political opponents. But what happens is that as a Lords minister, if you are a generalist, you might have a small bit of policy, but you are also the only spokesman for the whole of the department in the House of Lords at dispatch box. In capacity terms, that makes sense, because you need to be available to the House of Lords more than your Commons counterparts. Because there's only one of you, you can't be off on ministerial visits and external visits all the time. But what tends to happen is that you are speaking all the time on policy that you have very little influence over within the department. I think that can be quite difficult for the minister who is in that role, especially if the policy area of the department is not one that you are already that familiar with. How do you feel that you are being a valuable member of a ministerial team? It's very hard.

DT: I think you were responsible for the infrastructure bill on zero carbon homes, for example. Is that right?

BS: I think I started on that and then I was, thankfully, promoted out of DCLG.

DT: Right. So you've got to maintain a brief across the whole department and work on that. Was there scope for you to say, well this is what I want to get done while I am minister of this department? Or were you so caught up in being a spokesperson in the Lords that there wasn't a chance to do that?

BS: There was a small amount. I mean, I think to be honest with you, when I went into DCLG in 2013 most of the legislation that had been led by DCLG in that Parliament had already taken place and the areas of policy that I was responsible for were quite limited.

I was responsible for the ERDF, European Regional Development Fund, and when I arrived, our flow of funds had been suspended. It had been suspended by the European Commission for quite a while. This was a real problem. My biggest achievement at DCLG, which I was quite satisfied by actually, was finding a way to get that unblocked and then to be part of setting up the new regime for the ERDF scheme that was coming in in a year or two. I think that was really where I spent most of my time focusing when I wasn't trying to get my head around everything else that I was having to speak for. I liked being in the department because I like Eric Pickles, the Secretary of State, and the other ministers were a good ministerial team. But I think as far as actually having the opportunity to do something, it was quite frustrating.

Tess Kidney Bishop (TKB): Was the frustration a result of your brief or just that you were there for such a short amount of time?

BS: I think it was just the nature of the role. It's a catch-22, because you wouldn't make a Lords minister responsible for say, housing. That would be the wrong thing to do. But what you end up left with is very little in the department. So there's very little scope for you to have much influence, but at the same time you haven't got the capacity either because you are so tied up having to continually brief yourself to handle the parliamentary stuff.

DT: Any reflections on the civil service beyond the point about not understanding Parliament. Obviously you were a civil servant yourself...

BS: I suppose I'd make a couple of points. One, I'd say that I think some civil servants confuse impartiality with not giving a view on something. I think as a minister you do need to hear the views of your officials. I used to find it quite frustrating sometimes when reasonably senior civil servants would not offer a view. I think that was more common than I expected it to be.

The other thing I would say, which links to what I said before really, is that I don't think enough value is placed on being able to communicate clearly what the policy is that you are forming. The efficiencies that were made in the communications departments within Whitehall, whilst I can understand them on one level, mean there are not enough people who can explain to ministers, or indeed themselves as senior officials, what it is that is going on in their department. This is not about press offices as such, but I think that there is not enough emphasis in a department on how to actually communicate. That's a real weakness in the set up. When I would observe my

Commons colleagues preparing for questions or whatever, I would see it in the briefing that would be prepared. It's almost like that's frowned upon.

We've created this culture where we think, oh that's just being spun so that must be bad. Whereas I'm not talking about spin. I use the word campaign, and maybe that is misleading too. I'm not trying to dress something up in a way which is in any way inauthentic or insincere. I'm saying the opposite. We need to be better at explaining the motives and why we try to do things. Because when you concentrate on that aspect of your presentation and responding to that kind of challenge, I think it makes for better policy.

The reason that I feel strongly that Whitehall needs to think more seriously about Parliament and the parliamentary process is that this should seem less of a battle between two institutions. There needs to be a better understanding that if we want good outcomes for the benefit of the country, of course there's some politics involved in here, but you've got to think much more carefully and seriously about why you are trying to do something, not just what it is you are trying to do. If you think in that way and you are better at presenting your case in that way, yes it opens you up to perhaps greater challenge, but the end result is better.

What I found in Whitehall too often, whether as a departmental minister or when I was Leader, is that everybody got bogged down in the detail. Detail matters of course, you need to have detailed policy, but too often when I would say "But why are you doing that?", I wouldn't get an answer, or not a convincing answer. And that's bad.

TKB: And do you think that's gotten worse over the 30 years or so you've had experience with the civil service?

BS: I don't mean that we should have big press offices. I just mean that there's a tendency to think, and this is the same in any organisation, communications is something you do at the end. You come along and say, "Here's a policy, communicate it." Whereas if you integrate somebody who is focused on how we explain this as part of the policy development, you get a better policy. If you can't explain why you are doing it, then it's obviously not very good.

