

Who, or what, is the Remembrancer?



by Gordon Craigie



The ceremony of Quit Rents, the oldest legal ceremony in England

FOLLOWING hot on the heels of *Who, or what, is the Lord Lyon?* from last month's issue, it looks like we might have a mini-series on our hands here! Actually, an investigation of all of the arcane and archaic structures of the British State would run to considerably more than just a mini-series... But, getting back to the point, although *The Remembrancer* may sound like a character from *Game of Thrones* or suchlike, it is actually the official title of a real person that poses serious questions of the democratic transparency of the Westminster Parliament.

The Remembrancer is an appointee of the City of London Corporation, the local authority responsible for the 'Square Mile' that is the City of London. Of course, when we hear or read about local governance in London we're normally thinking about the Greater London Authority, which administers the 32 boroughs of Greater London. That has a population getting on for 9 million whereas the City of London has actually only around 9,000 residents, of which less than 7,000 are entitled to vote.

Interestingly, when it comes to their local government elections, that City of London electorate grows to almost 20,000. Why? Well, in 1969 the UK Labour Government abolished 'business votes' in all parts of the country, except for the City of London! So, the residential vote is vastly outnumbered by the votes allocated to businesses and companies. If this seems a bit unusual, it's important to remember that the main claim to fame of the City of London is as a major business and financial centre, hence its disproportionate importance to the Westminster political classes.

On their website, The City of London Corporation claims to be the "oldest continuous municipal democracy" in the world, with a history dating back around 1,000 years. The organisation has its own Lord Mayor, elected annually from the City's Aldermen. The current Lord Mayor of London is Charles Bowman (not to be confused with the more widely-known Mayor of London, Sadiq Khan). However, the key City officers are the Town Clerk, the Chamberlain and... the Remembrancer. Since 2003 that particular role has been occupied by Paul Double, a former barrister.

The Office of the Remembrancer was created in 1571 to act as an intermediary between the City, the Monarchy and Parliament. Originally created specifically to remind, or 'remember', the King/Queen of his/her debt to the City, nowadays this role is mainly confined to Parliament, which is where the earlier comment about transparency comes in. Although the Remembrancer is unelected he - and the Remembrancer has always been a 'he' - is entitled to sit in the House of Commons as a 'Parliamentary Agent', observing proceedings from the under-gallery facing the Speaker's chair. He apparently has a similar seating position reserved in the House of Lords and is therefore one of a select few entitled to be in both chambers. And, just in case I didn't emphasise this enough, let's not forget, the Remembrancer is unelected...

But what does this 'intermediary' role actually involve?

Well, again according to the City of London Corporation's own website, the Remembrancer is "responsible for the maintenance and protection of the City's constitution". His functions still include "liaison between the City and the Royal Households" in addition to acting as "a channel of communication between Parliament and the City". So far, so vague, but the remit goes on to detail, "in the contemporary context, this means day-to-day examination of parliamentary business including examination of, and briefing on, proposed legislation and amendments to it, regular liaison with the Select Committees of both Houses and contact with officials in government departments dealing with parliamentary bills".

In simple terms the role of the Remembrancer has been described as to 'protect the interests of the City of London', and that's where things start to get interesting as that implies something more than liaising and observing. In fact, even if he did only 'liaise and observe' we might well wonder why this privilege was not extended to representatives of other cities? But, as well as this watching brief, the Remembrancer also submits "evidence to parliamentary committees on a wide range of topics, reflecting the breadth of work undertaken by the City Corporation".

In other words, the Remembrancer is the eyes and ears of the City of London Corporation with unprecedented access to both chambers of Parliament, the House of Commons and the House of Lords, with a remit to protect the interests of the City. Who knew? Contrast that situation with our Scottish representation - in Scotland we are only too well aware that the role of Secretary of State for Scotland is officially described as 'promoting and representing the interests of Scotland within the UK Government', while all the evidence points to the current placeholders, David Mundell and his unelected sidekick Lord Duncan of Springbank, doing the exact opposite - promoting and representing the interests of the UK Government in Scotland.

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CITY OF LONDON



Over recent years there have been several books and newspaper articles calling the influence of the Remembrancer, and the City, into question. For instance, the author and journalist Nicholas Shaxson, in his investigative book *Treasure Islands*, describes the Remembrancer as “the world’s oldest institutional lobbyist”, while writer and activist George Monbiot wrote an informative piece in *The Guardian* where he credited the Remembrancer’s role as “working beyond the authority of Parliament, the Corporation of London undermines all attempts to curb the excesses of finance”.

So, what kinds of liaising, suggesting, proposing, manipulating and advising is actually carried out by the City, through the Remembrancer? Well, to support their activities, the Office of the Remembrancer reportedly has a budget of around £6m and employs a

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team of six lawyers to scrutinise legislation. Just one example of the efficacy of their work would be that when the City made suggestions to reduce rates of taxation in January 2011 to demonstrate that the UK was ‘open for business’ the then Chancellor, George Osborne, waited only until his March budget to introduce a reduction in corporation tax double that which he had previously planned. Monbiot has also commented on the City using its position of power and influence “to establish itself as a kind of offshore state, a secrecy jurisdiction which controls the network of tax havens housed in the UK’s crown dependencies and overseas territories”, adding “this autonomous state within our borders is in a position to launder the ill-gotten cash of oligarchs, kleptocrats, gangsters and drug barons”. And Shaxson, speculating on a post-Brexit economic landscape, suggests that “if you think the City of London is corrupt today, wait and see what the Brexit-boosted lobbyists and fantasists have in mind”. Powerful stuff!

Criticism of the position of the Remembrancer, and the influence of the City on UK governance, is not a recent phenomenon. In reference to the City of London, Shaxson quotes Clement Attlee, UK Prime Minister in the 1940s, as having said, “the City...is able to assert itself against the government of the country” and “those who control money can pursue policy at home and abroad contrary to that which has been decided by the people”. Shaxson also quotes a previous Remembrancer as having boasted that his role was to “oppose every bill which would interfere with the rights and privileges enjoyed by the Corporation”. Can you believe that? Maybe this isn’t so much to do with transparency and is simply ‘hiding in plain sight’!

More recently, in 2013 Caroline Lucas, the Green Party MP, submitted a letter to the Speaker asking him to “consider removing the City Remembrancer from the floor of the House of Commons, and to end the Remembrancer’s special privileges in viewing legislation as it is being drafted”. Her party leader, Natalie Bennett, went further saying “the fact that the City Remembrancer is the only non-MP allowed on the floor of the House of Commons is an historical anachronism. The presence of the City Remembrancer on the floor of the House of Commons, gives the Corporation of the City of London and, by association, the financial industries, what seems to amount to an undue and undemocratic level of access and representation. No other industry or body has such special access to Parliament”.

Apparently, according to the rules of the ‘gentlemen’s club’ that is Westminster, the Remembrancer’s access to the chamber is a matter for the discretion of the Speaker and is not covered by legislation. The fact that he’s still there tells us this approach was unsuccessful...

As Mhairi Black, the SNP MP, lamented recently, Westminster is still “a private club that has created umpteen nooks and crannies, and all these different rules and regulations and traditions, to cover up the fact that it is still a private members club – the only people that get stuff done there are the people who have real, real power”. Despite several Freedom of Information requests over the years, all matters of public record, the Remembrancer is still in place and his position effectively unchallenged. The City of London still has privileged access to, and influence over, the machinations of government as they seek to defend and protect their financial institutions. The British Establishment, and their traditional political parties, has no intention of ever changing that or they would have done it by now. And, please remember, the Remembrancer is unelected... or have I mentioned that already?