

Liberal Democrat party policy-making in coalition

*A review by the
Social Liberal Forum*

Dr David Hall-Matthews with Dr Prateek Buch



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Contents

Executive Summary	2
Introduction	5
Liberal Democrat contribution to government policy	10
Parliamentary Party Committees	13
Federal Policy Committee	14
Lib Dem HQ – Policy Research Unit	15
Federal Conference	16
Local, regional and devolved government	18
Members – and internal party organisations	18
Social Liberal Forum	19
Conclusion	20

Executive Summary

Liberal Democrat policy-making has always been more careful, robust and democratic than that of other political parties. However, the experience of being in government as a junior coalition partner has made it more difficult to maintain this proud record, for several reasons:

- Senior parliamentarians are now focused on government policy, which is not the same as party policy, because it necessarily involves compromise with a rival political party.
- The party's policy research capacity has been devastated by the loss of Short money, without being replaced by access to civil service support in most policy areas.
- The need for both speed and behind-the-scenes negotiation in government business has led depressingly quickly to the sidelining by ministers of the deliberations of Federal Conference and to a lesser extent the Federal Policy Committee.
- Parliamentary party committees do not yet have the capacity, confidence or unity of purpose to develop and publicise new, forward-looking party policy, in parallel to government.
- The weakening of the party's councillor and activist base, following significant reverses in successive rounds of elections, leaves policy-making in the hands of fewer, increasingly Westminster-based, committees, Parliamentarians and their staff.

This has led to severe strains in the party's capacity to make, refine and advertise new, independent policy, with the consequences that:

- Voters are unclear what Liberal Democrats stand for and do not give credit for successful implementation of popular Liberal Democrat proposals.
- Party members feel excluded from decision-making and unable to influence the government any more than they could when we were in opposition.
- The views of Federal Conference are perceived to be overlooked – wasting one of the Liberal Democrats’ greatest resources and undermining democratic principles.
- It is not clear from what sources an independent Liberal Democrat manifesto for the next General Election will be drawn.

This pamphlet attempts to analyse these difficulties and suggest ways to bolster party policy-making processes, including:

- Willingness by parliamentarians, inside and – especially – outside government, to state Liberal Democrat positions in public that diverge from government policy.
- Wider consultation with policy experts within the party - and elected representatives at all levels - before ministers agree to compromises that conflict with existing party policy.
- Negotiation in future coalition arrangements (if not before) to allow a) full financial support for party research in all areas of policy and b) an “agree to disagree” protocol, enabling Liberal Democrat ministers to state their honest views on policies that emanate from non-Liberal Democrat ministers, instead of being bound by collective responsibility.

- Ensuring best practice is spread more widely in terms of communication between ministers and Parliamentary Party Committees and the Federal Policy Committee about future government agendas, so that Liberal Democrat policy positions can be worked out and declared before a legislative programme has been agreed.
- Better research support for Parliamentary Party Committees and the Federal Policy Committee.
- Proactive communication of Liberal Democrat policy ideas – on both long-term and emerging issues – by Parliamentary Party Committees and the Federal Policy Committee.
- Serious attempts by relevant ministers and/or Parliamentary Party Committees to promote and implement policy motions passed by Federal Conference, with reports back on progress to the succeeding conference.
- Greater use by ministers and FPC of the expertise of elected Liberal Democrats in local, regional and devolved government, and of party organisations, including the Social Liberal Forum.

Introduction

Entering government as a junior coalition partner presented a number of new challenges to party policy-making processes within the Liberal Democrats. When in opposition, shadow ministers devoted a great deal of time to developing specific Liberal Democrat positions on the issues of the day – and to planning ahead and developing new policy. They were supported in this by the Policy Research Unit (PRU) at Cowley Street, which also provided research and administrative support to the elected Federal Policy Committee and the policy working groups it appoints. Party conferences provided an important forum for new policy ideas to be suggested by local parties, associated organizations and ordinary members, and for party spokespersons' proposals to be scrutinised, debated, approved and publicised.

