



RESEARCH PAPER 02/41
27 JUNE 2002

Modernisation of the House of Commons: Sitting hours

This paper discusses recent developments in the reform of sitting hours, including the suggestions in the Leader of the House's memorandum of December 2001. It also covers the historical development of the sitting hours of the Commons, and analyses the changes brought about first by the Jopling Committee and later by the Modernisation Committee. It summarises a previous Library Research Note 92/69, *Sittings of the House - the Jopling Report*, and Library Research Papers 94/96, *Sittings reform and the Jopling Report*, and 95/108, *Making Jopling permanent: the 1994-95 sittings experiment*. Library Research Papers 97/64, *Aspects of parliamentary reform*, and 97/107, *Parliamentary reform: the Commons modernisation programme*, are also relevant.

Chris Sear

PARLIAMENT AND CONSTITUTION CENTRE

HOUSE OF COMMONS LIBRARY

Recent Library Research Papers include:

02/26	The <i>Nationality, Immigration and Asylum Bill</i> : Immigration and Asylum [Bill 119 of 2001-02]	22.04.02
02/27	Direct Taxes: rates and allowances 2002-03	23.04.02
02/28	Queen and Country Fifty Years On: Facts and Figures for the Golden Jubilee 2002	23.04.02
02/29	Economic indicators [with article: Steel – the new transatlantic trade conflict]	01.05.02
02/30	NHS funding and reform: the Wanless Report	03.05.02
02/31	The <i>Police Reform Bill</i> : House of Lords Amendments [Bill 127 of 2001-02]	03.05.02
02/32	The <i>National Insurance Contributions Bill</i> [Bill 130 of 2001-02]	08.05.02
02/33	Local Elections in England: 2 May 2002	09.05.02
02/34	Waste Incineration	09.05.02
02/35	Departmental Select Committees	10.05.02
02/36	Unemployment by Constituency, April 2002	15.05.02
02/37	Gibraltar's Constitutional Future	22.05.02
02/38	Third Party Rights of Appeal in Planning	22.05.02
02/39	Unemployment by Constituency, May 2002	14.06.02
02/40	Cross border shopping and smuggling	21.06.02

Research Papers are available as PDF files:

- *to members of the general public on the Parliamentary web site,
URL: <http://www.parliament.uk>*
- *within Parliament to users of the Parliamentary Intranet,
URL: <http://hcl1.hclibrary.parliament.uk>*

Library Research Papers are compiled for the benefit of Members of Parliament and their personal staff. Authors are available to discuss the contents of these papers with Members and their staff but cannot advise members of the general public. Any comments on Research Papers should be sent to the Research Publications Officer, Room 407, 1 Derby Gate, London, SW1A 2DG or e-mailed to PAPERS@parliament.uk

Summary of main points

The Leader of the House, Robin Cook, published a memorandum to the Modernisation Select Committee, *Modernisation of the House of Commons: a reform programme for consultation*, on 12 December 2001.¹ Mr Cook commented that

Modernisation is about enabling MPs to do a more effective job for their constituency and for the country. This paper sets out reforms to create a modern and effective Commons. I have presented it to the Modernisation Committee to provide a perspective to its programme for this session. The Committee has agreed to its being made available for consultation so that the views of Members can inform the work of the Modernisation Committee.²

The Modernisation Committee has not yet published its own report on sitting hours.

Contrary to general belief, the sitting hours of the Commons have never been set in stone. The House has sat at various different times throughout its history, and the current hours - described in the Introduction - are only of recent implementation. Since the beginning of the 1990s, the pace of change has increased first with the Jopling report of February 1992, and subsequently with the work of the Modernisation Select Committee, created after Labour's general election victory in 1997. The Leader of the House's *Memorandum* to the Committee has certainly crystallised the debate on sitting hours, but pressures to reform have existed for many years. A number of organisations - in particular the Hansard Society - have made important contributions to the debate. Part I of this paper discusses the proposals in Mr Cook's memorandum in the light of the proposals made by these organisations and in the light of pressures from within the Commons itself. Part II of the paper gives a brief summary of changes to the Commons' sitting hours over the years, and Part III compares the sitting hours of the Commons with those of the three national devolved institutions created since 1997.

A number of previous Library papers are relevant:

- *Sittings of the House - the Jopling Report*, Library Research Note 92/69, July 1992;
- *Sittings reform and the Jopling Report*, Library Research Paper 94/96, September 1994;
- *Making Jopling permanent: the 1994-95 sittings experiment*. Library Research Paper 95/108, November 1995;
- *Aspects of parliamentary reform*, Library Research Paper 97/64, May 1997;
- *Parliamentary reform: the Commons 'modernisation' programme*, Library Research Paper 97/107, October 1997

¹ HC 440, 2001-02,
<http://www.publications.parliament.uk/pa/cm200102/cmselect/cmmodern/440/44002.htm>

² Ibid, para 5

CONTENTS

I	Recent Proposals	7
	A. Introduction	7
	B. December 2001 Modernisation proposals	7
	C. Other Modernisation pressures	16
II	The History of Reform	21
	A. Previous reform proposals	21
	1. The Nineteenth and Twentieth centuries	21
	2. Reform of sitting hours	21
	3. The Crossman reforms	22
	4. The 1977/78 Procedure Committee	23
	5. The Select Committee on Sittings of the House (Jopling Committee) and the Jopling Report (HC 20 1991/92)	24
	B. Select Committee on Modernisation of the House of Commons	26
	1. The Committee's First report of 1997/98 - <i>The Legislative Process</i>	28
	2. The Committee's First report of 1998/99 - <i>The Parliamentary Calendar: Initial proposals</i>	30
	3. The Committee's second Report of 1998/99 - <i>Sittings of the House in Westminster Hall</i>	32
	4. Modernisation Committee Third and Fourth reports, 1999/2000: <i>Thursday sittings and Sittings in Westminster Hall</i>	36
III	Other Bodies	38
	A. House of Lords	38
	B. Devolved Legislatures	41
	1. National Assembly for Wales	41
	2. Northern Ireland Assembly	42
	3. The Scottish Parliament	43

Appendix - Sitting times statistics

I Recent Proposals

A. Introduction

The House presently sits at 2.30pm on Mondays, Tuesdays and Wednesdays, 11.30am on Thursdays and 9.30am on sitting Fridays. The length of a sitting depends on the business before the House; unless there is business which is 'exempted' by standing order or a business or programme motion, main proceedings end not later than 10pm on Monday to Wednesday, 7pm on Thursday and 2.30pm on Friday (apart from the half-hour adjournment debate).

Ten Fridays are designated at the beginning of the session by a motion in the House as non-sitting Fridays; questions and amendments to bills may be tabled on such days between 11am and 3pm. Non-sitting Fridays are treated as sitting days when calculating the periods of notice required for questions etc.

The proposed dates of the longer adjournments ('recesses') at Christmas, Easter and Whitsun and in the summer are announced in the Thursday business statement, sometimes not long before the recess begins, although in recent times notice has tended to be longer. In recent sessions, there has also been a short recess in February. Sessions usually run from November to November (except in election years when there may be a long session to the following November) and there are normally a few days between one session and the next in November when Parliament is 'prorogued' and the House does not sit. No parliamentary business may be transacted during Prorogation.³

The House also sits in Westminster Hall on Tuesdays and Wednesdays from 9.30am to 2pm for adjournment debates proposed by individual Members, and on Thursdays at 2.30pm for up to three hours (with extra time in the event of suspension for divisions in the House). The business to be taken at Thursday sittings is appointed by the Chairman of Ways and Means, except that, on six Thursdays designated in each session by the Speaker, the Liaison Committee chooses select committee reports for debate. The business is announced by the Leader of the House in the weekly business statement to the House on Thursdays.

Figures showing number of sitting days, average length of sitting and total sitting hours from 1979/80 - 2000/01 are given in the Appendix.

B. December 2001 Modernisation proposals

Reform of House of Commons procedures had not formed a major plank of any of the main parties' manifestos for the June 2001 election. However, following the appointment

³ *Business of the House and its Committees*, Clerks Dept, 2001

of Robin Cook as Leader of the House in June 2001, there was considerable press speculation that reform of the House of Commons would be brought higher on the agenda. Much of this speculation centred on possible changes to the House's sitting hours. Barbara Follett raised the subject at Business Questions on 21 June 2001:

Barbara Follett (Stevenage): I congratulate my right hon. Friend and welcome the emphasis that he has placed on modernisation. Will he continue to bear in mind the real need to bring the hours of this place into line with the 21st century rather than the 19th?

Mr. Cook: I am very sympathetic with the point that my hon. Friend makes. I speak as a Member of long standing who was here throughout the 1974 to 1979 Parliament, when our hours were longer than those of any subsequent Parliament were. If we want to demonstrate that the House is in the 21st century, we should adopt working methods that other people can relate to rather than stare at in wonderment. It is very important that the House should be able to carry out effective scrutiny, but wasting the time of the House of Commons does not constitute effective scrutiny.⁴

The Hansard Society Commission on Parliamentary Scrutiny published their report, *The Challenge for Parliament: Making Government Accountable*,⁵ in July 2001. At the launch of the Report on 12 July 2001, Robin Cook commented:

A related issue is whether in the context of a two year rolling programme [ie of legislation] we could provide more forward notice of the parliamentary calendar, which would assist MPs with their family life and their constituency business.

Over the centuries the Commons has shown itself quite flexible in adjusting its sitting hours to the society of the time. In the eighteenth century it was normal for the House to meet in the morning. The late hours which we now think of as traditional, only became possible with the advent of gas lighting. There is no reason why the hours of Parliament should not adjust again to reflect modern society.

If we are serious about wanting more women to be Members of Parliament then we must make it easier to combine being a member of Parliament with being a member of a family. Nor should it only be women who want a Parliament that follows family friendly hours. It is an issue for men also. Our constituents do not admire us for marathon sittings. On the contrary, they regard us as eccentric when we sit until the small hours.⁶

The *Daily Telegraph* reported on 11 September 2001 that Mr Cook had made a number of remarks during his visit to the Scottish Parliament in Edinburgh:

⁴ HC Deb vol 370 c159

⁵ Hansard Society, July 2001. Executive summary available at: <http://www.hansardsociety.org.uk/ChallengeforParliament.htm>

⁶ Rt Hon Robin Cook, *Speech to the Hansard Society Conference, Church House, SW1*, 12 July 2001

Mr Cook said: "We have lessons we can learn in Westminster from the new innovations adopted by the Scottish Parliament. We will be looking at how we can strengthen the role of select committees"...

MSPs also have a shorter working day than MPs and, with 48 female members, the Scottish Parliament has the second highest proportion of women representatives in the world - 37 per cent compared with 18 per cent at Westminster.

Mr Cook said: "I don't believe we can do that without family-friendly hours which can enable someone to be a member of the Parliament and a member of the family at the same time."⁷

Following the return of the House after the Summer recess in October 2001, speculation became more intense that radical changes to the House's sitting hours and times were on the way. Stories appeared in a number of media sources suggesting that radical changes to the way in which the House sat were about to be presented to the Modernisation Committee. In particular, there were a number of reports that the sitting hours would be from 9 or 10am to 5pm. The *Guardian* commented on 26 November 2001:

Robin Cook, the leader of the Commons, is determined to make his mark on the reform agenda and has won widespread support for changes which would lead to fewer late night sittings, more family-friendly hours, and, MPs insist, greater efficiency.