Communications sits as an entity to one side and it was considered bloated, and the press offices may well have been. I'm not saying it wasn't, I'm just saying that in cutting it back there wasn't even an awareness, it seems to me, of 'How can we make a better job of thinking about how we communicate what it is we do?' With the understanding that communication, if it's going to be effective, is not just about transmit and 'listen to me, listen to me, I'm right, shut up, I don't want to hear you'. Actually, this is how to promote something in a way which gives us the opportunity to listen and improve and get something better.

Are we in this business because we actually want to have a better country, or are we in it for our own interest? That to me is what we should be thinking about all the time. I think my overall frustration, I guess with the whole political system these days, is that

we're all protecting our own, we're not seeing this relationship where we all have a part in a single purpose even if we may have different views on how to get there. That's where I think Whitehall and Parliament needs to reflect too.

DT: I was interested in a point you made earlier comparing your time as a civil servant to when you were a minister or whip. You said the civil service lost its focus on process. Could you expand on that?

BS: I mean, I'm a bit of an unusual person in a way because I've run private offices myself so I'm not the easiest person to work for. But when I went to DCLG I felt like I had to almost train people on what it is that you need to do in order to provide effective support to somebody. But they worked really hard, had a great attitude and wanted to learn and I enjoyed helping them – because I knew that would mean they would be better at helping me.

DT: This was the diary, briefings...?

BS: On the diary management in particular, I had a session with a group of diary managers about running a diary effectively, because I cared about them doing a good job.

DT: And it wasn't that you had particular preferences in the way your diary was run and they had a different experience with the minister before you?

BS: No, not really. I mean, diary secretaries are an interesting topic because it's a dying skill. You ask any minister, they'll all tell you, it's really hard to find a good diary secretary. And when they get them they are all desperate to hang onto them. I'm not saying this is how it should be now, but when I entered the civil service there were basically three streams. There were your fast streamers, your Oxbridge types who came in "one day we're going to be Perm Sec" or whatever. Then you've got your middle streamers, your general entrants. They would come in probably as a clerical officer grade, and their ladder was as long as the fast streamers, but they started a bit further back. Then you had the secretarial entry point, which I came in on, and our ladder was much shorter.

I entered the civil service as what was then known as personal secretary, so it was equivalent to a clerical officer. There were two other secretarial grades below me, but I came in as a personal secretary, and I only had one further promotion step, which was senior personal secretary and then that was the end of my ladder. But when I entered, although I was equivalent to a clerical officer, I got paid more because I had skills. So my status was actually quite high. It reflects the current debate about the skills culture we lost and which we are now trying to recover. You were a smart person who was taken seriously. So as a diary secretary, you were not somebody who was an apprentice straight out of school that didn't know anything. You had to understand what was going on. The role of these junior jobs, the perception of them, the seriousness of the responsibility and the kind of people that needed to do them was somewhat different.

DT: Moving from the civil service to the Cabinet, where you sat for a couple of years. I guess you sat on a large number of Cabinet meetings and perhaps sat in Cabinet committees as well, what did you see of the process and how it worked?

BS: Well, as Leader and one of the business managers I had a regular spot on the Cabinet agenda in order to brief colleagues on what was going on in Parliament. I never sat in on a Cabinet meeting when I was working for John Major, so I can't draw a comparison on the way in which Cabinet meetings were managed back then. But Number 10 in itself is very different in its makeup between the time I was there as a civil servant and when I was Leader of the House of Lords. When I was Leader, I used to go to Number 10 every day because I would go to the 8:30 meetings as well. I had much more regular access to the PM [Prime Minister] and the centre than most Cabinet ministers do, or did. Number 10 now is much fuller of people than it used to be. I've got observations about the difference in style of the two Prime Ministers, but I think I will keep those to myself.

DT: Ah, that's a shame.

BS: Cabinet's an interesting forum really. I think it's probably less discursive than people expect it to be. Obviously there are Cabinet committees that look at policies in more detail before matters get to Cabinet. I think most Cabinet ministers would like to feel they had the opportunity to influence policy, outside of their own departmental briefs, more than they actually do.

DT: Because Cabinet's too big a group to have a discussion?

BS: I think it is that, but I also think, and I don't know whether this is a historic thing or not, there is a tendency for Cabinet to be a place where they're informed, rather than asked or consulted.

DT: That's my recollection of the Blair Cabinet.

BS: Yes, I mean we can't spend forever talking about things. But I think people outside would be surprised at how much Cabinet is very much a place where people are informed about things rather than consulted.

DT: In terms of Cabinet committees, you mentioned the 8:30 meeting, was that the main driver of the business of the day? What your priorities are? There are Cabinet committees that would set the legislative programme.