The parliamentary party is now divided. Some MPs and a few Peers are ministers – whose job is to manage the business of government. Of course, they do so in relation to existing party policy and principles. But they do not have the time to create new party policy that is distinct from government business and within the party's constitutional framework – and nor would it be appropriate for them to do so. Moreover, the sheer volume of decisions that ministers have to make – and the need for long lists of demands when negotiating with Conservative counterparts – has meant that on occasion there is insufficient existing party policy to guide them. Where a Liberal Democrat minister has total control over an area of government policy, such as green investment, post offices or pensions – it is right that the party should go into the next election defending its record in government. But in coalition, the record of the government as a whole is not the same as the policy of the party. Where government policy is made by Conservative ministers – for example on rural affairs or the media – Liberal Democrats are entitled to take a different set of proposals into the next election – and indeed to criticise Conservative mistakes and illiberal actions. In departments where the cabinet minister is Conservative, but there is a junior Liberal Democrat minister, policies are meant to be made in relation to the Coalition

Agreement. There may be detailed discussion and compromises between ministers but, again, policies do not necessarily reflect all Liberal Democrat views. Does the fact that Lynne Featherstone is Equalities Minister in the Home Office, for example, mean that Liberal Democrats support Police Commissioner elections or immigration caps? Of course not.

Liberal Democrat MPs and peers who are not ministers or whips should be given free rein to speak for the party as opposed to the government – especially before policies have been formulated and put to parliament. Parliamentary party committees in broad areas of policy have been created to enable them to do this, and some are very effective. However, their operation is not consistent, and committee co-chairs are not the full equivalent of shadow spokespeople. They do not have the research support, nor the room to manoeuvre, to develop new policy ideas. Most are focused on feeding in to ongoing policy debates and reacting to ministers’ proposals. Some parliamentary committees see their main role as a conduit – to find out what ministers are doing, scrutinise, and communicate to colleagues. Many are wary of taking public positions, even on issues that have yet to be addressed by government, for fear of ending up having to defend contrary positions, if government policy later turns out to be different. Some are reluctant to criticise Conservative ministers, lest they lose goodwill and therefore miss later opportunities to persuade. Others are more confident, and some co-chairs, such as Stephen Williams and John Pugh, have entered the wider public debate.

The party therefore has a series of urgent problems:

1. The public often assumes that all government policy is fully supported by Liberal Democrats. Party campaigners therefore have difficulty explaining the party’s position on issues where it is not the same as the government’s. The last uniquely Liberal Democrat statement on policy across all areas was the 2010 manifesto. The party leadership does occasionally set out Liberal Democrat “asks” and priorities – for

example on raising the income tax threshold – but much less often than when it was in opposition and on a far narrower range of policy issues.

2. Grassroots members and activists feel that they have less opportunity to influence party policy – through conference motions and debate – than before. Time at conference is increasingly taken presenting already-decided government policy¹ – and motions submitted by members that call for a different direction are rarely accepted for debate. There appears to be a fear in the party, both inside and outside parliament, of being seen to undermine ministers. When critical motions have been debated – for example on free schools and the NHS – their outcomes have not always been taken on board by ministers.
3. This alienation is added to by the continued loss of the party's base in local government, which weakens our activist base and its ability to feed policy through conferences from regional up to federal level. Dedicated local activists are seemingly paying the price for the unpopularity of Liberal Democrat participation in a Conservative-led coalition, and will continue to do so without further differentiation at national level.
4. Liberal Democrat ministers often make policy pronouncements that have never been discussed within party policy-making structures, some of which are then woven into official policy through ex post facto motions at the next party conference. While ministers sometimes necessarily have to come to quick decisions in government, the party needs to decide how important internal scrutiny is. Labour abandoned it in government, but democratic processes are imprinted in Liberal Democrat DNA.

¹ See analysis in *Liberator*, September 2011.

5. The writers of the next Liberal Democrat General Election manifesto could have a difficult job. In which areas can the party build on the Coalition's record and in which will it seek to set out distinctive positions? When it does the latter, what material can it draw on? It would be very useful to have a comprehensive and clear statement of what Liberal Democrats would do now, if in government alone, in all key areas of policy.

With parliamentarians less able to focus on party policy development, it would be helpful for those outside parliament to take a greater role. It would be natural for this to be led by the Policy Unit at Lib Dem HQ, but it has been decimated by the loss of Short Money, paid to opposition parties to finance policy research and development. Given that Liberal Democrat junior ministers do not necessarily have access to civil service support on areas outside their specific remit (could the pensions minister commission research on child benefit, for example?) – and certainly cannot ask for help from officials in the departments where there are no Liberal Democrat ministers – it is not logical that a party in government as a junior coalition partner no longer needs separate research support. This has led to the creation of a new tranche of Special Advisors in 2012, in the process compromising the Coalition Government's commitment to reducing their overall number.

