



Establishment of the Select Committee on Reform of the House of Commons

Standard Note: SN/PC/05140

Last updated: 25 January 2010

Author: Lucinda Maer and Richard Kelly

Section Parliament and Constitution Centre

On 10 June 2009 the Prime Minister announced that the Government would support a proposal from Tony Wright, the Chairman of the Public Administration Select Committee, to establish a time-limited committee on reform of the House of Commons. Following some disagreement on the exact terms of reference for the committee, the House of Commons agreed to establish Committee on 20 July 2009. The terms of reference of the 18-member committee were to consider and make recommendations on:

- the appointment of members and chairmen of select committees;
- the appointment of the Chairman and Deputy Chairmen of Ways and Means;
- scheduling business in the House;
- and enabling the public to initiate debates and proceedings in the House.

This note sets out the process of establishing the Select Committee on Reform of the House of Commons. A separate note, [SN/PC/5294](#), *The Report of the Select Committee on Reform of the House of Commons*, sets out the Committee's recommendations and the Government's proposals for a debate to be held on 23 February 2010.

This information is provided to Members of Parliament in support of their parliamentary duties and is not intended to address the specific circumstances of any particular individual. It should not be relied upon as being up to date; the law or policies may have changed since it was last updated; and it should not be relied upon as legal or professional advice or as a substitute for it. A suitably qualified professional should be consulted if specific advice or information is required.

This information is provided subject to [our general terms and conditions](#) which are available online or may be provided on request in hard copy. Authors are available to discuss the content of this briefing with Members and their staff, but not with the general public.

Contents

- 1 The Prime Minister’s announcement 3**
- 2 The remit of the Committee 4**
- 3 Determining the remit of the Committee 5**
 - 3.1 Initial details 5
 - 3.2 Motion to establish the Committee, version 1 8
 - 3.3 Motion to establish the Committee, version 2 10
 - 3.4 Motion to establish the Committee, version 3 12
- 4 The debate 12**
- 5 The motions compared 15**

1 The Prime Minister's announcement

On 10 June 2009 the Prime Minister, Gordon Brown made a statement to the House of Commons on Constitutional Renewal. Along with proposals for legislation to create a new Parliamentary Standards Authority and a code of conduct for Members of Parliament, the Prime Minister announced a number of other measures. These included a proposal on reform of the House of Commons. The Prime Minister stated:

We must also take forward urgent modernisation of the House of Commons, so I am happy to give the Government's support to a proposal from my hon. Friend the Chairman of the Public Administration Select Committee that we will work with a special parliamentary commission comprising Members from all sides of this House, convened for a defined period to advise on necessary reforms, including making Select Committee processes more democratic, scheduling more and better time for non-Government business in the House, and enabling the public to initiate directly some issues for debate.¹

In his response to the statement, the Leader of the Opposition, David Cameron stated:

We support greater independence for Select Committees, which got a mention today, but why cannot the Prime Minister say today that these watchdogs should be freely elected and not appointed by the Whips Office?²

The Prime Minister responded:

The time is also right for Parliament to make its affairs more accountable to the public. I think I am the first Prime Minister to propose a review to ensure that Select Committees can work in a new way, and I hope everybody will take up the opportunity to discuss that. I am also proposing that we look at means by which the public petitions that now come to No. 10 could come to Parliament in such a way that they could be debated.³

When he responded to Nick Clegg, the Leader of the Liberal Democrats, the Prime Minister said "we agree about the reforms within Parliament, and there will be a chance for a group of people to look at those under the Chairman of the Public Administration Committee".⁴

A number of backbenchers raised questions about the extent of the parliamentary commission's remit. For example, Sir Alan Beith asked about the House's role in setting its timetable. In his response, the Prime Minister indicated that the commission would be able to consider the issue in relation to non-government business:

Sir Alan Beith (Berwick-upon-Tweed) (LD): Does the Prime Minister accept that it is not the Government's job to decide how the House of Commons should use its time in examining Government legislation? Will his reforms allow a body in which Back Benchers play a stronger role to be at the centre of the House's decision-making on its timetable?