BS: Yes. So, the formal Cabinet committee is PBL [Parliamentary Business and Legislation Committee]. As Leader of the House I was a senior figure on PBL, though it was chaired by the Leader of the Commons. It would consider the legislative programme when it was being put together prior to a session starting, so it had to scrutinise the proposals that were coming forward from the different departments and ministers. Then, post the Queen's speech and the legislative programme being put in place, that was the committee which would review the bills in draft form and decide whether the bill was good to go, and was ready for introduction to Parliament.

It's a very important committee. Parliament is so much more powerful now because of the numbers against the Government, so the level of scrutiny of legislation in draft form has to be much more thorough. You've got to be confident as a business manager that the legislation is going to withstand attack. In my job as Leader, I've got to get that full programme of legislation through that House intact. So I need to be confident if I am taking that on. Obviously the minister's responsible as the person at the dispatch box, but I'm accepting responsibility that if it's coming in the door, it's gonna get out the other end.

I think sometimes some of my ministerial colleagues who presented their bills to the committee were perhaps surprised at the level of challenge and scrutiny they got, all done respectfully and collegiately, but nonetheless. I should imagine now that the Government is in a minority that has got to be even more rigorous. I hope Whitehall, the ministers and civil servants, see that in a different light to what they might have done in the past.

Over the last few years, all this public disaffection and disillusionment which has led to surprising referendum results and surprising general election results.... I don't think those of us in Westminster, Whitehall and Parliament have responded to that in how we legislate. We just keep going in the same way, and I think that's where we really need to reflect. I don't think anyone has yet properly thought about this. I think even now when they're looking at the challenges of getting legislation through and that party balance in the Commons, I think the focus is not necessarily in the right place. It's still about how we can win, not what we need to do.

All of us who work in public affairs, whether as politicians or as public servants in government or opposition, what we have to recognise in the public dissatisfaction is that there's something about this system that we are a part of that needs to change. We have to change our behaviours and the way we think about things. To me, that is probably one of the most important things we need to do in response to the events of the last year.

DT: What's the thing as a whip and as a minister you are most proud of that you were associated with?

BS: The thing I am most proud about is equal marriage, because I was the lead bill minister for equal marriage. It is not just because we changed the law and made it possible for gay couples to marry, that was obviously what we were trying to do, but the fact that we did it in the House of Lords in a way that united the House more than anybody thought possible. We proved that it was possible to deal with something which was very contentious and very sensitive, people felt very strongly about, but do it in a way that, at the end of the process, people actually felt that had been a good process and even the strongest opponents were willing to accept it. So I think that would be my most proud moment.

We haven't talked much about when I was Leader of the House. That's what I did for the longest. I was Leader of the House for two years and it's a massive, massive job. I

don't think other Cabinet ministers really appreciate just how big a job it is. It's very different than being Leader of the House of Commons. For me to have been the first Conservative Leader of the House of Lords without a majority and deliver a full programme of legislation was something that I was proud we were able to do.

The frontbench team in the House of Lords is far more of a team than you get in the House of Commons. I don't say that to disparage the Commons, it's because we have to be. You're on your own in your department and you're not even part of the preparations for oral questions for the Commons. You're quite apart often. So we had to help each other out. We would work together on bills. I was very careful to try and cultivate a sense of team amongst this disparate group of people. They had berth in departments, and they were accountable and responsible to their secretaries of state in their department obviously, but they were my team.

At the start of the 2015 Parliament, everybody was all "You're going to have to Parliament Act this, it's all going to be a disaster, chaos." Against all expectations, we avoided all of that and we delivered a full programme. My biggest message to that ministerial team, constantly, was the most important thing is to show that you take the House of Lords seriously. That doesn't mean that we accept everything that they say, that we agree with them, that we're going to roll over or cave in, but I want this House to feel that it's been taken seriously. Because if it feels it's been taken seriously and we can show them that we are taking them seriously, and we have presented the case against as well as our case for, because we'd often have to be negotiating with secretaries of state as to what they're going to have to adapt in their legislation in order for it to succeed in the end, then we will get through it. I was pretty proud of that actually.

DT: If you were advising somebody about to become Leader of the House, that would be the key point, would it?

BS: The key thing I would say to any Leader of the House is make sure that the House believes that you take it seriously. As Leader of the House of Lords, you are effectively a broker. That was the way I used to see the role; you are a broker between Number 10 and Whitehall and the House of Lords, an honest broker. So as far as the Prime Minister was concerned, he has given me a job and my task was clear: "Here's a set of bills, for god's sake please get them through the House of Lords and pass them into Acts of Parliament." "Okay, boss, got that, very clear." But in order for me to be able to achieve that, I've got to work with a bunch of people who didn't necessarily want that to happen, or at least not necessarily in the way in which the Government might like it to happen. Politics is a negotiation. I would sometimes sit in the middle, sometimes literally, and sometimes alongside my ministerial team working out "what are your deadlines on this bill, where it is you are going to go no further. Be clear but be honest with me." We need to know what we've got to protect here, and what we're willing to compromise on.