There is therefore an opportunity – and a necessity – to rethink party policy-making processes. At the moment, decision-making appears to be top-heavy (indeed at times overwhelming for the Deputy Prime Minister) and compromised by the inevitable conflict of interest between distinctive party policy development and the daily business of seeking to influence a Conservative-led government. It is not easy to convey the impression of two different parties working together to the public. Those who speak specifically for the party – the President, Deputy Leader and Parliamentary Committee co-chairs – need to do so more clearly, loudly and often. Where Conservatives disagree, the party gains in distinctiveness – and where they agree, the public can see specifically Liberal Democrat proposals being put into

practice in government. But to be able to do that, party leaders need more support from outside parliament.

This pamphlet casts light on the main Liberal Democrat groups with a policy role: cabinet ministers, junior ministers, backbenchers, Federal Policy Committee, the Policy Research Unit at Lib Dem HQ, Federal Conference, locally elected representatives and ordinary members. It explores relationships between them and seeks to diagnose some difficulties that hamper them. It then offers some proposals to help.

Liberal Democrat contribution to government policy

What is the process for agreeing policy in areas not covered by Coalition Agreement? This is meant to be the responsibility of the Coalition Committee, but in reality it hardly ever meets. Instead, most disputes are resolved within the so-called Quad, involving Nick Clegg, Danny Alexander, David Cameron and George Osborne. This prioritises speed over consultation. The party needs to develop a system that balances the need for adequate engagement with party members and the pace of decision-making in government, in order to avoid situations where the party officially supports Conservative measures that many party members actually oppose. This has the potential to improve decision-making, to the benefit of the party. Some significant political mistakes were warned about in advance within the party – but those warnings were overlooked by ministers focused on agreeing trade-offs in private and trying to be fair by coalition partners who have not always returned the favour. Consultation in government is not always easy, but democracy is at the heart of Liberal Democrat beliefs and approaches to politics. We should trade on our unique selling point, not abandon it.

In the initial months of the coalition, any proposal from the Conservatives, whether from departments with or without Liberal Democrat ministers, was “coalition proofed” by consulting Nick Clegg’s office. As a result, there were huge bottlenecks and the Deputy Prime Minister was severely overworked. This highly centralised, top-down approach was exhausting, leading to some policy proposals being signed off without adequate scrutiny – while experts in party policy in the same areas were left out of the loop. The volume of work was partially redressed at the start of 2012 by the strengthening of Nick Clegg’s team of Special Advisers – but they are still not well linked in to Liberal Democrat policy-making processes.

Liberal Democrat cabinet ministers clearly can put some Liberal Democrat policy into action – and develop new party policy in the course of their jobs, supported by civil service research. But policies still have to be agreed with the Conservatives. It should

not be forgotten that some of the government decisions that Liberal Democrat supporters have been least happy with relate to issues overseen by Liberal Democrat Secretaries of State. New, detailed policy ideas from other parts of the party would therefore still potentially be of use to Liberal Democrat ministers. Indeed, having cabinet ministers - both in charge of specific areas and in positions to influence cabinet across the board - could be a great incentive for those in the party with the skills and knowledge to help devise new policy suggestions. This depends, of course, on having systems in place through which such ideas can be communicated to ministers.

It is unclear to what extent junior Liberal Democrat ministers - particularly in Conservative-led departments - have adequate access to and good relationships with civil servants and external advisers. This necessarily hampers their ability to argue for the implementation of party policy beyond their specific remits. It is only reasonable for junior ministers to take collective responsibility for decisions on which they have been consulted - and it would be useful to have a public record of where this is and is not the case. For junior ministers from a junior coalition party to be bound by cabinet responsibility to support decisions to which they were not party is inappropriate. It is curious that even junior ministers themselves do not see the principle of collective responsibility as inconsistent with coalition government.

The party should not be afraid to state positions - both positive and negative - that are not shared by our coalition partners. In New Zealand, coalition became a more effective form of government after the establishment of an "Agree to disagree" protocol, under which the junior party supports the main planks of policy (the equivalent of the coalition agreement) but speaks freely on issues not covered by it. This does not prevent new government policy being developed, through public compromise. Public support for public compromise is higher than for privately agreed deals, which look like sell-outs.

