

# Pre-chewed Politics

## Are ministers more powerful than the civil service?

### **Yes – Ministers have a mandate to decide the policy and direction of their department.**

Our fused executive and legislative branches mean that ministers are simultaneously members of the executive branch, as government ministers, and the legislative branch, as elected Members of Parliament. This is very different to the heads of departments in the US government, who are selected by the president, and cannot be members of Congress. As elected MPs, ministers arguably have a strong mandate to enact the policies that were contained within their party's manifesto. In contrast, unelected civil servants are supposed to be impartial, and should not show any preference or prejudice towards the party in power. This should leave ministers free to direct the department.

### **However... ministers may lack the levels of experience of the civil servants in their department.**

As civil servants are permanent, they acquire a strong level of expertise within the specific policy area covered by their department. Ministers may arrive with a mandate for ambitious policies, but civil servants may shape these policies significantly, due to their expertise and experience. Steve Hilton, the former Director of Strategy to David Cameron, complained that civil servants had far too much influence over policy. He claimed that time is divided amongst actual government plans (30%), dealing with EU measures (40%) and other, miscellaneous activities (30%) which are not part of the government's plans at all. He argued that the civil service has learnt how to control and manage politicians and should be reduced in size by up to 90%. Critics of the civil service have suggested that the relationship between ministers and civil servants might be more like the BBC comedy 'Yes, Minister' than previously realised. Speaking in Malaysia in April 2012, even David Cameron joked that the comedy show was very true to life.

### **Yes - Ministers have access to resources other than the civil service, such as their own special advisers.**

Special advisers (spads) are temporary political appointees who work for ministers, writing speeches, helping with policy ideas and corresponding with the media. Much like civil servants, special advisers help ministers to fulfil their roles. But, unlike civil servants, special advisers are not bound to any rules requiring them to be politically neutral and impartial. This additional resource means that Ministers are not solely reliant upon advice from civil servants. As of the last data report in December 2015, the current Government employs around 97 spads, at a salary cost of £8.4m per year – which is more than any other former majority government, surpassed only by the 107 employed by the Coalition, which employed more due to the involvement of two major political parties, each requiring their own staff.

### **However... ministers are often involved in internal rivalries, clashing over policies and budgets.**

Within the government and within each department there are multiple ministers of differing levels of seniority. Ministers often come into direct conflict with one another over policy decisions, and are often in conflict with the Chancellor of the Exchequer over budget decisions and cuts. In October 2015, Michael Gove and Philip Hammond clashed very publically over the Government's bid to provide services to the Saudi Arabia prison system. Gove stated that the deal should be scrapped over human rights concerns and violations in the country; Hammond argued that cancelling the deal would undermine the UK's allied relationship with Saudi Arabia. Ultimately, the Government withdrew from the deal. Under the Coalition Government some departments had both Conservative and Liberal Democrat ministers, which created tension and difficulties. The former Secretary of State for Energy and Climate Change, Ed Davey, a Liberal Democrat, was reported to have often clashed with the Conservative Minister of State for Energy and Climate Change, John Hayes, who publically denounced his Department's support for wind farms. Therefore, some ministers not only have to compete with civil servants, but also rival ministers and their special advisers.

### **Yes – Ministers who are popular with the party can have significant political power to pursue their agenda.**

Michael Gove is not only a close ally of David Cameron, but has also proven to be very popular with Conservative Party members. In a poll conducted by the Telegraph in 2013, while Gove was Education Secretary, Conservative voters rated him as the most impressive member of the Cabinet. Gove had a clear vision for education reform, and, judging by the number of policies emerging from the Department of Education during his time in charge, including the rapid expansion of academies and free schools, and a redeveloped national curriculum, it appears that he exercised considerable influence over his Department. In his new position as Justice Secretary, Gove is enjoying support from a range of interest groups representing legal professionals, and cause groups promoting prison reform, giving him considerable *political* power within his Department and within Cabinet. He has reversed a number of the policies put in place by his predecessor, scrapping proposed changes to legal aid contracts, abandoning plans for new "secure colleges" for young offenders, lifting the ban on sending books to prisoners, and pausing the controversial criminal courts charge. This significant shift in Department policy highlights the impact that a change in leadership can make.

