

Response to the PACAC Inquiry into the Evolution of English Devolution

November 2020

The Electoral Reform Society welcomes the opportunity to contribute to this timely inquiry. Devolution within England has invariably been described as ‘unfinished business’ and the ‘gaping hole in the devolution settlement’. It is high time for real powers to be devolved within England and for an improved and truly democratic constitutional settlement to be established across the United Kingdom.

About the Electoral Reform Society

The Electoral Reform Society is the UK’s leading voice for democratic reform. We work with everyone – from political parties, civil society groups and academics to our own members and supporters and the wider public – to campaign for a better democracy in the UK.

Our vision is of a democracy fit for the 21st century, where every voice is heard, every vote is valued equally, and every citizen is empowered to take part. We make the case for lasting political reforms, we seek to embed democracy into the heart of public debate, and we foster the democratic spaces which encourage active citizenship.

Executive Summary

- Devolution to and within England should be comprehensively reformed – power needs to be dispersed in a meaningful way across and within nations, regions and localities.
- England remains one of the most centralised countries in Western Europe and is still run primarily through centralised UK-wide institutions. Where devolution has occurred within England, the process has itself been led from the centre and has occurred in a piecemeal, asymmetric, and top-down manner, with limited attempts to engage local leaders and, most importantly, the local population. Devolution has not been valued as a mechanism for decentralising power and bringing it closer to the people, and allowing for their distinctive voice to be heard. It has not been the product of national debate and self-determination, but rather a top-down imposition fostering competition between areas.
- The covid-19 crisis has exacerbated and exposed the fractures in the current devolutionary arrangements in England and Westminster’s centralising hold over policy while local leaders have come to political, media and public prominence in their attempts to respond to the pandemic, gaining clout in their ability to speak authoritatively about their areas. But any attempt to deal with the pandemic locally and provide policy input was hindered by local leaders’ lack of any real powers and resources to effect change at the local level.
- The ERS believes that decisions on English devolution should be agreed both by politicians at all levels, who should set a clear and comprehensive vision, framework and long-term principles to guide devolution decisions, and by citizens themselves, who should be actively engaged and involved in reaching those agreements from the bottom up.

- Devolution within England has so far been disconnected from the more developed and considered settlements in the other nations, which were instituted based on local engagement and debate among the population. The First Past the Post electoral system used for parliamentary and local elections in England has also meant that, because of the dominance of two-party politics, a range of voices are effectively excluded from political representation.
- The ERS advocates the establishment of citizens' assemblies within England to provide a space for citizens to carefully, thoughtfully and respectfully deliberate on their future. Power and voice cannot be achieved without bringing politics closer to people, meaning bottom-up citizen involvement is necessary to ensure the legitimacy of, and trust in, our institutional set-up and democracy more broadly.
- Genuine, comprehensive reform of devolution within England will necessarily involve considering the UK's constitutional set-up in a holistic manner, taking into account how all the different nations, each with its own devolutionary arrangement, fit together. As the UK's constitutional settlement evolves and adapts, we must ensure that each constituent part is appropriately represented therein. The ERS believes that there should be a UK-wide constitutional convention to address the future of the country in a holistic manner. The work of sub-national conventions and assemblies could feed into the UK Convention, which would then focus on the broader constitutional questions, such as the relationship between the constituent parts of the UK.
- The evolution of devolution in Scotland, Wales and Northern Ireland over recent decades has inevitably created tensions within the UK's constitutional settlement, given that English devolution has not been addressed in a comprehensive way alongside this. England lacks any formal, distinctive mechanisms and structures to make its views on national and cross-border issues heard in national and intergovernmental and interparliamentary forums.
- The ERS is calling for reform of the second chamber as a central pillar in any package of measures designed to strengthen and enhance the quality of our democracy, recognising the UK as it is, not as a pre-devolution, unitary state. A reformed second chamber could serve as a forum in which the four nations (including English localities, depending on how they choose to be represented at the national level) can work together.

