

65TH Westminster Seminar Parliamentary Practice and Procedure

SESSION NOTES

Date:	21 st November 2016
Session Title:	Session 0: Welcome and Introductions: Overview of the Seminar Programme
Time:	1245 - 1345
Notetaker's name:	Alexander Sansom
Panellists	<p>Chair: Rt Hon. Lindsay Hoyle MP</p> <p>1: Rt Hon. Lindsay Hoyle MP, Deputy Speaker of the House of Commons and Chairman of Ways and Means</p> <p>2: Andrew Tuggey CBE DL, Chief Executive and Secretary of CPA UK</p>
Session content:	<p>Panellist 1:</p> <p>Mr. Hoyle introduced himself, his background and constituency, talked about his role as an MP and the background of the Deputy Speaker role. Mr. Hoyle talked about the struggle of being a lonely, lost, new MP and why the CPA programme is important in this regard. He stressed the importance of the CPA and its role concerning democracy and openness/transparency. Mr. Hoyle spoke of his excitement that officers and members had come together, aiding faith and trust with working with one another.</p> <p>Panellist 2:</p> <p>Mr. Tuggey detailed the administrative and logistical particulars for the conference. He spoke briefly about annunciators, fire alarms, attendance and availability, transport, internet, social media and the parliamentary education centre.</p> <p>Panellists 3: Delegates</p> <p>All members of the conference introduced themselves with their name and country of origin. There was a combination of experienced and freshly appointed members and clerks. Many were excited to learn about the processes and procedures of the UK Parliament in order to better understand and also develop the systems within their own Commonwealth countries. Participants recurrently brought up the topics Brexit and the Commonwealth, with a wish to focus on these as the conference went on.</p>





	Panellist 4:
	Andrew Tuggey concluded the session.





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Date:	21 st November 2016
Session Title:	Session 1: Introduction to the Westminster System. Key Current Challenges
Time:	1345 - 1445
Notetaker's name:	Alexander Sansom
Panellists	<p>Chair: Rt Hon. David Hanson MP</p> <p>1: Rt Hon. David Hanson MP</p> <p>2: Lord Lisvane KCB DL</p> <p>3: Rt Hon. Cheryl Gillan MP</p>
Session content:	<p>Panellist 1:</p> <p>Mr. Hanson spoke about the dramatic change in the way Westminster operates over his 25 year tenure; in parliament, nothing stands still. He detailed the two core principles of parliament: i) to hold government to account, and ii) to give authority to formation of a government and to manage government in the offices of Whitehall. More instrumental recent changes to parliament include giving considerable time to the backbench business committee; public petitions and the work of that committee in engaging with the public; the debating opportunities available in Westminster Hall, expanding time given to MPs to discuss issues; and the one member one vote system to elect select committee chairs (rather than being appointed by the Prime Minister), which has given committees more authority as they not elected by a government. He finished by briefly touching on Lords reform, commenting he found it odd we still have an appointed, non-elected chamber.</p> <p>Panellist 2:</p> <p>Lord Lisvane opened by arguing that the challenges of the United Kingdom's systems are the challenges of other Commonwealth parliaments. He sought to foster engagement within the Commonwealth, commenting that by looking into the past, we see that so often the solutions to problems within the Commonwealth have been looked at by Westminster.</p>





Lord Lisvane spoke of the increased pull of the constituency and that the expectations of constituents have changed (increased) dramatically. He spoke of the impact of this in the huge increase in staff at Westminster: 2750 member researchers now, which he says is a good thing as it proves constituents have more faith in what their MP can do for them.

Lord Lisvane touched on the profound influence of the digital revolution. He reminisced of the 80,000,000 pages printed earlier in his tenure, which are now almost all digital, spoke of instant communication and the 24/7 news agenda and the demands on MPs inherent within this age.

Lord Lisvane was passionate to enforce the need to recognise the real owners of parliaments are citizens and not members. He said the first step of parliament is getting people to understand what parliaments do for their citizens. When you understand you start to value a system and feel ownership of it.

Lord Lisvane spoke of the House of the Lords. He rejected the idea of a zero-sum game - that giving one House more power necessarily reduces the power of the other. He argued that anyone wishing to criticise the Lords ought to go and see the House in action. He thought that the expertise within the House was its most defining and positive feature, with the ability to question the Commons on all issues, but acknowledged that the Lords is too big, and should ideally be no bigger than the Commons.

Lord Lisvane finished by detailing the two present salient challenges facing parliament. First, Brexit: its complications for the unity of the United Kingdom and its legal complications concerning the royal prerogative. Second, the state of the Palace of Westminster: a building that has never been adequately looked after, has never kept up with the advancement of technology and difficult to restore - the issue being where to move during the work.

Panellist 3:

Mrs. Gillan began by talking of the present issue of security and protection for MPs. She paid respects to Jo Cox and outlined the current systems of risk assessments, panic buttons and lone worker alarms. She spoke briefly about her own experience with email spams and viruses and scams against MPs by journalists.

Mrs. Gillan praised the work of select committees, recognising the huge demand on the chairs of the current 42 select committees. She stressed the importance of the cross-party nature of the select committees.

Mrs. Gillan spoke about the development of parliament over recent decades. She spoke of devolved legislations and the inherent complexity of legislation that arose from this system. Mrs. Gillan spoke about the tension arising in the UK between representative





	<p>and direct democracy, the pressure from press and social media, the ever closer scrutiny and infiltration on private life as well as the positives of increased female representation within parliament.</p> <p>Mrs. Gillan finished by talking about backbenchers, the power they have at present with the government's slim majority, as well as the work of the backbench business committee and the support backbenchers give to all party parliamentary groups across all agendas.</p> <p>Panellist 4:</p> <p>Mr Hanson concluded that the key thing to remember is the central job of parliament to hold government to account and to give government the authority to act. He added that parliament is currently wrestling with that during a time of increased public demand and public engagement.</p>
<p>Questions and answers:</p>	<p>Question 1: Hon. Matt Doocey MP, New Zealand asked how parliament has resisted the call for proportional representation?</p> <p>Mrs. Gillan said there have been so many constitutional changes recently, and with high profile developments (namely, Scottish independence and Brexit) proportional representation has dropped off the agenda (though it may be back on the agenda soon).</p> <p>Question 2: Hon. Diane Farmer MP, Australia - Queensland asked how scrutiny of sitting hours has evolved?</p> <p>Mrs. Gillan said that the procedures committee looked into the issue of hours, but that pressure from the huge intake of 'Blair's Babes' in 1997 to change the hours had a huge influence, as well as the notion that MPs working hours could extend into the evening.</p> <p>Question 3: Chris Nielsen, Canada asked about address verification for people emailing MPs.</p> <p>Mrs. Gillan told Mr. Nielsen that if the person emailing was not a constituent (i.e on the electoral register for that area) then they must consult their own MP.</p> <p>Question 4: Hon. Lara Giddings MP, Australia - Tasmania asked where the debate on England having its own parliament stood.</p>





Lord Lisvane argued that the UK required a new Act of Union to replace the patchwork of devolution. This would properly set out powers, processes etc. that the entire UK could engage with. He argued that an English parliament would pose a problem, not least because of the relationship between the Prime Minister of the UK and the First Minister of England.

Hon. Lara Giddings MP then asked about collective ministerial responsibility and criticism by the media.

Mrs. Gillan thought there ought to be a change in the notion of collective responsibility so that if a minister has a huge issue with a piece of legislation they can speak out. Mrs. Gillan believed there must be a collective cabinet response in the main but that there could be exceptions.

Question 5: Hon. John Nater MP, Canada enquired about the role of a crossbench Lord in the scrutiny of legislation.

Lord Lisvane said that the 182 crossbench peers - who encompassed a huge range of experience and expertise - and the independence they brought, was crucial in ensuring the government does not have a majority in the Lords. This is crucial, he argued, for effective scrutiny as the crossbenchers do not act as a block and do not have whips.





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SESSION NOTES

Date:	21 st November 2016
Session Title:	Session 2: Overview of Legislative Process
Time:	1445 - 1545
Notetake's name:	Alexander Sansom
Panellists	<p>Chair: Lord Bowness CBE DL</p> <p>1: Lord Bowness CBE DL</p> <p>2: Liam Laurence Smyth, Clerk of Legislation in the House of Commons</p> <p>3: Christine Salmon Percival, Deputy Head Legislation Office, House of Lords</p> <p>4: Elizabeth Gardiner, First Parliamentary Counsel, Office of Parliamentary Counsel</p>
Session content:	<p>Panellist 1:</p> <p>Lord Bowness said that despite having been in parliament for over 20 years, he continues to learn something new about the legislative process every day. He commented that whilst the stages of legislation are the same in both houses, the actual process and contribution that members can make differs significantly between the chambers.</p> <p>Panellist 2:</p> <p>Mr. Laurence Smyth opened by speaking about common law. He argued that the boundary between statute and common law is contestable and highly political, as clear now in the Brexit case. He detailed how statute law is always growing, whilst the royal prerogative is always shrinking.</p> <p>Mr. Laurence Smyth then went on to talk about bills in parliament. He made reference to the very small quantity of Private Member Bills that reach the statute books compared to government bills. He spoke about the passage of bills through the Commons, including the adversarial aspects of committee stages as well as the importance of whipping and majorities in passing government bills.</p>





	<p>He touched on the lack of post-legislative assessment currently in the UK, and finished with remarks on the English-Votes-for-English-Laws bill and the minimal effect he sees that possible system of having on the current government majority.</p> <p>Panellist 3:</p> <p>Mrs. Salmon Percival was keen to stress that the House of Lords is very much a working institution and not simply a place of elaborate ceremony. The Lords too has a different tone to the Commons as the government lacks a majority. Because of this formula and composition, defeats of government are not uncommon (there being 60 in the last session), referencing the recent defeat of the Tax Credits bill as an example of this, as well as an example of a major issue/threat to the Lords.</p> <p>Mrs. Salmon Percival ended by identifying Brexit as the major challenge ahead for the UK.</p> <p>Panellist 4:</p> <p>Mrs. Gardiner began by talking about the history of Parliamentary Counsel, its sitting within the Cabinet Office and its relationship with the Government Legal Department and Attorney General's Office. She outlined the primary role of the office as being the central drafting resource for primary legislation.</p> <p>Mrs. Gardiner then went into detailing the legislative programme and the production of a bill, including the close cooperation the Counsel has working with policy officials in policy departments, lawyers in policy departments, the bill manager and the bill team.</p> <p>She said that current key obstacles to producing good law included the high volume of law that exists, a lack of time, less than perfect policy development, over detailing legislation and the need to reduce complexity in legislation.</p>
<p>Questions and answers:</p>	<p>Question 1: Hon. Sen. Sassui Palijo asked whether, when a bill becomes an act, parliament follows up on the progression of the law.</p> <p>Mrs. Gardiner said a memorandum is produced quite a long way down the line to assess workings. Ultimately, government is slow to pick these up and debate them.</p>





Question 2: Neil Laurie, Australia - Queensland said that in his jurisdiction, bills are often administrative manuals in their parliament rather than law making. Is the same happening in the UK?

