



Traditions and customs of the House: House of Commons Background Paper

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Author: Mark Sandford

Section Parliament & Constitution Centre

This note outlines a number of the lesser-known and more unusual customs, procedures and behaviours of the House of Commons. It covers aspects of debate in the Chamber of the House; aspects of protocol; and specific traditions.

The note looks at various aspects of behaviour in the House of Commons Chamber, including how Members speak in debate and how they are disciplined when they fail to follow procedures and courtesies; how Members must handle relations with one another in and outside the Chamber; matters of dress and attire, both for the Speaker and for other Members; sitting in private; and the use of the term 'strangers' to describe non-Members.

The note also contains a brief description of the use of the colour green and the symbol of the portcullis by the House of Commons; and the traditional use of the Outlawries Bill at the beginning of each Parliamentary session.

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1 Description of Members in the Chamber

1.1 Members in the Chamber

During debate in the Chamber, Members refer to each other by the names of their constituencies, or by their official position, rather than their actual names. Other than when being called to speak, the only time actual names are used is during the disciplining (or "naming") of a Member by the Speaker.

In general, the description used is "the Honourable Member for ...". Privy Counsellors are "the Right Honourable Member for ...".¹ Less frequently heard these days are "the Noble Lord, the Member for ...", which is used for a Member with a courtesy title (e.g. the son of a duke, marquess or earl) who sits in the House of Commons. Following recommendations made by the Modernisation Committee in 1998, the House agreed that some of the embellishments which are added to the standard form of address, such as "gallant" (used for Members who have been commissioned officers in the forces) and "learned" (used for Members who are senior barristers) should be abandoned.²

It is also acceptable to use terms such as "the Honourable Member who spoke last", "the Right Honourable Lady opposite", or "the Honourable Member below the gangway". In most cases the record in Hansard will expand these phrases into the form "the Honourable Member for Ockendon (Mr Bloggs)" to clarify the printed record of debates. Ministers are usually described by their titles (e.g. "the Secretary of State", "the Minister", or "the Right Honourable Gentleman, the Prime Minister" etc). Members often refer to colleagues of the same party as "my Honourable (or Right Honourable) friend".

The use of these forms of address is long-standing. It was certainly the general rule at the time of the first reliable verbatim reports of proceedings in the House, over 150 years ago. The purpose of using "Honourable" is to maintain the dignity of the House and its Members and to make criticism and comment less direct, as well as showing respect to the Speaker. A Member persistently offending against the practice by using "you" or a Member's name is likely to be corrected by the Speaker and to be interrupted by shouts of "order" from other Members. Members do, however, sometimes inadvertently omit "Honourable": this often goes unchallenged but is always corrected by Hansard. "You" refers to the Speaker alone, who is traditionally addressed as "Sir" when a man, "Madam" if a woman.

1.2 Addressing Members outside the Chamber

It is not necessary to use 'Honourable' when writing to Members. In the UK a Member is simply addressed as "Henry Smith MP", or "Ms (Mrs) Jane Smith MP"; not "the Hon Henry (or Jane) Smith MP": 'The Honourable' would be used only for the son or daughter of a peer who was not entitled to any other courtesy title. Former Members are sometimes referred to by their names or as "the previous Member for ...". Members of the House of Lords may be referred to by name, or as "my noble friend the Minister for ...".

¹ See the [website of the Privy Council office](#) for further details on Privy Counsellors.

² House of Commons Modernisation Committee, *Conduct in the Chamber*, HC 600, 1997-98, paragraph 40. See also the debate on the report at [HC Deb 4 June 1998](#), c551-595.

1.3 Reference to Peers in the Chamber

During a debate, the House of Lords itself is usually called "another place" or "the other place". This appears to have been a nineteenth century development, and was more often used in the Lords than in the Commons at that time. The House of Lords uses the same terminology in its debates when describing the Commons. A former practice, whereby recent speeches in the Lords could not be quoted in the Commons, unless they were ministerial statements, was abandoned after the Modernisation Committee's 1998 report.³

1.4 Where Members sit and speak

The Speaker sits in the Speaker's chair, with the Clerk, the Clerk Assistant and a further clerk in the three seats in front of him or her. The Speaker's place may be taken by one of the three Deputy Speakers. This normally happens during lower-profile business. The deputy Speakers have the same powers and functions as the Speaker when they are in the Chair.

By convention, Ministers sit on the front bench on the right hand of the Speaker: the Chief Whip usually sits in this row immediately next to the gangway. This gives rise to the term 'frontbenchers', referring to the Cabinet and Shadow Cabinet, and their equivalents in any smaller parties. 'Elder statesmen' and former Prime Ministers have often sat on the first front bench seat beyond the gangway. Parliamentary Private Secretaries usually sit in the row behind their minister. Official Opposition spokespersons use the front bench to the Speaker's left. Minority parties sit on the benches (often the front two) below the gangway on the left, though a minority party that identifies with the Government may sit on the right-hand side. There is nothing sacrosanct about these places. On occasion, Members have deliberately chosen to occupy a place on the front bench or on the opposite side of the House from their usual position. This may also happen when a large Government majority means there are too few places for its supporters on its own side.

