

Critically evaluate the relationship between Members of  
Parliament, political parties, and pressure groups  
in the formation of legislation

The formation of legislation is influenced by a number of factors including Members of Parliament (MPs), political parties, and pressure groups. However, legislation can also be influenced by European law and public opinions surrounding current events. In this essay, I am going to look at how the groups influence the formation of legislation, in order to critically evaluate the relationship between Members of Parliament, political parties and pressure groups in the formation of legislation.

Legislative Process

The current main legislative body in the United Kingdom is Parliament. Parliament consists of three main bodies: the House of Commons, the House of Lords, and the Monarchy. Laws passed by Parliament are known as Acts, or statutes, and normally have to be voted in agreement for by both the House of Commons and the House of Lords, before they become law. As part of the pre-legislative process, the Minister with responsibility for a major matter may issue a Green Paper which is “a consultative document on a topic in which the Government’s view is put forward with proposals for law reform.”<sup>1</sup> The Government uses this document to get the views of interested parties as it allows interested parties to “send comments to the relevant Government Department, so that a full consideration of all sides can be made and the necessary changes made to the Government’s proposals.”<sup>2</sup> Once this stage has been completed the White Paper will then be issued with the Government’s firm proposal for the new law. Following this stage, the Bill will be drafted and formally introduced into Parliament. It will then be put before the House of Commons for three readings, a Committee Stage, and a Report Stage. The first reading is a formal procedure where information about the Bill is given, along with its main aims. At the end of the first reading a vote takes place to determine whether the House of Commons wishes to consider the Bill. The main debate then occurs at the second reading, allowing Members of Parliament the opportunity to discuss and debate the principles put forward in the first reading. At the end of the debate, there is once again a vote which determines whether or not the Bill will go any further. If the Bill is successful at the second reading then it will be passed on to the Committee Stage where there is a more detailed examination and consideration of each clause of the Bill. Any changes made during the Committee Stage are discussed during the Report Stage and once all the amendments have been accepted or rejected, the Bill passes on to the Third Reading. During the Third Reading, a final debate on the Bill takes place. This is normally just a formality as the Bill has already been through a number of stages allowing opposition to be expressed and dealt with, so it is unlikely to fail at this point. Once this process has been completed, the Bill repeats the process in the House of Lords, but “if the House of Lords votes against the Bill, it can go back to the House of Commons and under the Parliament’s Acts 1911 and 1949 become law if the House of Commons passes it for a second time”<sup>3</sup>, however this is a rare occurrence. The last stage is the Royal Assent, another formality procedure where the Monarchy gives their assent. Since the Royal Assent Act 1961 the Monarch doesn’t even need the text of the Bill in front of them. Acts of Parliament usually come into force at midnight on the day of receiving Royal Assent, unless another day is set.

Members of Parliament (MPs)

Members of Parliament, commonly known as MPs, are elected members of Parliament, chosen by the local people to represent them in the House of Commons. “MPs have responsibilities to three main groups: their constituency, Parliament, and their political

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<sup>1</sup> OCR Law for AS by Jacqueline Martin, p203, 204

<sup>2</sup> OCR Law for AS by Jacqueline Martin, p204

<sup>3</sup> OCR Law for AS by Jacqueline Martin, p207

party.”<sup>4</sup> An MP’s main responsibility is to act as a representative of their political party, and their constituency (the area that voted for them) in Parliament, expressing the views and concerns of their supporters. This is especially important in the debating of Bills before the introduction of Acts of Parliament, as MPs can examine and scrutinise Bills going through Parliament, raising issues which are deemed important by their local area. MPs are seen as fundamental in ensuring that the needs of local communities are responded to adequately. For example, citizens can put forward suggestions and questions to their local MP, which they would like to be expressed in Parliament. If enough pressure is put on the MPs, and consequently then on Parliament, then laws may be passed which are a response to public demand. Pressure groups attempt to use this method to influence the decisions of Parliament. In Parliament, Members of Parliament are able to introduce Private Members’ Bills which gives them more influence in the formation of legislation. Private Members’ Bills affect specific individuals or corporations, and generally do not affect the whole of the general public. These Bills can be introduced into the House of Commons in two different ways: the Ballot and the Ten Minute Rule. The Ballot method is where twenty private members (MPs) are selected and then take it in turns to present a Bill to Parliament. However the time for debating Private Members’ Bills is limited, so only the first six or seven Ballots will be able to be debated in a day. “Relatively few Private Members’ Bills become law, but there have been some important laws passed as the result of such Bills.”<sup>5</sup> The Abortion Act 1967, the Marriage Act 1994 and the Household Waste Recycling Act 2003 are all examples of Acts of Parliament which have been passed using the Ballot method. Alternatively, MPs can introduce Bills to Parliament through the Ten Minute Rule. This involves the MP making a speech up to ten minutes long on the introduction of the new legislation. However, this method is rarely successful unless there is no opposition to the Bill, although there have been a number of important Acts passed by this method. Acts passed by the Ten Minute Rule include the Bail (Amendment) Act 1993 where the prosecution were given the right to appeal against the granting of bail to a defendant. Private Members’ Bills can be introduced by MPs in both the House of Commons and the House of Lords. As previously mentioned, MPs can be influenced by their political party, pressure groups, or the people in their constituency, when attempting to introduce Private Members’ Bills.