The Prime Minister: That is exactly what the group convened by the Chairman of the Public Administration Committee will want to look at. The Government need to be able to get their business through, but there is also non-government time, and that can be discussed in more detail by a group of people who are experienced and have views on

¹ HC Deb 10 June 2009 c797

² *Ibid*, c799

³ *Ibid*

⁴ *Ibid* c804

this issue. It will make recommendations to see what can be done. That is one way in which we can make progress on the government of this House.⁵

Michael Meacher also asked about timetabling of business before the House, and suggested that the House should elect its own business committee. He mentioned the election of select committees and parliamentary commissions of inquiry as well:

... does he accept that this House should have the right to elect its own business committee and to share control of the agenda with Government, the right to elect both Chairs and members of Select Committees by secret ballot and the right to set up, where appropriate, its own parliamentary commissions of inquiry?

The Prime Minister: ... These are the very issues that can be examined by the group that is being set up. The role of Select Committees, the election of their membership, the business management of the House, how non-Government business should be dealt with, the role of public petitions and what we do about them—these are all issues that I feel that the public have the right to know that Parliament is investigating, as they all affect our accountability to the general public.⁶

Evan Harris referred to the number of occasions on which an inadequate amount of time was allocated to consider bills at report stage. He commented that:

... This House must make sure that everything that it needs to debate and divide on is reached at Report stage. Unless that happens, we will not be able to take seriously what I hope is his serious commitment to moving from being a reform conservative to being a reform radical.

In his reply, the Prime Minister said that “the specific issue of amendments tabled during the course of a Bill is something that can be looked at in the review”.⁷

2 The remit of the Committee

On 20 July 2009, the House agreed the terms of reference and membership of the Select Committee on Reform of the House of Commons, as set out in the following resolution, after a short debate:

Resolved,

(1) That a Select Committee be appointed to consider and make recommendations on the following matters:

- (a) the appointment of members and chairmen of select committees,
- (b) the appointment of the Chairman and Deputy Chairmen of Ways and Means;
- (c) scheduling business in the House;
- (d) enabling the public to initiate debates and proceedings in the House; and
- (e) such other matters as appear to the Committee to be closely connected with the matters set out above, and to report on these matters by 13 November 2009;

⁵ *Ibid*, cc805-806

⁶ *Ibid*, cc809-810

⁷ *Ibid*, c810

(2) That the Committee also consider such other matters as may be referred to it from time to time;

(3) That the Committee consist of eighteen Members;

(4) That Mr Graham Allen, Mr Clive Betts, Mr Graham Brady, Mr David Clelland, Mr David Drew, Natascha Engel, Dr Evan Harris, David Howarth, Mr Michael Jack, Mr Greg Knight, Mr Elfyn Llwyd, Mr Chris Mullin, Dr Nick Palmer, Martin Salter, Dr Phyllis Starkey, Mr Andrew Tyrie, Dr Tony Wright and Sir George Young be members of the Committee;

(5) That Dr Tony Wright be Chairman of the Committee;

(6) That the Committee have power to send for persons, papers and records, to sit notwithstanding any adjournment of the House; to adjourn from place to place, to report from time to time and to appoint specialist advisers;

(7) That this Order be a Standing Order of the House until the end of the present Parliament.⁸

Before the Committee's remit was agreed, there was considerable "to-ing and fro-ing" behind the scenes.⁹ The Government's original proposal attracted a number of amendments and was withdrawn to allow discussions to incorporate the sense of some of the amendments. The evolution of the motion is reviewed in the following sections of this note

3 Determining the remit of the Committee

This section of the note outlines the changes which were made to the remit of the Committee on Reform of the House of Commons before it was established.

3.1 Initial details

At Business Questions on 11 June 2009, Sir George Young asked the Leader of the House of Commons, Harriet Harman, to "fill in the details" of the Prime Minister's statement on establishing a parliamentary commission. He asked "Who will sit on this new commission, what form will it take and when will it be set up? Is not the need for this commission the final nail in the coffin of the Modernisation Committee?" The Leader of the House provided the following response:

... There will be the opportunity for me to bring before the House a resolution that will establish the Committee of the House, made up of—I hope—senior Members who have put a lot of time and effort into these issues, as the right hon. Gentleman has done, so that we can look at many of the proposals that have come, not just from the Modernisation Committee, but from the Procedure Committee and ad hoc groups such as Parliament First. Then we can see whether we can complete this work within a limited time frame, preferably before the House rises for summer. After all, most of these proposals have been knocking around for some time.