1. Should there be comprehensive reform of the English devolution and local government system?

1.1. The Electoral Reform Society (ERS) believes that devolution to and within England should be comprehensively reformed. Reform of the local government system sits alongside this but should not detract from a comprehensive re-examination of how devolution within England should proceed and the levels at which powers and resources should be devolved. In each region and locality, people should be actively involved in determining the devolutionary settlement for their area through consultation and deliberative democratic processes, such as citizens' assemblies.¹

¹ Garland, J. and Palese, M. (2019). *Westminster Beyond Brexit: Ending the Politics of Division*. London: Electoral Reform Society. <https://www.electoral-reform.org.uk/latest-news-and-research/publications/westminster-beyond-brexit-ending-the-politics-of-division/>

2 Raikes, L., Giovannini, A. and Getzel, B. (2019). *Divided and connected: Regional inequalities in the North, the UK and the developed world – State of the North 2019*. IPPR North. <https://www.ippr.org/research/publications/state-of-the-north-2019>

3 Paun, A., Kenny, M. and McLean, I. (2018). Understanding English identity and institutions in a changing United Kingdom. *The Constitution Unit*, 29 November. <https://constitution-unit.com/2018/11/29/understanding-english-identity-and-institutions-in-a-changing-united-kingdom/>

4 Raikes, L. (2020). *The devolution parliament: Devolving power to England's regions, towns and cities*. IPPR North. <https://www.ippr.org/research/publications/the-devolution-parliament>

1.2. England remains one of the most centralised countries in Western Europe² and is still run primarily through centralised UK-wide institutions,³ which has allowed divisions and inequalities to continue to fester.⁴ The evolution of devolution in Scotland, Wales and Northern Ireland over recent decades has inevitably created tensions within the UK's constitutional settlement, given that English devolution has not been addressed in a comprehensive way alongside this. This has led to a situation where the UK government and parliament effectively perform a 'dual hat' role, acting as the government and parliament of England at the same time, with consequences for intergovernmental and interparliamentary processes.

1.3. Where devolution has occurred within England, the process has itself been led from the centre. It has occurred in a piecemeal, asymmetric, and top-down manner, with limited attempts to engage local leaders and, most importantly, the local population. Devolutionary arrangements have primarily been the result of individual areas' deals with the central UK government, with the latter ultimately determining which powers and resources would be devolved.

1.4. Current devolution in England does not provide real autonomy and power to all localities, which has led to inequalities and divisions to persist (e.g. between metropolitan and rural/coastal areas). Further, devolution has been centred around economic incentives and competition/bidding processes amongst localities, rather than a clear, long-term constitutional plan devolving real power and control locally. This has led to the patchwork of arrangements currently in place, with different areas having varying powers, autonomy and systems in place.

1.5. Devolution within England is disconnected from the more developed and considered settlements in the other nations, which were instituted based on local engagement and debate among the population. This has meant that devolution within England and attempts to address the so-called West Lothian question (such as English Votes for English Laws), appear as opaque to and have limited buy-in from citizens. It has also led to England not having a distinctive voice/representation nationally, when compared to Scotland, Wales and Northern Ireland.

1.6. BMG polling for the ERS prior to the 2019 general election showed how only two percent of people felt they had a 'great deal of influence' over decision-making in the UK, with 80 percent of people feeling they have 'not very much' or 'no influence'.⁵ This low sense of political efficacy and having one's voice matter should come as no surprise given the limited involvement of citizens directly in decisions affecting their lives, which includes the issue of devolution in England. More transparency around devolution and citizens' direct involvement are necessary to properly reform devolution in England. We know that involving citizens in complex decision-making on issues that directly affect them, including devolution, works and is effective. In 2015, the ERS was involved in two Citizens' Assemblies on devolution, held in Southampton and Sheffield. The Assemblies concluded that 'Citizens want stronger devolution with more public involvement. They want to feel part of "the revolution in devolution" and not simply to have change imposed upon them.'⁶ Deliberative processes such as citizens' assemblies are not only beneficial on their own terms, but have spillover effects, with citizens becoming more involved and engaged politically long-term as a result.