But in return for making every Friday a "constituency day", realigning sessions closer to the school holidays and ending debate at 7pm twice a week instead of Thursday night only, most reformists privately acknowledge they will have to make up for the lost legislative time.

That means bringing their colleagues back to Westminster in September between the school holidays and the annual party conferences which usually start around September 20.⁸

The *Independent* commented on 6 December:

Mr Cook will underline his reputation as a moderniser with proposals for the Commons to sit no later than 7pm every evening, to slash the summer recess and to hand out more powers to select committees.

Commons hours are now likely to be fixed at 9.30am to 7pm, possibly with a later vote on Wednesdays, rather than 10am to 5pm, as was initially proposed.

⁷ "Holyrood inspires Moderniser Cook", *Daily Telegraph*, 11 September 2001

⁸ "Blair resists backbench drive to shorten working week", *Guardian*, 26 November 2001

Under the plans, the current three parliamentary terms will be replaced with four shorter terms that would end the current three-month break that MPs normally benefit from each year. There will be sittings in September, which until now has been a "dead month" in the run-up to party conferences.

The Commons would begin its business earlier than the present 2.30pm start, with a Wednesday morning sitting and Prime Minister's Question Time at noon.⁹

However, in response to a question from Angela Browning on 6 December 2001, Mr Cook stressed that the House was most unlikely to agree to the hours suggested in press reports:

Mrs. Angela Browning (Tiverton and Honiton): When the Leader of the House presents the Modernisation Committee recommendations next week, I hope that he will not use "family friendly" as a smoke screen for changes that the press suggest are geared towards clockwatching earth mothers. He knows that if hon. Members clock off at 5pm, only very few will go home to the bosom of their family. Most of us live many hours' journey from our families. Will he bear it in mind that many hon. Members would be footloose and fancy free in the city from 5pm onwards? I cannot believe that that is in the family's interest.

Mr. Cook: Nor do I imagine that London would welcome clockwatching earth mothers being footloose in the city. Let me repeat my comments of last week. The idea that the House can ever agree to hours of 10am to 5pm is garbage. I never proposed that, although the newspaper that suggested that I had done so reported last weekend that I had withdrawn the proposal in the face of criticism. I am wearily reconciled to the ways of the press, and I am happy to bear an allegation that I withdrew an idea that I never proposed.

We need to find hours that will enable the House to be effective. Much of the debate about the hours of the House focuses too much on the end of the evening, when we go home. There is a much stronger case for focusing on the earlier part of the day when we do not sit, and for asking why we do not begin our proceedings until 2.30pm, three days a week.¹⁰

Mr Cook's memorandum to the Modernisation Committee, *Modernisation of the House of Commons: a reform programme for consultation* was published on 12 December 2001.¹¹ As the Committee commented, the memorandum was not an agreed Committee paper but a set of proposals from the Leader of the House for consultation with Members of the House, on which the Committee will carry out a programme of work.¹² Mr Cook's

⁹ "Cook puts radical reform plan for House to Cabinet", *Independent*, 6 December 2001

¹⁰ HC Deb vol 376 c476

¹¹ HC 440, 2001-02, <http://www.publications.parliament.uk/pa/cm/cmmodern.htm>

¹² Modernisation Committee Press Release 5, 2001/02, *Modernisation of the House of Commons - A reform programme for consultation*, 12 December 2002

memorandum picked up a number of the themes expressed during his earlier speech to the Hansard Society on 12 July 2001.

The memorandum invited comments by 31 January 2002. The paper commented: "modernisation is not about making the life of an MP easy. The great majority of MPs willingly shoulder long hours and hard work...surveys confirm that MPs are working longer hours than ever before. Modernisation is about enabling MPs to do a more effective job for their constituency and for the country".¹³ It was important for Parliament to make more effective use of time:

10. So long as the general pattern of business is for debates to run for a full day, there will be limited room to accommodate other topics meriting scrutiny in the Chamber. The length of debate in the Chamber looks antiquated to a modern audience which is accustomed in real life to forms of exchange that prize informality and brevity. By contrast, parliamentary debate can appear to the public as ritualised and prolix.

11. Some issues are of such public and parliamentary interest that they will require a full day for debate. For instance, it will often take a full day to provide a reasonable opportunity for Members to debate the Second Reading of a major Bill. However, Parliament could do more business if debates were generally shorter in length but greater in number. If the main debate of the day was occasionally limited to three hours, where appropriate, there would be time for one or two other shorter debates. This pattern would permit more debates on topics of interest to Members without reducing the ability of Government to secure the business necessary to deliver its mandate.¹⁴

It suggested that sitting hours and times needed to be reformed, not only to make Parliament more relevant and efficient but also to enable statements and Prime Minister's questions to be brought forward, thereby allowing the media to cover them in more depth:

26. The Commons sits for longer hours than most democratic Parliaments. The complexity of modern legislation and the range of domestic and international issues which Parliament must address will always require a substantial number of sitting hours. But it is feasible to reorganise these hours to enable the Commons to provide better scrutiny and for its work to be better reported.

27. Over the centuries the Commons has shown itself quite flexible in adjusting its sitting hours to the society of the time. In the eighteenth century it was normal for the House to meet in the morning. The late hours which we now think of as traditional, only became possible with the advent of gas lighting. There is no reason why the hours of Parliament should not adjust again to reflect modern society.

28. Sitting hours that related more closely to working practices in the outside world would enable Members of Parliament to better fulfil their duties to

¹³ HC 440, 2001-02, paras 3-4

¹⁴ *Ibid*, paras 10-11

constituents and their families. However, the core objective of reform of sitting hours is not to make life easier for MPs, but to make the time they spend in Parliament more effective.

Making more use of the mornings

29. In an age in which the great majority of MPs are full-time Parliamentarians, and only a minority have outside business interests, the Commons should make better use of the earlier hours of the day. The trend in financial and business circles has been to start the day earlier, and the media agenda for the day has often been set before the House even meets.

30. The obverse of the late start of proceedings in the Chamber is their late conclusion. It is reasonable for the public to expect their representative body to contain a fair balance of both women and men, and for its Members to share the same family responsibilities as the rest of the public. No MP expects their role to be confined to 9 to 5. What is important to MPs is that their time is used effectively and that they can adequately balance their responsibilities to constituents, public and family.

31. The experiment with the new working hours on Thursdays has proved a success. It has enabled questions and statements to take place in the morning, when Parliamentary scrutiny is more likely to influence the media agenda. It has maintained the same number of hours for debate, but has enabled business to conclude in the early evening.

32. If the same morning start to the parliamentary day was extended to Wednesdays there would be real gains for both public and MPs. It would bring forward Prime Minister's Questions to noon rather than afternoon. It would enable Members with families and constituents accessible from London to return to them in the evening. This would require adjustments elsewhere—for instance it would plainly be desirable for Westminster Hall debates to adjourn during Prime Minister's Questions.

Making Time for Constituency Work

33. The structure of the Commons working week needs to reflect the importance and the pressure of constituency business. If we value constituency work we must give MPs the time to conduct it effectively. The experiment of introducing ten constituency Fridays during the year has been popular. More constituency Fridays would enable MPs to balance their constituency work with their work at Westminster.

34. Members whose constituency is some distance from London often find it impractical to attend a Friday sitting, and attendance on Fridays is drawn disproportionately from Members for London and the South East. If contentious Government business was to stop at 7pm on Wednesday, but the House was to continue to sit until 10pm, it would be possible to use the additional hours for the present business of some Fridays and the House would no longer need to meet on those Fridays. It would also provide a more regular opportunity for the House to debate the reports of Select Committees.

35. This arrangement would not reduce the total sitting hours as Parliament meets on Wednesday in every sitting week but does not meet on every Friday.¹⁵

¹⁵ Ibid, paras 26-35

Mr Cook suggested a number of other changes. These included making oral statements earlier to "enable a key proceeding in the House to be reported earlier in the day", thereby allowing lobby groups and the public to plan better;¹⁶ making use of modern technology to, for example, broadcast proceedings in the Chamber and committees over the Internet; and making Parliament generally more open to the press and public. He also proposed making the parliamentary calendar more predictable to enable Members to "plan their constituency work and their family activities with greater reliability":¹⁷

Making the Parliamentary Calendar More Predictable

40. Most Parliaments publish their sitting weeks well in advance, usually a year in advance. This is to the advantage of their Members, who can plan their constituency work and their family activities with greater reliability. It is also to the advantage of the public and lobby groups who can plan with greater confidence on when Parliament will be in session.

41. In practice, there is little room for doubt over the recess dates at Christmas, Easter and Whit, as these religious events are well known in advance.

42. The more difficult recess to predict in advance is the summer recess. Government is traditionally reluctant to commit itself to the start and end of this long recess until it is clear whether there has been adequate progress on legislation in the session. The pressure on Government at this point in the Parliamentary calendar stems from its need to finish all proceedings on every Bill by the end of the session. Introducing a carry-over between Sessions for any Bill would be essential if Government is to commit itself in advance to the dates for the last recess in each session.

43. There is considerable dissatisfaction with the present long recess. Every year the press is critical of the prolonged period without a parliamentary sitting. In a number of years, it has been necessary in any event to recall Parliament to debate crises that have arisen since the House adjourned. Nor do the present dates match the school holidays of Members' children, particularly in the case of Members from Scotland, where schools return in the second week off of August.

44. It is possible to meet public concern over the protracted period in which Parliament does not sit and the wish of Members for a recess that better matches the school holidays. The House could rise in early to mid-July and then break for a summer recess. The House could return in early September and rise in late September for a three-week Conference Recess. This would neither increase nor reduce the total period in which the House was in recess, but could prove a more acceptable pattern to the Press and to Members.

Select committees have regularly, at least in recent sessions, sat in September. However, at business questions on 24 January 2001, Mr Cook made it clear that the suggestion that the House sit in September would not apply in 2002:

I regret to say that there are several good reasons why it will not be possible to introduce that innovation this year. A number of hon. Members have made their

¹⁶ Ibid, para 37

¹⁷ Ibid, para 40

arrangements in good faith--I am impressed by the number of Members who are thinking so far ahead--and Mr. Speaker has arrangements to visit Canada and also to represent Britain on 11 September in New York. I am also advised that there will be roadworks outside the Palace...While I believe that it would be entirely right for us to meet in September, people have taken it in good faith that we will not be sitting and I want the innovation to be introduced in an orderly, satisfactory and successful way. Therefore, I think that it is right to give adequate notice, which means that I would hope that we would introduce this change for next year.¹⁸

In concluding his *Memorandum*, Mr Cook said:

61. This modernisation package would bring several wide-ranging benefits, to Members, to their constituents and to their families. The Commons will have an earlier opportunity for scrutiny of draft legislation. There will be less pressure to rush legislation and more time to test Bills more thoroughly. The Commons will make more use of the first half of the working day and will have more opportunity to set the daily agenda of public debate.

Providing more predictability of the parliamentary calendar will make it less difficult for Members to fulfil their family and constituency commitments. Increasing the number of constituency Fridays will free Members to undertake more activities in their constituencies. Breaking up the long recess will remove the protracted period in which Parliament is unable to debate political developments.