Mrs. Gardiner said that yes, this was happening to an extent, with a thought process that a long list is worse than no list. Things previously taken as read in a bill are now being exhaustively listed.

Question 3: Rita Meli, Malta asked what a fair and just period of time for introducing a second reading and debating the bill was.

Mr. Laurence Smyth noted that parliament is very large and so not every MP has to speak on every subject. He said that a second reading debate takes typically 5-6 hours with a 3 hour block in the middle for backbenchers. He believed 10 minutes was about right for an individual speech.

Mrs. Salmon Percival described how there is guidance on how long speeches should be and that the procedures committee encourages members to keep reasonably brief (around 10 mins). The House of Lords, however, is self-regulating but members realise time needs to be shared fairly and this self-regulation generally works well.

Question 4: Hon. Sen. Mir Kabeer Shahi, Pakistan asked how the House of Commons meets amicably and how government and opposition members compromise.

Mr. Laurence Smyth said that the majority in the Commons is astoundingly powerful and dominant but the big constraint is public opinion. He had faith in the English sense of fair play, which does not like a bully and that such behaviour would result in repercussions in the ballot box. He reiterated the value of the Lords in not repeating the majority in the Commons.

Question 5: Camillo Pwamang, Ghana asked at what stage of the process the bill is introduced into the Lords and what role does office of Lords Legislative Office play.

Mrs. Gardiner answered - i) bills are introduced in one house, go through an entire procedure before then entering the other house, and that ii) the Lords Legislative Office provides a secretariat for





secondary legislative scrutiny committee and advises committees on instruments it may want to utilise in the house.

Question 6: Deputy Montfort Tadier, Bailiwick of Jersey enquired whether there are calls for a more streamlined approach to the legislative process or alternatively for more checks and balances.

Mrs. Gardiner answered that the different timeframes for passing legislation are as needs demand; in an emergency legislation can be passed quickly. She commented that she does not believe the government is pushing for a more streamlined process.





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Date:	21 st November 2016
Session Title:	Session 3: Parliamentary Administration, Finance and Governance
Time:	1600-1700
Notetake's name:	Alexander Sansom
Panellists	<p>Chair: Nigel Evans MP</p> <p>1: Nigel Evans MP</p> <p>2: David Natzler, Clerk of the House of Commons</p> <p>3: David Beamish, Clerk of Parliaments</p>
Session content:	<p>Panellist 1:</p> <p>Mr. Evans began by complementing his guests and their expertise on the subject and elected to hand the floor swiftly over to them.</p> <p>Panellist 2:</p> <p>Mr. Natzler spoke initially about the governance of the House of Commons through the foundation, evolution and position of the House of Commons Commission. He detailed the Commission as a statutory body, not a creation of the House. Although this gives it financial authority over its affairs, Mr. Natzler did comment on the lack of flexibility given to the Commission as a result of it being a statutory body.</p> <p>Mr. Natzler then moved on to speak about the issue of restoration. He emphasised the need for continuity of service as a focus as opposed to location. He also touched on Brexit as a huge issue for parliament, not just concerning the Supreme Court involvement, but also the issue of implementing European legislation and the inherent challenge of scrutiny that will come with this.</p> <p>Panellist 3:</p> <p>Mr. Beamish spoke of the House of Lords, beginning by mentioning that the future of the chamber has always been a topic of controversy. He spoke of the 1999 reforms and the current composition of the House (including 255 Conservatives, 206 Labour, 104 Liberal Democrats and 180 Crossbenchers). He repeated</p>



	<p>information about the government often being defeated, and the self-regulated nature of the Lords.</p> <p>With regards to governance, Mr. Beamish stated that the important difference between the two houses is that the Commons Commission controls its own funds whereas the Lords is not in charge of its own money to the same extent. He noted however that the Lords does not, as a result of this, struggle to attain the money it requires.</p>
Questions and answers:	Panellist 4:
	<p>Mr. Evans summed up the speeches with a note on the restoration of the Palace. He said he foresaw the strategy as involving moving out in 2021 so that the 2020 intake of MPs have some time in the Palace before moving out, whilst the 2025 intake would move in at some point during their tenure, post-restoration.</p>
	<p>Question 1: Hon. Leonne Theodore-John MP, Saint Lucia asked who the administrative head of the UK Parliament was - the clerk or speaker?</p> <p>Mr. Natzler said he was responsible in his role for administration as his position as an accounting officer made him responsible to the public through public accounts committee. He did acknowledge that he reports to the speaker as the speaker is senior figure (elected by Commons to preside over the Commons and Committee ex officio) and that the speaker can direct on some areas and not on others. He likened his and the speaker's role as similar to that of a Secretary of State and Departmental Permanent Secretary - both are, in a way, in charge of the department.</p> <p>Question 2: Chesanne Brandon, Jamaica - does the government provide finances to parliament?</p> <p>Mr. Natzler reinforced the fact that the taxpayer provides the money, with the Commission of the House of Commons deciding how to spend the 220 million. It is through the Appropriation Act that the Commission has the authority to spend this and not the Treasury.</p>





Mr. Beamish said that this situation was similar in the Lords, but that the House of Lords has no power in its own right as the Commons decides where the money goes.

Question 3: Hon. Dr. Ingrid Buffonge MP, Montserrat asked: who does the speaker complain to?

Mr. Natzler answered affirmatively: to me! To whom is he responsible? Well to the House; the House elects and must support the speaker when he is being leant on by the executive.

Question 4: Hon. Di Farmer MP, Australia - Queensland asked whether the public was supportive of the restoration?

Mr. Beamish said it was likely that the House of Commons would move to a Whitehall building currently operated by Department of Health, whilst the Lords have looked at QEII conference centre. In general, the press is supportive.

Question 5: Hon. Chris Nielson MLA, Canada said that given their own experience, the expertise in Canada was happy to lend a hand in restoration.

Question 6: Hon. Godfrey Farrugia MP, Malta asked how the government handles these kinds of expenditure during times of economic hardship.

Mr. Natzler spoke just briefly about the idea of a ‘frozen budget’ (in real terms) for the House of Commons Commission during these post global economic-crisis times.





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Date:	22/11/2016
Session Title:	Session 5A: Role of a Member of Parliament
Time:	09.00 - 10.00
Notetaker's name:	Tone Langengen & Wenyu Wang
Panellists	<p>Chair: Valerie Vaz MP</p> <p>1: Stephen Hammond MP</p> <p>2: Laurence Robertson MP</p> <p>3: Tasmina Ahmed-Sheikh OBE MP</p>
Session content:	<p>Panellist1: Valerie Vaz MP</p> <p>Valarie Vaz opened the debate by speaking about the importance of having a democratic mandate. She highlighted particularly the importance of keeping in touch with constituents and raising their concerns in parliament. She believes there is a great need for parliament to show people democratic mandate, and to listen to the people. The MPs come to Westminster Monday to Thursday, and then go back to their constituencies. She used the example of the bedroom tax, where she listened to her constituents' grievances and raised their concerns to the PM.</p> <p>She also mentioned the death of Jo Cox, and said that they are on the frontline, so they need to think about their safety. But she hoped it didn't stop them from speaking out on difficult issues.</p> <p>Panellist2: Tasmina Ahmed-Sheikh OBE MP</p> <p>Tasmina Ahmed-Sheikh OBE MP opened by stating that an MP's role is not just about engaging with constituents, but also about engaging internationally and learning from people and democracies around the world, especially highlighting the issue of equality. She is the national convener for women equality for her party, so she seeks to ensure women's equal participation in politics.</p> <p>She further argued that the biggest challenge of being a parliamentarian is to find a work-life balance.</p>





Women are accused of shouting in parliament. Want to make it feel worth it because the sacrifice is so large.

She also stated that it is important to find a common cause across parliament. Women MPs have been especially good at this in the UK Parliament and she hopes this is something they do in other countries.

Panellist3: Stephen Hammond MP

Stephen Hammond MP stated that it was important to get a concept of what MPs do, how it has changed and the expectations on them.

He emphasised three categories of being a modern MP. 1) The local role, representing their constituency inside, but also outside, parliament. Holding surgeries, being integrated in the local community. In this way touch people in local communities. Advocate for constituents for authorities in the wider sense of the word.

2) Holding the executive to account. Speak out in the House of Commons, but also try to get discrete words with the minister. Discrete influence.

3) Being party political. As an elected Conservative MP he stressed the importance of staying with a party.

MPs are not omnipotent. Cannot always go to all parliamentary debates. Also important to do meeting outside parliament. Keep on top of their field of interests and constituency grievances.

Interesting conundrum that MPs are being cut in the UK, while scrutiny is more important than ever with Brexit.

Conundrum that MPs need to do more constituency work but also more in parliament.

Jo Cox - MPs cannot retreat from public life.





Questions and answers:

Question 1: Hon. Diane Farmer MP, Australia - Queensland asked about women in parliament commenting that there was a survey out about making the Queensland Parliament a best practise parliament for women. She asked whether the UK Parliament encouraging and supporting of women MPs, especially concerning the need to be available at all hours.

She went on to ask: does social media make a difference and make parliament more accessible to people and is it a challenge to scrutiny?

Ms. Ahmed-Sheikh highlighted the difference between UK and Scottish parliaments. The Scottish Parliament has childcare facilities, voting at the end of the day and a 9-to-5 day. There are consequently more women in the Scottish Parliament. SNP has worked a lot to increase number of MPs. She also highlighted the importance of mentoring.

There is a demand for immediate response, and this is important. With social media there is increased scrutiny, but also a lot abuse. It is invading private space. She thought people should work together to combat this.

