



Divisions in the House of Commons: House of Commons Background Paper

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Author: Mark Sandford

Section Parliament and Constitution Centre

A vote in the House of Commons is known as a 'division'. Members vote by walking through either an Aye (yes) or a No lobby. Their names are recorded as they file past the clerks and are then counted by the Tellers. Electronic voting has been considered in the past but not trialled or introduced.

Provisions exist for what must happen if a vote is tied, for the quorum required for a vote, how pecuniary interests must be handled, and how Members may record an abstention. There have also been systems of 'pairing', organised between political parties, to allow Government party Members 'time off' from voting in exchange for a Member from the Opposition also being absent.

This Standard Note describes the current practice and historical development of divisions.

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1 Introduction

1.1 Motions and amendments

The House of Commons makes decisions by voting on a 'motion'. The 'motion' is 'moved' by a Member, which signals the beginning of a debate on the issue addressed by the motion. When Government business is being discussed, the motion will be moved by the Minister responsible; for other matters, a back-bencher is likely to move the motion. A member may also move a motion that the original motion should be amended: where a Government motion is concerned, this is typically done by the relevant shadow Minister from the leading Opposition party.

1.2 Examples of motions

On 23 May 2012 the House debated whether to give a second reading to the *Electoral Registration and Administration Bill 2012-13* (in other words, whether to allow the Bill to progress through the House). The following extracts from Hansard show a typical example of motions, amendments, and the votes which take place upon them. The debate is begun by Mark Harper, the Government minister responsible for electoral administration:

I beg to move, That the Bill be now read a Second time.

The Electoral Registration and Administration Bill will tackle electoral fraud by speeding up the introduction of individual electoral registration—that is, requiring electors to register individually rather than by households. In doing so, we will move towards a system in which individuals have to provide information to enable their application to be verified. That will modernise our electoral registration system, facilitate the move to online registration and make it more convenient for people to register to vote. We want to tackle electoral fraud, increase the number of people registered to vote and improve the integrity of the electoral register.

When the Minister has concluded his speech, at column 1188, Wayne David, for the Opposition, moves an amendment:

I beg to move an amendment, to leave out from "That" to the end of the Question and add:

"this House, whilst affirming its support for a complete and accurate electoral register and a move to a system of individual electoral registration (IER), declines to give a Second Reading to the Electoral Registration and Administration Bill because whilst the Political Parties and Elections Act 2009 received cross-party

At the end of the debate, a vote first takes place on Mr David's amendment. This is indicated in Hansard by the use of the words "Question put". It is rejected, due to the Government ensuring its Members vote against the Opposition's proposal – hence Hansard reports that the "question" is "negatived":

Question put, That the amendment be made.

The House divided:

Ayes 223, Noes 283.

Question accordingly negatived.

This is directly followed by a vote on the *original* motion – to give the Bill its second reading – which is accepted, again due to the Government’s majority.

Question put forthwith (Standing Order No. 62(2)), That the Bill be now read a Second time.

The House divided:

Ayes 283, Noes 219.¹

The debate on the motion(s) may take place for several hours. The exact timing depends upon the time made available by the scheduling of business in the House. Occasionally, motions may be passed by the House which themselves restrict the amount of time spent discussing specific issues, especially particular clauses of Bills. These are known as programme motions (see Library standard note [SN/PC/00569](#) for further details).

When the division takes place, Members vote via walking through one of two lobbies, at the side of the main chamber, and registering their vote for or against the motion under discussion. The process is known as ‘dividing’. Those voting Aye (yes) to any proposition walk through the division lobby to the right of the Speaker, and those voting No through the lobby to the left (hence the expression ‘Ayes to the right, noes to the left’). In each of the lobbies there are three desks occupied by Parliamentary clerks, who mark Members’ names off on division lists as they pass through. Then, at the exit doors, the Members voting are counted by two Members, acting as tellers.

