

New publication recommends the UK withdraws from the European Convention on human rights

Leading specialist in European laws, Martin Howe KC, has published the case for leaving the European Convention on human rights.

I have not myself argued this case, and have sought to get the government to overcome the potential difficulties of the way the Court interprets and widens the original convention in the vexed case of illegal migration. There I and other MPs have proposed amendments to legislation where Parliament needs to assert itself against possible ECHR overturns of policy. The wish to end the small boats trade and to send the illegals somewhere else safe for consideration of their cases is one such area. There is an argument going on in government about using such a domestic legal override given the importance of the issue, with the former Home Secretary and the current Migration Minister thinking there does need to be a Notwithstanding clause to ensure the will of Parliament is upheld in the event of someone trying to appeal to a foreign court or under an international convention.

Those of us who favour a limited exemption for a clearly required policy like stopping the small boats can point to Parliament's success in resisting votes for prisoners. The ECHR told us to grant them and the UK parliament voted not to. We stayed in the Convention. Other countries with democracies and decent human rights have disagreed and not accepted verdicts as well and stayed in the overall scheme

The UK was one of the original drafters and instigators of the Convention on human rights. It was aimed at general state policy, to foster more democracies and countries with a rule of law after the horror of Nazi and communist tyrannies in war torn Europe. It was only later the ECHR started to widen the remit to give individuals rights against governments justiciable in that court, instead of it staying at a high level assessment of a country's democracy and civil rights achieved through national democratic process.

Martin Howe argues that a true Parliamentary democracy needs a sovereign people who delegate power between elections to a sovereign Parliament. What the people and Parliament want should be good law and upheld as such. This cannot be true if there is an international external body that can effectively strike down domestic law. He is happy to rely on the UK Parliament and elections to determine our civil liberties and rights, and thinks there can be no guarantee that we can stop the small boats or carry through other desirable policies all the time we stay in the Convention which has changed and grown in power a lot since we first helped invent it.

I would be interested to hear your thoughts on these two different approaches.

Visit to Bohunt School

On Friday 16th November I visited Bohunt School at Arborfield. I was given a tour of the classrooms and then had a conversation with the pupils on the School Council.

It was good to see the school with plenty of motivational phrases on the walls urging young people to try things out, to contribute, to have views and to get involved. The pupils were working from iPads with teachers having access to individual iPads to help, to see how they are getting on and to mark.

The School Council said their big issue had been the wish to have flexibility over the wearing of ties and jumpers with their uniform. They had sounded out the pupils through on line questionnaires, had presented a case for reform and reached agreement with teachers.

I asked them about the use of artificial intelligence in learning. I argued that trying to get AI to do the work for you cheats yourself, as you need to master the material and know how to provide an answer. I also argued that good use of computers can help with learning as it does with subsequent work. It appeared there was not much use of CHAT GPT or the equivalent.

I asked about outings, overnight trips, sports and the Duke of Edinburgh scheme. There was engagement with reports of how these additional activities enrich the school experience.

I wish them all well and was pleased to see positive approaches to what their school offers.



Remodel the bureaucracy

The Chief Secretary needs to come forward urgently with a good plan to raise productivity in the public services, at least back up to 2019 levels. Setting this an immediate task should not be threatening or should it require large amounts of new capital investment to bring it about, as four years ago we are at the levels we should wish to regain.

Central to this task must be reviews with the 4000 senior managers at Director level and above and their equivalents in the quangos. This is a good job for junior Ministers to lead or review. What has changed for the worse? What immediate steps can be taken to boost output. There should be a comprehensive freeze on new staff from outside, and a review process to amalgamate or remove jobs as people leave by natural wastage. External recruitment should only be allowed where there is a clear need approved by a Minister.

The reviews should encompass use of external consultants. Staff should be encouraged to replace some of the consultancy contracts that come up for renewal by offering cheaper in house routes of doing the work using present staff.

There can also be plans to get above older levels. After all, the private sector has exceeded pre covid levels of productivity, in services as well as in manufactures. One thing to do is to eliminate some of the duplication and overlap between central government departments and quangos. More work should be taken into the department under proper Ministerial supervision. Ministers in many cases will be blamed when the quango makes a mistake or gets it wrong, so better to have more control where there is accountability. Employees in the civil service should be allowed or encouraged to bid to take over areas of work to run as contracted out activities where they turn themselves into contractors and can use their skills to win work from others. This would not apply to matters relating to national security, policy and other sensitive matters. I led such changes to the old Property Services Agency, the direct labour organisation within the civil service that maintained public sector properties.

The application of more computing power through AI and related technologies can also produce plenty of productivity gains. Much of government is processing data, awarding grants and benefits, answering similar queries from the public, handling applications and ensuring access to public services. This is eminently suitable for more automation.

[Wokingham Council threatens our green fields](#)

Many people in Wokingham feel our area has more than done its bit for new housing development in recent years. Surely it is time to slow the rate of new build, let the infrastructure catch up, and allow us to enjoy the woods, fields and green spaces that remain?

I have successfully lobbied the government with other similarly placed and like minded MPs. The government is dropping the national top down targets requiring large amounts of new development in places like Wokingham, and the operation of the five year supply of land rules. What the government asks in return is that local planning authorities including Wokingham Borough should produce an up to date local plan making reasonable provision for new homes and be prepared to defend their case. With a proper local plan we are then promised permissions will not be granted on appeal outside the approved plan areas.

So the Council should be getting on with our new local plan to gain that protection. Instead the Lib Dem leadership of the Council are refusing to get

on with it. This will leave us wide open to more development on appeal as developers will be able to use the absence of a plan to justify more building than we would like in places where we do not want it.

The rise of the civil service

In the three years to March 2023 there was an increase of 63,000 civil servants, or 64,000 full time equivalents. Over the 3 years 2020 to 2023 there was a substantial fall in public sector productivity. There are now more than 4000 senior civil servants in Director level and above jobs.

Whilst it is understandable that the NHS and the civil service needed extra temporary help to deal with the special needs and extra government direction which covid controls and lockdowns brought, it is surprising that extra recruitment has continued well after lockdown was lifted.

At the same time there has been expansion in numbers at various quangos and so called independent bodies. Far from slimming the centre as more is done outside core government, the advent of more and more powerful independent government bodies seems to have increased the need for staff. Maybe the need or wish for cooperation, coordination and communications between the external body and the government department has required more people to talk to each other.

It is time for Ministers to set out their plans to get productivity back up to 2019 levels. It is time for them to ask civil service senior managers and quango chiefs how come productivity has slumped? What action is being taken to put it right?

Poor productivity can come with bad service. Get things right first time and productivity and quality rise. Do things promptly and spare yourself the need to respond to enquiries and complaints about delays. Have easy and friendly systems and requirements and have fewer complaints or need to help people access your services.