The House can accommodate approximately two-thirds of the current number of Members on its benches. When more Members than this number attend – for instance, at key debates or set-piece exchanges such as Prime Minister's Questions – Members may stand behind the Bar (the white line across the width of the Chamber, at the opposite end to the Speaker's chair), or they may sit in the galleries above the Chamber.

Members can leave 'prayer cards' in particular seats, to reserve them for their continued use if they need to leave the Chamber and then return. The name originates from the idea that Members used the period of prayers, at the beginning of each sitting of the House, to reserve their seats. Erskine May states:

Members may leave cards upon seats to indicate that they intend to attend prayers (and so secure seats for the remainder of the sitting). These 'prayer cards' are dated and must be obtained personally by the Member who wishes to use them from an attendant who is on duty in the House for that purpose from 8am (or after the rising of the House, whichever is the later) until the House meets.⁴

1.5 How Members are called to speak

Members may speak only if called by the Speaker. They are called by name and must sit down if the Speaker rises to his or her feet (e.g. to call for order or to interrupt the debate). In

³ Ibid., paragraph 33

⁴ *Erskine May*, 24th edition, p.11-12.

order to speak, Members must 'catch the Speaker's eye': the normal way to do this is to rise or half-rise from their seats.⁵ However, if they are not called they have no redress.

Members frequently contact the Speaker or a member of his staff in advance of a particular debate, to indicate their desire to be called. The Speaker is likely to give precedence to prior requests, but no guarantee can be given if the subject is a popular one. Until 1998 Privy Counsellors were given precedence in debate, but this was abolished following recommendations from the Modernisation Committee.⁶

Members may speak only from where they were called, which must be within the Chamber: that is, in front of the Chair and not beyond the Bar. They may not speak from the floor of the House between the red lines (traditionally supposed to be two sword-lengths apart). They may speak from the side-galleries, but the lack of microphones means there is a strong disincentive to do so. The Speaker will not call a Member in the gallery if there is room downstairs. Members should stand whilst speaking, but if they are unable to do so they are allowed to address the House seated.

1.6 'Naming' of a Member

If a Member has disregarded the authority of the Speaker, or has persistently and wilfully obstructed the House by disregarding its rules, he or she (after generally being given every opportunity to apologise or respond) may be 'named'. That is, the Speaker says "I name Mr". In such instances, the Leader of the House, the Government Chief Whip, or the senior Minister present, moves "that Mrbe suspended from the service of the House". A division may follow: if the motion is agreed to, the Member is directed to withdraw, and suspension follows (for five sitting days for a first offence). A second offence in the same session will lead to suspension for 20 sitting days, and a third, to suspension for a period that the House has to decide.

A 'named' Member loses their parliamentary salary for the period of their suspension. Should a Member refuse to withdraw and then resist removal, they will be suspended for the rest of the session.⁷ Library standard note [SN/PC/02430](#) contains a list of Members who have been suspended and a list of Members who have withdrawn: the former includes suspensions for reasons other than disorderly conduct.

1.7 Relations with other Members

By convention, a Member intending to make an accusation against or reflection on another Member must notify the other Member in advance. A Member who intends to visit or speak in another's constituency will generally inform the other Member beforehand. This is regarded as essential between Members of the same party, but it is not always observed to the same extent where political opponents are concerned. Ministers always inform the constituency Member when they have a speaking engagement in their constituency. See Library standard note [SN/PC/02028](#) for more detail on constituency etiquette.

1.8 Crossing the floor

The phrase 'crossing the floor' has come to refer to a Member permanently changing party. This was most famously done by Winston Churchill in 1904, when he entered the Chamber

⁵ Norman Wilding and Philip Laundy, *An Encyclopedia of Parliament*, 1972, p81

⁶ See House of Commons Modernisation Committee, *Conduct in the Chamber*, HC 600, 1997-98; [HC Deb 4 June 1998](#), c551-595.

⁷ House of Commons Standing Order 44 (4).

and, without prior notice, sat on the opposition benches with the Liberal Party. If a Member leaves one opposition party to join another, he or she may not literally cross the floor but would sit with their new party when they next entered the Chamber. In 1981, Christopher Brocklebank-Fowler concluded a speech by crossing the floor to join the Social Democratic Party from the Conservatives.⁸

A member who changes allegiance remains the elected MP for that constituency until the next general election.⁹ A few Members (for instance, John Horam, Reg Prentice and Alan Howarth) have served as ministers in governments of both major parties.

2 Practice in the Chamber

2.1 The Speaker's Procession

Before each sitting of the House, the Speaker leads a formal procession from his or her office to the door of the Chamber. This passes alongside the House's Library, through to Central Lobby; it then turns right towards Members' Lobby. Police along the route call out 'Speaker', to signify that any people present should stand aside for the Speaker's procession. In Central Lobby, where there may be members of the public, the police inspector on duty shouts "Hats off, Strangers", and the police remove their helmets.

The Speaker is accompanied by the Serjeant-at-Arms, who carries the Mace, and by the Chaplain, his trainbearers and his secretary. The procession walks at a slow, formal pace.