1.3 What does the House vote on?

The House does not take a vote on every single matter that it debates. Many significant votes – as in the example above – relate to whether to allow a Bill to proceed through the House, rather than concerning a particular policy matter contained within the Bill. On other occasions, the Opposition may decide to move a motion – and hence oblige a vote – concerning two or three of the most contentious clauses of a Bill, but not to vote upon the rest of it in the Chamber.

Equally, although each clause in a Bill will be examined by a Public Bill Committee, the committee will not take a vote on the majority of the clauses in the Bill. Divisions do take place in Public Bill Committees – the procedure is the same, except that a show of hands substitutes for walking through the lobbies - but there is no obligation for any individual clause in a Bill to be voted upon. For instance, Members in Public Bill Committees may move amendments, then withdraw them after receiving reassurances from the Minister. Alternatively, if they feel strongly about the issue being discussed, they may say “I intend to divide the Committee”, meaning that they will force a division in order to record their disagreement with the majority. Committee debates and votes are recorded separately from Hansard.

Some motions do not lead to a vote at all. For instance, at the end of every day’s business, the final motion moved is “that the House do now adjourn”. This forms an opportunity for a Member, normally from the back benches, to raise an issue of constituency or policy importance in the House, and discuss it for half an hour. Other motions may simply record that the House “takes note” of a certain report or decision, for example by the Government or the European Union: hence the matter may be debated, but the House of Commons is not

¹ [HC Deb 23 May 2012 c.1172-1244](#)

taking a decision by doing this. It would be for the Government to decide whether to act upon the views expressed in the debate.

2 Current procedure

2.1 Introduction

Standing Orders 38-41 direct how divisions are administered. When a motion is put to the vote, the Speaker 'puts the question', by saying:

The Question is, that ... [for example, the Bill be read a second time]. As many as are of that opinion say Aye", (there then follows a chorus of shouted Ayes), "of the contrary No" (a similar shout of No).....

At this point, if there is no dissent, the motion will be carried, and the Speaker will say "I think the Ayes have it".² There is then no need for a formal division to take place.

However, if Members do not agree, the Speaker calls a division. S/he announces "Clear the Lobbies". The division bells ring throughout the House of Commons estate, the Annunciators display "Division", and the police direct all non-members to leave the vicinity of the Members' Lobby; they also walk through the public rooms of the House shouting "Division". (See below for explanations of the division bells and annunciators.) The Speaker has the discretion to ask each side to stand in their places in the Chamber, if s/he believes that a division is unnecessary.³

Before each vote takes place, those voting both 'aye' and 'no' must appoint two Members to act as tellers. Their job is to report the result of the vote to the House. They themselves will be counted as having voted either 'aye' or 'no': reports on some websites will, for instance, report "189 + 2 tell" as having voted in a certain way.

Two minutes after the Speaker 'puts the question', s/he does the same thing a second time. If Members indicate that a division is still required, the Speaker then says "The Ayes to the Right, the Noes to the Left: tellers for the Ayes, Mr A and Mr B, tellers for the Noes, Mr C and Mrs D".

Eight minutes are allowed for Members to reach the division lobbies. In total, a division rarely takes less than ten minutes and sometimes takes more than fifteen. For divisions taking place on party lines, whips remind their Members which way (if any) their party is voting (see Library standard note [SN/PC/02829](#) for more information on the whipping system).

As the Members walk through the Aye or No lobby, Parliamentary clerks mark their names against a list. The exit doors from the lobbies are locked during this time, except to admit the clerks. When the tellers are ready, the exit doors are opened, and the counting process begins.

2.2 Abandonment of a division

If no disagreement is indicated when the Speaker 'puts the question' a second time, then the division is called off. The Annunciators display 'Division off', and the Speaker announces

² See *Erskine May*, 24th edition, p. 411. The word "Aye" replaced "Yea" some 200 years ago, though the change was made in the Journal only from 1969-70 onwards. "Yea" is still used in the United States Congress.

³ *Erskine May*, 24th edition, p.414. In a similar vein, at the re-election of the Speaker, John Bercow, in May 2010, the Father of the House, Sir Peter Tapsell, did not proceed to a division, despite the fact that some voices called 'no' to assenting to Mr Bercow's re-election.