Mr. Hammond said he used to get a post bag every day, about 700 letters every month. Now almost all comes in by email. The challenge is that people expect to be answered in the following days. But it takes time to go through the process, so they cannot get the answer the next day. Giving a proper expectation of when the answer should be is necessary.

It is important to use social media to reach people. It is also a great campaigning tool. So he advised parliament members to think of social media strategy and not to be left behind.

Ms. Vaz believed we took a long time to get here, only through AWS. She also talked about changing hours but stated that parliament will never be a 9-to-5 job. She stressed the importance of parity.





Mr. Robertson said Google and Facebook can have fake information, and sometimes parliament members can be targeted on social networks, which would cause a difficult time for them.

Question 2: Frank Feighan shared his view on redundancy of clinics, and asked about the Brexit referendum and the death of Jo Cox.

Mr. Hammond said the UK has very limited experience with referendum.

Ms. Ahmed-Sheikh: Surgeries and clinics are less important than they were. She makes people email her to book a slot.

She also said that everyone was frightened by the Jo Cox murder. But she reminded us to remember that there are so many more people who want to do good in the world.

Question 3: Alberta from Canada asked about a gender balanced cabinet and caucus, in addition to more openly gay members of the caucus and cabinet. What steps has the UK Parliament been taking in moving women forward to leadership roles they can take?

Mr. Hammond said women do a lot of work behind the scene in the Conservative Party and more women are participating in selection meetings, and they take part in a lot of work on how selection committees works.

Ms. Ahmed-Sheikh said there is not enough women on top of the party. We need to do things for women. Nicola in Scotland also made sure to have a gender balanced cabinet.

Question 4: Alincia William-Grant, Antigua and Barbuda talked about gender balance in her country, with 9 women in parliament out of 35 in total. She talked about her experience, and attempts to establish mechanism to get women involved. She asked what the UK Parliament is doing to encourage and mentor women who want to get involved in politics.

Ms. Vaz shared a programme in Canada that gets women to sit in their seats. And she said we need to look beyond what is a normal politician.





Ms. Ahmed-Sheikh talked about a gender equality strategy: a women's officer and an equalities office in all constituencies in Scotland to increase training. She said We have to take positive action; how long is the world expected to wait?

Political will is what is important, there are plenty of good candidates to choose from.

Mr. Hammond: Need to look at selection methods for candidates. Need to show women that selection is possible.

Question 5: Deputy Montfort Tadier, Bailiwick of Jersey took the TV series Black Mirror as an example, and asked about resourcing and support that UK MPs receive. Because some countries have small constituencies and the MPs should take multiple roles, but work with less facilities, IT service and mobiles. Jersey MPs get very little resources, and it's very difficult to do their tasks. So he wondered what resources do UK MPs get, and if they get emotional and pastoral support from party and others.

Mr. Hammond told him that they broadly get what they need to do their job. If you are further away you get more support. Speaker has put in more support.

Question 6: Kenya Cristopher Omulele, Kenya shared his experiences with his country. According to law, the Parliament of Kenya is close to the UK's, but the constituent is different from what the law says. Constituents expect way more from MPs than they can provide. Grappling with a difficult issue. People have access to social media and information and they can analyse their information. But people who are poorly educated have little access to information. They have realities to deal with.

Ms. Ahmed-Sheikh said there are problems in the UK, especially in the wake of the expenses scandal. But they are here to do their best. And she said that they should continue to explore where come and what do

Mr. Hammond: People believe he is responsible for the housing. Need to increase people's understanding, not only expectations, of what MPs can do.

Closing remarks:

Ms. Vaz concluded that it was good to exchange ideas, because they didn't do correctly in their own countries, but they could learn. He appealed to the delegates to keep in touch, and keep





HOUSES OF PARLIAMENT

confronting the difficulties when pursuing democracy, on the basis of ensuring the rule of law and justice prevails.

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65TH Westminster Seminar Parliamentary Practice and Procedure

SESSION NOTES

Date:	Tuesday 22 nd November 2016
Session Title:	Session 5B - Role of a Clerk: Select Committees
Time:	09:00 - 10:00
Notetaker's name:	Meet Kaul
Panellists	<p>Chair: James Rhys - Clerk, Exiting the European Union Committee, House of Commons</p> <p>1:</p> <p>2:</p> <p>3:</p> <p>4:</p>
Session content:	<p>Panellist 1: James Rhys - Clerk, Exiting the European Union Committee, House of Commons</p> <p>James Rhys began the session by providing an abridged version of his work history, detailing his last 3 posts with select committees. To be specific, he has acted as a clerk for select committees focusing on Defence, the Treasury and the process of exiting the European Union.</p> <p>Mr. Rhys then provided some context for the formation of the Exiting the European Union Committee. He explained that the fundamental changes to the machinery of government caused by the controversial June EU referendum highlighted the need for a select committee specialising in the prospective methodology of exiting the EU.</p> <p>He also noted that the formation of this committee was controversial - several chairs of existing committees felt the job would be more efficiently performed by the pooled action of separate groups such as the treasury and agriculture committees, who would analyse the areas of their respective expertise. In addition, the selection of the Labour MP Hillary Benn as the committee chair was criticised by some observers, owing to the fact that Benn campaigned vigorously for the Remain side of the debate and was deemed by some to have a potential conflict of interest given the nature of the committee's goals.</p>





Mr. Rhys went on to explain the systemic features of select committees, which are separate from the formal processes of scrutinising legislation as they exist to examine the work of governmental departments and administrative policy. Public bill committees do the work of examining legislation instead - select committees have no formal legislative status in the Houses.

Other differences between departmental select committees and public bill committees include their respective approaches: public bill committees are confrontational in behaviour, with members often debating and arguing along party lines. Select committees, meanwhile are typified by a bipartisan, consensus-based approach to policy analysis. The need for this consensus mentality was vital for the work of the Exiting the European Union Committee, considering that the EU referendum split the country down the middle and revealed underlying divisions within British political and civic society.

Mr. Rhys expanded on his role as a clerk, initially with regards to the planning of the committee programme of inquiries. This process depends on the clerk's relation with the committee chair - the chair will propose lot of prospective ideas and the clerk has a key role in discussing these. Another key responsibility for the clerk is meeting each committee member individually to gain an idea of what their policy interests and goals are. There is scope for the clerk to suggest 'worthy' enquiries that members may not want to look at initially, but may prove to be fruitful in their exploration. The clerk is also required to encourage the chair to keep the interests of the entire committee in mind.

Some of the challenges posed by the structure of select committees stem from their cross-party, empirical approach. For example, the select committee for exiting the EU currently consists of 12 members who campaigned for Remain and 9 who did for Leave. The majority of the House of Commons campaigned for Remain, meaning that from its inception, this select committee was split down the middle politically.

Mr. Rhys also mentioned that at 21 members, this select committee is a large one. The standard size for a Westminster select committee is 11, so unique challenges are posed by the Brexit committee's size. How, for example, can this number of people be kept engaged? There is no time to give every member 10 minutes to speak, as is the norm for smaller select committees. The solution is for the committee to agree to ration itself, in the sense that only 10 people can be allowed to ask questions at each evidence session.

As members are only guaranteed one question every other week, subcommittees with a quorum of 3 members exist. These give scope for smaller groups to meet in Westminster to take evidence for smaller, more niche subjects such as trade, security, or justice.





	<p>Another significant issue is the resource-intensive nature of the committee's work, considering that members tend to spend a lot of time travelling around the UK and EU member states. Despite this, the committee agreed that there was a need for them to talk to and engage with the public.</p> <p>The justification for this was contextualised by the EU referendum vote being arguably the greatest constitutional and economic decision since the Second World War and even more important than the original decision to join the EU. In addition, the debate surrounding the referendum was mired by untruths. In this light, the committee felt it was even more important to talk to actual members of the public to get a proper idea of national civic perspectives as well as to raise the profile of Westminster in the eyes of the public. The process of travelling also gives members of the committee a chance to get to know one another, facilitating a smoother running of it.</p> <p>The final challenge mentioned by Mr. Rhys is the identifying of sources for inquiry, which is a sensitive topic. One device used by the chairman is the informal appointment of a vice-chair to work as a kind of 'sounding board' for the chair. For the Exiting the European Union select committee, this vice-chair campaigned for the Leave side.</p> <p>Mr. Rhys went on to describe the factors contributing to an impactful committee report. The first is a cross-party consensus - a real weight is added when the entire committee comes together with one voice. In the case of Brexit, the sight of both Leave and Remain campaigners stating the same points would have a real effect in influencing the government and gives strength to the government's hand in negotiations. The second factor is an evidence based approach to research with a strong thematic focus, which increases the committee's credibility. The government is expected to respond to each committee recommendation within 2 months of publication, but very often these responses are 'feeble' and unsatisfactory. This necessitates a greater degree of assertion displayed by select committees in their interaction with the government. Mr. Rhys mentioned that he has worked with committees in the past that have rejected government responses, stating that it hasn't answered the question fully enough.</p> <p>Mr. Rhys concluded by praising the departmental select committee system for rising above partisan politics via the use of an empirical approach. He argued that the public appreciates politicians behaving maturely and rationally as opposed to the displays of theatre that are too prevalent within the House of Commons, for example.</p>
Questions and answers:	



Question 1: **Neil Laurie, Australia - Queensland** asked if there was any rear-guard activity on the committee.

Mr. Rhys responded that the committee was united in its ambitions and the cross-party mentality governing select committees has held strong in its running.

Question 2: **Hafeez Sheikh, Pakistan** asked what would happen if a select committee receives no response from the government within 2 months of sending a report.

Mr. Rhys responded that the committee has no official ability to do anything about this but it does have the ability to create embarrassment for the government through contacting the press or by calling ministers to demand explanations for this treatment.

Question 3: **Neil Laurie, Australia - Queensland** asked what would happen if the decision to prevent the government from triggering Article 50 is upheld by the Supreme Court.

Mr. Rhys responded that the committee chair wants to position the committee as agreeing with the court's final decision and does not want to get the committee bogged down in these discussions.

Question 4: **Camillo Pwamang, Ghana** asked if the even composition of pro and anti-EU members on the committee would reinforce the public perception that the government is trying to delay and hinder the Brexit process.