62. A democratic chamber can only achieve reform through the consent of a broad majority of its Members. Not every Member will support all of these proposals. The test of their acceptability will be whether most Members of the House, whether backbenchers or frontbenchers, find they can welcome the overall proposals as a balanced package.

63. The greatest gain will be to democracy. There are many factors which have contributed to the decline in turnout at the General Elections, but one of them has been the long term decline in esteem for Parliament. We will only restore esteem for Parliament when we convince the public that the Commons is effective in its scrutiny of Government and legislation, and is efficient in its use of Members time. It is that verdict of the public that must be the spur to reform of the Commons and the ultimate test of its success.¹⁹

In answer to a question from Paul Tyler after the publication of his *Memorandum*, Robin Cook commented that:

I stress that the objective of the package is to secure a more effective House of Commons. It is not about making life easy for Members of Parliament, and I do not imagine that any Member came to this place expecting an easy life. They did,

¹⁸ HC Deb 24 January 2002 vol 378 cc1010-11

¹⁹ HC 440, 2001-02, pX

however, expect the opportunity to do an effective job, and that is what we are seeking to secure.²⁰

Mr Cook, Mr Forth and Mr Tyler set forth their views on further modernisation of the House in the *House Magazine* on 7 January 2002. Mr Cook explained his views on alterations to the sessional and daily cycle:

An annual calendar, announced in advance, would allow MPs better forward planning; bringing forward the summer recess would create a short September sitting. This would permit MPs to raise issues that develop over August; and an extension of the number of constituency Fridays would give MPs more time to deal with casework.

We should also examine the shape of the parliamentary day and make more use of the morning. Thursday sittings have worked well and there is a strong argument for similar hours on Wednesday. This would enable Members with families and constituents accessible from London, to return to them in the evening, or to conduct constituency business. If contentious government business was to stop at 7pm on Wednesday, and the House was to continue to sit until 10pm, it would be possible to devote the additional hours for the business which at present is handled on some Fridays.²¹

Eric Forth, while calling the proposed reforms "a disappointing mix of the timid, dangerous and irrelevant", was nonetheless in favour of changes to the annual timetable:

At present, the government dictates the timetable of the Commons - not Members of Parliament. We welcome the proposal that the Commons should sit in September, as we are aware that voters find it increasingly difficult to understand why the government should be free from parliamentary scrutiny for nearly three months every summer.

It is certainly worth experimenting with the proposed arrangement that the House should rise in early July, return in September, break for party conferences, and resume in early-mid October.²²

Paul Tyler was in favour of making the hours "voter friendly" rather than "MP friendly":

The suggestion of an earlier start on Wednesday (but why not Tuesday too?) could mean that ministerial answers and statements could get into the midday news bulletins, grabbing back the limelight from departmental press conferences. Similarly, if we finished our main business by 9pm on Monday, Tuesday and Wednesday the 10 o'clock news could report our conclusions. The present large government majority is not a permanent feature, and even now the votes of

²⁰ HC Deb 13 December 2001 vol 376 cc1004-5

²¹ "A mood for change", *House Magazine*, 7 January 2002, p6

²² "Timid, irrelevant and dangerous", *House Magazine*, 7 January 2002, p7

Labour backbenchers should matter. Their Chief Whip may not like the idea of Commons divisions featuring in the prime time news, but everyone who wants Parliament to reassert its centrality in our democracy should support this simple change.²³

The Modernisation Committee published their report into *Select Committees* on 6 February 2002.²⁴ The Committee began to take evidence into Mr Cook's memorandum once this report was published, and, as stated in an answer by Mr Cook to Anne Campbell on 25 April 2002, plan to publish before the summer recess:

Mr. Cook: I think that my hon. Friend's question is less about when we might finish at the end of the day than when we might start. It is well known that my view is that if the House wishes to restore itself as the place in which the agenda of public debate for the day is set, we must meet earlier in the day.

Mr. Forth: Why?

Mr. Cook: The right hon. Gentleman asks why. It is self-evident that if we do not start until the early afternoon and do not carry out our main business until the late afternoon, we have missed the morning opportunity to set the agenda for the day. It is in the interests of all Members of Parliament, whatever side we sit on, that Parliament should be seen as the place where the agenda for public debate is set, not simply a place of response. On the timetable, we are carrying out good and, I am happy to say, consensual progress in our discussions in the Modernisation Committee and I hope that we shall be in a position to report before the House rises for the summer recess.²⁵

C. Other Modernisation pressures

Recent pressures to modernise the sitting hours of the House have come from sources other than the Modernisation Committee. In May 2000, the *Independent* reported that:

MPs who are fed up with late-night sittings are threatening to stage a work-to-rule to try to force the Commons authorities to cut their anti-social hours.

They have formed a "10-7" group to campaign for debates to end by 10 o'clock on Monday, Tuesday and Wednesday and by seven on Thursday. Most spend Friday in their constituencies...Last week, Tess Kingham, the Labour MP for Gloucester, announced she was standing down because life in a "19th century gentleman's club" was incompatible with family life.

Denis MacShane, Labour MP for Rotherham, said he had drawn up new standing orders which would prevent votes from taking place after 10pm. He planned to present them to the Modernisation Committee, which was considering MPs'

²³ "Recipes for Parliamentary revival", *House Magazine*, 7 January 2002, p8

²⁴ HC 224, 2001-02,
<http://www.publications.parliament.uk/pa/cm200102/cmselect/cmmodern/224/22402.htm>

²⁵ HC Deb vol 384 c474-5

hours. While debates could continue late into the night, he argued, votes should take place at an appointed time the next day. "In the old days a Tory MP could wander in in the evening after a day's work at the bar or in the City, and sit around having a brandy until it was time to vote. But now even most Tories start at 9am," he said.²⁶

The Hansard Society has been very vociferous in this area, with a number of publications offering suggestions for parliamentary reform. The Society has set up a Parliament and Government Programme which:

...examines the dynamics between the two institutions [ie Parliament and Government], how well Parliament performs its role and public perceptions of the institutions. The programme consists of three main areas of work:

- The Commission on the Scrutiny Role of Parliament - the Hansard Society's new Commission.
- Reform of Parliament - how can Parliament be reformed to be more effective?
- Parliament and the People - an examination of public attitudes to Parliament and Government.²⁷

The Scrutiny Commission issued a number of papers in advance of their main report in July 2001. In relation to changing hours, a Scrutiny Commission discussion paper of December 2000 said that "there is much to commend this idea".²⁸ The Scrutiny Commission also suggested a number of other changes to the way in which the Chamber operates. These included:

1. All business should be timetabled
2. The House should have fixed-length sessions
3. Parliamentary business should be arranged formally by a 'bureau'
4. The Chambers hours should be reduced
5. The House should sit earlier in the day and allow for morning statements from ministers.

The notes to recommendation 4 stated that:

"These are numerous demands on MPs' time, but the sittings of the Chamber make few allowances for this. Parliament sits in almost permanent plenary and, as a result, attendance is low for most debates. There needs to be systematic evaluation of the use of time in the chamber. It should meet less often, perhaps, one day less each week. This day could then be used for committee work and other activity, reflecting the importance of this work to Parliament."

²⁶ "MPs threaten work-to-rule over hours", *Independent*, 26 May 2000, p1

²⁷ Hansard Society website, <http://www.hansardsociety.org.uk/parlReform.htm?1>

²⁸ Greg Power, *Creating a working Parliament: Reform of the Commons Chamber*, Hansard Society Scrutiny Commission Discussion Paper 2, December 2000

Recommendation 5 stated in more detail that:

"Whereas the Government machine, and many individual MPs, are attuned to media requirements, Parliament is not. The chamber's hours work against any meaningful coverage of Commons activity. Morning statements would improve coverage of both Government and Opposition policy. Morning sittings would also allow the House to finish earlier in the day and improve media coverage of Parliament."²⁹

The Society also published a paper in December 2000 as part of the overall Programme, *Under pressure: are we getting the most from our MPs?*³⁰ This argued that "MPs working conditions - the hours, the lack of training, the procedures of the Commons - appear to be having an effect on the emotional and physical health of our representatives".³¹ In particular, Anne Campbell, MP for Cambridge, wrote that:

There must be time put aside to complete the business that needs to be completed. But there are other issues involved. At a time when the Government is emphasising the importance of a life-work balance it is necessary that it be seen to be practising what it preaches. An 11.30am start would give time for committees to meet earlier in the day and to conduct part of their business without competition from the main chamber. It would also mean that the parliamentary day could end at 7pm rather than at 10pm.³²

However, Mrs Campbell argued that this would be insufficient without changing parliamentary procedures to stop filibustering and ensuring that all bills were timetabled.

The Hansard Society Commission on Parliamentary Scrutiny report, *The Challenge for Parliament: Making Government Accountable*,³³ was published in July 2001. It commented that "Parliament has been left behind by far-reaching changes to the constitution, government and society in the past two decades".³⁴ The report recommended that "the House should sit earlier in the day and allow for morning statements from ministers".³⁵ By sitting in the morning and therefore finishing earlier, there could be greater media coverage of statements (which could take place at 10.30am), which would in turn "give parliament a greater role and mean that the Chamber became the focal point for political activity". Morning sittings would also "allow the House to finish earlier in

²⁹ Ibid, p3

³⁰ Ed Greg Power, Hansard Society, 2001

³¹ Ibid, p3

³² Ibid, p7

³³ Hansard Society, July 2001. Executive summary available at <http://www.hansardsociety.org.uk/ChallengeforParliament.htm>

³⁴ Ibid, pX

³⁵ Ibid, p83

the day and improve the chances of the media covering other parliamentary activity". Amongst their specific recommendations were:

39. The House of Commons has been slow to adapt to the needs of the media. Whereas the Government machine, the political parties and most individual MPs, are attuned to the needs of the media, Parliament is not. To improve media coverage the Commons should sit earlier in the day and allow for morning statements from ministers. (para 7.26)

40. In recent years concern has grown at the number of policy announcements made outside Parliament. Mid-morning statements might reduce this tendency... (para 7.30)³⁶

In May 2000 the then Labour MP for Gloucester, Tess Kingham, announced her decision to stand down as an MP as of the next election. Her decision was important as it highlighted a number of the problems experienced, particularly by MPs with young families, because of the hours the House sat. The decision was covered in the *Independent* on 21 May 2000:

Consultants from the Daycare Trust will look at a variety of options for the House of Commons, including introducing a nursery, a holiday play scheme and changing the working hours.

But the move will come too late to save the parliamentary career of Tess Kingham MP. Having sparked the debate this week about the anti-family "public school atmosphere and outdated practices" of Parliament, the mother of baby twins announced yesterday that she would not be contesting her Gloucester seat at the next election.