Members of the House need to get together and say what we need to do now to ensure that the House can work more effectively, especially in relation to the choosing and timetabling of non-Government business, especially on e-petitions and on strengthening the integrity and work of Select Committees. We should not hang around: we should make some decisions. It is right that that is not led by the

⁸ HC Deb 20 July 2009 c719

⁹ HC Deb 20 July 2009 c694

Government, but by a Committee of the House. To facilitate that, I will bring a resolution to the House to set that Committee up.

I cannot tell the House at this stage how many members the Committee will have or who they will be, because we will have to have discussions on that. However, if hon. Members would like to put themselves forward to be considered for the Committee, they can let me know.¹⁰

On 18 June 2009, the Leader of the House of Commons announced that the House would consider “motions relating to select committees” on 25 June, and it was anticipated that the motion to establish the Select Committee on Reform of the House of Commons would be considered then.

Alan Duncan, the shadow Leader of the House, asked for more information on the proposed commission and its implications for the Modernisation and Procedure Committees:

Further to the answer given just a moment ago by the deputy Leader of the House, I think everyone would welcome some urgent clarification from the Leader of the House on the business of the House motions that she announced for next Thursday. On 10 June, the Prime Minister said in his statement on constitutional reform that “a special parliamentary commission” will be established, comprising Members from both sides of the House, to advise on necessary reforms of the procedures of the Commons. He seems to want to set up a new committee very much on a whim when there are already structures in the House for considering these issues. It is pretty disgraceful that the Prime Minister should choose to interfere to gain a headline when no consultation whatever has taken place.

Will the right hon. and learned Lady therefore take this opportunity to confirm whether it is now her intention to abolish the Modernisation Committee? Will this new commission or committee replace it? If so, what is the difference between this new commission or committee and the Procedure Committee, which also deals with the “necessary reforms” of the procedures of this House? Will she confirm that the real difference is not in the functions of the two committees, but in the simple fact that the hon. Member for Cannock Chase (Dr. Wright) would chair the new one, and not my right hon. Friend the Member for East Yorkshire (Mr. Knight)?¹¹

In response, to Alan Duncan, the Leader of the House said that:

Ms Harman: The hon. Gentleman raises the question of the special parliamentary committee. It is important to take the opportunity of the need to rebuild confidence in Parliament, not just to sort out the question of our allowances but to see whether we can make further progress in improving our procedures. We can take the opportunity to allow the public direct access by putting issues on the parliamentary agenda through e-petitions; to strengthen the work of Select Committees; and to allow a wider say in decisions on non-Government business.

The important thing to focus on is the job that needs to be done and on establishing a committee of short-term duration simply to get on with that job. We can either focus on process or on outcome. If we can reach an agreement, we can move forward. Many hon. Members on both sides of the House have done a lot of work on these matters over the years and they have not found the opportunity to move forward. I think that this is that opportunity, so, instead of complaining about the process, let us all work together to ensure that we achieve some outcome.

¹⁰ HC Deb 11 June 2009 cc942-943

¹¹ HC Deb 18 June 2009 c430

The hon. Gentleman asked why the matter should not be dealt with by the Procedure Committee. The Procedure Committee does very important work and I refer to what my hon. Friend the Deputy Leader of the House said about its important forthcoming report on the answering of written questions. The new committee will have a wider remit than the Procedure Committee, but I am sure that it will draw on the expertise and work of the Committee and of some of its members, including, possibly, its leading member, the Chair.¹²

Greg Knight, the Chairman of the Procedure Committee, asked “would not it be better to abandon plans for a parliamentary reform Committee and, instead, abolish the Modernisation Committee and refer all issues of outstanding concern to the Procedure Committee? That would then give us time on Thursday to debate the Procedure Committee’s excellent report on e-petitions, which, if implemented, really would reconnect the public with Parliament”. The Leader of the House offered the following response:

Ms Harman: I pay tribute to the work that the right hon. Gentleman and his Committee have done on e-petitions, and hope that it will be taken forward. However, his Committee’s terms of reference do not allow it to address the question of how non-Government business is allocated—at least, I do not think that it does. It is important for us not to make an argument about process, when we are trying to deliver on what is probably a consensus on improving how the House conducts its business. We should move on to the many demands for the Government to cede some of their control and their right to dictate Government and non-Government business. Many Members have argued for that. Should we not all work together to bring that into practice, rather than argue about which Committee does so?¹³

In response to Tony Baldry, who asked about establishing a system “whereby an early-day motion that attracted sufficient signatures got at least a ministerial response? If an early-day motion attracted a large number of signatures, there could be the possibility of a debate on it”, the Leader of the House said:

Ms Harman: The setting up of a business Committee is to be considered by the Committee that we hope to establish, chaired by my hon. Friend the Member for Cannock Chase (Dr. Wright). If the House is minded to move control of non-Government business from the Leader of the House to such a Committee, the question of enabling early-day motions with a certain number of signatures to be debated on the Floor of the House on a substantive motion will be very much a possibility. The Committee to be chaired by my hon. Friend could look into the idea and come up with proposals promptly.¹⁴

Evan Harris also asked about the committee. He argued that “Within its remit should be the issue of how we as a House handle the scrutiny of legislation on Report” and pressed the Leader of the House to ensure adequate scrutiny of the *Equality Bill* at Report Stage. Harriet Harman told the House that:

Ms Harman: Timetabling on Report is an attempt to make sure that all aspects of the Bill receive scrutiny, and that the House does not spend so much time on a couple of clauses that some are not scrutinised. However, I readily acknowledge that that has not always been the result. We want to be flexible so that if issues arise in Committee and Government amendments can be brought forward, that should be done. However, we should not find ourselves in a situation where those amendments are not properly

¹² HC Deb 18 June 2009 c431

¹³ HC Deb 18 June 2009 c438

¹⁴ HC Deb 18 June 2009 c441

scrutinised. There is a lot of justification for the points raised by the hon. Gentleman, and they can be within the remit of the Committee that I hope will be established, chaired by my hon. Friend the Member for Cannock Chase. However, I would say that the Report stage of a Government Bill is Government business, however we look at it.¹⁵

3.2 Motion to establish the Committee, version 1

A motion setting out the Committee's proposed terms of reference was tabled and first appeared among the Remaining Orders and Notices on 24 June 2009:

SELECT COMMITTEE ON REFORM OF THE HOUSE OF COMMONS

Ms Harriet Harman

(1) That a Select Committee be appointed to consider and make recommendations on the following matters:

- (a) the appointment of members and chairmen of select committees;
- (b) scheduling non-government business in the House; and
- (c) enabling the public to initiate debates and proceedings in the House;

and to report on these matters by 13 November 2009;

(2) That the Committee also consider such other matters as may be referred to it from time to time;

(3) That the Committee consist of eighteen Members;

(4) That Dr Tony Wright be the Chairman of the Committee;

(5) That the Committee have power to send for persons, papers and records, to sit notwithstanding any adjournment of the House; to adjourn from place to place, to report from time to time and to appoint specialist advisers;

(6) That this Order be a Standing Order of the House until the end of the present Parliament.

Two amendments to the motion were tabled soon afterwards, and were also published on 24 June 2009

[Amendment] (a)

Line 4, leave out 'non-government'.

[...]

[Amendment] (b)

Line 15, at end insert 'or any other matter relating to reform of the procedures of the House of Commons that it may consider relevant'.

Further amendments were tabled. They were listed among the Remaining Orders and Notices on 6 July 2009:

[Amendment] (c)

¹⁵ HC Deb 18 June 2009 c443

Line 5, at end insert '() enabling Members to initiate proceedings by which Parliament can establish public inquiries'.

[...]