Liberal Democrat MPs and Peers outside government are best placed to speak specifically for the party - but this is only

helpful if they work in concert with the leadership (and vice versa). When backbenchers do have their say, it is often after Liberal Democrat ministers have agreed policy. Rebellions against the whip are rarely effective in changing policy and do not help to clarify the party's public position. The number of rebels often seems, to the outsider, surprisingly low. Communication between ministers and backbench Peers has been particularly weak. It would be much better for the party if backbench views could be sought privately at an earlier stage, as Simon Hughes has argued, for instance at White Paper stage or before. To do so requires greater capacity to anticipate and prepare for forthcoming events and legislation. It would be helpful if the Deputy Leader and President – as the party's leaders outside government – could be provided with research support for this. Parliamentary party committees and special advisers could also play a much greater role in thinking issues through before the party is required to take a public stance on them.

Parliamentary Party Committees

These committees are designed to give a voice to backbench MPs and peers – and also usefully include members of the Federal Policy Committee. It is not entirely clear whether they have the authority to be the voice of the party – with co-chairs acting as the equivalent of shadow ministers – or just of the backbenches. They have five potential roles:

1. To feed-in to party decision-making – provided that they are consulted on issues within their respective policy areas in a timely fashion.
2. It is essential that they react quickly and clearly to Conservative policy proposals that contradict existing Liberal Democrat policy.
3. With adequate support, they would be well-placed to anticipate issues before they arise and set out Liberal Democrat positions. So far, most have only been able to do this in the short to medium term, if at all. It would be helpful if they could be given confidential early sight of government plans in order to scrutinise them at an early stage. This requires a relationship of trust between Liberal Democrat ministers and backbenchers.
4. It would be useful to see more conference motions, spokespersons' papers and public statements from the committees, containing new policy proposals. This would promote consultative policy development in a way that private letters to ministers do not.
5. Where areas are identified in which party policy needs updating, parliamentary party committees could usefully commission (and sometimes publish) new policy research from outside parliament.

Some parliamentary party committees are wary of criticising government – or even of taking forward positions that do not then match government policy – even though this could help to distinguish Liberal Democrat from Conservative policy. It has

proved rare for parliamentary party committees even to declare Liberal Democrat priorities in public. However, following an amendment to a conference motion on party strategy at the 2011 spring conference in Sheffield², parliamentary party committees are expected to take on the task of arguing for implementation of policy motions passed by Federal conference. They are then required to report back to conference on what has been done to promote Liberal Democrat policies, particularly in areas not covered by the coalition agreement. Ideally efforts should also be made to communicate with ordinary members, to ensure the membership is engaged with parliamentary business outside of party conference season.

Federal Policy Committee

FPC has made a good start on identifying areas for future policy development, with a view to the next manifesto, within the review paper *Facing the Future*. It now needs to go further in reviewing the policy-making process itself, in order to encourage and support the development of new and radical ideas. The platform to reflect on policy-making difficulties and identify bottlenecks is in place. Alongside Federal Executive and the parliamentary party, FPC is considering party decision-making systems in line with the amended strategy motion passed by conference in Spring 2011.³ This review is needed not just in relation to future decisions to enter coalition, but on how policy in new areas is handled during coalition. It is hoped this pamphlet will help with the latter.

Given that FPC has the primary responsibility to develop long-term policy, away from the heat of parliament, it could also usefully make public statements concerning Liberal Democrat

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[http://www.libdems.org.uk/policy_motions_detail.aspx?title=Carried with amendment%3a Strategy%2c Positioning and Priorities &pPK=07a9d6af-9669-4fda-8560-5303c4e495f0](http://www.libdems.org.uk/policy_motions_detail.aspx?title=Carried%20with%20amendment%3a%20Strategy%2c%20Positioning%20and%20Priorities%26amp;PK=07a9d6af-9669-4fda-8560-5303c4e495f0)

³ *ibid.*

policy. When issues arise between Federal Conferences, FPC should at least make statements to ensure that the parliamentary party and the public are aware of the party's current position on given issues. Such a process was followed, for instance, with regards to the FPC's Quality of Life working paper, which attracted helpful media interest before being put to conference. In addition, FPC should consider taking public positions on emergent issues on behalf of the party – always subject to subsequent ratification by Federal Conference. It is a concern - and a waste of time and talent - that discussion at Federal Policy Committee of the party's position in relation to, for example, welfare reform and employment law was never made public.