Ms Kingham, 36, said she was not quitting her role because of her twins or because she objected to late-night sittings and unsociable working hours, while accepting that the lack of childcare facilities "does make life difficult for any MP with children". But she said: "I am not willing to sit up all night for schoolboy politics. At the whim of three or four of the Opposition we can be kept there until 2am or 3am as they talk out a debate, usually saying nothing of consequence and sometime with no vote at the end of it. It serves no purpose, means either cancelling appointments the next morning or working in a fug of tiredness the next day."³⁷

The Centre for Policy Studies published a report by Andrew Tyrie MP in June 2000³⁸ that recommended that the House should sit less in order for Committees to meet more often:

³⁶ Ibid, p112

³⁷ "Commons to be more family friendly", *Independent*, 21 May 2000

³⁸ Andrew Tyrie, *Mr Blair's Poodle: an agenda for reviving the House of Commons*, CPS, June 2000

There is also a practical need for change: if the reader has been convinced of the need for better scrutiny and a bigger committee role in providing it, room must be found in the parliamentarian's day for the work. Even with the increasing professionalisation of politics, a trade-off between time on the floor of the House and time in committee is inevitable. The full House of Commons should probably meet less, leaving, say, a day a week exclusively for committee work.³⁹

The *Commission to Strengthen Parliament*, set up under Lord Norton of Louth by the then leader of the Conservative Party, William Hague, reported in July 2000.⁴⁰ The Commission was wary of some of the changes to sittings which had already taken place:

The implementation of the Jopling Report - which also pre-dates the present government - has, by reducing the number of sitting hours, limited the role of the chamber as a political debating arena. The use of sittings in Westminster Hall may also be seen as part of this process.⁴¹

However, the Commission was in favour of tightening the parliamentary timetable:

We also favour greater discipline in terms of the government's legislative programme. Introducing a structured parliamentary timetable - with an established pattern of sittings - will force the government to be more discriminating in deciding what measures to bring forward each session. We also believe that the time has come for the timetable of the House of Commons to be agreed by a Legislation Programme Committee...⁴²

The Commission also favoured a reduction in the length of certain debates, allowing an earlier finish on the relevant days:

Arrangement of business. We favour a major change in the arrangement of business, in the format of proceedings, and in the control of the parliamentary agenda. Debates are often too long, predictable and, frankly, of little interest. We believe that there should be greater flexibility as to timing. Some debates can be shorter. The longer the debate, the more the law of marginal returns -and of an emptying chamber -sets in. We believe the government will be subject to greater scrutiny.⁴³

³⁹ Ibid, p58

⁴⁰ *Strengthening Parliament: report of the Commission to Strengthen Parliament*. Foreword by and chaired by Philip Norton. Conservative Party. 2000, <http://www.conservatives.com/pdf/norton.pdf>

⁴¹ Ibid, p18

⁴² Ibid, p11

⁴³ Ibid, p27

II The History of Reform

A. Previous reform proposals

1. The Nineteenth and Twentieth centuries

Session times have been subject to some change. In the 17th and 18th Centuries Parliament assembled in October or November for the King's Speech, and commonly sat into spring. By the Nineteenth Century, the date for rising had extended into August. At the same time, the pre-Christmas session was abandoned, with the result that Parliament sat from February until August. In 1928-9, the pre-Christmas period was resumed, giving the sessional pattern we generally have today.

Nineteenth century sitting hours were very different to those experienced today. The House usually sat for between 120 and 130 days a year, usually from February to August, with breaks at Easter and Whitsun. The average daily sitting before about 1860 was 6½ to 7½ hours, and thereafter between 7½ and 9 hours to the end of the century. The autumn session between October and December did not become a rule rather than a rare exception until after 1906.

At the end of the nineteenth century normal daily sitting hours were 3pm to midnight except for Wednesdays, when sitting were from noon to 6pm. In 1902, double sittings were introduced with an afternoon and evening sitting each day except Friday. This proved unpopular and from 1906, standard hours became 2.45 - 11.30pm (5.30pm on Fridays). During the Second World War the House met from 11 - 6pm each day to save fuel, but from April 1946 the Monday to Thursday time became 2.30pm with a 10pm finish, with 11am to 4.30pm on Fridays. In January 1980, the Friday time became 9.30am to 3pm.

2. Reform of sitting hours

In 1930, a Select Committee on *The Hours of Meeting and Rising of the House* considered morning sittings and an earlier end to the Parliamentary day. The report concluded against morning sittings:

"The great bulk of the evidence went definitely against such a proposal, both on the ground of the difficulty that, under such an arrangement, Ministers would have in attending the work of their Departments, and on the grounds that professional men would thereby be practically debarred from becoming Members of Parliament" [para 3].⁴⁴

⁴⁴ HC 126 1930

In 1959 a Select Committee on procedure considered again proposals for morning sittings, but concluded that there should be no change in hours.⁴⁵ In March 1965 a Procedure Committee took evidence on hours of sitting, but made no recommendations.⁴⁶

3. The Crossman reforms

The Procedure Committee's first report of 1966/67 session was on "*The Times of Sittings of the House*".⁴⁷ Their main remit was to see if there was a way of allowing business to finish earlier. As well as recommending that the timetabling of bills should be normal rather than the exception, the Committee considered the following possibilities:

- proposals for an automatic interruption of proceedings at a fixed time
- proposals for shorter speeches
- proposals for removing certain classes of business from the floor of the houses of parliament
- proposals for bringing forward the whole parliamentary day so as to start in the morning and finish early in the evening
- proposals for sitting on more days in the year
- proposals for taking certain kinds of business out of the present timetable and considering them at morning sittings of the house

The Committee recommended experimental morning sittings from 10.30am to 1pm on Wednesdays and Thursdays with a programme of prayers and affirmative resolutions on statutory instruments, non-contentious public bills and Ten-minute rule bills (on Wednesdays only). An extra quarter-hour for question time on Monday-Thursday was also recommended, to be managed by the House meeting at 2.15pm. The main debate on Wednesdays and Thursdays would run from 3.15 to 9.15pm, and the House would then adjourn at 9.45 after the adjournment debate. Friday sittings should be experimentally lengthened by 1 hour to run from 10.30am to 5pm.

The Report was not agreed unanimously by the Committee. Eight Labour Members supported it, but six Conservatives and one Liberal supported an alternative drafting recommending against morning sittings.

Although new sessional orders were agreed on 14 December 1966 to provide for morning sittings from 10am on Mondays to Wednesdays from 1 February 1967, the experiment was soon abandoned. The Opposition were clearly against it, and initially they used a great deal of filibustering and exploitation of procedural devices to delay business. However, "although the House settled down to get through some useful minor business,

⁴⁵ Procedure Select Committee Report, 1958/59, HC 92, 1958/59

⁴⁶ Procedure Select Committee First Report, 1964/65, *Sittings of the House*, HC 149 1964/65

⁴⁷ Procedure Select Committee First Report, 1966, HC 153 1966

yet the government abandoned the experiment the following session when the Opposition's continuing dislike of the experiment was made plain".⁴⁸

Crossman, as leader of the House, admitted the problems during a debate on 14 November 1967, at which he said:

But the more I reflect on it the more it seemed to contain one central defect for anyone who cares about debates on the Floor of the House. If we roll all business back so as to have Question Time from 10.30 to 11.30 and the big debate running from 11.30 to 6.00, with exempted business starting after the 6.30 adjournment, then it follows that Standing Committees cannot meet in the morning - that is, during Question Time and the two main speeches. In that case one must run them simultaneously with the main debate on the Floor of the House in the afternoon. One can do that to one or two Committees, with a great deal of protest on Thursday afternoons, but I just cannot envisage 10 or 12 Standing Committees suddenly suspending business so that members can vote in a Division on the Floor of the House. One cannot roll back the business in that way.⁴⁹

Crossman instead resurrected a proposal considered by the Procedure Committee, which was to allow a Minister to move at any time after 10pm that the sitting be suspended and resumed at 10am the next day. These suspended sittings were used occasionally up to July 1969.

4. The 1977/78 Procedure Committee

A Procedure Committee report of 1977/78 was not in favour of rigid restriction to the hours:

9.11 In any case, more rigid restrictions on hours of sitting may have consequences attractive to no one in the House. Mr Enoch Powell argued in evidence to the 1974/75 Committee that "If the length of sittings were fixed one of two consequences would follow: either the government must control the programme and allocate time or it could not get its business. As the latter is impracticable, a fixed hour of rising is the equivalent of living under a permanent guillotine". We agree with Mr Powell's argument and we do not believe that the House would wish to move in such a direction.⁵⁰

The Procedure Committee returned to the subject in 1986/87, with a report entitled "*The Use of Time on the Floor of the House*".⁵¹ This also argued against morning sittings:

⁴⁸ Bernard Crick, *Reform of Parliament*, 2nd ed, Weidenfeld and Nicholson, 1970, p221

⁴⁹ HC Deb 14 November 1967 vol 754 c254

⁵⁰ Procedure Select Committee First Report of 1977/78, HC 588 1977/78

⁵¹ Procedure Select Committee Second Report of 1986/87, HC 350 1986/87, April 1987

44. The Committee in 1978 described the "ill success" of the experiment in the late 1960's with morning sittings...The level of standing and select committee activity on Tuesday, Wednesday and Thursday mornings has increased since that unsuccessful experiment and this, in our view, reinforces the case for not reviving it.

The Committee also considered the possibility of deferring votes, which they rejected on the grounds that it "would be of more assistance to the Government of the day than the House as a whole". Such a proposal was introduced in 2000 following the recommendations of the Modernisation Select Committee.⁵²

The same Committee then produced a report entitled "*A Parliamentary Calendar*", which recommended the adoption of a Standing Order to regulate the calendar:

16. We have concluded that an annual calendar of normal sittings of the House embodied in a Standing Order would have considerable advantages for the great majority of the Members. We therefore recommend the adoption by the House of a Standing Order with the following principal characteristics:

- The House should rise no later than 22nd December for Christmas and resume no earlier than 7th January;
- There should be adjournments of at least one week for both Easter and the Spring Bank holiday (with the Standing Order being drafted so that the precise minimum dates could be readily calculated in advance);
- The House should rise for the Summer recess no later than 21st July and resume no earlier than 15th October.⁵³

These proposals were never debated in the House and therefore not implemented.

5. The Select Committee on Sittings of the House (Jopling Committee) and the Jopling Report (HC 20 1991/92)

The Parliament of 1987 brought the first real impetus for change. There had been a big increase in women Members over the 1983 Parliament (42 instead of 23). A number of these argued that the pattern of the Parliamentary day was a discouragement to more female representatives in the House.⁵⁴ On 27 June 1991, John MacGregor, then Leader of the House, made a statement on the need for a select committee to examine the procedures and working practices of the House.⁵⁵ On 9 July 1991 he introduced a motion

⁵² *Programming of legislation and timing of votes*, HC 589, July 2000, <http://www.publications.parliament.uk/pa/cm199900/cmselect/cmmodern/589/58902.htm>

⁵³ Procedure Select Committee First Report of 1986/87, HC 157 1986/87, January 1987

⁵⁴ See, for example, Harriet Harman, "*Time Gentlemen Please: the case for changing the sitting time of the House of Commons*", December 1990

⁵⁵ HC Deb vol 193 cc1155-56

to set up a Select Committee on Sittings of the House, which was to be Chaired by Michael Jopling, MP for Westmorland and Lonsdale.⁵⁶

The Jopling Committee reported in February 1992 and made a number of proposals for reform. These included:

- Morning sittings on Wednesdays
- A certain number of non-sitting Fridays
- A more regular 10pm close of main business
- Dates of recesses to be known further in advance

The House subsequently held two general debates on the Report - on 2 March⁵⁷ and 13 July 1992⁵⁸ - and on 20 June 1994⁵⁹ the subject was raised during an Opposition day debate. On 19 December 1994, the House considered six motions relating to sitting times, which were agreed to.⁶⁰ The main thrust of these motions were that:

- Consolidation Bills would not require a committee stage;
- bills giving effect to Law Commissions' recommendations would be referred to a Second Reading Committee;
- Statutory Instruments subject to the affirmative procedure would generally be referred to a Delegated Legislation Standing Committee;
- the Question would be put after 90 minutes on EU documents or proceedings under any Act of Parliament, except for deregulation orders.