"The Ayes (or Noes) have it". This may also happen if either side is unable to supply two tellers (which itself suggests that all the support in the House is for one side of the argument).⁴

2.3 Members not voting

If fewer than 40 Members, including the Speaker and the tellers, participate in a division, it does not meet the quorum required. The House then moves on to the next business, and the subject of the division is postponed until the next sitting day. Members who wish to defeat a particular item of business may engineer a division and then stay out of the lobbies, as they can thus render the division inquorate.⁵

Though Members are free not to vote in any division – for instance, they may simply remain in the Chamber whilst the division takes place - there is no means for them to positively register an abstention. There are also examples of Members voting in both lobbies (Aye and No) to signify their abstention.⁶ Similarly, a Member who has voted in the wrong lobby in error may, if he or she has time, cross over to the other lobby and vote again, hence nullifying the effect of his or her original vote. Members can also, if they wish, stay in the lobby and not register a vote at all.

A Member may not vote on a matter in which he or she has a direct pecuniary interest, but in order to act as a disqualification, this interest must be immediate and personal, not merely of a general or remote matter.⁷

2.4 Announcing the result

Eight minutes after the original question, the Speaker says "Lock the doors", and the doorkeepers lock the three entrances to each lobby. Any Members who have not returned to the Chamber by this point will be unable to cast their vote. The last occupant of each lobby, usually a whip, calls "all out". By this point, Members have returned to the Chamber. The tellers must then return too.

When the numbers have been counted, the tellers then line up just beyond the Table in front of the Speaker, with the tellers for the majority to the Speaker's left. Then they walk forward and bow to the Speaker. The Teller standing near the Opposition despatch box announces the numbers. A Clerk, standing by the despatch box, takes the written figures to the Speaker who reads the figures again, and then announces, "So the Ayes (or Noes) have it". The result is displayed on the Annunciators and the Speaker moves on to the next item of business.

Whips may display a notice reading, for instance, "Another Division expected" or "No more votes till 7pm", although it is more common nowadays for the whips to make Members aware of such matters as they vote.

2.5 Nodding through

A Member who is in the precincts of the Palace of Westminster, but too ill to reach the Lobby, may be "noddled through" if the tellers agree. The Whips will ensure their name is added to the appropriate list of those voting. Nodding through is permissible only if the Member is present in the precincts. This has led to extreme actions in the past:

⁴ This happened most recently on 20 May 2003: see [HC Deb 20 May 2003, col 965](#).

⁵ [House of Commons Standing Orders](#), 41 (1). The figure of 40 includes the Speaker and the tellers.

⁶ Erskine May, *Parliamentary Practice*, 23rd edition, 2004, p412

⁷ See also *Erskine May*, 24th edition, pp.83-85

I remember the famous case of Leslie Spriggs, the then-Member for St. Helens. We had a tied vote and he was brought to the House in an ambulance having suffered a severe heart attack. The two Whips went out to look in the ambulance ... 'How do we know that he is alive?' So [the Whip] leaned forward, turned the knob on the heart machine, the green light went around, and he said, 'There, you've lost--it's 311'.⁸

2.6 Division lists

Lists for each division, showing which way Members have voted, are available in [Hansard](#) and can be accessed on the parliamentary website. There is no official record kept of the number of times a particular Member has voted, although there are unofficial sources for such information (see, for instance, <http://www.revolts.co.uk/> and <http://www.publicwhip.org.uk>). Division lists in Hansard are searchable; and statistics on divisions are available on the parliamentary website. Party affiliations are not recorded in the division lists.

From time to time mistakes may be made in the counting of the numbers, or in the recording of the names, of those voting. Occasionally, where a mistake has occurred, the Speaker may order the record of a division to be amended.⁹ Changes may also be made if a Member has been omitted from a list, and his or her name can be recorded in the bound volume of Hansard.