2.2 Prayers

Each sitting of the House begins with prayers, though Members are not obliged actually to participate in praying. They stand facing the wall behind them. The Speaker's Chaplain, who is usually the incumbent of St Margaret's Westminster, the House of Commons church, reads the prayers, though in his or her absence another member of the clergy of the Church of England may deputise. On rare occasions, in the absence of clergy, the Speaker has read the prayers. The form of the main prayer is as follows:

O Lord our heavenly Father, high and mighty, King of kings, Lord of lords, the only Ruler of princes, who dost from thy throne behold all the dwellers on the earth; most heartily we beseech thee with thy favour to behold our most Gracious Sovereign Lady Queen Elizabeth, and so replenish her with the grace of thy Holy Spirit, that she may always incline to thy will, and walk in thy way: endue her plenteously with heavenly gifts, grant her long to live, strengthen her so that she may vanquish and overcome all her enemies; and finally after this life she may attain everlasting joy and felicity, through Jesus Christ our Lord. Amen.

Lord, the God of righteousness and truth, grant to our Queen and her government, to Members of Parliament and all in positions of responsibility, the guidance of your Spirit. May they never lead the nation wrongly through love of power, desire to please, or unworthy ideals but laying aside all private interests and prejudices keep in mind their responsibility to seek to improve the condition of all mankind; so may your kingdom come and your name be hallowed.

Amen.¹⁰

⁸ John Biffen, *Inside Westminster*, 1996, p166

⁹ A Member may resign their seat on a change of allegiance, but is under no compulsion to do so. The last Member to do this was Bruce Douglas-Mann, who left Labour for the SDP in 1982. He contested the subsequent by-election under his new party label and lost.

Since 1997, an additional prayer has been used the day after the death of a Member has been reported to the House.

Although information on the origin of daily prayers is sketchy, it is believed that the practice of having such prayers started about 1558 and was a settled practice by 1567. The use of fixed forms of prayer and the appointment of a member of the clergy to read them appear to have been developments of the 1580s or later. The present form of prayers probably dates from the Restoration in 1660.¹¹

2.3 Debate

The style of debate in the House has traditionally been one of cut-and-thrust; listening to other Members' speeches and intervening in them in spontaneous reaction to opponents' views. This style of debate can make the Commons Chamber a rather noisy place with robustly expressed opinion, many interventions, expressions of approval or disapproval, and sometimes repartee and banter. There is, of course, a fine line to be drawn between vigorous debate and forthright expression of views and a deliberate attempt to intimidate an opponent. Members have the right, when speaking, to be heard without unendurable background noise (deliberate or accidental) and the Speaker will call for order if it appears there is an attempt to drown out a Member, or when a number of Members are leaving the Chamber or conversing loudly. The Speaker also has the right to inform a Member who has failed to observe the courtesies of debate that he or she need not expect to get priority in being called to speak. But successive Speakers have taken care not to bridle the traditional vigour of the expression of opinion in the House.

Although notes are permitted, reading a prepared speech is not allowed, in order to maintain the spontaneity of debate. Members may not use notes when asking Supplementary Questions (though in practice, this has occurred). Ministers, however, do have briefings on possible supplementary questions, drawn up by their civil servants to aid them in providing answers to Parliamentary questioning.

2.4 Unparliamentary language

Language and expressions used in the Chamber must conform to a number of rules. Erskine May states "good temper and moderation are the characteristics of parliamentary language".¹² Speakers have called Members to order with regard both to individual words and to sentences and constructions - in the case of the former, to insulting, coarse, or abusive language (particularly as applied to other Members); and of the latter, to charges of lying or being drunk, or misrepresentation of the words of another. Among the words to which Speakers have objected over the years have been blackguard, coward, git, guttersnipe, hooligan, rat, swine, stoolpigeon and traitor. A four-letter word was used, in a debate on sex shops, in 1982: the Member using it was called to order by the Speaker, although he was reading from an advertisement.¹³

The context in which a word is used is very important. On 13 June 2012, Chris Bryant MP accused Jeremy Hunt MP, Secretary of State for culture, media and sport, of misleading the House. The Speaker allowed the accusation to stand as it related to the motion under discussion:

¹⁰ Robert Rogers, *Order! Order! A Parliamentary miscellany*, 2009, p242-3

¹¹ Norman Wilding and Philip Laundry, *An Encyclopedia of Parliament*, 1972, p568

¹² *Erskine May*, 24th edition, p.444

¹³ [HC Deb 3 February 1982](#), c.359. The word is recorded in Hansard as "f...".

Mr Bryant: ...How much would it have cost him to remember that he had sent a memo to the Prime Minister on the matter, or to have checked his own mobile phone for the text messages that he sent to James Murdoch? He has lied to Parliament.

[Interruption.]

Mr Speaker: Order. *[Interruption.]* Order. Let me say to the House that the substantive matter under consideration reflected in the terms of the motion is whether the House of Commons has been misled in any way. That is the thrust of the matter under debate and the Secretary of State is making a very clear defence of himself, so when Members cavil and inquire whether what we have heard is legitimate, I am guided by advice and I operate on the basis that there is a substantive motion, which is what the whole debate is about and in relation to which the Secretary of State is speaking.