The Leader of the House also announced other changes, which included:

- the Government would 'use best endeavours' to avoid late sittings wherever possible, give early notification of recesses and advance notice of the dates of some major debates;
- second Adjournment debates would be discontinued;
- the House would meet every Wednesday at 10am (which became 9.30am from 1995-96) and hold timed adjournment debates, decided by ballot, until 2.00pm: two subjects would be discussed between 10.00am -1.00pm and three 1.00pm - 2.30pm (this ended when sittings in Westminster Hall began in November 1999);
- Private Members' Fridays were to be confined to Bills. There would be no further Private Members' Motion Fridays (and thus the attendant possibility of Bills being passed 'on the nod' at 2.30pm on such days was ended);

⁵⁶ HC Deb vol 194 cc893-918

⁵⁷ HC Deb vol 205 cc74-118

⁵⁸ HC Deb vol 211 cc833-907

⁵⁹ HC Deb vol 245 cc22-77

⁶⁰ HC Deb vol 251 cc1456-509

- Recess Motions (limited to 3 hours since 1982) would be taken forthwith without debate (but time to be made available, from 1995-96, in place of certain timed Wednesday adjournment debates, to raise matters 'requiring attention before the adjournment');
- Debates on Consolidated Fund Bills - all-night series of Adjournment debates on a timed basis following proceedings on these bills, which had been inaugurated on 19 July 1982 - were abolished. Proceedings on these bills were to be entirely formal;

The loss of Private Members' motions caused some comment, although the Jopling reforms were intended to amalgamate the various opportunities for back-bench Members into the new Wednesday mornings sittings.

It was also agreed that from 25 January 1995 the House would not sit on eight Fridays in Session 1994/95 (this has been 10 since 1995/96). These are known as non-sitting Fridays. The Wednesday sittings lasted until the 1999/2000 session, when sittings in Westminster Hall commenced.

B. Select Committee on Modernisation of the House of Commons

The general background to the setting up of the Select Committee on Modernisation of the House of Commons (Modernisation Committee) is discussed in Research Paper 97/107, *Parliamentary reform: Commons modernisation programme*.

Modernisation was one of the first manifesto commitments that the new Labour government addressed after their election victory in May 1997. Its manifesto had stated:

We believe the House of Commons is in need of modernisation and we will ask the House to establish a special Select Committee to review its procedures. Prime Minister's Questions will be made more effective. Ministerial accountability will be reviewed so as to remove recent abuses. The process for scrutinising European legislation will be overhauled. The Nolan recommendations will be fully implemented and extended to all public bodies. We will oblige parties to declare the source of all donations above a minimum figure: Labour does this voluntarily and all parties should do so. Foreign funding will be banned. We will ask the Nolan Committee to consider how the funding of political parties should be regulated and reformed. We are committed to a referendum on the voting system for the House of Commons. An independent commission on voting systems will be appointed early to recommend a proportional alternative to the first past-the-post system. At this election, Labour is proud to be making major strides to rectify the under-representation of women in public life.⁶¹

The Conservative Party, in their election manifesto, said:

⁶¹ *New Labour: because Britain deserves better*, Labour Party, 1997, p33

The last 17 years have seen many changes to strengthen Parliament and make it more effective - the flourishing of select committees, new procedures to scrutinise European legislation, reform of Parliament's working day...all these developments have made Parliament open to the Citizen, and the government more accountable. In the next session of Parliament we will continue this careful reform.⁶²

One of the priorities of the Liberal Democrats' manifesto was to 'renew Britain's democracy by creating a fair voting system, reforming Parliament'.⁶³

Given that there was clear all-party support for modernisation, albeit at different paces, the House debated modernisation on 22 May 1997, only three weeks after the general election.⁶⁴ During that debate, Ann Taylor, Leader of the House of Commons, suggested that:

It is rather obvious that a Government have the right to initiate legislation for which they have a mandate or when problems arise. Much of that legislation will be controversial and it will be promoted or forced through robustly; however, there are areas of legislation where there might be differences of approach or of priorities across the party divide, but where at the same time there is agreement on an objective, or where there is agreement that a certain problem needs to be tackled. My hon. Friend's example about pensions was extremely useful in highlighting that point.

There is scope for considering to what extent we would gain by having more Bills published in draft and, possibly, by having pre-legislative Committees to examine draft Bills or White Papers or - it is not the method that I would prefer - using departmental Select Committees. The use of such Committees is still worthy of consideration. These are the very issues that the proposed Committee might consider. I am not saying that every Bill should receive consideration by pre-legislative Committees or a Special Standing Committee; that could cause unnecessary duplication and delay. We should, however, consider what is appropriate for each Bill, and Government and Parliament should be more willing to use the available options more freely. There should be more discussion about that.

Apart from legislation, Mrs Taylor believed that the other main role of Parliament was holding Ministers to account. To that end, she argued, the changes made to Prime Minister's Questions (ie to move it to 30 minutes on Wednesdays instead of the twice-weekly fifteen minute sessions on Tuesday and Thursday) would be beneficial. She strongly believed that Committee work, as well as participation in the Chamber, should be appreciated by Members' constituents. There should also be some recognition of

⁶² *You can only be sure with the Conservatives*, Conservative Party, 1997, pp49-50

⁶³ *Make the difference*, Liberal Democrats, 1997, p43

⁶⁴ HC Deb vol 294 cc901-41

constituency work, with further developments such as 'constituency Fridays' and reform of the Parliamentary calendar generally, including the balance between sittings and recesses.

The motion proposing the setting-up of the Committee was debated in the House on 4 June 1997. During the debate, a number of Members raised the issue of reform of sitting times, and specifically the timing of the parliamentary day. Summing-up the debate, Ann Taylor, Leader of the House of Commons, said:

I return to what my hon. Friend the Member for Stoke-on-Trent, North (Ms Walley) said. I agree with her that we need a sort of concentrated week so that hon. Members with non-London constituencies can spend guaranteed time outside Westminster being in touch with and representing their constituents. We must ensure that we get the balance right so that we can protect interests there.⁶⁵

The Committee met for the first time on 11 June 1997 at which Mrs Taylor was elected Chairman. In the first press notice issued by the Committee, it commented on its initial aims:

As directed by the Order of the House of 4th June, the Committee will be embarking immediately on examination of ways in which the procedure for examining legislative proposals could be improved, with a view to presenting its initial conclusions to the House before the summer recess. The Committee will be writing to all Members of the House to seek their views on these and any other matters which they wish the Committee to consider.⁶⁶

1. The Committee's First report of 1997/98 - *The Legislative Process*

The Committee's first report, *The Legislative Process*,⁶⁷ was published before the 1997 summer recess, and was discussed in detail in a separate Library Research Paper.⁶⁸ It was agreed unanimously. Although it did not specifically make suggestions about the times of sitting, it made some general comments about the sessional cycle, which could when fully implemented affect the dates of sessions. When the report was debated on 13 November 1997, Mrs Taylor said:⁶⁹

Following the Jopling changes, surveys were done and the information that we have already from Members shows us that, in some respects, there is an agreed

⁶⁵ HC Deb 4 June 1997 vol 295 c517

⁶⁶ Modernisation Committee Press Notice No 1, 1997/98,
<http://www.parliament.uk/commons/selcom78/modpnt1.htm>

⁶⁷ HC 190 1997/98,
<http://www.publications.parliament.uk/pa/cm199798/cmselect/cmmodern/190i/md0102.htm>

⁶⁸ *Parliamentary reform: the Commons 'modernisation' programme*, Library Research Paper 97/107, October 1997

⁶⁹ HC Deb vol 300 cc1065-6

pattern of what a parliamentary week should be. Most Members believe that Parliament should sit from Monday lunch time to Thursday tea time. Many think that there should be no very late nights, although London Members would define late nights differently from Select Committee members, as would northern Members.

There is concern about the fact that Parliament sits so much when schools are on holiday and it is half term. There are demands for constituency weeks, for early notices of the recess, for no diminution in the power of Back Benchers and for the Government not to use guillotines, yet there is also a requirement for Government to get their legislation through. It is clear that all those objectives are not compatible. Different Members legitimately have different priorities. For some Members, the priority is to be in this Chamber. For others, it is to serve on a Select Committee. Some will specialise in European legislation or regional advocacy and others will want to spend a lot of time representing the interests of their constituents, perhaps at constituency level.

It is impossible to please everyone, but we are trying to devise a system that will allow all 659 Members to undertake their jobs in their individual way--in the way that they think is most appropriate to their constituents. That is the difficulty with which we wrestle. Every hon. Member carries out their job in a different way, according to what they think is appropriate for their constituency. We have to provide a framework to enable them to do that...⁷⁰

We have had many suggestions about the Chamber that I know will interest you, Madam Speaker, and your Deputy Speakers and Chairmen. There have been suggestions that Question Time should be in the morning rather than the afternoon and that the House should rise at 7 o'clock--[Hon. Members: "Hear, hear."] There have been suggestions that the House should never sit on Fridays and that we should use Tuesday and Thursday mornings for Committees of the whole House.

All those suggestions have some logic and my hon. Friends are saying "Hear, hear" to some of them. If we did all of them, we would get no business through at all, especially if we had constituency weeks as well.

In reply, the Opposition spokesman, Gillian Shephard commented:

The Committee has sought to organise the business of the House so that activity is more evenly spaced throughout the year--although, frankly, that will be hugely difficult, given the competing claims already described by the Leader of the House. The Committee has also sought to maintain the flexibility that is obviously required in any legislative system to cope with an unforeseen situation that has to be legislated for. There have been many such examples in the previous Parliament and other Parliaments, and there will be examples in this one. It

⁷⁰ Ibid, cc1065-7

clearly makes much sense that there should be more opportunity for pre-legislative scrutiny and consultation.⁷¹

The Liberal Democrats did not take contribute to this debate, although the Liberal Democrat Member of the Committee (Paul Tyler) had spoken in the debate on 22 May 1997 (see above). During that debate, he had proposed how the Modernisation Committee should operate:

All those issues are matters for the whole House. While it is important that the new Committee should have as wide a remit as possible, it would be wrong to ask its members to go into such detail, over such a length of time, that no progress was made in the House. I hope that the Leader of the House will agree that the new Committee could make proposals, as the Procedure Committee has previously, but not attempt to make a wide range of recommendations on every issue. It is particularly important to address the concerns of current Back Benchers, a great many of whom would otherwise feel frozen out of the true business of Parliament.⁷²

The House's general view was that the modernisation process was to be welcomed, and the report was agreed with little dissent. The Committee also had a clear indication from many MPs that reform of sitting hours would be welcome. The Committee returned to sitting hours in the 1998/99 session.

2. The Committee's First report of 1998/99 - *The Parliamentary Calendar: Initial proposals*

The Committee's report, *The parliamentary calendar: Initial proposals*, was published in December 1998.⁷³ It included a memorandum by Mrs Taylor, which indicated the main changes which the Government believed were possible. These were:

- advancing Thursday sittings by three hours to finish main business at 7pm
- attempting to arrange business to allow constituency weeks to coincide with school half-terms in February and October
- providing the option for committees to sit in weeks when the Chamber is not sitting.