[Amendment] (d)

Line 5, at end insert '() enabling Members to initiate amendments to Standing Orders'

[Amendment] (e)

Line 15, at end insert '(7) That this Committee shall replace the Modernisation Committee'.

At Business Questions on 25 June 2009, Alan Duncan commented on the fact that the motion would not be debated:

... the Government inexplicably withdrew the motion that would have established a new ad hoc Committee on reforming this House. Will she advise us as to quite what is happening? If, as I suspect, the Government were embarrassed by the gulf between the Prime Minister's announcement and the proposed remit of the Committee, which was so narrow as to render the whole exercise absurd, why did not the Government simply support the amendments on the Order Paper that would have widened the Committee's scope and spared the right hon. and learned Lady's blushes? Or is the real truth that this whole episode was dreamt up in the No. 10 bunker merely to fill a space in a prime ministerial press release? When will the Committee now be established?¹⁶

In her response, the Leader of the House explained why the motion was not being debated:

Ms Harman: The shadow Leader of the House asked about the motion on the Committee. The intention is that this Committee of the House will be chaired by my hon. Friend the Member for Cannock Chase (Dr. Wright), and that it will consider the improvement of the processes for the Government being held to account by Members of this House. We tabled a motion, and amendments to it were tabled. We considered the amendments; in fact, more amendments have been tabled this morning. If we are trying to achieve consensus across the House, I think that it is right and proper that, instead of ploughing on with our resolution, we should listen to what is being said and see whether we can take on board the different points of view and proceed on a basis of consensus.¹⁷

Mark Fisher welcomed the Government's decision to reconsider the motion and asked the Leader of the House to consider the distinction between Government and non-government time. The Leader of the House responded:

Ms Harman: I agree with the sentiment expressed by my hon. Friend. It is important that a democratically elected Government are able to deliver on their manifesto commitments and to get their business through the House, and that the House of elected Members makes sure that that legislation is properly scrutinised and that the Government continue to be held to account. That is why I hope that the Committee,

¹⁶ HC Deb 25 June 2009 c949

¹⁷ HC Deb 25 June 2009 c950

under the chairmanship of the hon. Member for Cannock Chase (Dr. Wright), will be able to look across those issues.¹⁸

Evan Harris noted that the commission's members had been elected by the political parties and asked the Leader of the House to consult them on its terms of reference. The Leader said that she would do so.¹⁹

At Business Questions on 2 July 2009, Evan Harris again asked about the establishment of the Committee:

Dr. Evan Harris (Oxford, West and Abingdon) (LD): I want to thank the Leader of the House for the answer she gave me at last week's business questions, when she said my point about the scrutiny of Government Bills being House business was valid; I am grateful for that. She also said she would do two things that I asked of her. First, she said she would consult proposed members of the Wright Committee about the terms of reference before re-tabling. As I understand it, agreement has been reached, and it would be useful if she indicated when she is likely to do this. It would also be good if she could go through the motions of consulting those of us who are on the Committee, although I do not think there is a controversy. Secondly, she said she would consult people about her plans—

[...]

Ms Harman: For the Wright Committee, the House will recall that we put forward terms of reference and amendments were tabled by those in all parts of the House expressing the view that those terms should be wider. As we wanted to go about this business in a consensual way, we withdrew the resolution and we have drawn up some new terms of reference that incorporate the spirit of the amendments. We will not be going through the motions of consulting those who will play an important part in this process by serving on the Committee—we will actually consult them. As with the question of privileges, I hope that we will be able to reach agreement and not need a debate on this. I am also aware that once it is established, the hon. Members on the Committee will want it to sit in September, and will want to get the work under way before the House rises, so I shall get my skates on.²⁰

3.3 Motion to establish the Committee, version 2

A motion, incorporating some of the sentiments of the amendments tabled to the earlier motion, was tabled on 6 July. It appeared among the Remaining Orders and Notices on 7 July and then was on the Order Paper for approval on 8 July 2009. When it appeared on the Order Paper, the motion was supported by thirteen of the eighteen members of the committee. The motion read:

- (1) That a Select Committee be appointed to consider and make recommendations on the following matters:
 - (a) the appointment of members and chairmen of select committees;
 - (b) scheduling business in the House;
 - (c) enabling the public to initiate debates and proceedings in the House; and

¹⁸ HC Deb 25 June 2009 c955

¹⁹ HC Deb 25 June 2009 cc961-962

²⁰ HC Deb 2 July 2009 c488

(d) such other matters as appear to the Committee to be closely connected with the matters set out above,

and to report on these matters by 13 November 2009;

(2) That the Committee also consider such other matters as may be referred to it from time to time;

(3) That the Committee consist of eighteen Members;

(4) That Mr Graham Allen, Mr Clive Betts, Mr Graham Brady, Mr David Clelland, Mr David Drew, Natascha Engel, Dr Evan Harris, David Howarth, Mr Michael Jack, Mr Greg Knight, Mr Elfyn Llwyd, Mr Chris Mullin, Dr Nick Palmer, Martin Salter, Dr Phyllis Starkey, Mr Andrew Tyrie, Dr Tony Wright and Sir George Young be members of the Committee;

(5) That Dr Tony Wright be Chairman of the Committee;

(6) That the Committee have power to send for persons, papers and records, to sit notwithstanding any adjournment of the House; to adjourn from place to place, to report from time to time and to appoint specialist advisers;

(7) That this Order be a Standing Order of the House until the end of the present Parliament.

The Guardian offered the following commentary on the revised motion:

Leader of the house allows committee to consider allowing Commons, not executive, to control scheduling of bills and debates

This is only a mini-U-turn, but potentially it's quite important. Harriet Harman has moved one step towards letting the Commons, not the government, decide when bills get debated.

Four weeks ago today, when Gordon Brown delivered his wide-ranging statement on constitutional renewal, he said that he was going to set up a committee, chaired by Tony Wright (the public administration committee chairman), to produce ideas for procedural reform in the Commons. As leader of the house, Harman tabled a motion to set this up. But the small print said that its remit would cover the scheduling of "non-government business in the house", which meant that it would not be allowed to make recommendations relating to the timetabling of government legislation.

There was a big row and dozens of MPs signed an amendment saying the committee should have a wider remit. Now Harman has backed down and today there is a new motion on the order paper saying the committee will look at the scheduling of all business in the Commons.

The committee, known as the "select committee on reform of the House of Commons", has to report by 13 November. Of course, the government is not committed to accepting its recommendations, but it would be embarrassing for Brown to reject the findings of a panel he personally set up. MPs who take an interest in this sort of thing believe that the scheduling of Commons business is important because, unless you can secure time to get your bill or amendment debated, you have no chance whatsoever of getting it into law. Many MPs would like the government to stop using the guillotine to curtail debate on bills and give backbenchers more opportunity to initiate legislation, which is why you often hear reformers say that the legislature, not the executive, should control business in the house. Given that the government has a majority in the legislature, I'm not quite sure how much difference this would make in

practice. But it's certainly possible to imagine backbenchers having more say than they do under the current system, which basically involves all the key decisions being taken by the chief whip, Nick Brown.

The committee will also look at allowing MPs more influence over the appointment of the members and chairs of select committees and enabling the public to initiate debates in the Commons.²¹

The motion was objected to on 8 July 2009,²² and was raised at Business Questions on 9 July 2009:

Sir Nicholas Winterton (Macclesfield) (Con): Sadly, the motion on the setting up of a Select Committee for the reform of the House did not go through last night. It is therefore future business. In order to facilitate the passage of a measure that the Leader of the House clearly wants, will she give me an assurance that she would look very sympathetically at the transfer of the drawing up of Standing Orders from the Executive of the day to the House of Commons as a whole? That would provide the House of Commons with the independence and integrity that it deserves.

Ms Harman: I did commit to bringing a motion to the House to establish a Committee that could look at a number of important issues to strengthen the role of the House, including the way in which we select Chairs of Select Committees and the role of the House in arranging the business of the House. I tabled a motion which was not regarded as broad enough. Having seen the amendments, I withdrew the original motion and tabled one that incorporated the spirit of the amendments. Unfortunately, an hon. Member objected to it when it was brought to the House last night, but I hope that they will withdraw their objection and that the House will have another chance next week to make sure that the motion goes through.²³

When the motion appeared on the Order Paper for 13 July 2009, an amendment had been tabled:

Line 3 at end insert '() the appointment of the Chairman and Deputy Chairmen of Ways and Means'.