Mr. Rhys responded that when Hillary Benn was elected as the committee chair there were headlines bemoaning this decision and accusations of sabotage. However, this misses the point that the committee is trying to establish a reputation as acting as a unified whole, trying to search for a positive outcome for UK.





65TH Westminster Seminar Parliamentary Practice and Procedure

SESSION NOTES

Date:	22/11/2016
Session Title:	Session 6A: Role of the Loyal Opposition
Time:	10.00 - 11.00
Notetake's name:	Tone Langengen
Panellists	<p>Chair: Rt. Hon. Tom Brake MP</p> <p>1: Kirsty Blackman MP</p> <p>2: Nick Smith MP</p>
Session content:	<p>Panellist 1: Tom Brake MP</p> <p>Tom Brake MP began with examples of where the government and opposition need to work together. For instance with the London Olympics the Labour government worked together with the opposition to provide a good bid.</p> <p>Also the IPSA in the wake of expenses scandal. Each MP should provide an annual report setting out what they spend their money on. In theory it is a good idea, but in practice it is bad because it can be abused by the media comparing MPs use of taxpayers' money. Working together, both the opposition and the government, came up with a better plan so that MPs could rather flag up why they must have used more expenses than another.</p> <p>Usually, however, the opposition check the government through for instance select committees, points of order, and urgent questions. He used the example of his urgent question to the government about the refugees in the Calais jungle.</p> <p>Panellist 2: Nick Smith MP</p> <p>Nick Smith MP talked about his time on the Public Account Committee. The committee looks about the spending. The opposition is very happy about stopping the government. However, other members of the committee from the government, also saw it as important to get good value for the tax payer's money.</p> <p>He then talked about the funding of opposition parties. Money is distributed to the opposition parties based on their support. It gives them the funds to execute their opposition role, for instance</p>





	<p>through funding the leader's office, special advisors and policy development.</p>
	<p>Panellist 3: Kirsty Blackman MP</p>
	<p>Kirsty Blackman MP added to the line on funding of opposition parties. A policy development grant is divided up between the parties in parliament with two MPs who have taken the oath. It is distributed based on numbers of seats and number of seats they stand for.</p> <p>Short money based on the number of seats you have is among other things issued for paying researchers and funding the leadership office.</p> <p>Role of opposition is to scrutinise government and make sure the policy that passes through is the best policy should be. They do not always oppose at every turn, they also make a compromise even though they disagree.</p> <p>She takes the oil industry in Aberdeen as an example. They need to tell the government ministers about the local areas and local concerns to increase their knowledge. It is important to work with them as well. They will need to work together across parties if they want to oppose the government.</p> <p>There is little to do about opposing. It is much more about scrutiny: ask questions, write letters, select committees. Select committee is good for cross-party cooperation, providing scrutiny of government departments.</p> <p>Other possibility is public bills committee, which scrutinises the bills. They hold forums for working together, having more of a conversation with minister. In this situation they can scrutinise the bill line by line. It is easier to scrutinise in the house.</p> <p>So the role of the opposition is to scrutinise.</p> <p>Whips offices working together is also important.</p>
Questions and answers:	<p>Please use the following format:</p> <p>Question 1: Hon. Lara Giddings MP, Australia:</p> <p>Is the role of the filibuster still used? Why?</p> <p>Ms. Blackman said this is only possible to do on Fridays with Private Members Bills. Private Members Bills must be discussed and voted on by the end of the day. Here it is possible to filibuster to avoid.</p>





They not usually do that in other occasions, and you will be told to sit down by the Speaker.

Question 2: Hon. Godfrey Farrugia MP mentioned the case of party financing, and asked if there is a particular way. And how do the whips coordinate the effort?

Mr. Swith said the key thing is that whips are not policy experts, rather look to front bench to guidance of the politics of the debate is coming up. As a whip, it is important that the party works coherently, effectively and strongly as possible. Whips concentrate on different groups, both regional and departmental.

Ms. Blackman said there is an official opposition, and the opposition is usually Labour.

Mr. Brake said financing in political party is for scrutiny, not for buying commercial as in other parliaments.

All parties with a reasonable representation have a chief whip. The chief whips work together on short money, and also work together with other party whips to defeat the government, and to make sure that as many MPs are present to beat the government.

Question 3: Hon. Nalinda Wajiramal Jayatissa MP, Sri Lanka

Asked about questions to government ministers, when there is time for the opposition to ask and how this is done.

Ms. Blackman: Names are picked out of a hat randomly. There is no way to ensure it is equal between the parties.

There is time for the parties to debate what they want to debate. There are 75 days for the government, and 75 days for other matters. For example, 35 days for the backbench business committees and to hear bids from cross-party groups. There is also time for select committee reports.

If you have urgent questions you can ask those. It is possible to get debates in Westminster Hall, which are usually done by backbench ministers. This must be answered by the minister.





Question 4: Hon. Patrick Nsamba - Uganda

Was there a time in the history of the Westminster Parliament, like in Uganda, when all parties combine and there are only few MPs in the opposition? If so, how effective was the opposition.

Mr. Brake gave the example of 1997. It was not as bad as the Ugandan example. It was however difficult for the opposition to win votes. However, there were different factions within the government party, and it was possible to create coalitions with these. In the UK they have had to rely on outside organisations, such as NGOs, also an effective House of Commons Library.

Question 5: Nathan Kwun-Chung Law MLC - Hong Kong

How to monitor the implementation of foreign policy? Are there checks and balances on this to scrutinise the British government of international agreements?

In addition, he believed that approval rate of the unelected government is very low. There is no power to overturn. He asked if the UK Parliament has had any experience with this, and if there is any alternative to make them accountable to the people.

Ms. Blackman said there are ways to get rid of leadership. They need two thirds of MPs. It also depends on internal structures in parties.

Mr. Brake said they scrutinise the government on foreign affairs through urgent questions, holding ministers to account and challenging them etc. For instance, in foreign affairs questions.

Question 6: Hon. Scott Farlow MLC, Australia

How are chairs for select committees chosen? And how does the public bills committee work?

Ms. Blackman said Public bills committee has two readings. Between the first and second reading it scrutinises. After the second reading the bill committee is discussed. Finance bill is an example.

Public bills committees discuss every line in the bill and can introduce amendments. The whole bill is usually not covered in





	<p>parliament. More time is needed for discussion.</p> <p>Third reading talks about the whole bill in its entirety. Then it goes to the house of lords.</p> <p>Mr. Smith said there is an official formula for how the selection of chairs for select committees is chosen.</p>
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Final comments:

Tom Brake MP said that opposition has an important role to play by holding the government to account, but it is also important for the opposition parties to work together.



65TH Westminster Seminar Parliamentary Practice and Procedure

SESSION NOTES

Date:	Tuesday 22 nd November 2016
Session Title:	Session 6B: Role of a Clerk: Legislation
Time:	10:00 - 11:00
Notetaker's name:	Meet Kaul
Panellists	<p>Chair: Colin Lee, Clerk of Bills, House of Commons</p> <p>1: Susannah Street, Clerk, House of Lords Public Bill Office</p> <p>2:</p> <p>3:</p> <p>4:</p>
Session content:	<p>Panellist 1:</p> <p>Colin Lee began by setting out his aims for the session: to discuss the work of the Clerk of Bills within the legislative process and the work of select committees, drawing out some of the distinctions of the role and talking about some of the support clerks give to members of the Houses.</p> <p>Mr. Lee proceeded to explain the process of turning a bill into an act, in which bills are approved by both Houses and receive Royal Assent. The general expectation is that a bill will pass in one parliamentary session, from the spring of the initial year to the spring of the following year.</p> <p>He then described the typology of bills, which consists of three categories. The first of these is the Government Bill, which is proposed in either House by government ministers. For these bills, clerks liaise with parliamentary counsel and the Government Bill team. The second type is the Private Members' Bill, which is put forward by members of either house who are not ministers. In this case, clerks liaise with the Member who has proposed the bill and those advising them. The final type of bill is the Private Bill, which does not originate from members of either House and is designed to give effect to private interests outside the Houses. For these bills, clerks deal with designated parliamentary agents who have been chosen by the private interest group promoting the bill.</p>





Mr. Lee detailed the various stages of the passage of a bill originating in the House of Commons. These are: the first reading, the second reading, the committee stage, the report stage, the third reading, addition of the Lords' amendments and then finally a process occurring between the two houses that is termed 'ping pong', which finalises any last changes to the bill.

He then outlined the structure of the Public Bill's Office, in which the head of the office is the clerk of legislation, who deals with pre-introduction correspondence and the complexities of ping pong between the Houses.

The Clerk of Bills determines questions regarding the scope of a particular bill, as well as questions regarding the Queen's consent and bill hybridity. He or she also leads on pre-introduction issues for Private Members' Bills, Finance Bills and the management of the other clerks in the office, of which there are currently 6.

The Clerk of Bills also leads on the process for selecting and grouping amendments for debate. He or she records the debate proceedings and takes divisions. At the Report stage, the Clerk of Bills assists in the preparation of amendments and advises the Speaker on the selection and grouping of amendments.

Panellist 2:

Susanna Street mentioned that the House of Commons has a financial privilege with regards to bills relating to fiscal and monetary policy.

She then proceeded to relay the stages of the passage of a bill originating in the House of Lords. These are: the formal first reading, second reading, committee stage, report stage, third reading, the addition of Commons Amendments, then finally ping pong between both Houses.

Ms. Street made several important notes at this stage, the first of which relating to the selection of amendments in the House of Lords. Due to its system of self-regulation, all amendments tabled in the House of Lords will be called and can be debated if so wished, giving a significant amount of power to backbenchers.

Her second note was that there is no way of imposing a time limit on the consideration of bills in the House of Lords, so all amendments can be debated for as long as members like. This means that members have to 'pick their battles', otherwise bills will take too much time to be approved by the House.