The report commented on the reasons for reform:

1. The purpose of reform is to make Parliament more effective. This means allowing Members to make the best use of their time, and to balance their various commitments in the House and its Committees with the increasing workload and demands in their constituencies.

⁷¹ Ibid, c1070

⁷² HC Deb 22 May 1997 vol 294 c925

⁷³ HC 60 1998/99, <http://www.publications.parliament.uk/pa/cm199899/cmselect/cmmodern/60/6002.htm>

2. With this objective in mind, the House has already modified its hours in a modest way through the Jopling reforms, introduced following the Report from the Select Committee on Sittings of the House in 1992.
3. Subsequently a more radical re-design of the Parliamentary calendar has been sought. Added momentum for reform was given by the early response by Members when asked for their ideas or priorities for making Parliamentary work more effective and efficient. As the Government's new constitutional changes take effect, proposals for change will need to be evaluated.

The Committee also received a memorandum from the then Speaker, Betty Boothroyd, expressing reservations about the suggested Thursday morning sittings:

...while your paper identifies the advantages of such a change (though some of these might prove illusory) there is little recognition of the adverse implications which it carries for me, for Members, for the public and for the administration of the House...I need to be fully briefed before the House sits...The effect of sitting at 11.30 a.m. would be to compress my preparation time into a very much shorter period than is currently available (roughly 3 hours instead of 6). The inevitable result would, sadly, be poorer service to Members.⁷⁴

Despite these reservations, the Committee recommended radical changes to the way in which the House sat.

72. We consider that advancing Thursday sittings offers greater advantages than "block weeks". **If the views of the majority of Members who wrote in are shared by the House, we recommend that, for an experimental period between the end of the Christmas adjournment and the end of the Session, the House should meet at 11.30am on Thursdays with the moment of interruption at 7.00pm.**

73. There are arguments for and against the two options we have outlined above for the exact pattern of Thursday sittings and which are summarised in paragraph 61. **If the House rejects the Government proposal (that Questions should be taken at 11.30am and that standing committees should normally meet between 9.00am and 11.30am and between 4.30pm and 7.00pm), we recommend that for this experimental period the alternative scenario (that Questions be taken at 2.30pm and that standing committees meet as at present) be adopted.**

The House agreed to the Government's proposal at the debate on 16 December 1998.⁷⁵

The Committee recommended, following the Government's suggestion, that the House should have a 'constituency week' in February:

⁷⁴ Appendix Two, <http://www.publications.parliament.uk/pa/cm199899/cmselect/cmmodern/60/6016.htm>

⁷⁵ HC Deb vol 322 cc986-1060

At present the period between Christmas and Easter involves the House sitting continuously for anything up to fourteen weeks (depending on the date of Easter). A more balanced division of the time would in no way diminish the effectiveness of the House as a whole and would be a great help to individual Members in planning their essential constituency and other Parliamentary business.⁷⁶

This has happened on four occasions since this recommendation was made.

The report also suggested something much more radical, the setting up of a "Main Committee" to ease some of the burden on the House of Commons Chamber. The Committee requested comments from Members in order to return to the subject in the New Year, which they did in their Second Report of 1998/99 in April 1999.

3. The Committee's second Report of 1998/99 - *Sittings of the House in Westminster Hall*

The Committee's Second Report of 1998/99, *Sittings of the House in Westminster Hall*,⁷⁷ discussed what the Committee called "a procedure used in the House of Representatives, Canberra, under which, in addition to the Chamber itself, certain business is conducted in what in effect is a parallel but subordinate Chamber, known as the 'Main Committee'".⁷⁸ The report identified some of the problems which, the Committee argued, such a change could address.

Although much of the work of the Chamber is conducted by consent and without confrontation the institution of a parallel Chamber could perhaps better exemplify this aspect of the work of the House as a whole. It would be achieved by only referring business to it which would not be subject to a vote, which would be by its nature either debates on the adjournment or other business by consent. Some have argued that this could be reinforced by adopting a different layout for the Committee such as a hemicycle.

While the Committee envisaged that the Commons Chamber would remain the "principal forum for debate", having a second Chamber would ease the pressure on the Chamber, which could then be used for more appropriate debates:⁷⁹

11. All those who gave evidence to us supported the idea of an experiment with a parallel Chamber. The Chairman of Ways and Means considered that there was "a *prima facie* case for a carefully prepared experiment, balanced as between Government, select committee and private Members' business which might not otherwise have the opportunity for debate within the sitting hours which the

⁷⁶ HC 60 1998/99, op cit, para 77

⁷⁷ HC 194, 1998/99, April 1999

⁷⁸ <http://www.publications.parliament.uk/pa/cm199899/cmselect/cmmodern/194/19402.htm>

⁷⁸ Ibid, para 1

⁷⁹ Ibid, para 5

majority of Members now regard as reasonable". The Clerk of the House stated that "a Main Committee such as is proposed is technically practicable". The Chairman of Committees felt that "it would be helpful to you yourselves if you were to adopt" such a procedure.

12. We agree with the Chairman of Ways and Means that any proposed scheme should be on an experimental basis; this is entirely in line with our approach to previous changes which we have advocated. We are, however, convinced that it would be right to proceed with such an experiment at the earliest moment, which in practical terms is the beginning of next Session. **We therefore recommend that the House should agree to a sessional order for Session 1999-2000 only which provides for the establishment of a parallel Chamber.**

The report was debated on 24 May 1999.⁸⁰ The House debated the introduction of a new sessional order, initially for a one-year trial period. The debate was on the following motion:

That in the next Session of Parliament the Standing Orders and practice of the House shall have effect subject to the modifications set out below:

- (1) On days on which the House shall sit there shall be a sitting in Westminster Hall--
 - (a) on Tuesdays between ten o'clock and one o'clock; [later changed to 9.30am to 2.00pm from the 2001/02 session]
 - (b) on Wednesdays between half-past nine o'clock and two o'clock; and
 - (c) on Thursdays beginning at half-past two o'clock and continuing for up to three hours (and in calculating that period no account shall be taken of any period during which the sitting may be suspended owing to a division being called in the House or a committee of the whole House).
- (2) Any Member of the House may take part in a sitting in Westminster Hall.
- (3) Subject to paragraph (12) below, the business taken at any sitting in Westminster Hall shall be such as the Chairman of Ways and Means shall appoint.
- (4) The Chairman of Ways and Means or a Deputy Chairman shall take the chair in Westminster Hall as Deputy Speaker; and the House may appoint not more than four other members of the Chairmen's Panel to sit in Westminster Hall as Deputy Speaker.
- (5) Any order made or resolution come to at a sitting in Westminster Hall (other than a resolution to adjourn) shall be reported to the House by the Deputy Speaker and shall be deemed to be an order or resolution of the House.
- (6) If a motion be made by a Minister of the Crown that an order of the day be proceeded with at a sitting in Westminster Hall, the question thereon shall be put forthwith, but such motion may be made only with the leave of the House and may not be made on a Friday.
- (7) The quorum at a sitting in Westminster Hall shall be three.

⁸⁰ HC Deb vol 332 cc81-133

(8) If at a sitting in Westminster Hall the opinion of the Deputy Speaker as to the decision of a question (other than a question for adjournment) is challenged, that question shall not be decided, and the Deputy Speaker shall report to the House accordingly; and any such question shall be put forthwith upon a motion being made in the House.

(9) If any business other than a motion for adjournment is under consideration at a sitting in Westminster Hall, and not fewer than six Members rise in their places and signify their objection to further proceeding, that business shall not be further proceeded with in Westminster Hall, and the Deputy Speaker shall report to the House accordingly, and any order under paragraph (6) above relating thereto shall be discharged.

(10) At the end of each sitting in Westminster Hall, unless a question for adjournment has previously been agreed to, the Deputy Speaker shall adjourn the sitting without putting any question; and proceedings on any business which has been entered upon but not disposed of shall lapse.

(11) The provisions of Standing Orders No. 29 (Powers of chair to propose question), No. 36 (Closure of debate), No. 37 (Majority for closure or proposal of question), No. 38 (Procedure on divisions), No. 39 (Voting), No. 40 (Division unnecessarily claimed), No. 41 (Quorum), No. 43 (Disorderly conduct), No. 44 (Order in debate), No. 45 (Members suspended, &c. to withdraw from precincts), No. 45A (Suspension of salary of Members suspended) and No. 163 (Motions to sit in private) shall not apply to sittings in Westminster Hall.

(12) The House shall meet on Wednesdays at half-past two o'clock, and paragraphs (1) and (2) of Standing Order No. 9 (Sittings of the House) shall have effect on Wednesdays; and Standing Order No. 10 (Wednesday sittings), so far as it relates to business taken before two o'clock, shall apply only to sitting in Westminster Hall, and shall have effect as if paragraph (3) were omitted.⁸¹

Introducing the debate, Margaret Beckett, then Leader of the House, made clear her support for the proposals, and said:

I should like to make three things clear at the outset. First, this is not a Government proposal, although I personally support it. It stems from the Modernisation Committee's own research into a novel procedure used in Australia, and from the Committee's ideas on how that procedure could be adapted for use in the House of Commons. I believe that its originator here was the right hon. Member for East Devon (Sir P. Emery) - who, as hon. Members will have recognised, is not a Labour Member.

[...]

Secondly, the motion gives the House the opportunity to conduct an experiment. The experiment, involving sittings in the Grand Committee Room off Westminster Hall, would give private Members more time - let me repeat that, because, inexplicably, some members of the press have got hold of the wrong end of the stick--more time to debate some of the many issues that, while undoubtedly worthy, are unlikely ever to find space in the crowded schedule of the Chamber.

⁸¹ Ibid, c82

It could also allow time for more focused debates on, say, foreign affairs, or discussion of more Select Committee reports. Some 180 Select Committee reports are published each year, but time cannot be found for debate of more than about 12 a year on the Floor of the House. What is being proposed is an addition to, rather than a substitute for, what we can do now.

[...]

My third point is that the experiment will not require the House to make substantial or additional financial outlay. Work already scheduled for the Grand Committee Room will be brought forward, and the Committee and the House of Commons Commission have asked the House authorities to make every effort to find offsetting savings and to reprioritise within proposed works. The Committee took evidence about those matters from the Clerk of the House and from the Serjeant at Arms. I much regret - as, I think, does the whole Committee - that we did not formally involve the Accommodation and Works Committee and the Administration Committee, and I assure members of both Committees that no discourtesy was intended. The Modernisation Committee was, however, very mindful, following evidence from Officers of the House that the time scale for a decision to facilitate an experiment in the autumn was short. The House having been alerted to discussion of the proposals in the debate on our last report held before Christmas, it was felt that the matter should be put to the House for decision as quickly as possible.⁸²

Sir George Young, then Shadow Leader of the House, supported the proposals 'on balance'. However, he acknowledged that as there would be a free vote, he would "be neither dismayed nor surprised" if other Members came to a different view.