In general terms, the normal principles of “Erskine May” about moderation and good humour apply, but I cannot preclude—*[Interruption.]* Order. I cannot preclude a Member operating in accordance with the terms of the motion.¹⁴

The Speaker will direct a Member who has used an unparliamentary word or phrase to withdraw it. Members sometimes use considerable ingenuity to circumvent these rules:

Mr Dalyell: As the captain of the Conqueror has said in print that he was following the General Belgrano for at least 30 hours and the Government persist in claiming that the General Belgrano was detected on the same day as it was sunk, who is telling the truth or, bluntly, is it the submarine commander or the Prime Minister who is lying?

Mr Speaker: Order. The hon. Member must not use that word. I am sure that he will rephrase that final comment.

Mr Dalyell: Is it the submarine commander or the Prime Minister who is telling the truth?¹⁵

Members must, however, obey the Speaker's directions, as a Member who refuses to retract an offending expression may be named (see above) or required to withdraw from the Chamber.

2.5 Activities which are out of order during debate

A number of activities and materials are not allowed during debate in the Chamber:

- Briefcases are not allowed in the Chamber;
- The reading of newspapers, magazines, letters or other material (except when connected with the issue under discussion) is not permitted;
- Members must not pass between the Speaker and the Member who is speaking;
- The Speaker has deprecated the noise of distracting electronic pagers, telephones and other electronic devices in the Chamber, although they are acceptable providing they are

¹⁴ [HC Deb 13 June 2012](#), c345. The motion under debate was “That this House believes that the Secretary of State for Culture, Olympics, Media and Sport should be referred to the Independent Adviser on Ministers’ Interests to investigate whether he breached paragraph 1.2c (giving accurate and truthful information to Parliament) and paragraph 3.3 (responsibility for his special adviser) of the Ministerial Code.”

¹⁵ [HC Deb 24 February 1984](#) c.695

silent.¹⁶ The Procedure Committee reported on hand-held electronic devices in March 2011, recommending that they be permitted:

We therefore conclude that Members should be allowed to use electronic hand-held devices for any purpose when in the Chamber whilst not speaking, and that the current ban on the use of hand-held electronic devices as an aide memoire, whilst speaking in a debate, should be ended.¹⁷

The report made other recommendations about the types of device and the forms of use that would be acceptable. The recommendations were accepted by the House in a debate on 13 October 2011.¹⁸

- Eating and drinking (except for discreet sips to ease the voice) are not permitted, in contrast to what must have happened in previous centuries, when visitors observed Members sucking oranges and cracking nuts.¹⁹

2.6 Points of Order

Members who believe some breach of the rules of the House has occurred, or who may seek clarification of them, may rise (they may interrupt another Member for the purpose, if necessary) and say "On a point of order, Mr Speaker". A point of order should then be put and the Speaker gives a ruling (or may undertake to do so later). Points of Order cannot develop into a debate on substantive business, or an issue over which the Speaker has no control (e.g. the fact a Minister has decided not to make a statement on an issue).²⁰

2.7 Points of order and hats

Members wishing to raise a point of order during a division were, until 1998, required to wear a hat when speaking. Two collapsible top hats were kept in the Chamber especially for this purpose.²¹ This requirement was abolished following recommendations from the Modernisation Select Committee, which stated:

At present, if a Member seeks to raise a point of order during a division, he or she must speak "seated and covered". In practice this means that an opera hat which is kept at each end of the Chamber has to be produced and passed to the Member concerned. This inevitably takes some time, during which the Member frequently seeks to use some other form of covering such as an Order Paper. This particular practice has almost certainly brought the House into greater ridicule than almost any other, particularly since the advent of television. We do not believe that it can be allowed to continue.²²

The Committee also recommended that Members raising such a point of order should do so by standing in the normal way but from a position on the second bench as close to the Speaker as possible, so they could be heard by both the Speaker and the Official Report.

¹⁶ See *Erskine May*, 24th edition, 2011, p. 449

¹⁷ House of Commons Procedure Committee, *Use of hand-held electronic devices in the Chamber and committees*, HC-889, 2010-12, 2011, p. 9. See also the House's acceptance of the recommendations at [HC Deb 13 Oct 2011 c.515&ff](#)

¹⁸ See [HC Deb 13 October 2011 c515](#)

¹⁹ Karl Philip Moritz, *Journeys of a German in England in 1782* (Jonathan Cape)

²⁰ Norman Wilding and Philip Laundry, *An Encyclopedia of Parliament*, 1972, p565

²¹ See Donald Wade, *Behind the Speaker's Chair*, 1978, p159-63. Wade records an occasion in 1945 when the Speaker refused to allow a folded Order Paper to be used as a hat.

²² House of Commons Modernisation Committee, *Conduct in the Chamber*, HC 600, 1997-98, paragraph 64

2.8 Greeting the Speaker

Members generally bow to the Speaker on leaving the House, usually when they cross the Bar, and elsewhere in the Palace, at other times, for instance, during the Speaker's procession. After prorogation, and especially on the dissolution of Parliament before a general election, Members shake the hand of the Speaker on leaving the Chamber.

2.9 Strangers

Visitors to the House of Commons used to be referred to as 'Strangers'. This convention was progressively abandoned between 1998 and 2004. The practice of 'spying Strangers' was abandoned in 1998. [Library standard note SN/PC/06374](#) looks at the House of Commons' developing agenda of public engagement from 2000 onwards.