The other way in which the Leader of the House of Lords is different to the Leader of the House of Commons is that there's more responsibility on the Leader of the House of Lords in the domestic scene within the House of Lords as well, as far as how the House of Lords operates. Because the Lord Speaker has very little power within the chamber, the Leader of the House of Lords is responsible for procedure in a way that the Leader of the Commons is not. So you have to also be able to ensure that the House of Lords not only has the time and the opportunity to hold your ministers to account and scrutinise your legislation and try and amend it, you also have to assist the House in making sure it doesn't cross the line in a way which would jeopardise its own legitimacy by doing anything which would try to usurp the House of Commons. So there's a range of different things going on at one time.

TKB: On the flip side to that, how did you deal with it when things didn't go as you'd hoped?

BS: You just pick yourself up and carry on really. Our biggest defeat was on the tax credit thing, which was secondary legislation. There was an SI [statutory instrument] and it had just scraped through in the Commons and then we had quite a battle in the House of Lords. Frustratingly, I think, the House of Lords has rather rewritten the history of this now. It's in the past now, so it's nothing to still argue about. But that was difficult on several fronts. In effect, the House of Lords has few options with secondary legislation. You can either reject it, accept it, or you can lay a regret motion to express your dissatisfaction.

But the House managed to introduce something new, a motion to withhold consent. For me, that was a fatal motion, but, as I say, these are the kind of intricacies that I don't think we need to trouble ourselves with now. But we were defeated, and that was very difficult. Subsequent to that, the Prime Minister invited Lord Strathclyde to do a review of the House of Lords' powers on secondary legislation. The House of Lords were obviously very angry about that review because it believed it hadn't done anything to warrant it. The difficulty for me as Leader having that review going on was that after we'd been defeated, the Government then conceded that defeat. George Osborne said, "Well, okay, that's it." We rather undermined our own case for what then happened next.

That said, what Lord Strathclyde proposed by way of a new measure, which has subsequently been withdrawn and is just sat on the shelf somewhere, I thought was actually quite a sensible proposal if you were the House of Lords. It's much more advantageous to the House of Lords than it is for government, because what Lord Strathclyde was proposing was an exchange. The House of Lords gives up a power that it never uses, a fatal motion, the nuclear option, for a new power which is to be able to say to the House of Commons on an SI that you object to, "We want you to think again." The reason why that would potentially be more advantageous to the House of Lords or Parliament than it would be to the Government is because if you know you can do that, you might be inclined to do it more often than press the fatal motion button. You could

use it to influence things a bit more. I think the tensions of the preceding exchanges on tax credits and everything else just made people decide they wanted to dig in.

People forget that the next day there was another fatal motion down on another SI, which was just as important, and we won that one. You lose some, you win some. When my Chief Whip and I would talk about upcoming votes, I used to always have two questions: can we win? Does it matter if we lose? In the House of Lords, you lose a lot, you just do. You have to know what are the things that really matter and what are the things that it's like, 'well, there you go'. And also, back to the importance of Parliament, you must never forget in government and in Whitehall that if Parliament is going to do its job properly and the House of Lords is going to do its job properly, it will defeat the Government from time to time. Though I do worry that the House of Lords is becoming too politically-motivated and not protecting its difference from the House of Commons.

There is some confusion these days on the House of Lords process and who it's asking to 'think again' and when. When legislation is in play, if everything is working properly, then the government ministers should be listening as well as promoting. There will be changes to legislation that the Government can accept in light of that debate. It's a dialogue between the House of Lords and the Government when the legislation is 'live' in the House of Lords. If the Government decides it does not want to accept an amendment from the House of Lords and the House of Lords says, "Well, we're going to push a division and test the mood of the House," and the Government is defeated, the people who the House of Lords is then asking to 'think again' is not the Government, but the MPs in the Commons. Because the Government has said at that point, "No, we don't agree with you." So the dialogue then is between the two Houses. The Commons has then got to decide do we accept what the House of Lords says? Or are there enough of us that support what the government is doing?

Whitehall can sometimes see that negatively, but it shouldn't if the House of Lords doesn't keep the ping-pong going. It may be that by the time the bill goes back to the Commons, more MPs than before have thought, "Well, actually, I'm not sure we do agree with the Government, and we are going to change it." And at that point, to avoid a defeat, the Government might offer a compromise. Nobody likes to lose, but sometimes you have to.

DT: Those might be some good words to end on. We've been very grateful for your time.

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Institute for Government
2 Carlton Gardens, London SW1Y 5AA
United Kingdom

Tel: +44 (0) 20 7747 0400
Fax: +44 (0) 20 7766 0700