Lib Dem HQ – Policy Research Unit

Following the withdrawal of 'Short money', this unit needs to be revived and expanded in order to tackle large areas of policy and provide information. The restoration of policy-making capacity at the heart of party headquarters is essential to the party's prospects, both in the current parliament and in future. Further, in order to aid the formation of evidence-based policy, the party needs a repository of existing as well as original research and data. Policy Working Groups and Parliamentary Party Committees need to be provided with adequate administrative support. Some of this is done by MPs' researchers but greater resources are needed, given the increased volume of work and opportunity.

The party should negotiate over 'Short money' in future coalition talks, if not before. Failure to do so in 2010 – even though some senior party figures were aware of the problem – was a mistake. There was a strong pushback to start negotiating again after the coalition was formed, but the process ended with David Laws' resignation. In the meantime, the PRU should be a high priority for such party funds as are available and for fundraising. Commissioning research from outside sources – and party groups – would also help, where affordable.

Federal Conference

Democratic policy-making and debate must be protected at all costs. They are a unique selling point for the party, the importance of which to potential members and public perception must never be underestimated. Conference must be used to take policy forward and is an obvious opportunity to develop party policy – and to involve members. It is Liberal Democrat conference, not government conference. Federal Conference Committee ought therefore to focus Conference agendas on proposed Liberal Democrat policy rather than restatements of government policy (except where this has originated from Liberal Democrat ministers). Priority should always be given to motions that propose new party positions, rather than reacting to others. Policy motions that do not reflect current government positions are a valid way for Liberal Democrats to set out independent and forward-looking proposals.

As emphasised by the Sheffield motion on strategy, an active system is needed to turn motions into government policy; Co-Chairs of Parliamentary committees, the FPC and ministers need to coordinate to implement policy passed by conference and then, crucially, report back to the next conference on progress. Positive new policy ideas from members, passed by conference since the formation of the coalition, have proved helpful to ministers – and are the best available basis for future manifestos. For example, motions on banking⁴ and pensions⁵

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[http://www.libdems.org.uk/policy_motions_detail.aspx?title=Emergency Motion carried%3a Tougher Action on Banks and Bonuses&pPK=aab9a889-bded-4cb5-81a2-576767acdf74](http://www.libdems.org.uk/policy_motions_detail.aspx?title=Emergency%20Motion%20carried%3a%20Tougher%20Action%20on%20Banks%20and%20Bonuses&pPK=aab9a889-bded-4cb5-81a2-576767acdf74)

⁵ <http://socialliberal.net/2012/03/12/lib-dem-pensions-proposals-authored-by-slf-are-big-news-in-the-industry/>

have helped to advance party policy and positive lessons must be learned from this success. The pensions motion passed at the Gateshead Spring conference in 2012 provides an excellent example of how Conference can still play a central role in party policy formation. Pensions Minister Steve Webb has subsequently fed party policy as agreed into government plans, in consultation with the motion's proposer, an acknowledged expert in the area. This needs to be done for all policy motions. Party policy as passed by conference should also be made more easily accessible online and there should be a discussion forum linked to it for ordinary members to participate in, before, during and after conferences. The most recent policy motions currently posted on the Liberal Democrat website are from Spring 2011.

Conference is best used to exert influence on issues before they arise in parliament – early, proactive and positive proposals aid Liberal Democrat parliamentarians in implementing party policy. Conference cannot mandate parliamentarians with respect to specific legislation or make large spending commitments in a coalition – but equally MPs and Peers should be more mindful of conference's wishes and should have to justify voting against what conference sets as our policy. Failure to do so risks a repeat of the difficulties over the reforms to the NHS, free schools or the welfare system, in which party conference clearly remained dissatisfied with planned legislation but were effectively ignored in the interests of coalition togetherness.