The Modernisation Committee recommended that visitors to the House of Commons should no longer be referred to as 'Strangers'. On 26 October 2004 the Leader of the House proposed a motion to implement a recommendation made by the Modernisation Committee whereby the term 'strangers' or 'stranger' was no longer to be used and replaced with either 'member of the public' or 'the public'.²³ The Leader of the House said:

I believe that our visitors, voters and citizens are entitled to view our debates, and that they should not be shunted into a pigeonhole labelled "Strangers".²⁴

As the Modernisation Committee said,

The Oxford Dictionary defines a stranger, in the parliamentary sense, as 'one who is not a member or an official of the House and is present at its debates only on sufferance'. That is the last impression we should be wanting to give to people who exercise their democratic right to visit what is, after all, their Parliament and whose taxes pay for all that goes on here.

The motion was carried by 242 votes to 167.

Some parts of the Palace of Westminster which used to carry the term have been renamed: for instance, the Strangers' Cafeteria is now the Terrace Cafeteria, and the Strangers' Gallery has become the Public Gallery, though the Strangers' Dining Room and Strangers' Bar still remain.

2.10 Sitting in Private

The House nowadays allows members of the public to be present at its debates, though not at prayers. This was not always the case, and the right to debate a matter in private still exists. Should the House want to conduct a debate in private, a Member moves "That this House sit in private"; the Speaker must then put the motion "That this House sit in private" without debate. The House last sat in private on 4 December 2001 when it was debating the Anti-Terrorism, Crime and Security Bill. No verbatim, sound or television record may be made of a private session.

Until 1998, a Member could cause the House to sit in private by declaring "I spy Strangers" ('Strangers' referring to anyone who was not a Member or Officer of the House). In previous times a Member "spying strangers" meant that any non-Members or officers had to withdraw

²³ House of Commons Modernisation Committee, *Connecting Parliament with the Public*, HC 368, 2003-04, pp.27-8

²⁴ [HC Deb, 26 October 2004](#), c1317

automatically - there was no division. On one famous occasion in 1875, Mr Biggar, an Irish Nationalist Member, caused the Prince of Wales to be removed by use of this device.²⁵ In more recent years, Members tended to use this as a device, much deprecated by the Speaker, of expressing political indignation on a subject or to delay proceedings.

3 Miscellaneous traditions

3.1 “Who goes home?”

Two Doorkeepers (one behind the Speaker’s chair and one in Members’ lobby) simultaneously shout "Who goes home?" when the House rises. This is often explained as an invitation to Members to join together in bands to cross what in the past were the dangerous unlit fields between Westminster and the City of London, or to hire boats homeward on the Thames as a party in order to save the individual fares. The Speaker, on leaving the Chamber at the end of the sitting, will announce the time of the next sitting to the Serjeant-at-Arms: e.g. "10.30am tomorrow", "2.30pm today" if it is after midnight; or, before a recess, "2.30pm on [the next sitting date]".

3.2 Dress

The official dress of the Speaker and Officers of the House is described in the introduction to *Serjeant for the Commons*, by Sir Peter Thorne.²⁶ Recent Speakers have abandoned some elements of the traditional dress. Betty Boothroyd, the first female Speaker, did not use a wig, whilst the current Speaker, John Bercow, does not use court dress at all, preferring a lounge suit.

The dress of Members these days is generally that which might ordinarily be worn for a fairly formal business transaction. The Speaker has, on a number of occasions, taken exception to informal clothing, including the non-wearing of jackets and ties by men. Practice and usage has, however, varied, and at certain periods of the past, non-conformity with the ruling fashion has been a political statement. Bernie Grant, MP for Tottenham, caused some controversy at the State Opening of Parliament in 1987, when he appeared in an African daishiki. The then Speaker, Bernard Weatherill, passed him a note of congratulation.²⁷

Hats used to be another aspect of parliamentary etiquette. They were generally worn in the Chamber, but not when addressing the House, nor entering or leaving it. In the late nineteenth century, the tall hat was de rigueur. It also served as a place reservation in the Chamber for its owner, the thinking being that the wearer could not leave the Palace without it, and would therefore soon return. This system was defeated by some Members bringing two silk hats into the Palace (one Irish Member, it is said, once arrived with a cab full of hats). The wearing of tall hats was challenged by Keir Hardie, who first sat in 1892: he always wore a soft cap. At this time, the Whips were the only Members not to wear hats. Male MPs may still not address the House whilst wearing a hat: women Members are exempt from this rule, though the different rules in society generally relating to female hat-wearing may well have caused problems when women first sat in the House in the 1920s.

It is not permitted to carry arms of any kind, including swords, into the Chamber.²⁸ The Serjeant-at-Arms does, however, wear a sword whilst in the Chamber. Medals are not worn

²⁵ Norman Wilding and Philip Laundry, *An Encyclopedia of Parliament*, 1972, p728

²⁶ Sir Peter Thorne, *Serjeant for the Commons*, 4th ed., 2009

²⁷ This can be seen at <http://www.berniegrantarchive.org.uk/gallery/1980.asp>

²⁸ Robert Rogers, *Order! Order! A Parliamentary miscellany*, 2009, p27

in the House. A law made under Edward II, on 30 October 1313, prevents the wearing of armour in the Houses of Parliament.