Support was not universal amongst Members. Eric Forth commented that "I oppose the proposal and dispute almost every aspect of both it and way in which it has been presented in the report."⁸³

I think it is unnecessary, dangerous, expensive and almost certainly irreversible. I fear that it will divert attention away from the Chamber and feed the myth that the Leader of the House and others are attempting to perpetuate, that somehow there is huge pressure on the time of the House. The truth is that, if we wanted to find the time, we could sit on Fridays, reduce the recesses and not rise a day early. We could also shorten debates that do not generate sufficient interest and spontaneously debate other issues. Admittedly, such changes would require a degree of commitment from hon. Members that I suggest is simply not there any more. For that reason, more than any other, I regret this measure.⁸⁴

Mr Forth (with Nicholas Winterton) put down the following amendment:

⁸² Ibid, cc83-84

⁸³ Ibid, c105

⁸⁴ Ibid, c110

except for paragraphs 17 and 24, and considers that the new sittings should be known as the Commons Committee; that the Wednesday morning sitting devoted to private members' business should not be transferred to Westminster Hall; and that the seating plan to be adopted should be as set out in Appendix 2 of the Report.

The amendment was defeated by 144 to 43. The main motion was then approved by 145 to 36, and the new sessional orders by 132 to 26. Following changes to the room to be used as the Westminster Hall Chamber to incorporate the hemicycle, the first sitting took place on Tuesday 30 November 1999 with a debate instigated by Dr Phyllis Starkey on Palestinian refugees.⁸⁵

4. Modernisation Committee Third and Fourth reports, 1999/2000: *Thursday sittings and Sittings in Westminster Hall*

The Committee returned to the subject of Thursday sittings in its Third report of 1999/2000.⁸⁶ The short report recognised that the new Thursday hours were not universally supported, as "there are some Members who for years have been used to a full traditional Parliamentary day until 10.00pm on a Thursday and who find the experiment not to their liking" but nonetheless felt that the balance of support was in favour of the experiment.⁸⁷ However:

6. We recognise that some Members of the House are not reconciled to the earlier sitting hours on Thursdays and would prefer to revert to taking main business until 10pm. Others believe that the success of the experiment argues for the new sitting hours to be made permanent in Standing Orders. On balance, we believe that the next Parliament should be given the opportunity to take a final decision on this. **We therefore recommend that the current hours of sitting on Thursdays should be continued until the end of the first Session of the next Parliament.**⁸⁸

The Fourth report discussed the success of the Westminster Hall sittings, commenting that "...figures indicate that the Westminster Hall experiment has provided private Members with an extra 134 opportunities to raise issues of concern with Ministers, or 108 hours of extra Parliamentary time. For select committees, the net gain attributable to Westminster Hall has been 13 debates on reports, or 39 hours of Parliamentary time." As a result,

Westminster Hall has provided valuable additional opportunities for both private Members and select committees ... As a forum for novel kinds of business it has

⁸⁵ HC Deb 20 November 1999 vol 340 cc1-23WH

⁸⁶ HC 954 1999/2000,
<http://www.publications.parliament.uk/pa/cm199900/cmselect/cmmodern/954/95402.htm>

⁸⁷ Ibid, para 5

⁸⁸ Ibid, para 6

perhaps enjoyed more qualified success: some of the debates on Government Thursdays have not attracted great interest but others have proved worthwhile. The debate on United Kingdom involvement in Africa was an example of a constructive and well-attended debate; and we note in passing that in our earlier Report we identified foreign affairs debates focussing on particular regions of the world as one type of debate for which Westminster Hall could usefully provide an opportunity.⁸⁹

The Committee therefore recommended that the experiment should continue until the end for the first session of the new Parliament [ie 2001/02]. They also made a number of other recommendations:

- the Grand Committee Room should be arranged as a horseshoe-shaped "long" hemicycle;
- as part of the rearranged seating arrangements two seats in the public gallery should be reserved for the initiator of a particular debate so that constituents with a specific interest can be guaranteed access;
- sittings on Tuesdays should last from 9.30am until 2pm and should begin with three debates of one hour each;
- the Speaker should use his discretion to permit a debate to continue for up to three hours should there appear to him to be sufficient demand;
- sittings in Westminster Hall should resume as soon as the debate on the Queen's Speech has been concluded;
- select committee reports should be debated at two-thirds of the sittings on Thursday afternoons; and
- six Thursday afternoons instead of three Wednesday mornings should be designated for debates on select committee reports.⁹⁰

The recommendations were debated on 20 November 2000.⁹¹ Margaret Beckett acknowledged during the debate that some Members still had reservations about the measures, but nonetheless she believed "that the majority of the House has found the reforms useful, and with the minor changes proposed--for example, to the Westminster Hall sittings--they could be more useful still."⁹² Angela Browning, the Shadow Leader of the House, commented that:

I regard the proposals as a curate's egg. Although in principle I support a 7 o'clock finish on Thursdays, it should not diminish the quality or the importance of the business that the House considers. Equally, although as a result of Jopling we may now finish at 7 o'clock on Thursdays, if there is unfinished business in the House, especially unfinished business requiring a vote, it should be continued, even after 10pm, and a vote should be held on the appropriate day.

⁸⁹ Ibid, para 24

⁹⁰ Ibid, para 40

⁹¹ HC Deb 20 November 2000 vol 357 c22-108

⁹² Ibid, c22

Accordingly, last week I opposed the Modernisation Committee's proposals. I felt that we had got the balance right between allowing hon. Members to discharge their constituency duties at weekends and giving them the opportunity - which has been and is still being diminished - to scrutinise the Executive and to cast their vote when necessary.

I am happy for the Thursday sittings experiment to continue. We should, however, carefully monitor the nature of the business that the House considers on Thursdays. I am a convert to allowing hon. Members to initiate Adjournment debates in Westminster Hall. It is very important to allow hon. Members to initiate debates on constituency matters and on matters of personal or general interest, and Westminster Hall is the ideal forum for such debates...

The practice, under the guise of more is better, of shuffling some of the more controversial Select Committee reports into Westminster Hall - where, by general acknowledgement, the nature of the debate is non-controversial - does not allow the House to call a Secretary of State to the Dispatch Box to answer Select Committees, which are well respected beyond these walls. If that practice were to develop further, it would represent a worrying trend.⁹³

Paul Tyler, the Liberal Democrat Chief Whip and Shadow Leader of the House, said:

The reports are useful. I certainly support the general principle of evolution in this place - experimenting to see if changes work, pulling back a little but moving on if we can and trying to do so, as much as possible, by agreement and consensus. However, the general view on both sides of the House is that there is much unfinished business...Finally, both the changes that we have introduced have made it possible to ensure that the House holds the Executive to account for their day-to-day actions and for their legislative intentions. However, we have not achieved the ultimate goal, and we should certainly not stop where we are. I very much hope that we will continue with the agenda and that, beyond the next election, we shall have even more recruits to the cause of modernisation.⁹⁴

The House approved the reports by 275 to 22.

III Other Bodies

A. House of Lords

The House of Lords sits on Mondays, Tuesdays and Wednesdays from 2.30pm, on Thursdays from 3.00pm and occasionally on Fridays at 11.00am. It does not usually sit

⁹³ Ibid, c31

⁹⁴ Ibid, c37

during August, September and early October, for two or three weeks at Christmas and for a week or so at Easter and at the Spring Bank Holiday.

The House of Lords has been recently through a similar process to the House of Commons in relation to its sitting times. On 19 July 2001 a Working Group was established by the House of Lords to *Consider How the Working Practices of the House can be Improved, and to make Recommendations*. This Working Group reported following extensive consultation on 1 May 2002,⁹⁵ and the report was subsequently debated in the Lords on 21 May 2002.⁹⁶

The report made a number of recommendations designed to make the Lords more efficient in their scrutiny of the Government:

Sittings of the House and Grand Committees

A 10pm cut-off

19. When Grand Committees were introduced in 1994, it was expected that, with less business being taken on the floor of the House, there would be fewer occasions when the House would sit after 10pm. This has not happened. While recognising that governments wish to get their business through the House, late night sittings are not calculated to improve debate or enhance scrutiny of legislation. We have therefore considered a package of proposals that restores the general intention not to sit beyond about 10pm, and compensates the Government for the time it may lose from a 10pm cut-off by (a) sending more bills to Grand Committees and (b) allowing for the possibility of taking other types of business in a Grand Committee or other forum sitting in the Moses Room or elsewhere in the House of Lords precincts.

20. Grand Committees retain important features of Committees of the Whole House: no nominations are made and all members of the House may attend and participate. Procedure is the same as Committee of the Whole House, except that no divisions are allowed. Pressures of time are less than in the Chamber. Members' convenience can be taken more easily into account in arranging sitting times. There is no need to sit beyond about 7.30pm.

Among their other comments and recommendations were:

23. We therefore recommend as a package of measures that: (a) the House should normally rise not later than 10pm; (b) this should be coupled with greater use of Grand Committees for the kind of bills considered suitable by the Rippon group; and (c) after second reading there should be a motion in the House to commit each bill to the appropriate committee, usually a Grand Committee or a Committee of the Whole House. The usual channels will normally have agreed this motion, having discussed it with those concerned and

⁹⁵ HL 111, 2001-02,
<http://www.parliament.the-stationery-office.co.uk/pa/ld200102/ldselect/ldrecod/111/11102.htm>

⁹⁶ HL Deb vol 635 cc641-724

after taking into account the recommendation of any pre-legislative scrutiny committee on the bill. We envisage that such a motion would therefore almost always be a formality because the key players would have been consulted in advance, but the House would have the last word on where the committee stage of a bill is taken.

24. The precise sitting hours of Grand Committees should be settled to suit the convenience of the key players and could include morning sittings....To regularise this package we recommend that a new standing order should be adopted to provide that no new item of business (which would include a new group of amendments) could begin after 10pm. The standing order should allow enough flexibility to avoid cutting short debate on business in progress at 10pm by allowing enough time for such business to be completed. The aim would be to retain the flexibility to rise a little earlier or later than 10pm, if that were for the convenience of the House.

and

General and select committee debates

26. The greater use of Grand Committees that we are recommending will make more time available in the Chamber even with a cut-off around 10pm. This time should be taken up by increasing the number of days set aside for backbench debates on Wednesdays, by scheduling debates on select committee reports in prime time, and by meeting more of the requests for debates on broad general topics such as foreign affairs, defence, energy, agriculture and the environment. We recommend that three additional Wednesdays be allotted for backbench debates in each session, and that more debates on select committee reports and on general topics be held in prime time on the floor of the House.

Thursday sitting times

27. It is understandable that those members of the House who do not live in or near London should wish to return home at a reasonable hour at the end of the parliamentary week. Even with the House rising by 10pm it may prove difficult for many members to get home to Scotland or the North West on a Thursday night. With a view to reducing the inconvenience for such members, the House has been asked twice in recent years to exchange the type of business now taken on Wednesdays and Thursdays, so that there would be no whipped business on Thursdays. Replies to the questionnaire indicated that many members would favour taking Government business on the first three sitting days of the week, thus allowing members two consecutive days before the weekend to attend to their own affairs. The House did not agree to proposals on these lines in 1999 and 2001 and we do not believe that it would be timely to invite the House to consider the matter again so soon. However, questionnaire replies also indicated that the present arrangements favour those who live in London and the South East and that an earlier start and finish to business on a Thursday would be helpful to members who have much further to travel to reach home that night. We therefore recommend that on Thursdays the House should sit at 11am and adjourn not later than about 7pm. If this recommendation is approved, it should also be incorporated in a standing order.