5 <https://www.electoral-reform.org.uk/latest-news-and-research/media-centre/press-releases/bmg-poll-just-one-in-six-people-believe-westminster-is-working-well/>

6 Flinders, M. et al (2016). *Democracy Matters: Lessons from the 2015 Citizens' Assemblies on English Devolution*. <https://citizensassembly.co.uk/wp-content/uploads/2016/04/Democracy-Matters-2015-Citizens-Assemblies-Report.pdf>

1.7. The covid-19 crisis has exacerbated and exposed the fractures in the current devolutionary arrangements in England and Westminster's centralising hold over policy while local leaders have come to political, media and public prominence in their attempts to respond to the pandemic, gaining clout in their ability to speak authoritatively about their areas. Indeed, a YouGov poll in November showed how 56 percent of residents of Greater Manchester approved mayor Andy Burnham's handling of the pandemic, with only a fifth disapproving.⁷ The opposite was true of the Prime Minister, with 61 percent of respondents disapproving with how he handled the pandemic and only around one in four (23%) approving. But any attempt to deal with the pandemic locally and provide policy input was hindered by local leaders' lack of any real powers and resources to effect change at the local level. Decisions continued to be made to the centre and then imposed upon localities, without any real engagement at that level. Though the effects of differing responses to the pandemic cannot yet accurately be judged, it seems likely that local level input would have been beneficial in dealing with the coronavirus, as appears to have been the case in other countries such as Germany.⁸

7 <https://yougov.co.uk/topics/politics/articles-reports/2020/11/04/greater-manchester-most-support-tier-3-restriction>

8 Kenny, M. and Kelsey, T. (2020). Devolution or delegation? What the revolt of the metro mayors over lockdown tells us about English devolution. *LSE British Politics and Policy*, 12 November. <https://blogs.lse.ac.uk/politicsandpolicy/devolution-or-delegation/>

9 Torrance, David (2020). 'A Process, Not An Event': Devolution in Wales, 1998–2018. *House of Commons Library Briefing*. <https://commonslibrary.parliament.uk/research-briefings/cbp-8318/>

1.8. Genuine, comprehensive reform of devolution within England will necessarily involve considering the UK's constitutional set-up in a holistic manner, taking into account how all the different nations, each with its own devolutionary arrangement, fit together. Devolution is a process, not an event, to quote the former Secretary of State for Wales, Ron Davies.⁹ As the UK's constitutional settlement evolves and adapts, we must ensure that each constituent part is appropriately represented therein.

2. What aims and principles should underpin devolution in England?

2.1. The ERS believes that devolution in England should be underpinned by the following principles and aims: subsidiarity; a clear purpose and comprehensive constitutional vision; cooperation among localities/regions; flexibility of devolutionary arrangements; and, most importantly, citizen involvement.

2.2. With regards to the first principle, subsidiarity entails decisions being taken at, and power and resources being devolved to, the lowest possible level. This should inform not only reform of devolution within England, but more broadly devolutionary settlements across the UK – Scotland, for example, remains still highly centralised at the national level, with many local communities having limited powers,¹⁰ and this should be addressed. Any reform of devolution in England should take into account the level(s) at which this should take place – local, regional, sub-national – and how these interact with each other, with the devolved legislatures, and ultimately with Westminster.

10 See, for example: Mitchell, J. (2017). Audit 2017: How democratic is local government in Scotland?. *Democratic Audit Blog*, 24 May. <https://www.democraticaudit.com/2017/05/24/audit-2017-how-democratic-is-local-government-in-scotland/>

2.3. English devolution should proceed on the basis of a clear purpose, rather than as ad hoc, piecemeal and temporary fixes to real problems and grievances, and should be guided by a comprehensive constitutional vision, which takes into account the UK as a whole and how England interacts with the nations. As will be addressed further in response to question 6, leadership from the top will be vital to helping to develop and articulate this vision, which however must be based on listening to what local people actually want.