Her final note stated that there is not currently a significant government majority in the House of Lords. This means that if independents gang up against the government in the House, the government will lose repeatedly: many changes will be made to the bill that are not desired by the government. However, the bill will





	<p>then be sent to the House of Commons where there is a significant government majority, so these changes will be reversed. The passage of bills is always a matter of compromise and negotiation between the Houses.</p> <p>Ms. Street stressed that Public Bill Office Clerks are neutral, impartial and fair and support no party above another. She explained that the staff in the Public Bill Office are not lawyers - the government lawyers take care of legislative specifics. Her staff exist to help the House do its job of scrutiny, so legislation needs to be presented in a concise, accessible manner that Members of the House can understand easily. The clerks are not negotiators or facilitators: they work to make the formal process of legislation run well, not to ensure good relationships, or cut deals, or advise on political tactics.</p> <p>She then expanded on the role of the Public Bill Office clerk, mentioning duties including the writing of amendments for members and the checking of drafts that members bring in, to ensure they make sense and are within the rules of the House. Clerks also provide procedural briefing to the Lord Speaker and members in charge of bills, as well as general procedural advice to all members of the House. Clerks help members draft Private Members' Bills and also ensure that all the amendments documents, bills and acts get published.</p>
Questions and answers:	<p>Please use the following format:</p> <p>Question 1: Neil Laurie, Australia - Queensland asked if there are many Private Bills passed these days.</p> <p>Mr. Lee responded that this is not the case as they are very difficult to get through both Houses.</p> <p>Question 2: Hafeez Sheikh, Pakistan asked what happens when one House passes a Bill and the other House rejects it.</p> <p>Mr. Lee responded that normally the bill would be dead, but some acts can be passed through the House of Commons and receive Royal Assent without the approval of the House of Lords, such as finance bills in particular.</p> <p>Question 3: Hafeez Sheikh, Pakistan asked what influence a clerk has on legislation.</p>





Ms. Street replied that a clerk has none and should not have any, as neutrality is vital to the work of the clerks.

Question 4: **Fung-ming Anita Sit, Hong-Kong** asked how clerks understand legal issues without any formal legal training.

Ms. Street responded that the office has in-house lawyers to help with this, but at the same time, her work involves trying to translate legal issues into accessible language for members. Legibility and simplicity are prized in this context.

Question 5: **Beatrice Geria, Uganda** asked if a certificate of agency can be used to fast-track the passage of a Bill.

Ms. Street responded that this does not currently exist, but one can always be invented if needed. She added that emergency legislation tends to be passed quickly because members are not trying to slow it down.

Question 6: **Camillo Pwamang, Ghana** asked what the process for introducing Private Bills involves.

Mr. Lee responded that the designated private agents have to pay a fee, then they have to notify the people who can be personally affected by the proposed bill so they can petition against it. A parliamentary agent has to be appointed to act as a proxy within the House.



65TH Westminster Seminar Parliamentary Practice and Procedure

SESSION NOTES

Date:	22/11/2016
Session Title:	Session 7A: Business of the House
Time:	11.15 - 12.15
Notetake's name:	Tone Langengen & Wenyu Wang
Panellists	<p>Chair: Rt. Hon. The Baroness Hayman GBE</p> <p>1: Chris Bryant MP</p> <p>2: Paul Flynn MP</p> <p>3: Natascha Engels MP</p>
Session content:	<p>Panellist 1: Rt. Hon. The Baroness Hayman GBE</p> <p>A lot has changed. Time used to be the only thing the opposition had.</p> <p>How business is set in the House of Lords is different. Time is still their largest weapon. Business is conducted differently. House of Lords is too large, need to become smaller.</p> <p>Pointed out that both houses are important for scrutiny. House of Lords can go through the nitty gritty of scrutiny of legislation. Both houses must work together.</p> <p>Panellist 2: Chris Bryant MP</p> <p>Westminster has the concept of mother of parliaments. It is worth remembering that this was first coined by John Wright as a means of criticising the British system. Britain also does a lot of things wrong, it is not the only right parliament.</p> <p>He criticised the winner-takes-all aspect of parliament, because the government sits with a lot of power. He regarded it as one of the most restrictive winner-takes-all systems in the world.</p>





He then mentioned innovations in the last couple of years, especially the 1970 introduction of select committees. An increasing power lies in select committees, both through the select committee work and the select committee reports.

He mentioned one of the problems with Private Members Bills. It is easy to talk it out, which makes the bill fall to the back of the queue.

You have limited ability to change and question legislation if you are not the government.

He also mentioned the degree of openness, comparing to the Spanish PM's handling of the Iraq war with the secret ballot.

There are strengths to the systems, but weaknesses as well.

Panellist 3: Paul Flynn MP

He criticised the irrational, ineffective and wasteful part of parliament.

He pointed out the fact that the House of Lords is very bloated. Many good people in the House of Lords are actually more effective at debating. He pointed out that you could practically buy a place in the House of Lords by giving enough money to a party. It is one of the flaws in the UK systems.

He then mentioned shadow leader position. Communication between leader and shadow leader is mutual respect and friendly relations.

He highlighted the importance of select committees. Pointed to a musical set in London where all the text is the outline of the session of the public administration committee.

He was highly proud of what parliament does.

The number of women MPs has increased. Women would not put up with the unnecessary long hours, which has consequently changed hours of parliament. Great to have 191 women MPs, 29% of all MPs. But there is a lot of progress to be made, the number of women that has been elected since 1918 is less than the number of men that are currently elected.

He also pointed out the problem with the electoral system, where each vote is not of equal value. What matters is rather the votes of some voters in a couple of marginal seats.

Finally, he pointed out that there is an issue of truth distortion in relation to, for instance Brexit. It is those that tell the best lies that win. He hopes that parliament can assert them and overturn the initial decision, because a second decision is better.





	<p>Panellist 4:Natascha Engels MP</p> <p>He picked up on Paul Flynn’s point about family-friendly hours. It was much better when she was elected than for her predecessors. Calls it sensible hours, not about family friendly and about making better laws. Also important to remember this is not just mothers, but also about fathers.</p> <p>There is no separation of powers. Front benches on both sides are the executive, the shadow front benches is the executive in waiting. He mentioned the Better Government XXX about how to better scrutinise laws. They need to focus attention on how to make better laws, and how the two houses can work better together.</p> <p>A point about the British Parliament generally is when reform is looked at in the UK, it is more about oiling the machinery. The European model is to visualise the idea and start over again.</p> <p>He mentioned the Backbench Business Committee, which is held one day a week, and the importance of when backbenches can decide for itself and have a vote. They were guided by what people wanted, rather than increasing power. This is how they survived. They went from being confrontational to a more consolatory manner. The government can always use their majority to defeat anything, it is therefore important to work together. Backbench Business Committee has a big effect on how parliament works. Now it has been normalised, but it was a big change. It is a safety vault. Usually welcomed by the front bench.</p> <p>A great deal of cooperation across parties, not just about stopping things. Backbench committee found that it was easier to cooperate.</p>
<p>Questions and answers:</p>	<p>Question 1: Monty Tadier, Jersey</p> <p>Westminster can’t call itself a democracy fully as long as it still has FPTP. How would Westminster look like if it decided to adopt a system that better reflects the country? He also suggested that Brexit was partially a result of the disillusionment produced by the FPTP system.</p> <p>Mr. Flynn gave an example of Wales where the Conservative Party got many more votes, but not a single more seat. If the public become disillusioned, you end up with Trump. So he suggested a federal system.</p>





Ms. Hayman has supported FPTP, who wanted coalitions to be made before elections. She wants to know what is elected. There are problems with minorities represented in parliament.

However, she is changing her mind. She wants realignment of the left in this country. It is extremely difficult to break out of the current party system with FPTP, with the disillusionment you see among the population.

Ms. Engels said minority parties tend to support FPTP more. There are advantages in both systems. It is especially good that the UK has a very good link between constituency and representative.

Monty Tadier, Jersey asked if they could make House of Lords PR.

Hon. Lara Giddings MP, Australia talked about the difference between PR and preferential systems. First past the post should go, and then the preferential system should be considered.

Question 2: **Frank Feighan, Republic of Ireland**

He talked about Irish system of moving votes to the next morning, and asked if UK looked at deferred divisions. He also pointed out the importance of coordination between houses with example from his own country.

Ms. Engels thought it is to make it more. But if it works it is a good. They have it in the UK, and should look at using it more.

Question 3: **Ryan Callus MP, Malta**

What is the procedure of private members bills on Friday? In Malta they have usually alternated between opposition and government party. However, this has been changed, meaning that the opposition get few possibilities. What is the system in the UK?

Mr. Flynn said UK system is a disgraced. Only the bills that government approves of are put through. They can also filibuster so they are not biased.

Ms. Engels thought PMB system is broken now. It is very complicated. They hold random ballot to decide which bills get through. Argument against to make it easier, is that it is just an





individual and not government. Problem includes the fact that if the member should be able to close the discussion and force a vote, they would have to have 100 members in parliament (which is usually not the case because they are in their constituents). They need to find a different way to forward the individual members views, not through a PMB.





65TH Westminster Seminar Parliamentary Practice and Procedure

SESSION NOTES

Date:	Tuesday 22 nd November 2016
Session Title:	Session 7B: Role of the Clerk: Procedure
Time:	11:15 - 12:15
Notetaker's name:	Meet Kaul
Panellists	Chair: Mark Hutton, Clerk of Journals, House of Commons 1: 2: 3: 4:
Session content:	<p>Panellist 1: Mark Hutton, Clerk of Journals, House of Commons</p> <p>Mark Hutton began the session by exploring some of the history of parliamentary clerks and the process of recording procedure. The main role of the Journal Office is maintaining the knowledge of procedural process. It is the home of the Procedure Committee and procedural reform and innovation. Mr. Hutton added that it is rare for radical Members to make their way to the procedure committee. In terms of services to members, the Journal Office supports the development of clerk colleagues in the House of Commons and supports procedural knowledge of the House processes more generally.</p> <p>Mr. Hutton explained that Standing Orders are procedural rules the House agrees to be bound by. When increasing amounts of detail are written into the existing Standing Orders, parliamentary procedure in practice becomes difficult to keep track of, necessitating procedural knowledge to be maintained within the House.</p> <p>He mentioned that clerks receive procedural training, which involves placements with different branches of the office bureaucracy. There is an equal importance to knowing <i>where</i> the relevant information is located, as well as <i>what</i> the information consists of.</p> <p>Mr. Hutton gave an example for how parliamentary procedure can sometimes run away from those charged with keeping track of it,</p>