### Political Parties

A political party is a “political organisation that seeks to attain political power within a government, usually by participating in electoral campaigns. Parties often espouse a certain ideology and vision, but may also represent a coalition among disparate interests.”<sup>6</sup> In the UK, there are currently three main political parties sitting in Parliament, dominating politics in the House of Commons. These are Labour, Conservative and Liberal Democrats. Currently, Labour is in power, meaning that they hold the majority of seats in the House of Commons; however this does not mean that the other parties do not influence the formation of legislation. Each political party influences the formation of legislation “through their manifestos, which contain reforms and proposals for law, and their general ideology”. Opposing parties to the political party in power play a significant role as the government would theoretically be able to pass any laws they wanted to if these proposals were never questioned. Political parties can prevent legislation being passed if enough of their MPs vote against a Bill. A political party has a very strong influence over their MPs, and as every MP belongs to a political party they are most likely to believe and support their views. This allows the political parties to influence the decisions and actions of MPs in Parliament as they are tied to their individual parties, making it hard to act on their own moral judgement. On the

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<sup>4</sup> Essay Competition Winner

<sup>5</sup> OCR Law for AS by Jacqueline Martin, p204

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rare occasion of an MP going against the ideologies of their political party, this could result in them being expelled from that party, known as the 'withdrawing whip'. As well as having influence over the MPs and the formation of legislation, political parties are also influenced themselves. Pressure groups and public opinions can be very influential over political parties' ideologies, as they aim to gain vote from the public. In order to do this, the parties need to listen and respond to the media, public opinion, and the views of pressure groups in order to gain as many votes as possible.

### Pressure Groups

Pressure groups are "an organisation or group of people, who share strong beliefs about a certain subject and take action on these beliefs, hoping to influence political decisions."<sup>8</sup> There are many pressure groups around in today's society with Trade Unions being possibly the largest in the UK, representing a large number of the population. Other commonly known pressure groups include "Greenpeace, Shelter, Child Poverty, the British Medical Association, the Law Society, Justice and Amnesty International."<sup>9</sup> Pressure groups can seek to influence MPs decisions regarding the formation of legislation in a number of ways including campaigns, protests, petitions, and letters written to the MP, where they attempt to highlight an issue and get their view recognised by Parliament. If the pressure group is successful in influencing the individual MP or a political party in the Government, then this may lead to legislation being passed on the issue. "Political groups are often successful in getting coverage in the media and therefore the public become aware, and usually sympathetic to their cause."<sup>10</sup> As a political party seeks to gain as many votes as possible, they are more likely to show interest as if they were to show a lack of interest in an issue which is popular with the public, then this could lead to unpopularity for the political party. An example of when pressure groups have successfully influenced the formation of legislation was in 2000 when the government agreed to reduce the age of consent for homosexual acts in private to 16. Pressure groups also had an influence on the formation of legislation with the Hunting Act 2004 which banned fox hunting with dogs. During the debating of the Hunting Act 2004 it was seen where two pressure groups wanted opposite things. The League against Cruel Sports wanted fox hunting banned, whereas the Countryside Alliance wanted it to remain legal. Before a general election, MPs will take particular notice of pressure groups as they want to gain and keep the support of the pressure groups as well as the public for more votes during the election.

### Conclusion

Overall, Members of Parliament (MPs), political parties, and pressure groups all have some influence over the formation of legislation. This can be done by influencing each other. Pressure groups are able to influence both political parties and Members of Parliament; this is because both groups require the votes of the public during elections in order to remain in power. Therefore MPs and political parties need to listen to and possibly support pressure groups with a lot of media attention and public support. Political parties also have an influence over Members of Parliament, as each MP is tied to a political party so usually tends to follow the views of the party. Political parties can also influence MPs decisions regarding the formation of legislation because an MP has the threat of being expelled from their political party, known as the 'withdrawing whip', if they choose to go against the party's views. MPs theoretically have the most influence over the formation of legislation as they are the people that actually sit in the Parliament to debate Bills, and may even attempt to introduce their own Private Members' Bills. This close relationship between Members of Parliament, political parties, and pressure groups in the formation of legislation, is important

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as it allows the public to have some influence in the laws that are passed, rather than having the whole country dominated by the views and opinions of just the MPs and political parties in power.

Bibliography

*I used the following sources to help me complete my essay:*

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