2.4. Linked to the above is the importance of cooperation, not competition, among localities and regions in England. So far, devolution has focused on economic incentives, bidding processes and competition for devolution deals. True devolution for England, which takes local views and needs into account, cannot and should not proceed on this basis, but should view each area as a co-creator of policy and collaborator in shaping the future constitutional settlement of England and the UK more broadly.

2.5. The nature of devolution within England has rightly been described as asymmetric, particularly in relation to that of the other nations. But this does not mean that symmetry within England should be the answer. A single devolutionary system cannot be imposed throughout England, given the real differences that exist between areas (e.g. metropolitan versus more rural communities). What is needed is a clear plan and vision underpinning devolutionary arrangements, combined with buy-in from the centre and from the localities themselves. How devolution develops in each area will be determined at the local level and this may lead to some asymmetry in arrangements, which respond to local needs and address existing inequalities. In this regard, asymmetry should be welcomed as the positive expression of an area's identity and self-determination.

2.6. Finally, citizen involvement should be an essential aim underpinning devolution in England. England is the 'gaping hole in the devolution settlement'¹¹ – citizens have not had a chance to discuss their constitutional future or to consider whether an institutional change might be desirable. The First Past the Post electoral system used for parliamentary and local elections in England (a rarity among the nations) has also meant that, because of the dominance of two-party politics, a range of voices are effectively excluded from political representation. But, as mentioned in response to question 1, citizens want to be involved in the decisions that affect them directly and locally, and therefore should be involved in determining their future.

2.7. For this reason, the ERS advocates the establishment of citizens' assemblies within England to provide a space for citizens to carefully, thoughtfully and respectfully deliberate on their future. Power and voice cannot be achieved without bringing politics closer to people, meaning bottom-up citizen involvement is necessary to ensure the legitimacy of, and trust in, our institutional set-up and democracy more broadly.

3. Should devolution in England use the reserved powers to bring it in line with devolution in the rest of the UK?

4. To what extent should there be consistency in devolved and local governance within England, and to what extent is asymmetry necessary?

3-4.1. The ERS does not have a position on these issues. As mentioned in response to question 2, we would like to highlight the fact that devolution in England should not necessarily need to mirror what has happened elsewhere, to ensure consistency and symmetry, but should be led by what people in each locality want for their area. There should be sufficient flexibility to achieve this, as a single approach may not work for all areas. Whether or not there is consistency will depend on what kind of tier structures are chosen by and available to each area.

11 Hazell, R. (2006). *The English Question*. London: UCL Constitution Unit. https://www.ucl.ac.uk/constitution-unit/sites/constitution-unit/files/130_0.pdf

5. What is the purpose of the current “devolution” deals and mechanisms? Are these purposes being achieved?

5.1. There appear to be two purposes to the current devolution deals and mechanisms in England: first, an attempt to address regional inequalities and ‘level up’ the country by devolving some powers and resources to the local level; second, an attempt to address the so-called West Lothian question and ensure that England has a distinctive voice in the UK’s institutional set-up through, for example, the establishment of English Votes for English Laws (EVEL). Both of these purposes do not appear to be served by the current devolutionary arrangements. So far, devolution has not been valued as a mechanism for decentralising power and bringing it closer to the people, and allowing for their distinctive voice to be heard. Instead, it has proceeded in a piecemeal manner and has not been the product of national debate and self-determination, but rather a top-down imposition fostering competition between areas.