**However... ministers are also vulnerable to negative press and elections.**

In July 2014, David Cameron carried out his biggest reshuffle since coming into power. Many commentators argued that the changes were carefully considered to put the party in a stronger position for the 2015 election. After facing considerable criticism from Labour, over the lack of diversity in the Cabinet, a number of female MPs were promoted. Despite his popularity with party members, Michael Gove was demoted from his position as Education Secretary, to a new role as Chief Whip. It was widely speculated that Gove's unpopularity with teaching unions and parents sceptical of his reforms, was the main cause. Unlike ministers, civil servants do not have to worry about keeping constituents happy, or broadening the party's appeal in the run up to the election.

**No – Ministers are held accountable for their actions, and the actions of their department.**

The convention of Individual Ministerial Responsibility places significant pressure on ministers. The 2010-15 Coalition Government had multiple Ministers resign over their personal behaviour. In October 2012, the Chief Conservative whip Andrew Mitchell resigned after it was alleged that he had sworn at police officers outside Downing Street. In February 2014, the Immigration Minister Mark Harper resigned after learning that his personal cleaner was working in the UK illegally. The media spotlight on ministers, compared to the more anonymous civil service, can make them vulnerable when they attract negative publicity. In November 2015, Grant Shapps, the former Minister for International Development, resigned when one of his appointees, Mark Clarke, was involved in a bullying and harassment scandal that resulted in the suicide of a Conservative Party voluntary campaigner.

**However... some ministers have avoided responsibility for failures within their departments.**

While many ministers have resigned over personal scandals, far fewer have recently resigned over policy failures. Ministers manage large departments, and are also responsible for a number of government agencies, making accountability difficult. In October 2012, the government announced that it was cancelling the competition to award the contract for running trains on the West Coast Main Line because of serious flaws with the competition process. The cancellation cost the public £50 million and several civil servants were suspended, but no minister resigned over the problems. Equally, the Ministerial Code states clearly that responsibility for the behaviour and conduct of special advisers lies with the minister who appointed them, and that the minister will then be accountable to the prime minister, Parliament, and the public. Yet, ministers have proven reluctant to resign as a result of the actions of their special advisers. In 2012, the Culture Secretary Jeremy Hunt, refused to resign when it emerged that his special advisor, Adam Smith, had broken rules by exchanging hundreds of emails with lobbyists for News Corporation, while Hunt was supposed to be neutrally overseeing its bid to buy BSkyB. More recently, in August 2015, Iain Duncan Smith refused to resign over the use of fabricated stories about benefit claimants on leaflets produced by the Department of Work and Pensions. He claimed that the error was a one off and would be investigated fully.

**No – The strength of ministers varies according to their personal strengths and current events.**

The balance of power between ministers and the civil service is likely to fluctuate over time reflecting current events, and can also vary depending on the personality and skill of the individual minister. The prime minister might give successful ministers significant independence, but there is no guarantee that the prime minister will not take over if things start to go badly. In April 2011, the Prime Minister announced that he was pausing controversial NHS reforms, that were being developed by the Secretary of State for Health Andrew Lansley, so that the government could listen to the concerns being raised. By 2012, Lansley was reshuffled to a new post as Leader of the House of Commons,

**However... this can mean certain ministers are very powerful.**

In the 2012 reshuffle, it was reported in the media that the Prime Minister wanted Iain Duncan Smith to move from his position at Work and Pensions, to a new post as Justice Secretary. It was argued that IDS was concerned that if he left the Department for Work and Pensions then his reforms to the welfare system and introduction of a 'Universal Credit' might be watered down. As a previous leader of the Conservative Party, and the orchestrator of reforms that were popular with Conservative Party members, Cameron was effectively forced to accept his refusal. However, in 2016, IDS dramatically resigned in protest, claiming that he was unable to support the 2016 Budget as it combined tax cuts for higher earners with cuts to the Personal Independence Payment. The media controversy caused by this resignation led to the Government to confirm that not only would the planned welfare cuts not go ahead, but that the resulting £4.4 billion hole in the budget would not be filled by further welfare cuts. On one hand, IDS' resignation shows that even former party leaders can find their policies overturned by the Prime Minister and Treasury, but, on the other, it highlights how the media attention given to ministers helps them to exert considerable pressure when needed.