Local, regional and devolved government

Councillors, Members of the Scottish Parliament, Welsh Assembly, Ireland's Legislative Assembly and of the European Parliament all need better and more direct lines of communication with party policy-making. Not only is subsidiarity a key Liberal Democrat principle, elected members often have both policy expertise and experience of coalition, which could be invaluable for ministers and Parliamentary Party Committees to draw upon. In addition, they are often better placed to assess the political and economic impact of policy proposals at grassroots levels. It is vital that the party starts to make better use of Liberal Democrat representatives away from Westminster, through innovative use of information technology and better internal party communication. Top-down decision making has not served the party well in government – and has prevented the party from putting its grassroots principles and practices into action, in a way that could have a transformative and positive effect on UK politics.

Members – and internal party organisations

All members must be encouraged to participate in Liberal Democrat policy-making processes. The party needs ideas from outside parliament desperately and wide expertise exists. Support in linking members' ideas to legislative realities should be increased. Dismissing ordinary members' views because they are out of sync with current parliamentary agendas – or unfamiliar with existing legislation – misses the point. Our policy needs to reflect what voters are thinking too. New, radical lines proposed by grassroots members must be taken seriously for what they are. It would be helpful for the party to develop a system to improve the precision and utility of members' ideas rather than, as at present, rejecting many because they are poorly expressed. Associated Organisations within the party and other bodies can help with this.

It is important to engage members – most join the party because they are interested in policy and are attracted to the only party

that has a democratic approach to policy-making. Dismissing or ignoring their views creates recruitment and retention problems – our party members should be looked upon as a rich source of policy expertise and not just leaflet-delivering machines. Members also deserve better communication of what has been asked for by Liberal Democrat parliamentarians in intra-coalition negotiations, relative to what is actually implemented.

Social Liberal Forum

One of the central problems identified in this pamphlet is the lack of research support available to the party at every level, from ministers to parliamentary party committees to Liberal Democrat Headquarters. Independent organisations such as CentreForum, Liberal Insight and others therefore have a role to play in feeding in policy suggestions and developing ideas from within and outside of the party. The Social Liberal Forum is able and willing to play such a role too.

As our name suggests, our aim is to promote social liberal ideas of support to individuals whose circumstances prevent them from leading fulfilling lives. We strive to do this by scrutinising policy proposals from others in the party – and of the government of the day – and by suggesting our own policy ideas. Additionally, we work to bring people back into the party and engage members with the policy-making process.

We are also able to provide research support, to enable other party bodies to produce evidence-based policy. The SLF fosters policy discussions at conference fringe meetings and at our own summer conference. We have also produced policy briefs and pamphlets that propose significant new social liberal ideas in major areas: our economic Plan C pamphlet,⁶ and motions on banking and pensions, all seek to influence party policy and

⁶ <http://amzn.to/IM2CFP>

government decision-making in ways that prioritise social justice.

We plan to tackle other major issues in the coming months, including fair taxation, an evidence-based approach to crime and drugs, environmental policy, international development and education. Our goal is to strengthen our capacity to research and campaign professionally and effectively, so that we can continue to produce high-quality material upon which the updated policy-making procedures outlined here could draw.

Should resources allow, the SLF would be pleased to help parliamentary party and federal committees in the forward planning activities identified above. Being allocated office space in Liberal Democrat headquarters would help us to develop as an organisation, as would greater capacity to fund our work.

Conclusion

Many outside (and some within) the party regard the Liberal Democrat way of making policy as too slow, old-fashioned, inconvenient even. However our democratic approach remains superior to how other parties function. When working properly, it enables strong connections between Liberal Democrat policy and both party grassroots and voters. Experience in government has demonstrated the advantages of consultative decision-making – and the dangers of loading too much responsibility on to too few people, without adequate support. As set out here, these processes need to be strengthened and updated to reflect the realities of being in coalition government. The need to compromise with another party prevents ministers from focusing on the development of party policy. Therefore party conference, parliamentary and federal committees and party bodies need to be bolstered and emboldened, in order to ensure that distinctive, radical, independent and original Liberal Democrat policy continues to be proposed, scrutinised, refined and publicised. It is essential to improve relationships and communication between existing structures, giving members and parliamentarians the feeling of pulling in the same direction

and trust. Better support through more funding for policy research is vital. Above all, Liberal Democrat policy-making depends on bold leadership that sets out our values consistently and coherently – including freedom and fairness but also democracy, subsidiarity and inclusivity. All party policy should stem from those values – and be made in accordance within them.