5.2. EVEL procedures are designed to give a distinctive voice – effectively a veto – to England/English MPs on English-only matters in the House of Commons. As has been pointed out in an oral evidence session to this inquiry,¹² EVEL fails to do so and there is limited knowledge about its introduction and operation (including among some MPs). Further, some have argued that EVEL merely recreates the West Lothian question in a new form, given its singular focus on England as a whole and its failure to consider relationships with the other nations and among and across English localities.¹³ The ERS does not have a position on EVEL, however, we would like to point out how a more proportional electoral system would help alleviate the tensions inherent in the West Lothian question and which led to EVEL, by creating a more balanced political map.

5.3. Current devolutionary arrangements (devo deals, elected mayors and combined authorities, local enterprise partnerships etc.) are focused on economic incentives/competition, agreed with and imposed by the centre in a top-down manner. As some have argued, ‘delegation’ might be a more accurate term to describe current arrangements.¹⁴ To truly achieve the purposes of devolution and decentralisation, power needs to be dispersed in a meaningful way across and within nations, regions and localities, following the principle of subsidiarity. Real decentralisation and devolution would help address inequalities and divisions locally, leading to policies that are better tailored to local contexts and public opinion, and fostering experimentation, innovation and learning.

6. How should decisions on English devolution be agreed?

6.1. The ERS believes that decisions on English devolution should be agreed both by politicians at all levels, who should set a clear and comprehensive vision, framework and long-term principles to guide devolution decisions, and by citizens themselves, who should be actively engaged and involved in reaching those agreements from the bottom up.

6.2. We have already set out how devolution within England has been a piecemeal, top-down process, which has failed to directly involve local leaders and the wider public. This is a reflection of the centralising, power-hoarding tendencies of the Westminster system of government and is

12 <https://committees.parliament.uk/oralevidence/1081/default/>

13 Mycock, A. and Giovannini, A. (2015). Behold the ‘Manchester Withington question’. *Open Democracy*, 19 November. <https://www.opendemocracy.net/en/opendemocracyuk/behold-manchester-withington-question/>

14 Kenny, M. and Kelsey, T. (2020). Devolution or delegation? What the revolt of the metro mayors over lockdown tells us about English devolution. *LSE British Politics and Policy*, 12 November. <https://blogs.lse.ac.uk/politicsandpolicy/devolution-or-delegation/>

exacerbated by the adversarial First Past the Post electoral system, which leads to there being no shared vision/agreement between the two main parties on – inter alia – devolution and no long-term policy planning, as decisions are likely to be undone if/when power swaps hands. Citizens themselves feel like they have very little influence over decision-making as a result of the broken political and electoral system, which does not allow them to input into decision-making and which leads to many votes being effectively ignored at election time.¹⁵

15 Garland, J., Palese, M. and Simpson, I. (2020). *The 2019 General Election: Voters Left Voiceless*. London: Electoral Reform Society. <https://www.electoral-reform.org.uk/latest-news-and-research/publications/the-2019-general-election-voters-left-voiceless/>

6.3. For devolution to truly work and be implemented effectively, there needs to be a genuine commitment to let go of power at the centre – devolution should be seen as a positive end in itself by political parties. There needs to be discussion amongst the parties to develop and articulate a shared and long-term vision, framework and principles for devolution, which can then be deliberated upon by citizens.

6.4. Reform of English devolution and, more broadly, fundamental constitutional change and a recalibration of how we practise our democracy cannot be imposed from Westminster. Bottom-up citizen involvement is necessary to ensure the legitimacy of, and trust in, new governing arrangements and institutional set-up. This will require a shift in culture which views citizens, local and national governments as collaborators in shaping the future of the country. People can and should be given the power to shape the future of politics in a more active and consistent way. This could take two primary forms:

- People should be involved in shaping the big constitutional questions of our time, supplementing the piecemeal and incremental work that has thus far been undertaken, primarily – if not solely – by politicians. An English constitutional convention, and/or series of citizens’ assemblies, should be established to address devolution to and within England.
- People should be involved in politics throughout the decision-making process, not just at election time. Deliberative democratic processes should be embedded at the local level in England. Multiple entry points for democratic participation should be created at different levels to address local policy issues.