	<p>using the context of the EVEL process (English Votes for English Laws) which can grant English MPs a veto for legislation that only affects England. The rules governing this are vastly complicated because they've been drafted with a view to capturing every possible legal possibility - there is a great deal of complexity built into them via cross-referencing.</p> <p>Mr. Hutton mentioned some of the technological changes being adopted by the House, namely an e-petition system that was developed on the back of an existing government system. This has now been running for over a year and been a huge success, with vastly increased website traffic for the House. In addition, the list of petitioners who have uploaded a petition to the website can be used to contact these people by the Petitions Committee.</p> <p>The e-petitions system has led to huge amounts of public engagement with parliamentary procedure. Mr Hutton explained that if a petition gets more than 10,000 signatures then it merits an official government response and if 100,000 signatures are added to a petition then it will be considered for parliamentary debate. He also stated that more social media campaigning is being utilised by the government, but the formal procedures and rules to govern this emerging aspect of parliamentary outreach have not yet been fully instated, posing a new challenge to the procedural authorities within parliament.</p> <p>Mr. Hutton finished the session by explaining in further detail the training received by Journal Office clerks, who used to get shuttled between different offices on a relatively frequent basis. This happens less regularly now because the idea of a 'career clerk' seems almost old fashioned today, thanks to many clerks entering the profession at different stages in life. In this context, procedural training can't consist solely of time spent working in several offices: clerks in this new professional era need comprehensive and speedy vocational training.</p>
<p>Questions and answers:</p>	<p>Question 1: Chesanne Brandon, Jamaica stated that a new law in Jamaica dictates when committees have to meet on a specific day and has proved controversial as committees can now strategically cancel meetings on these days. She asked what this procedure is like in the UK.</p> <p>Mr. Hutton responded that both legislation and public bill committees normally meet at fixed times.</p>





Question 2: **Hafeez Sheikh, Pakistan** asked what the policy adopted by Westminster is regarding career promotions across both Houses?

Mr. Hutton responded that any promotion is open to anybody who applies for it, meaning that even catering and house staff can apply for senior House positions should they desire to. There is an interview board stage and various test processes to screen applicants, however.

Question 3: **Fatmata Weston, Sierra Leone** asked if there is a quorum for votes in the House.

Mr. Hutton answered that there is, but not a large one: there needs to be 40 out of 650 Members present for a vote to proceed.





65TH Westminster Seminar Parliamentary Practice and Procedure

SESSION NOTES

Date:	22/11/2016
Session Title:	Session 8A: Party Discipline in Parliament
Time:	12.15 - 13.15
Notetake's name:	Tone Langengen
Panellists	Chair: Rt. Hon. Anne Milton MP 1: Rt. Hon. Alan Campbell MP
Session content:	<p>Panellist 1: Rt. Hon. Anne Milton MP</p> <p>Rt. Hon. Anne Milton MP began by outlining the job of the whip in the UK Parliament. She said that there are 16 whips in parliament, and that each whip has a flock of about 21 MPs allocated to them that they are responsible for. She said that this allocation happens in different ways, for instance based on region or on tenure. She further said that whips are also responsible for a department and attend meetings in the departments they are responsible for.</p> <p>She then said that party discipline is crucial, but difficult with a small majority. She also said that MPs are more independently minded these days, they focus more on their constituents. She highlighted that MPs are a part of a political party, but that they do not necessarily agree on everything and can consequently act independently. Whips job is consequently to look for agreement, so bills can be passed.</p> <p>Anne Milton further highlighted MPs HR role. She said that MPs can be quite isolated, which is an issue for their well-being. She also said that MPs can have, for instance, mental or physical health problems or addiction problems, and that the whips' role is to provide the support people need.</p> <p>Next she said that whips work closely with the opposition. She said that it is important to give the opposition the space and time to be able to oppose, and that sometimes deals must be made to make sure that bills get through.</p> <p>She finally said that there is a large difference between the government and opposition's whip office, as the government has to</p>





	<p>win votes every time and must ensure attendance from MPs to do so.</p>
	<p>Panellist 2: Rt. Hon. Alan Campbell MP</p>
	<p>Rt. Hon. Alan Campbell MP set out by saying that the role of the whip is crucial in parliament. This is because a lot of what goes on in the House of Commons is choreographed, and whips play an important role in organising this. He highlighted the importance for whips of explaining to MPs and new frontbenchers how parliamentary procedures works.</p> <p>He further agreed that MPs play an important HR role, and that for this reason he believed women make very good chief whips, as they bring more empathy.</p> <p>He then acknowledged the importance of talking to people for whips. Whips needs to know what is happening in the different MPs lives and find the parameters of what they are ready to support.</p> <p>Mr. Campbell further mentioned some facts such as that chief and deputy-chief whip gets paid, that word flock is not used among Labour people and that whips shadow at least two departments.</p> <p>Next he outlined how the whipping system works. He said that they send out a document with what the business for the week and talk to the other whips through the usual channels to stay on top of what is happening. He further explained the different types of whips. He said that if there are three whips the MPs have to come, but can in theory vote whatever way they want, but that on enforced whips they have to vote with the party. He claimed that if an MP keeps voting against their party on these enforced votes, this can have consequences for the MP that means they could lose the whip and not be re-elected.</p> <p>He further highlighted that the largest difference between opposition whip and government whip is that the biggest problem for the opposition whip is getting people to the parliament, while the government whip must do that and get the MPs to vote a certain way.</p> <p>He finally said that whips also decide which MP goes on certain committees, and that the opposition chief whip works closely with the other opposition parties.</p>
<p>Questions and answers:</p>	<p>Question 1: Hon. Diane Farmer MP, Australia - Queensland said that lately there has been some significant results such as the</p>





election of Trump and Brexit that were unexpected by the polls conducted by the various parties. She therefore stressed the importance of the real information backbenchers have from being among people in their constituencies and that whips can access this information. She consequently asked in what way and how MPs can give feedback to the whips.

Ms. Milton said that MPs get a lot of mail about different topics, but that this does not necessarily reflect the wider view of constituency. She said that she believed that there is an opinion out there that it is difficult to get to. However, she agreed that it is important for whips to know what is going on, especially due to regional differences.

Mr. Campbell said that he does not understand what is going on and that he does not know where the answer to it lies. He further said that it is a problem with the amount of emails MPs get and that people want instant answers on emails or twitter. To answer the question, he said that MPs can use the backbench committee to speak up and express their view. He also focused on the importance of geography, especially London versus the rest. He said that there are different issues outside London, like for instance the view on immigration, but that the problem is that MPs are not necessarily representative of their constituents.

Question 2: Hon. Godfrey Farrugia MP asked what whips do if the opposition whips changes their mind. He also asked whether they think the UK whip system is very fragmented and not conducive to cohesion.

Ms. Milton answered that the system is not fragmented and that MPs tend to feel like being a whip is where they the most like they work in a team. She also said that she has never experienced the opposition breaking a deal.

Mr. Campbell said that the opposition works in a way which means that they won't tell the government their position if they are unsure. He further added that if there were to be any change, they would make sure to tell them as quickly as possible. He also said that MPs feels like the whips office is a team. He emphasised that it is also a good training ground and that they need many whips





because of the amount of information and activities that is necessary to maintain party discipline.

Question 3: **Hon. Patrick Nsamba Oshambe MP, Uganda** asked what happens if a member consistently does not toe the party line.

Ms. Milton said that the party can withdraw the whip. She stressed that in the Conservative Party this is not done very often, because everybody wants something and can usually be persuaded into following party line.

Mr. Campbell also said that this is very uncommon, and that usually people only do it sometimes. He further said that there are official procedures for dealing with it, but that he found that they could often just find someone to talk to the person and ask what they are doing. He finally added, in reference to Anne Milton, that they can use pork-barrel politics if in government but not in the opposition.

Question 4: **Frank Feighan, Republic of Ireland** asked if the whips have any other ways of communication and if there are any parties or departmental teams that it is difficult to communicate with.

Mr. Campbell said that they give people as much information as they got, and that they do this through a text system, phone ring rounds at 7, email, and that the Labour Whip has Twitter account. He also said that Labour only pairs with the government.

Ms. Milton answered that sometimes government ministers can be the most difficult to make attend votes. She also said that the Conservatives, and also just the Conservative women, has a WhatsApp group, which she believed was good. She also mentioned that one must be mindful of communications like this.

Question 5: **Scott Farlow MLC, New South Wales - Australia** said that there has been a lot of rebellion in Australia and that there even was a situation in New South Wales where the whip crossed the floor, but that there is rebellion these days. He further asked whether it has become less common or more common to rebel in the UK.

Mr. Campbell said that parliament has become more rebellious. He also added that he does not expect rebellion from the front bench,





including whips. He further mentioned free votes where the MPs do not have to follow party line.

Ms. Milton said that MPs still rebel, and that this keeps the politicians on their toes.

Question 6: **Deputy Montfort Tadier, Bailiwick of Jersey** asked if the panel could explain the circumstances under which the whips use the free votes.

Ms. Milton said that they do this on conscience issues. She also said that there is a tradition for smoking legislation to be a free vote in the Conservative Party. She also added that when there is a free vote, the MPs usually hate it because they want guidance and be able to follow party line.

Mr. Campbell said that there are three circumstances where they declare a free vote. Firstly, in matters of conscience, unless it is linked to health policy, secondly, on house business, such as changes to standing orders, and finally when the only way forward is to let people disagree. He stressed that this is especially when there is a lot of disagreement between the leaders and the rest of the party.