A more balanced parliamentary year

28. Striking a better balance between sitting and non-sitting days throughout the year was considered by our group. It was argued that it was not sensible for the

House regularly to sit late in the evening for part of the parliamentary year, and then to adjourn at the end of July for 2-3 months. Recently steps have been taken to achieve a better distribution of sitting days, for example a half-term break in February has been arranged to coincide with some school half-terms. Longer notice of provisional future business is also being given. We noted the proposal of the Leader of the House of Commons that that House should in future sit in September, although practical considerations mean that it will not begin to do so until September 2003. We believe that the House of Lords should also be willing to sit in September, and we recommend that in return the House should have longer recesses at Christmas, Easter or Whitsun, or rise earlier for the summer recess. This should help to achieve a more balanced parliamentary year.

29. There is no procedural reason why Grand Committees should not sit in September even now. Consistent with our view that there can be greater use made of Grand Committees we recommend that Grand Committees may sit in September, whether or not the House is sitting. In practice the number of members involved will be comparatively small, consisting mainly of those with a detailed knowledge of and interest in the subject matter of a particular bill. September sittings would provide a new opportunity for the House to consider Law Commission bills.

As a result of the debate on 21 May 2002, the Working Group's recommendations were remitted to the Procedure Committee to make recommendations, by 8 July 2002, as to the implementation of the report.

B. Devolved Legislatures

The three devolved legislatures - the Scottish Parliament, the National Assembly for Wales and the Northern Ireland Assembly - all sit very different hours from the Westminster model.

1. National Assembly for Wales

The National Assembly for Wales only sits on Tuesday afternoon between 2.00pm and 5.30pm and Thursday morning from 9.00am to 1.30pm, with more emphasis on committee work. Business in the Assembly is specifically arranged to take into account 'family-friendly' policies, as shown in the Assembly's Standing Orders:

Periodic Timetable Statements

5.1 From time to time, the Assembly Business Secretary shall table motions proposing outline timetables of plenary meetings, times available for committee meetings, meetings of political groups, and recesses. Such motions shall propose timetables for periods of not less than three months, and shall include dates for questions for oral answer by specific Assembly Secretaries.

5.2 Motions under paragraph 5.1 shall be tabled having regard to any advice offered by the Business Committee under paragraph 13.1(i). Wherever possible, motions shall be framed having regard to the family and constituency or electoral

region responsibilities of Members, and their likely travel arrangements; and in any event shall seek to avoid programming business before 9.00am or after 5.30pm on any working day.⁹⁷

2. Northern Ireland Assembly

The Northern Ireland Assembly sits from 10.30am to 6.00pm on Monday and Tuesday. The relevant Standing Order is number 10:

10. SITTINGS AND ADJOURNMENTS OF THE ASSEMBLY

(1) The categories of business to be conducted in the Assembly shall consist of the following:

- (a) Executive Committee Business
- (b) Statutory Committee Business
- (c) Questions
- (d) Private Members' Business
- (e) Private Business
- (f) Adjournment Debates.

(2) The sittings of the Assembly shall ordinarily be arranged as follows:-

MONDAY	10.30am - 6.00pm
TUESDAY	10.30am - 6.00pm

The allocation of time for categories of business within these sittings shall be determined by the Business Committee, except that:

- (a) on each Monday on which there is a sitting there shall be a period for Questions commencing at 2.30pm and finishing at 4.00pm;
 - (b) on each Tuesday on which there is a sitting there shall be an Adjournment Debate commencing at 3.00pm and finishing at 6.00pm; and
 - (c) on each Tuesday on which there is a sitting any private notice questions that are to be asked under Standing Order 20 shall be asked before the Adjournment Debate.
- (3) If Tuesday's business cannot be completed in the allocated time, the sitting may be extended into the evening, into Wednesday, or both.
- (4) Additional sittings may be arranged by the Business Committee according to the exigencies of the Assembly.

⁹⁷ <http://www.wales.gov.uk/keypubstandingorders/content/standingorders131101-e.rtf>

Where statements made under Standing Order 18 impinge upon the time bands specified in this Standing Order the Speaker shall take action under Standing Order 18(5).

(6) At 6.00pm on Monday sittings and at 3.00pm on Tuesday sittings the Speaker shall interrupt the business under consideration.

(7) If at the time appointed for the interruption of business, any division is in progress, or a question is being put by the Speaker and a division or a vote in the chamber results immediately thereon, such interruption shall be deferred until after the declaration of the result of the division or vote in the chamber.

(8) On the interruption of business the closure maybe moved; and if moved, or if proceedings to close the debate under Standing Orders be then in progress, the Speaker shall not leave the Chair until the questions consequent thereon and any further questions as provided in Standing Orders have been disposed of.

(9) If a notice of motion in the name of a Member of the Executive Committee stands upon the Order Paper at the commencement of public business to the effect either:

(a) that the proceedings on any specified business be exempted at this day's sitting from the provisions of this Standing Order; or

(b) that the proceedings on any specified business be exempted at this day's sitting from the provisions of this Standing Order for a specified period after six o'clock or in the case of a Tuesday after three o'clock;

it shall stand over until after the interruption of business and shall be decided without amendment or debate.

(10) If a motion pursuant to paragraph (9) is agreed to, the business specified in the motion shall thereupon be entered upon, or continued, until concluded or until the time specified has expired and the Speaker shall then adjourn the Assembly with question put.

(11) An adjournment of the Assembly shall mean an adjournment till the next sitting day unless the Assembly, on a motion made by a Member of the Executive Committee after notice, has ordered an adjournment to some other definite date.⁹⁸

3. The Scottish Parliament

In the Scottish Parliament, the normal parliamentary week is between the hours of 14:30 and 17:30 on Monday, 09:30 and 17:30 on Tuesday, Wednesday and Thursday and 09:30

⁹⁸ <http://www.ni-assembly.gov.uk/sopdf/so1.pdf.pdf>

and 12:30 on Friday. This is so organised to allow Members of the Scottish Parliament to have 'family friendly' hours. According to constitutional researcher Barry Winetrobe,

There should be normal working hours, as far as possible, with no Westminster-style late-night sitting. The sitting hours should take proper account of factors such as Scottish school holidays, the domestic needs of Members and staff, and the accessibility of the Parliament and its proceedings to the public.⁹⁹

The Consultative Steering Group (CSG), in planning for the new Parliament in 1999, considered the issue of the new Parliament's sitting pattern in some detail.

It agreed that the Parliament (including its committees, and with time built in for party activities) should operate on a 'family friendly' basis, equally attractive to men and women, meeting during normal business hours on a regular programmed basis. This would be agreed and publicised in advance at the start of each Parliamentary year.¹⁰⁰ CSG suggested that the Parliament should sit approximately 30-33 weeks per year, with a summer break of 8-10 weeks from mid-June until the end of August, and other main breaks of 2-4 weeks at Christmas and Easter.¹⁰¹

Sittings are regulated by Rule 2.2 of the Standing Orders:

Rule 2.2 Meetings of the Parliament¹⁰²

1. The Parliament shall meet on the day appointed or determined for its first meeting following a general election.
2. The Parliament shall decide, on a motion of the Parliamentary Bureau, the date and time for any other meeting of the Parliament, or, until the Parliament has so determined, the Presiding Officer shall appoint such dates and times. This is subject to the following paragraphs.
3. The Parliament may, except as mentioned in paragraph 4 or 5 or in an emergency, meet on any sitting day during the normal Parliamentary week. The normal Parliamentary week is between the hours of 14:30 and 17:30 on Monday, 09:30 and 17:30 on Tuesday, Wednesday and Thursday and 09:30 and 12:30 on Friday.
4. A meeting of the Parliament may continue to 19:00 on Wednesday if the Parliament so decides on a motion of the Parliamentary Bureau.

⁹⁹ Barry K Winetrobe, *Realising the vision: a Parliament with a purpose*, Constitution Unit, October 2001, p49

¹⁰⁰ *Shaping Scotland's Parliament*, January 1999, paras 2.49, pp12-13, and paras 3.3.12-13, pp43-44

¹⁰¹ The Parliamentary Calendar, Scottish Parliament Information Centre Subject Map, Scottish Parliament Series/4, p1, http://www.scottish.parliament.uk/whats_happening/research/pdf_subj_maps/smsp-04.pdf

¹⁰² *Standing Orders of the Scottish Parliament*, http://www.scottish.parliament.uk/parl_bus/sto-1.htm#02

5. A meeting of the Parliament may continue beyond-
- (a) 17:30 on Monday, Tuesday or Thursday;
 - (b) 17:30 on Wednesday where the Parliament has not taken a decision under paragraph 4;
 - (c) 19:00 on Wednesday where the Parliament has taken a decision under paragraph 4; or
 - (d) 12:30 on Friday,
- in any of the circumstances specified in paragraph 6.
6. The circumstances in which a meeting of the Parliament may continue beyond any of the times specified in paragraph 5 are-
- (a) if it is necessary in order to complete any voting which is not adjourned to a later meeting under Rule 11.2.5;
 - (b) if it is necessary in order to complete the election of the Presiding Officer or a deputy Presiding Officer under Rule 11.9 or the election of a member or members of the Parliamentary corporation or selection of a nominee for appointment as First Minister under Rule 11.10;
 - (c) if the Parliament so decides, on a motion of the Parliamentary Bureau, in order to consider Members' Business; or
 - (d) in other cases, if the Parliament so decides on a motion of a member of the Scottish Executive or of the member who moved the business under consideration at that time.¹⁰³

¹⁰³ *Standing Orders of the Scottish Parliament*, http://www.scottish.parliament.uk/parl_bus/sto-1.htm#02

Appendix - Sitting times statistics¹⁰⁴

Table A

Sitting days, average length of sitting and total sitting hours, 1979/80 - 2000/01

Session	Sitting days	Average length of sitting (a)	Sitting hours Main Chamber	Westminster Hall	Hours after moment of Interruption
1979-80 (long session)	244	08:55	2176.59		498.18
1980-81	163	09:07	1485.11		353.45
1981-82	174	08:08	1534.13		332.46
1982-83 (short session)	115	08:34	984.50		183.49
1983-84 (long session)	213	08:59	1914.33		448.23
1984-85	172	09:06	1566.17		371.29
1985-86	172	08:57	1536.14		335.34
1986-87 (short session)	109	08:55	931.28		177.28
1987-88 (long session)	218	09:04	1978.40		480.24
1988-89	175	09:04	1581.41		354.42
1989-90	167	08:48	1468.28		303.20
1990-91	160	08:35	1373.53		256.10
1991-92 (short session)	83	08:23	695.54		114.50
1992-93 (long session)	240	08:16	1983.48		348.53
1993-94	154	08:10	1258.16		202.00
1994-95	159	08:16	1313.43		121.36
1995-96	146	08:45	1278.29		115.26
1996-97 (short session)	86	08:21	717.45		48.30
1997-98 (long session)	241	08:47	2117.36		228.24
1998-99	149	09:15	1378.50		159.32
1999-00	170	08:29	1442.41	352.40	242.18
2000-01 (short session)	83	08:19	690.27	185.49	103.38

(a) including Fridays

(b) short and long sessions are the result of general elections called other than in the autumn

¹⁰⁴ Source: *Sessional returns of the House of Commons*

Table B