7. How should the interests of different parts or regions of England be better represented to central government and in intergovernmental arrangements as well as in Parliament?

7.1. England lacks any formal, distinctive mechanisms and structures to make its views on national and cross-border issues heard in national and intergovernmental and interparliamentary forums. This has implications for the devolved nations, with concerns being raised about potential conflicts of interests given the UK government’s ‘dual hat role’ as a representative of both the UK as a whole and England.¹⁶ As mentioned in response to question 5, EVEL has not been particularly effective in solving this aspect of the West Lothian question.

16 McEwen, N., Kenny, M., Sheldon J., and Brown Swan, C. (2018). *Reforming Intergovernmental Relations in the United Kingdom*. https://www.centreonconstitutionalchange.ac.uk/sites/default/files/migrated/papers/Reforming%20Intergovernmental%20Relations%20in%20the%20United%20Kingdom_nov18.pdf

7.2. Existing mechanisms for intergovernmental and interparliamentary discussion and dispute resolution do not appear to be working as well as they should, and do not offer a genuine voice to the constituent parts of the UK vis-a-vis the UK government. This is likely to become an area of even further concern once the Brexit transition period comes to an end and a UK internal market and common frameworks are established.

17 <https://questions-statements.parliament.uk/written-statements/detail/2020-11-10/hcws564>

7.3. In this regard, the ERS is calling for reform of the second chamber as a central pillar in any package of measures designed to strengthen and enhance the quality of our democracy, recognising the UK as it is, not as a pre-devolution, unitary state. While intergovernmental and interparliamentary relations mechanisms will need significant improvement, and we welcome the recent government announcement with regards to enhancing transparency of IGR,¹⁷ we also need other forums for discussing and dealing with cross-border relations, providing a space for union-wide collaboration and shared learning on an ongoing basis.

7.4. A reformed second chamber could serve as a forum in which the four nations (including English localities, depending on how they choose to be represented at the national level) can work together. An elected second chamber could be the place where UK-wide, sub-national, and cross-border issues are discussed, where sub-national interests and concerns can be raised and given a fair hearing away from the more politicised and short-term ethos of the House of Commons. Whether directly or indirectly, an elected second chamber would have a link with the people its members represent, thus making it a truly democratic and equal forum for discussion. Reforming the second chamber could help the union work more effectively and fairly.

8. Is there a public demand for such structures/measures?

a. On what basis should the form, geography and extent of devolved regions or areas be determined, and what should be the role of culture and identity?

8.1. Public demand around devolutionary structures and measures in England is difficult to measure, given that there has been very little engagement with citizens as to how these should proceed and limited knowledge of the mechanisms and structures that are already in place (e.g. EVEL, devo-deals). As our polling has shown, however, we know that people feel that they have very little influence over decision-making across the UK and feel distant from where decisions are being made.¹⁸ Further, research has also found how feelings of ‘devo anxiety’ and resentment towards the other nations have built up in England.¹⁹ Something must therefore be done to address these feelings of disengagement, lack of political efficacy and unfair treatment with regards to devolutionary arrangements.

18 Garland, J. and Palese, M. (2019). *Westminster Beyond Brexit: Ending the Politics of Division*. London: Electoral Reform Society. <https://www.electoral-reform.org.uk/latest-news-and-research/publications/westminster-beyond-brexit-ending-the-politics-of-division/>

19 https://www.centreonconstitutionalchange.ac.uk/news_opinion/press-release-mays-precious-union-has-little-support-brexit-britain

20 Renwick, A. (2014). *After the Referendum: Options for a Constitutional Convention*. London: The Constitution Society. https://consoc.org.uk/wp-content/uploads/2014/05/J1847_Constitution_Society_Report_Cover_WEB.pdf

8.2. There has been a lack of a shared public conversation around devolution in England, when compared to the other nations. In Scotland, there was a constitutional convention on devolution in the 1990s,²⁰ and in both Scotland and Wales there was a wider public conversation during the referendum campaigns on the creation of the Scottish Parliament and Welsh Assembly respectively. People in England have been shut out of such participation, with devolution arrangements being largely settled behind closed doors, even though we know that, in recent decades, public expectations around how we practise our democracy have changed and have become more participatory and deliberative.