3.3 Tobacco and snuff

Smoking has been banned in the House since 23 March 1694.²⁹ The ban was for many years relaxed in select committees when they were deliberating in private. The ban on smoking in public places, introduced in 2006, does not cover the House but it is observed voluntarily.

Snuff is available for Members and Officers of the House, at the doorkeepers' box at the entrance to the Chamber. Very few Members take snuff nowadays.³⁰

3.4 Dogs

With the exception of guide dogs, dogs are not generally allowed in the Palace of Westminster. One present Member, Mr David Blunkett, is blind, and regularly brings his guide dog, Cosby, into the Chamber. Mr Blunkett's previous dogs, Sadie, Lucy, Ted and Offa, also used to accompany him.

3.5 Endorsements on Bills – the use of Norman French

The transmission of Bills between the House of Commons and the House of Lords always involves a formal procedure. If the House of Lords have passed one or more Bills, they send a message to the Commons via one of their senior Clerks. Messages have taken the same form for more than 200 years: "The Lords have passed a Bill...to which they desire the concurrence of this House". However, endorsements on the Bills themselves are made in Norman French (in this case "soit baillé aux communes"), a relic of the very early days of Parliament. On a Commons Bill to which the Lords have agreed, is endorsed "A ceste Bille les Seigneurs sont assentus" ('the Lords assent to this Bill'); if amended "avecque des amendements" is added after "Bille". If a Commons Bill has been amended by the Lords, and the Commons subsequently disagree with the Lords Amendments, Reasons for the disagreement are stated in the message to the Lords. The Bill is endorsed "Ceste Bille est remise aux Seigneurs avecque des raisons" ('this Bill is returned to the Lords with reasons'). These Reasons are drawn up by a Reasons Committee that is nominated and directed to withdraw forthwith after the votes on the merits of the amendments have been taken. The Reasons - written in English - are usually concise.

The formulae for Royal Assent are also given in Norman French at the Prorogation ceremony. "La Reyne le veult" is the formula for public (and, since 1850, also for most private) bills, and "Soit fait comme il est désiré" for private bills due to become personal Acts. Bills involving finance are assented to by the words "La Reyne remercie ses bons sujets, accepte leur benevolence, et ainsi le veult". A denial of Royal Assent (unused since 1707) would be indicated by "La Reyne s'avisera".³¹

Bills sent for Royal Assent under the Parliament Acts 1911 and 1949 without the agreement of the Lords are endorsed in English and the enacting formula scored through and altered by the Commons. Bills sent by the Commons to the Lords that are Money Bills in the meaning of the Parliament Act 1911 are endorsed (in English) by the Speaker.

²⁹ See Parliamentary Archives document HL/CL/JO/10/1/96.

³⁰ Robert Rogers, *Order! Order! A Parliamentary miscellany*, 2009, p94-5.

³¹ Norman Wilding and Philip Laundry, *An Encyclopedia of Parliament*, 1972, p654

4 House of Commons Green

Green is the principal colour for furnishings and fabrics throughout the accommodation used by the House of Commons, except for some of the carpets which were designed for the post-Second World War rebuilding, where a mottled brown was used. In the House of Lords, red is similarly employed in upholstery and notepaper. This most likely stems from the use by kings of red as a royal colour, and its consequent employment in the room where the King met his court and nobles. The use by the Commons of green is much less easy to explain.

4.1 The use of green in the House of Commons Chamber

St Stephen's Chapel

Before they took up residence in the former royal chapel of St Stephen's at Westminster, the Commons sat at various locations around the country, borrowing various halls and cathedral chapter houses, but settling when at Westminster either in the refectory or chapter house of the Abbey. They also sat for some time in the hall of the Black Friars.

We know that St Stephen's Chapel, where the Commons sat from c.1548 to 1834, was rebuilt under Edward I (1272-1307) and Edward II (1307-1327), and completed, painted and decorated during the reign of Edward III (1327-1377). St Stephen's Chapel must have given the impression of being a kaleidoscope of colours. The roof was blue, with gilded stars, and below the windows, above the cornice, were many painted Biblical characters and stories; the columns were decorated with pryntes;³² the east end bore depictions of the Holy Family and King Edward III and his family. Maurice Hastings argued that the whole of the building was "ablaze with colour... hardly an inch of stonework was not painted or heavily gilded".³³ But there is no evidence that green figured on a large scale in these decorations.

When the Chapel was converted after 1548 for use by the Commons, Hastings presumed that hangings or tapestry of some kind were installed to cover the religious wall decorations. Later, these were replaced by wainscot panelling. It would then have been these panels which gave a predominating colour to the Chamber, but records of their colouring do not appear to have survived. The decoration at high level was whitewashed to achieve a Puritan simplicity, in the same way as most other churches and chapels at this time.