3 Procedural matters

3.1 Division Bells and Annunciators

Divisions are signified by means of the division bell. This is an electronic system of bells set up throughout the Parliamentary estate. Division bells are also set up in a large number of buildings near to Parliament (for a full list see the Appendix). This allows Members who are in meetings or eating to know that they are required to come back to the Chamber to vote. The responsibility for maintaining bells outside the Parliamentary estate lies with the proprietors of those establishments.

The division bell also rings at the point when the House sits (begins its sitting day) and rises (ends the day); and it rings after the end of the two-minute prayers that begin each sitting day.

The Annunciator is a network of several hundred television screens throughout the Parliamentary Estate. There is one set of annunciators for the Commons and one for the Lords. Each Annunciator displays the current business of the House, together with the person currently addressing the House, and the time at which they began their speech. When a division takes place, the word 'Division', together with a flashing bell symbol, appears on the screens.

3.2 Procedure if votes are equal

If both sides record the same number of votes, which happens very rarely, the Speaker has a casting vote. The principles on which this decision will be based are:

- that the Speaker should always vote for further discussion, where that is possible;

⁸ [HC Deb 4 June 1997](#), c506.

⁹ *Erskine May*, 24th edition, pp. 417-8

- that, where no further discussion is possible, decisions should not be taken except by a majority; and
- that a casting vote on an amendment to a bill should leave the bill in its existing form.¹⁰

The Speaker has only occasionally had to give a casting vote in the Chamber. On 22 July 1993, Betty Boothroyd was faced with a division tied at 317-317 (division 358, on the Treaty of Maastricht Social Protocol):

Madam Speaker: The numbers being equal it is my duty to cast my vote. It is not the function of the Chair to create a majority on a policy issue where no majority exists amongst the rest of the House. In accordance with precedent, I therefore cast my vote with the Noes.¹¹

3.3 Deferred Divisions

In most cases, the vote on a motion takes place immediately after the end of the debate on that motion. However, for some votes, a system of 'deferred division' is used. This involves deferring the vote on an issue to a specified time on the following day. This originated from the proposals in the Modernisation Committee's 2000 report.¹² The scheme applies only to specific classes of divisions: the intention was not to separate all divisions from the business to which they relate (the Scottish Parliament, for instance, has a dedicated 'decision time' at the end of business at each sitting of the Parliament). The types of divisions proposed were:

- motions to approve statutory instruments, whether debatable or decided without debate;
- 'prayers' against statutory instruments;
- freestanding Money and Ways and Means resolutions;
- debatable motions on the membership of select committees.¹³

Deferred divisions were introduced on an experimental basis in the 2000-01 parliamentary session and became permanent, via Standing Order 41A, in October 2004. They cannot be used for all divisions. Further details are available from Library standard note [SN/PC/00612](#).

3.4 Electronic voting

The House of Commons has not adopted a mechanical or electronic means of voting. This possibility was considered most recently in 1998 by the Modernisation Committee, but it was rejected because no one alternative to the present system appeared to command any great support among Members.¹⁴ Some support remained for the idea: for instance, Robin Cook's memorandum to the Modernisation Committee in 2001, whilst he was Leader of the House,¹⁵ and various statements from Caroline Lucas, leader of the Green Party, in 2010-11.¹⁶ Members on both sides of the House view the procedure of voting in person through the lobbies as an essential opportunity to speak to or lobby senior colleagues, whom they may not see at any other time.

¹⁰ *Erskine May*, 24th edition, p.420

¹¹ [HC Deb 22 July 1993](#), c606

¹² Modernisation Committee, *Programming of legislation and timing of votes*, 6 July 2000, HC 589 para 45

¹³ Modernisation Committee, *Programming of legislation and timing of votes*, 6 July 2000, HC 589 para 33

¹⁴ House of Commons Modernisation Committee, *Voting Methods*, HC 779, June 1998

¹⁵ <http://www.publications.parliament.uk/pa/cm200102/cmselect/cmmodern/440/44003.htm>. See also a [research paper produced](#) for a Northern Ireland Assembly enquiry in 2007.

¹⁶ See, for instance, her [submission to the enquiry](#) *Sittings of the House and the Parliamentary Calendar*, HC 1370, 2010-12, in July 2011.