8.3. Understandably given that people have not been directly involved thus far, there is no clear consensus around the form, geography and extent of the devolved regions or areas, with public opinion surveys not producing a clear picture as to what geographical and cultural communities people identify most with (e.g. if English citizens feel more or less English than British, or

21 For some examples, see: Curtice, J. and Montagu, I. (2018). Scotland: How Brexit has created a new divide in the nationalist movement. *British Social Attitudes Survey 35*. <https://www.bsa.natcen.ac.uk/latest-report/british-social-attitudes-35/scotland.aspx>

Curtice, J. (2018). The myth of a growing sense of English identity. *UCL Constitution Unit Blog*, 14 December. <https://constitution-unit.com/2018/12/14/on-the-myth-of-a-growing-sense-of-english-identity/>

Easton, M. (2018). The English question: What is the nation's identity?. *BBC News*, 3 June. <https://www.bbc.co.uk/news/uk-44306737>

Jeffery, C., Wyn Jones, R., Henderson, A., Scully, R. and Lodge, G. (2014). *Taking England Seriously: The New English Politics. The Future of England Survey 2014*. https://www.centreonconstitutionalchange.ac.uk/sites/default/files/migrated/papers/taking_england_seriously.pdf

22 Denham, J. and Devine, D. (2017). *English identity and the governance of England*. <https://www.thebritishacademy.ac.uk/publications/governing-england-english-identity-governance-england/>

23 Wyn Jones, R., Lodge, G., Henderson, A. and Wincott, D. (2012). *The dog that finally barked: England as an emerging political community*. IPPR. <https://www.ippr.org/publications/the-dog-that-finally-barked-england-as-an-emerging-political-community>

24 Ibid

25 For more information and examples, see: Garland, J. and Palese, M. (2019). *Westminster Beyond Brexit: Ending the Politics of Division*. London: Electoral Reform Society. <https://www.electoral-reform.org.uk/latest-news-and-research/publications/westminster-beyond-brexit-ending-the-politics-of-division/>

equal).²¹ Overlapping and blurred national identity attachments are common in England.²² The desire to see England represented in its own political institutions appears to be higher amongst citizens identifying predominantly as English, yet this desire has yet to coalesce around a specific institutional change.²³ Of a range of institutional answers to the English question, including an English parliament and English regional government, no one particular answer gets majority support, though the status quo remains supported by just over half the population.²⁴ Being aware of the overlapping identities within England and the potential to allow for the expression of identity at all levels is an important consideration in constitutional change. We should consider identity within our institutional set-up but also be aware that identities are layered and changeable – one need not necessarily lead to the other – and institutions can create identities as well as reflect them.

8.4. For this reason, we believe that forms of deliberative democracy, and citizens' assemblies in particular, should be used as a forum to allow citizens themselves to determine the form and geography of English devolution, including the role that culture and identity should play in such arrangements. Solutions to England's future governance will need to be generated through this bottom-up deliberative and participatory process, rather than imposed from Westminster. An English Constitutional Convention seems to be an obvious solution to addressing devolution to England, allowing for debate to flourish around England's political system as a whole and how it relates to Westminster and the devolved nations, building upon the work of local citizens' assemblies and other deliberative democratic processes, which would allow for the self-determination of English localities.

8.5. More broadly, the ERS believes that there should be a UK-wide constitutional convention to address the future of the country in a holistic manner. The work of other sub-national conventions and assemblies could feed into the UK Convention, which would then focus on the broader constitutional questions, such as the relationship between the constituent parts of the UK.²⁵