The first authoritative mention of the use of green in furnishing fabrics in the Chamber occurs in a book of travels by one de Monconys, published in Lyons in 1663. The House, he says,

"est une chambre mediocrement grande, environnée de six ou sept rangs de degréz, couverts de sarge verte, et disposée en amphithéâtre..." (is a moderately large room, surrounded by six or seven graduated rows of seats covered in green serge, and positioned in the form of an amphitheatre).³⁴

It would appear that over 300 years ago, as now, the Commons benches were green, but upholstered in serge (or some other woollen fabric; the exact meaning of serge is now lost). Then as now the rows of seats were ranged in tiers ("en amphithéâtre"). In 1670, a payment was recorded to the Serjeant Painter for "paynting green in oyle the end of the seates, and a Dorecase..." at the House of Commons. Similarly the Lord Chamberlain's accounts for 1672-

³² These were ornaments made out of plaster, applied with stencils and painted gold.

³³ Maurice Hastings, *Parliament House*, Architectural Press, 1950, p.67

³⁴ De Monconys, *Le Voyage de M. de Monconys* (Lyon, 1663), p. 65

3 record purchases of green woollen cloth for the Commons Chamber.³⁵ As early as 1698, seats had been provided at a public trial in their distinctive colours for the two Houses.

Sir Christopher Wren carried out a transformation of the interior of the Commons Chamber by installing wooden panelling, a lower ceiling and new seating. Work was completed in 1692. The medieval appearance of the chapel was thereby removed in favour of a classical style, but the use of green for some of the fittings continued. The appearance and colour may clearly be seen in a painting by Tillemans of about 1710, and a description of the 1780s survives from the pen of a German traveller, Pastor Karl Moritz:

All round on the sides of the House under the gallery are benches for the Members, covered with green cloth, always one above the other, like choirs in our churches...³⁶

The Clerk's Table was also covered in green cloth. Later, green morocco leather replaced cloth for the seating. In the Victorian period, the demarcation of the red and green into Lords and Commons areas was not as pronounced as it has become today. The Commons' Chamber only had green seating, for example, whilst the curtains were brick red. Nowadays green has taken over much of the decoration.

Throughout the Palace of Westminster, many different gradations of green are in use. However, following the 2005 Tebbit Review, the House adopted a standard green (Pantone 348) for use in all written communications.

5 The portcullis

Since 1967, the crowned portcullis has been used exclusively on House of Commons stationery. It replaced an oval device, which had been in use since the turn of the twentieth century, on the recommendation of a Select Committee.³⁷ The portcullis probably came to be associated with the Palace of Westminster through its use, along with Tudor roses, fleurs-de-lis and pomegranates, as decoration in the rebuilding of the Palace after the fire of 1512.

The portcullis was the badge of John Beaufort, Marquess of Dorset and Somerset (c.1371-1410), illegitimate son of John of Gaunt, Duke of Lancaster (1340-1399). It was subsequently adopted by his great-grandson, Henry Tudor (later Henry VII) whose mother was Lady Margaret Beaufort (1443-1509). Henry VII (1485-1509) and Henry VIII (1509-1547), the first and second sovereigns of the Tudor dynasty, employed the portcullis as a badge and probably used it in the Palace and elsewhere. It was under the Tudors that the Palace of Westminster ceased to be the seat of the Court and became the regular meeting place of Parliament.

The portcullis as now used in the Palace of Westminster is commonly surmounted by a crown, which makes it specifically a royal symbol, even though the original use by the Beauforts was of an uncrowned portcullis. There has been little consistency about the inclusion of the crown over the years.

In 1996, the usage of the crowned portcullis was formally authorised by licence granted by Her Majesty the Queen for the two Houses to use the device and thus to regulate its use by others. The emblem should not be used for purposes to which such authentication is

³⁵ Robert Rogers, *Order! Order! A Parliamentary Miscellany*, 2009, p51

³⁶ Karl Philip Moritz, *Journeys of a German in England in 1782* (Jonathan Cape)

³⁷ Select Committee on House of Commons (Services), *House of Commons Stationery*, HC-290, 1967-68, pp. 5-6

inappropriate, or where there is a risk that its use might wrongly be regarded, or represented as having the authority of the House. Members have been censured in the past, for example, for using the portcullis on party political communications.

5.1 Charles Barry and the New Palace

Charles Barry, in his designs for the new Palace after the fire of 1834, which according to the rules of the competition had to be submitted pseudonymously, adopted the portcullis as his identifying mark. Because Barry and his collaborator, Pugin, were given a fairly free hand in the detail of design, they were able to indulge their liking for particular motifs and there is no doubt Barry was very fond of the emblem under which he won the competition. Indeed, two uses of the portcullis appear on Barry's fine memorial brass in Westminster Abbey.

The use of the symbol in the new Palace was considerable. It is found literally thousands of times carved in stone and wood, stamped on leatherwork, on books in the Commons Library and on curtains and wallpaper. Likewise, it is cast in the metal of the Great Bell ("Big Ben"). It is quite likely that this saturation of the Palace with the emblem led to its adoption in a quasi-official form, though this mostly occurred in the late twentieth century.³⁸

5.2 Modern uses

The portcullis appears on House of Commons publications, including Hansard bound volumes: on cutlery, silverware and china owned by the House; and on House of Commons stationery. It is very possible that the popularisation of the portcullis owes more to its early employment throughout the building on chairbacks than to any other factor. It should be added that although the portcullis is used equally by the House of Lords, the Tudor Rose is employed as, or more, often as a decorative motif in their part of the Palace of Westminster.