4 Pairing

Pairing is an arrangement between political parties, whereby a Member of one party agrees with a Member of an opposing party not to vote in a particular division. Such arrangements are registered with the whips, who will take action to check compliance with the arrangements. Pairing arrangements may last for months or years and cover all divisions in that time. They may be used, for instance, in cases of sickness, or absence on parliamentary delegations. The practice has been traced back at least to the 1840s:

A system of negative proxies, known by the name of 'pairs', enables a member to absent himself, and to agree with another member that he also shall be absent at the same time. ... The division of the house into distinct political parties facilitates this arrangement, and members pair with each other, not only upon particular questions, or for one sitting of the house, but for several weeks, or even months, at a time.¹⁷

Pairing is purely an inter-party arrangement, and is not recognised by the House or officially recorded in any way, although there was at one time a 'pairing book' in Members' Lobby which, in effect, allowed Members to advertise for pairs:

There used to be a book kept in the 'No' Division Lobby, in which a person who wanted a pair entered his name and stated the time at which he wanted it, and then if there was a Member on the other side who was willing to accommodate him he put his name in it too.¹⁸

The system has operated most clearly when Governments have had medium-sized majorities. During the 1983-92 and 1997-2005 Parliaments, when the Government had a very large majority, there was little need for pairing, as the disparity in numbers of seats was so large that the Government could almost always guarantee a majority. Conversely, in 1950-51, when the Government had a majority of 5, pairs were rarely permitted.

Between 1983 and 1992, the Conservative Party organised a 'bisque' system (a term derived from croquet), whereby a proportion of their members might be absent, unpaired, on specified days. Bisesques were so arranged that the Government could always expect a reasonable majority, and could always command the votes they required. Similar arrangements existed within the Labour Party between 1997 and 2005.

Pairing has also been suspended at times of political disagreement. Radice, Vallance and Willis say that Labour did not allow pairing in the 1983-87 Parliament.¹⁹ Harrison also mentions Labour instituting a ban on pairing in 1954, which followed inter-party disagreement over increases in Members' pay.²⁰ Gyles Brandreth refers in his memoirs to an occasion in November 1996, when the Conservative whip paired three members with colleagues from both the Labour and Liberal Democrat parties – losing six votes for the opposition compared with three for the Government. This caused co-operation from the Opposition parties to end for the rest of the 1992-97 Parliament.²¹

¹⁷ *Erskine May*, 1st ed., 1844, p.221; see also Michael Rush (ed.), *Parliament Today*, MUP, Manchester, 2005, p.149, who claims that pairing can be traced back to 1730.

¹⁸ House of Commons Procedure Committee, *Report from the Select Committee on Procedure*, HC 92-I 1958-59, para 571.

¹⁹ Lisanne Radice, Elizabeth Vallance and Virginia Willis, *Member of Parliament*, 1987, p.82

²⁰ Wilfrid Harrison, "The British Constitution in 1954", *Parliamentary Affairs* 8:3, 303-317, 1954, p.312

²¹ Gyles Brandreth, *Breaking the Code*, Weidenfeld and Nicolson, London, p.426.

5 Historical development

The Speaker has always assessed the opinion of the House (nowadays by saying 'I think the Ayes (or Noes) have it'). Historically, only if his assessment were challenged would a count ensue. The numbers supporting any particular proposition would, originally, probably have been counted as they sat on the benches. The custom then grew up of one side remaining where it was, and the other filing out into the ante-room or lobby. This was the case by 1584, when William Lambarde wrote his Notes on the procedures and privileges of the House. In 1690, the process was described as follows:

... they vote by yeas and nos, and if it be doubtful which is the greater Number, then the Yeas are to go forth, and the Nos sit still, because these are content with their present condition, without any addition or alteration of Laws as the other desire; and then some are appointed to number [i.e. to count] them. But at a Committee, though it be of the whole House ... the Yeas go on one side and the Nos on the other, whereby they may be discerned.²²

The principles of the present system of divisions stem directly from the report of the *Select Committee on Divisions of Session 1835* (HC 66), which recommended:

That upon every Division the House be entirely cleared; the Ayes and the Noes being sent forth into two separate Lobbies;

That four Tellers and four Clerks be appointed, two of each to be stationed at the Entrance of the respective Lobbies;

That the Doors being simultaneously opened by the Speaker's order, the Names of the Members be taken down by the Clerks, on ruled paper, with numbered lines, as they re-enter the House by the opposite Doors, the Tellers counting, and announcing the result at the Table as at present;

That the Lists of the Division be then brought up to the Table by the Tellers, and deposited there for insertion in Alphabetical order in the Votes.²³

In the rebuilding after the fire of 1834, these recommendations were adopted, and two such division lobbies provided. The supporters and opposers of a motion henceforth had to file into a separate lobby and have their names recorded: previously, this had not been done. The lobbies were built parallel with and adjacent to the long sides of the Chamber, and the lobby to the Speaker's right became known as the Aye Lobby, that to his left, the No Lobby (they are officially called the East and West Division Lobbies).

The same idea was replicated in the post-World War II rebuilding of the Chamber after its destruction in 1941: the width of the lobbies was slightly increased, and oriel bay windows provided, wide enough to accommodate large desks for Members to write at between divisions. At the same time, the opportunity was taken to reduce congestion during divisions by arranging the exits from the two lobbies at opposite ends of the Chamber.

5.1 Non-Members voting

There have been various instances in the past of persons who were not Members being counted in a division. For instance, on 27 February 1771, the Speaker had no sooner declared that 'the Noes have it' (Noes 165; Yeas 155), than it was discovered that a member

²² William Lambarde's Notes on the procedures and privileges of the House of Commons (1584), p.68

²³ House of Commons, *Report of the Select Committee appointed to take into consideration the best mode of publishing correct and authentic lists of the divisions of the House*. HC 66, 1835, p.1

of the public had come in and been told as one of the Noes. Questioned by the Speaker, he said:

My name is Thomas Hunt. I live in Dartmouth Street. I follow no business, but live on my fortune. I heard somebody in the Lobby say, the doors were open, and that anybody might go in. I was going up to the gallery, with other gentlemen of my acquaintance...I came into the lobby a little before the gentlemen were coming out ... I have been used to come into this House and gallery. I have been told in divisions before this.²⁴

After a long debate the question was again put and the House divided (Yeas 153: Noes 164). Mr Hunt was discharged after a warning from the Speaker. The idea of clearing the lobbies derives from this sort of incident: security is now such that an intrusion of this kind would be virtually impossible.

5.2 Time for divisions

The time allowance used to be two minutes, at one time measured by a large hourglass manipulated by the clerks at the Table. This was increased to six, and then to eight minutes when the Norman Shaw Buildings, some distance away on Victoria Embankment, were occupied in March 1975. The eight minutes are nowadays measured by an electronic interval timer. In the nineteenth century, with a House of over 700 including Irish Members, twenty minute divisions were not unusual.

²⁴ Sir Henry Cavendish, Debates of the House of Commons during the 13th Parliament, vol. 2, P.333, 1841

6 Appendix: Division Bells

The following is a list of external division bells. The premises themselves are responsible for the bells, so they may or may not be working.

Hispaniola Restaurant, Victoria Embankment
St. Ermine Hotel, Caxton St.
St. James Court Hotel, Buckingham Gate.
National Liberal Club, Whitehall Place.
Green's Restaurant, Marsham St.
St. Stephens Club, 34 Queen Anne's Gate.
Red Lion Public House, Parliament St.
St. Germain Restaurant, Royal Westminster Hotel, Buckingham Palace Road.
The Cinnamon Club, 30 Great Smith St.
Royal Horseguard Hotel, Whitehall Place.
Quillon Restaurant, 41 Buckingham Gate.
Pomegranate Restaurant, 94 Grosvenor Rd.
Kyms Restaurant, 70-71 Wilton Rd.
Quirinale Restaurant, 1 Great Peter St.
Marquis of Granby public house, 41 Romney St.
Vitello Dor Restaurant, Church House.