65TH Westminster Seminar Parliamentary Practice and Procedure

SESSION NOTES

Date:	Tuesday 22 nd November 2016
Session Title:	Session 8B: Member/Clerk Relations
Time:	12:15 - 13:15
Notetaker's name:	Meet Kaul
Panellists	<p>Chair: Madeleine Moon MP (Labour), Member, Defence Committee, House of Commons</p> <p>1: Chris Shaw, Clerk, Business, Energy and Industrial Strategy Committee, House of Commons</p>
Session content:	<p>Panellist 1: Madeleine Moon MP (Labour), Member, Defence Committee, House of Commons</p> <p>Madeleine Moon MP began the session by stressing the fact that there is no formal training available to MPs - the only real preparation possible is to work for an existing MP. In her experience, every successive parliament sees the volume of work increase. This means that MPs increasingly rely on the assistance of clerks, to the point that she refers to clerks as one of the 'rocks upon which British democracy rests'. She praised the vigorous selection process for clerks that ensures that they are incorruptible, stating that she has never met a clerk she thought possessed an extraneous agenda.</p> <p>She explained that the particular work that is carried out by the member determines which clerk he or she will rely on: for example, library clerks assist members with research. Decreasing levels of government money for legal aid has meant that her constituents often ask her office questions on obscure points of law that she can't provide on her own - so she sends them to proper legal counsels.</p> <p>Ms. Moon mentioned that the government often does not want to provide legislative information to backbenchers in the House. If this occurs then clerks can assist members in making official complaints to the Procedures Committee - the clerks work to help backbenchers against government ministers.</p>





	<p>Clerks for a specific select committee can also help members with formal inquiries regarding government policy, necessitating a close working professional relationship between MPs and clerks that is typified by trust and good humour. Ms. Moon stated that synchronicity and mutuality of trust is vital for this relationship and for holding government ministers to account.</p>
	<p>Panellist 2: Chris Shaw, Clerk, Business, Energy and Industrial Strategy Committee, House of Commons</p>
	<p>Chris Shaw echoed Madeleine Moon's comments regarding the professional relationship between members and clerks, stating that both parties approach the relationship with trust and mutual understanding. He argued that the impartiality of clerks is important to helping members perform their role, in that clerks exist to help members do their jobs and navigate their way through the complexities of the House.</p> <p>In the context of assisting select committees, Mr Shaw explained that while clerks do not have a personal political agenda for the committee, they do help the committee determine its own political agenda. In this light, the clerk's goal is to help the committee make some impact politically. Ways in which this can be achieved include developing a long term strategy for a 5-year period, as well as building professional relationships by visiting the committee itself and getting to know its members individually.</p> <p>With regards to assisting the committee chair, a clerk has to understand the chair's specific wishes whilst simultaneously making sure that he or she is aware of all the potential options for action available. The clerk can bring forward alternative ideas for policy and introduce the opinions of external experts to do this. The clerk also helps the chair manage the committee more generally, in that the chair needs to understand the different professional mentalities displayed by members within the committee.</p>
Questions and answers:	<p>Question 1: Caro Tomlinson, Bailiwick of Jersey asked how much an MP would ask a clerk to help if he or she was not getting on with the rest of a select committee.</p> <p>Ms. Moon responded that she would hope this would get resolved privately, as conducting personal affairs in front of clerks is seen as highly unprofessional behaviour. Party whips and clerks would be advised as to what action is being taken within a select committee where a member is behaving untrustworthily or unprofessionally.</p>





She stated that she believes clerks shouldn't be placed in this position where they have to mediate personal arguments, though.

Question 2: Paul Baka, Ghana asked the panel what their thoughts were regarding the qualities of an ideal clerk.

Ms. Moon stated that she felt the ideal clerk would be someone who knows their subject well, but would also be honest about the shortfalls in their knowledge. They would give their time and expertise to you, as well as letting you know when they think you are going down a blind alley of research.

Question 3: Neil Laurie, Queensland asked how members can balance their constituency work with their work in select committees.

Ms. Moon responded that this partially comes down to the amount of time and effort the committee chair puts into their work. Subcommittees can take up a particular issue that a member wishes to address, making the process of delegation important. By making committee work more efficient, members can balance their time and workloads more ably.

Question 4: Neil Laurie, Australia - Queensland asked what proportion of time is spent on committee work.

Ms. Moon responded that around 80% of her time is spent on committee work.

Mr. Shaw noted that this 80% of the MP's time makes for a very effective committee in terms of generating reports and substantive action.

Ms. Moon added that the job is far too big for a Member's capacity to manage it.





65TH Westminster Seminar Parliamentary Practice and Procedure

SESSION NOTES

Date:	22/11/2016
Session Title:	Session 9A: Legislative Process: Pre Legislative Scrutiny and Committee Stage; Amending Legislation
Time:	14.15 - 15.45
Notetake's name:	Tone Langengen
Panellists	<p>Chair: Gary Streeter MP (Conservative)</p> <p>1: David Lloyd, Head of Scrutiny Unit, House of Commons</p> <p>2: Marek Kubala, Clerk of Divisions, House of Commons</p> <p>3: Dr Louise Thompson, Lecturer in British Politics, University of Surrey</p>
Session content:	<p>Panellist 1: Gary Streeter MP (Conservative)</p> <p>Gary Streeter MP began by stating that pre-legislative scrutiny became popular under the coalition government, and that there has been very little of it since 2015.</p> <p>He further went on to explain what pre-legislative scrutiny is and talked about the different stages of it. He especially highlighted two great advantages: that it opens up for greater input from experts and avoids U-turns.</p> <p>He further went on to talk about the committee stage where a bill receives line by line scrutiny. He argued that the government backbench is not very free in this situation and that the government dominates the committee.</p> <p>He finally outlined the legislative process of how the bill goes through parliament.</p> <p>Panellist 2: David Lloyd</p> <p>David Lloyd began by outlining what the scrutiny units' role is, to provide support and staff. He used the examples of giving legal assistance and administering the evidence gathering process.</p> <p>He also pointed out that pre-legislative scrutiny dates to 1997.</p>





He went on to explain the routes of a bill. He said that first the government publish a bill in draft. There is then discussion within government and between parties of how this should be investigated.

Mr. Lloyd then said that from this there are two routes. The first route he highlighted is the establishment of a committee consisting of MPs from the Lords and Commons. The Scrutiny Units support the committee with the process. This committee acts like a normal committee and it finally draft a report where the committee suggest changes or amendments to the law. The other route he outlined is that it is discussed between the relevant department select committee. Here there is an already established relationship with government and the bill is not the exclusive work of this committee.

He finally concluded by saying that public bill committees take in evidence from various sources, and that this opens for the process being less Westminster-centric.

Panellist 3: Marek Kubala

Marek Kubala began by outlining when Public Bills Committees are appointed, who is on the committee and what the role of the Public Bill Committee is. He also ran through the amendment process for the committee stage, highlighting that amendments must be within scope.

He then continued by outlining how changes occur in Public Bill Committees. The outcome of this is a version of the bill that incorporates all the changes made by the committee.

He also explained the role of the clerks. Clerks helps with taking bills through the committee stages. They provide assistance drafting the amendments, provide advice for the chair and members of the committee and help selecting and grouping the amendments.

Panellist 4: Dr Louise Thompson

Dr Louise Thompson began by outlining the public perceptions of the bill committees. She first outlined the academic view, where it is believed that bills committees are dominated by government majorities and backbenchers would be encouraged not to speak. She secondly mentioned the media view, saying that the bill committee stage is often not reported on and if it is reported, it is often wrongly reported. Finally, she mentioned the public perception of scrutiny, which is that they don't really understand it and that they see it as being about conflict between government and opposition.

Dr. Thompson continued by outlining some information about the workings of bill committees. She said that she has found that 99% of





	<p>amendments are accepted. She has also found that there is a prevailing view that it doesn't matter who makes the amendment, as the most important thing is that it is that the bill is improved. She also explained that not all legislation need amending, and that it sometimes can just be important to discuss the bill.</p> <p>Finally, she made the point that the introduction of oral evidence has made a large difference. Because of the difference in resources between opposition and government, the oral evidence helps levelling the playing field. She also said that the oral evidence can flag up suggestions for when amendments needs to be made and that it enables MPs to test out their points. Finally, she claimed that the oral evidence process is not perfect, especially because of the selection of witnesses. She also argued that it is too close to the line-by-line scrutiny part of the process.</p>
Questions and answers:	<p>Question 1: Hon. Lara Giddings MP, Australia - Tasmania said that in Australia a bill can skip the committee stage, asking whether this is possible in the UK. She also asked whether ministers have expert advisers from the civil service with them when they meet the committees.</p> <p>Mr. Kubala said that the bill must go through committee stage. He further said that the ministers have support from about 4 to 5 civil servants when meeting the committee. He said that notes are often being passed back and forth to the minister.</p> <p>Question 2: Deputy Scott Wickenden, Bailiwick of Jersey asked how the witnesses system works. He also wondered about how the timings of it is arranged.</p> <p>Mr. Lloyd said that there is arrangements in place for this and that it is made a timetable for the witnesses.</p> <p>Mr. Wickenden stated that he thinks it is important that the chair should choose when the witnesses should be called.</p> <p>Mr. Streeter said that in public bills committees it is not the chair's committee per se, and that he consequently did not have this power.</p>





Question 3: **Hon. Diallo Rabain MP, Bermuda** said that in Bermuda every bill no matter how small or large will go through parliament and that everyone will be involved, which means that it can take hours to get through. Amendments can also be added at any time by anyone from the floor. He claimed that in this situation opposition amendments make it through. Mr. Rabain further on expressed his liking for the committee stage, especially emphasising that this takes less time.

Mr. Streeter said that there have been big changes when it comes to how long these processes take in the UK system in the last 25 years. He said that they had less control of the time then and that discussions would go on for much longer time. He suggested that Mr. Rabain and his country could think about introducing time limits, guillotines and other tools to cut down the time spent.

Question 4: **Hon. Di Farmer MP, Australia - Queensland** asked whether pre-legislative scrutiny has made people feel that legislation has improved.

Dr Louise Thompson answered that this is not necessarily the case. Scrutiny is not a useful tool for people. She then said that if an individual wants to change a bill they must lobby the government at as an early stage as possible.

Mr. Kubala said that lobbying groups often works with committees to draft the bills.

Question 5: **Hon. Ryan Callus MP, Malta** asked whether they have a specific amount of days when the opposition is consulted. He also asked about the three-day deadline for amendments.

Mr. Lloyd answered that there is plenty of time to consider the bill, especially in the draft process, but also in the formal process.

Mr. Kubala said that MPs can miss deadlines for amendments, but that there often are later chances.

Mr. Streeter said that ministers work together with the opposition and that there is a lot of contact, meaning that little comes as a surprise on the opposition.





Ms. Thompson agreed with **Mr. Streeter** that ministers and opposition frontbenchers work together.

Question 6: Scott Farlow MLC, New South Wales - Australia asked if the UK Parliament has any permissions for bills that are urgent, or whether all bills must go through all stages.

Mr. Lloyd answered that there are formal rules, but that on occasions things are done at pace. He used the example of in response to terrorist attacks bills that can be passed over a day or two.

He said that the UK Parliament decides whether it is necessary, and that this crucially must be agreed upon.

Mr. Streeter agreed with **Mr. Lloyd**. He said that it has happened, but it is rare.