5.3 Styles

Various forms of the portcullis have been used for House of Commons purposes during the twentieth century, the variations being largely due to the practices of individual artists and blockmakers. In some designs, the crown was omitted or depicted in different designs. Another form shows the chains in the "flying" position, as in the Customs and Excise device, and in some of the 19th century seals until the 1980s in use in the Commons Library, the chains were omitted altogether. Some 19th century portcullises had only four instead of the more usual five bars.

6 The Outlawries Bill

The Outlawries Bill is a short, incomplete text of an ancient Bill that is given a first reading at the beginning of every new session of Parliament. This takes place before the debate on the Queen's Speech, which is the first substantive debate of each Parliament. This device has a history of some four centuries, and is significant in that it preserves and proclaims the right of the Commons to deliberate upon a subject of their own choosing, without necessarily turning first to the matters which may be mentioned in the royal summons. The equivalent to the Outlawries Bill in the House of Lords is the Select Vestries Bill. Sir Thomas Lee said in 1676 that he:

³⁸ See *The Palace of Westminster: Official Guide*, 2012, p25

cares not how soon the King's Speech is taken into consideration but would not lose the method and order of Parliament. You always begin with reading a Bill. The King's Speech is usually about Supply and that ought to be the last thing considered here.³⁹

The first evidence of the House taking the first reading of a bill - not then the Outlawries Bill - before any other business is in 1558. In 1604, the practice was codified by a resolution: 'That the first day of sitting in every Parliament, some one bill and no more receiveth a first reading for form sake'.⁴⁰ As the seventeenth century progressed, it became more common to use for this purpose a bill which had been before the House the previous session. On 40 occasions between 1558 and 1726, but with considerable regularity only from 1661, the bill read a first time before consideration of the Speech had been before the House in a previous session.

Because these bills were real proposals, many made progress. In 1727, for the first time a bill with the present title 'Outlawries Bill' was introduced (bills about outlawry had been used for this purpose in 1678 and 1679, and in 1713 and 1714) and the idea that it should make progress as a real bill was abandoned, except in 1747 when the Outlawries Bill was read the second time and a day repeatedly fixed for committee, though the committee never actually met. Apart from interruptions in 1741 and 1742, the Outlawries Bill has been used ever since.

6.1 Challenging the Procedure

Its history has not been without incident. In 1763, as soon as Members had taken the oath, John Wilkes rose to complain of his imprisonment, as a matter of privilege, and the Chancellor of the Exchequer rose with a message from the King on the same subject. The Speaker pointed out that the more usual practice was to begin with the Outlawries Bill. After a prolonged wrangle, from which the Bill emerged with the addition of the words "a Bill prepared by the Clerk for opening the session", the House accepted the Speaker's advice. In 1794, the playwright-politician, Sheridan, used the Outlawries Bill to raise the continued suspension of the Habeas Corpus Act. He considered the right to debate a subject of the House's choosing before the King's speech "not a useless, barren trifle, but a right to be insisted upon whenever an occasion should occur for any practical good purpose".⁴¹

In the 2002-03 session, the Procedure Committee considered the use of the Outlawries Bill. The Committee's third report stated that the Outlawries Bill:

.... embodies a principle mentioned in a minute of 1609, that when Parliament has been opened, the House should assert its freedom to consider matters of its choosing, before turning to the reason for its summons as expressed in the Queen's Speech. This practice takes only a few seconds and we recommend that it should continue.⁴²

The Government agreed to this recommendation in its response to the committee's report.⁴³

6.2 Text of the Outlawries Bill

The text below is apparently a Victorian transcript. It is not clear whether the date, penalties and other missing details were ever included in the text.

OUTLAWRIES

³⁹ William Cobbett, *Cobbett's Parliamentary History*, vol 4, Hansard, London, 1808, p.825

⁴⁰ John Biffen, *Inside Westminster*, 1996, p. 118

⁴¹ Richard Sheridan, *Speeches of the late Richard Brinsley Sheridan*, Patrick Martin, London, 1816, p.413

⁴² Procedure Select Committee, *Sessional Orders and Resolutions*, 19 November 2003, HC 855 2002-03, p. 6

⁴³ House of Commons Procedure Committee, *Sessional Orders and Resolutions: The Government's Response to the Committee's Third Report of Session 2002-03*, HC 613 2003-04, 2004

A Bill for the more effectual preventing clandestine Outlawries.

For the more effectual preventing Clandestine Outlawries in Personal Actions, Be it Enacted by the Queen's most excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same.

That if after the [...] any attorney Solicitor or other person who shall prosecute any person or persons to Outlawry in any action personal wherein no Writ or Exegerit shall be awarded shall make default to send or deliver the Writ of Proclamation to the Sheriff of the proper County where the Defendant shall be dwelling at the time of awarding the Exegerit (the place of such dwelling being known), every such Attorney Solicitor or other person aforesaid making such default being lawfully convicted shall for every such offence forfeit [...]; and if the Sheriff (the Writ of Proclamation being duly delivered to him) shall refuse or neglect before the Return of the Writ to make [...] Proclamations according to the directions of the Act made in the thirty-first year of the reign of Queen Elizabeth for the avoiding of privy and secret Outlawries in actions personal, every such Sheriff being lawfully convicted shall for every such refusal or neglect forfeit