The motion was not reached until after the moment of interruption on 13 July 2009 and, because an objection was taken, it could not be decided upon.²⁴ The motion was put on the Order Paper on the following three days but on each occasion was objected to, so no decision was reached.²⁵

3.4 Motion to establish the Committee, version 3

Then on 20 July a slightly different motion that included a reference to allow the Committee to consider the appointment of the Chairman and Deputy Chairmen of Ways and Means appeared on the Order Paper. (The text of the motion, which was agreed, is in section 2.)

4 The debate

On 20 July 2009, time was made available to debate the motion on the floor of the House. A further amendment had been tabled, by Andrew Mackinlay, and selected for debate:

²¹ "Harman signals government may loosen grip on Commons business", *Guardian*, 9 July 2009

²² HC Deb 8 July 2009 c1076

²³ HC Deb 9 July 2009 cc1147-1148

²⁴ HC Deb 13 July 2009 c126

²⁵ HC Deb 14 July 2009 cc262-263; HC Deb 15 July 2009 cc412-413; HC Deb 16 July 2009 cc552-553

Line 3 at end insert— ,

‘() arrangements for Ministers who are members of the House of Lords to respond in this House to questions for oral answer and to pilot legislative proposals through this House on matters within their Ministerial responsibilities.’

Barbara Keeley, the deputy Leader of the House, introduced the motion. She briefly outlined the background to the committee and explained why the motion had changed:

On 10 June, the Prime Minister announced in a statement to the House his support for the proposal by my hon. Friend the Member for Cannock Chase (Dr. Wright), the Chairman of the Public Administration Select Committee, to set up a new Committee to consider reform of the procedures of the House of Commons. The motion before the House today gives effect to that proposal by establishing a Committee to make recommendations on the appointment of members and Chairmen of Select Committees, the scheduling of business in the House, and enabling the public to initiate debates and proceedings of the House.

This Committee will be an important step at looking at how the reform of parliamentary procedure can achieve stronger accountability of the Government to Parliament through a larger role for Back-Bench Members and the wider public. There have been earlier versions of this motion which attracted amendments. Because we are keen to proceed on the basis of consensus for this Committee, we withdrew the motion in order to see if we could reach a compromise with the hon. Members who tabled those amendments. Most recently, we accepted the amendment tabled by the hon. Member for Christchurch (Mr. Chope) and this is now part of the motion before the House today, at paragraph (1)(b).²⁶

Later in her speech, the deputy Leader provided a little more detail on the changes that the Government had accepted to its original motion:

We have made specific concessions in response to two of the amendments tabled to the original motion, and I shall speak about them briefly.

First, we have dropped the reference to timetabling “non-Government” business. I accept that it is likely in practice that any changes to the arrangements for scheduling non-Government business could have an impact on Government business, which is why we felt it sensible to accept that amendment. We remain firmly of the view that the Government of the day should have adequate opportunities to put their business to the House and, subject to the will of the House, to get their business through. I hope the Committee will accept that as an indication of the kind of recommendation that the Government are likely to view favourably.

Secondly, I know that some prospective members of the Committee were concerned about its terms of reference being drawn too narrowly. We have therefore inserted in paragraph (1) new subsection (d), which will allow the Committee to consider other matters that are “closely connected” with the main subjects referred to it—[Hon. Members: “It’s paragraph (e).”] Okay. Our intention is that it should be a contingency provision to allow the Committee to consider consequential changes to areas of procedure that flow naturally from its principal recommendations.²⁷

Both Shailesh Vara (from the Conservative front bench) and David Heath (from the Liberal Democrat front bench) welcomed the Government’s acceptance of changes to the motion but

²⁶ HC Deb 20 July 2009 c689

²⁷ HC Deb 20 July 2009 c690

were critical of the time taken to achieve consensus and bring a revised motion to the House for debate.²⁸

In moving the amendment that he had tabled, Andrew Mackinlay said:

The amendment does not tell the Committee that it should allow Ministers who are Members of the House of Lords to appear here, but asks it to examine the proposal.²⁹

In an intervention, later in the debate, Barbara Keeley confirmed that there would be a debate on the Committee's report:

... my right hon. and learned Friend the Leader of the House made the point that she will be happy to schedule a debate to consider the Committee's report.³⁰

After just over an hour and a half of debate, the Government Chief Whip, Nick Brown successfully claimed the closure of the debate, by 218 votes to 41. The House then divided on Andrew Mackinlay's amendment. It was rejected by 202 votes to 52. The House then agreed to establish the Committee (with the terms of reference given in section 2 and the third column of the table in section 5) without a division.³¹

²⁸ HC Deb 20 July 2009 cc691-697

²⁹ HC Deb 20 July 2009 c697

³⁰ HC Deb 20 July 2009 c711

³¹ HC Deb 20 July 2009 cc714-719

5 The motions compared

Motion tabled on 24 June 2009	Motion tabled on 6 July 2009	Motion debated on 20 July 2009
<p>(1) That a Select Committee be appointed to consider and make recommendations on the following matters:</p> <p>(a) the appointment of members and chairmen of select committees;</p> <p>(b) scheduling non-government business in the House; and</p> <p>(c) enabling the public to initiate debates and proceedings in the House;</p> <p>and to report on these matters by 13 November 2009;</p> <p>(2) That the Committee also consider such other matters as may be referred to it from time to time;</p> <p>(3) That the Committee consist of eighteen Members;</p> <p>(4) That Dr Tony Wright be the Chairman of the Committee;</p> <p>(5) That the Committee have power to send for persons, papers and records, to sit notwithstanding any adjournment of the House; to adjourn from place to place, to report from time to time and to appoint specialist advisers;</p> <p>(6) That this Order be a Standing Order of the House until the end of the present Parliament.</p>	<p>(1) That a Select Committee be appointed to consider and make recommendations on the following matters:</p> <p>(a) the appointment of members and chairmen of select committees;</p> <p>(b) scheduling business in the House;</p> <p>(c) enabling the public to initiate debates and proceedings in the House; and</p> <p>(d) such other matters as appear to the Committee to be closely connected with the matters set out above,</p> <p>and to report on these matters by 13 November 2009;</p> <p>(2) That the Committee also consider such other matters as may be referred to it from time to time;</p> <p>(3) That the Committee consist of eighteen Members;</p> <p>(4) That ... be members of the Committee;</p> <p>(5) That Dr Tony Wright be Chairman of the Committee;</p> <p>(6) That the Committee have power to send for persons, papers and records, to sit notwithstanding any adjournment of the House; to adjourn from place to place, to report from time to time and to appoint specialist advisers;</p> <p>(7) That this Order be a Standing Order of the House until the end of the present Parliament.</p>	<p>(1) That a Select Committee be appointed to consider and make recommendations on the following matters:</p> <p>(a) the appointment of members and chairmen of select committees,</p> <p>(b) the appointment of the Chairman and Deputy Chairmen of Ways and Means;</p> <p>(c) scheduling business in the House;</p> <p>(d) enabling the public to initiate debates and proceedings in the House; and</p> <p>(e) such other matters as appear to the Committee to be closely connected with the matters set out above,</p> <p>and to report on these matters by 13 November 2009;</p> <p>(2) That the Committee also consider such other matters as may be referred to it from time to time;</p> <p>(3) That the Committee consist of eighteen Members;</p> <p>(4) That ... be members of the Committee;</p> <p>(5) That Dr Tony Wright be Chairman of the Committee;</p> <p>(6) That the Committee have power to send for persons, papers and records, to sit notwithstanding any adjournment of the House; to adjourn from place to place, to report from time to time and to appoint specialist advisers;</p> <p>(7) That this Order be a Standing Order of the House until the end of the present Parliament.³²</p>

³² HC Deb 20 July 2009 c719