Question 7: Hon. Pamela Ward Pearce MLC, St. Helena said that in her country there are 12 people in the legislature, so everyone has to go through legislation line by line. She emphasised that this is hard work.

Mr. Streeter agreed that it sounds like hard work.

Question 8: Dr Ingrid Buffonge MP, Monserrat asked how long before the first reading of the bill does the opposition get to see it.

Mr. Kubala answered that usually the bill is printed on the day of the first reading, which is two weeks before the second reading, and that this is when the opposition get to see it.

Question 9: Hon. Cruyff Buckley MLC, St. Helena asked how it is that Article 50 was overlooked.

Mr. Streeter answered that it was not overlooked. He argued that it was a legitimate view of the government to think they could trigger Article 50 by themselves, but that the independent courts disagree. He finally said he thought it will get through the House of Commons.





Question 10: **Deputy Scott Wickenden, Bailiwick of Jersey** asked what the fear is of triggering Article 50 now.

Mr. Streeter answered that the government want to know what they are asking for.

Ms. Thompson said that there is a conflict between constituents who wants to leave and MP who wants to remain.

Question 11: **Hon. Godfrey Farrugia MP** said that in Malta certain bills are rushed through, while other are staggered. He then asked whether the Westminster system has an expiry clause.

Mr. Lloyd answered that they do not really have such a thing, but that it is expected that bills go through parliament within one session of parliament. He also highlighted that there was a new practise of carrying one bill over from one session to another, not to it go on for several years, but so that you can introduce a bill at the end of the session as well. He finally said that he could not think of any bills that has not been finalised.

Hon. Godfrey Farrugia MP further asked what if there is a first reading but a second reading is never introduced.

Mr. Lloyd answered that if the business is not continued or not explicitly carried on to the next session, it will have to be reintroduced.





65TH Westminster Seminar Parliamentary Practice and Procedure

SESSION NOTES

Date:	Tuesday 22 nd November 2016
Session Title:	Session 9B: Legal Services & the Speaker's Counsel
Time:	14:15 - 15:15
Notetaker's name:	Meet Kaul
Panellists	Chair: Saira Salimi, Speaker's Counsel, House of Commons 1: Michael Carpenter CB, Former Speaker's Counsel, House of Commons
Session content:	<p>Panellist 1: Saira Salimi, Speaker's Counsel, House of Commons</p> <p>Saira Salimi began the session by stating that as the 14th holder of the post of Speaker's Counsel, she was about 2 months into her new position, having taken up the post in early October. She described the post as having existed since the middle of the 19th century, originally being comprised of a single barrister. Over time, it was realised that the volume of work required for the post was becoming too great, so the office was expanded gradually up to the current team of 10 lawyers.</p> <p>Members of the office are often former members of the government legislative drafting body, giving them a unique position in scrutinising legislature. The office is split into three teams: each of which deal with European Legislation, Domestic Legislation and general legal advice respectively. Within the European Legislation team, which advises the European Scrutiny Committee and is now advising on the Brexit process, the workload has increased dramatically since the June EU referendum.</p> <p>The Domestic Legislation team advises joint committees on statutory instruments, as well as the new procedural element of EVEL (English Votes for English Laws). This touches on the grey area between the role of clerks - who advise on procedure - and the role of lawyers - who advise on specific legislation.</p> <p>The third team is the general legal advice team, which has the most varied workload. This consists of giving general advice to parliamentary clerks. This team also advises on both Houses' ability to regulate themselves.</p>





	<p>Ms. Salimi stated that her job is anything but predictable and is always interesting: the lack of significant specialisation is a major attraction for her. The work is interesting also because for example legislation rarely applies to all branches equally. Freedom of Information requests can be blocked by the Speaker if it is deemed that they will infringe upon the proper running of parliament. Such public interest conflicts abound in this line of work.</p> <p>Therefore, there is a pressing need to decide how the legislation applies to the specific context and the concerned parties. However, the Speaker's Counsel does not advise members on their own legal difficulties: if a member requires legal advice, they need to obtain it privately.</p>
	<p>Panellist 2: Michael Carpenter CB, Former Speaker's Counsel, House of Commons</p>
	<p>Michael Carpenter, the 13th holder of the post of Speaker's Counsel, began by exploring 3 themes that he felt characterised the time he spent as the Counsel. The first of these was the steps taken to protect the house from outside interference. This could consist of Freedom of Information requests, for example: the House is meant to be a transparent institution but some issues must remain confidential such as materials that may affect an ongoing criminal investigation. Mr. Carpenter described dealing with the press as a second external influence to navigate, as well as the final significant outside influence of the police. He explained that the Speaker's Counsel does not obstruct police investigations but it does not openly participate in them either, in that information is not freely offered to the police if it is not explicitly warranted.</p> <p>The second major theme described by Mr. Carpenter was the Counsel's relationship with the law and judges. He explained that during the tenure of Robert Rogers, a series of meetings with judges was promoted to explain and mark out the various professional boundaries between parties.</p> <p>The final theme he mentioned consisted of the Speaker's Counsel's legal advice provided for the Speaker and House of Commons select committees. Mr. Carpenter mentioned that episodic work is done for the select committees, depending on the issue in question. In the example of the Leveson Inquiry, two witnesses were demonstrated to have lied in giving evidence and so their committee privileges were removed.</p>
Questions and answers:	
	<p>Question 1: Neil Laurie, Australia - Queensland asked about the relationship between the office of the Speaker's Counsel and the clerks.</p>





Ms. Salimi answered that this is a grey area with some overlaps and is still currently being comprehensively mapped out.

Question 2: **Richard Denis, Canada** asked how the Speaker's Counsel defines and sets the boundaries for work.

Ms. Salimi responded that her case is less well defined than the Canadian case. However she knows what the core parliamentary procedures are, so her office advises and supports the HR team. This is not a core responsibility for the office but it is necessary for parliament to function smoothly.

Question 3: **Neil Laurie, Australia - Queensland** asked if in registering Members interests, there is precedent for this information being used in a court of law?

Mr. Carpenter responded that as the registration process for Members is stringent and every potential interest has to be declared, this information can be used in a court of law should it be deemed necessary to an investigation.

Question 4: **Neil Laurie, Australia - Queensland** stated that in Australia, there have been Members of the House who have failed to adequately declare their interests and were dealt with criminally.

Mr. Carpenter responded that the regulatory authorities in the UK are getting better at this process of following up lines of inquiry and questioning.





65TH Westminster Seminar Parliamentary Practice and Procedure

SESSION NOTES

Date:	22/11/2016
Session Title:	Session 10A: Role of a Committee Member
Time:	16.00 - 17.00
Notetake's name:	Tone Langengen
Panellists	Chair: Tim Loughton MP (Conservative) 1: Ian Wright MP (Labour)
Session content:	<p>Panellist 1: Ian Wright MP</p> <p>Ian Wright MP began the session with a quick overview of how select committee chairs and members are elected. He noted that since 2012 the role of the select committee chair has been elected through, and to be elected they have to put forward a sort of CV and a manifesto to reach enough support. He argued that this gives a very strong mandate to the committee chair, and that as committee chairs are not whipped they are more autonomous.</p> <p>He further emphasised that committee members works together, scrutinise and challenge. Different members of the committee have different interests, which leads to some variety in work. He further argued that despite of the differences in party, there was a strong unity in committees, and he used the example of his own committee experience where they worked on a very controversial topic yet none of the findings were leaked to the media.</p> <p>Mr. Wright concluded by saying that committees play an important role and have considerable responsibilities in terms of scrutiny, and enjoys considerable autonomy to execute this role.</p> <p>Panellist 2: Tim Loughton MP</p> <p>Tim Loughton MP began by arguing that select committee is one of the strengths of the UK Parliament. He agreed with Ian Wright MP that this was due to the wide agreement between the members of the committees about the reports made. Despite of their cross partisan nature, with at least three different parties in each committee and the government constituting the majority, he argued that there are high levels of unity. He further highlighted</p>





	<p>that this applies even if the report disagrees with the government, the committee process is about finding the facts.</p> <p>He then went on to outline the structure of the committee systems. There are committees for each governmental department, but also other committees such as the petitions committee where it is discussed whether the petitions that are signed by more than 10,000 citizens should be furthered. He also identified that there are six committees in the House of Lords that are wider in scope.</p> <p>Mr. Loughton further outlined the working of parliamentary committees. He stated that committees meet once or twice a week. At these meeting they have different relevant witnesses and government ministers appearing in front of them. He further noted that sessions are usually open to the public, however sessions can be closed if they deal with very sensitive issues. For this he used the example of a committee meeting on evidence of antisemitism in the UK.</p> <p>Finally, he mentioned some other functions of select committees. Such as how the treasury committee interviews the leader of Bank of England. He stressed that they have no veto power.</p>
Questions and answers ¹ :	<p>Question 1: Deputy Montfort Tadier, Bailiwick of Jersey highlighted that committee works are one of the few areas when members can work together cross-party. He further went on to express concern about the percussions working against your own party in a select committee, asking if it is possible to become a minister if you have been critical of your government as a part of committee work.</p> <p>Mr. Wright answered that there are instances of committee chairs going on to be ministers. He stated one example, where the MP however felt like he had more power when he was a chair than when he was a minister. He further highlighted that many have chosen to be chair of select committees rather than being shadow ministers because the influence is much larger chairing select committee.</p>

¹ At this point the session was paused for a short speech and some questions and answers with the Secretary General of the Commonwealth Rt Hon Patricia Scotland QC.





Mr. Loughton agreed with Mr. Wright and argued that you also get more attention from the media as a chair of a committee than a shadow minister. He further said that it can work in both directions: one can be a government minister and become a chair and be a committee chair and become a government minister. He did however argue that some MPs are more suited to scrutinising government through committees rather than being a minister.

Question 2: **Hon. Diane Farmer MP, Australia - Queensland** said that in Queensland they had also introduced mechanism for petitions becoming government business. In Queensland it was a question whether it should automatically become introduced as a bill. Leading on from this, she asked what the parameters for this should be and if there were similar concerns in the UK.

Mr. Loughton said that it had become much easier to contact ministers through emails, citing for instance 38 Degrees through which constituents forward equal emails to MPs. He said constituents' opinions mattered more to him if they can write something on their own about their own opinions. Because of this, he said that backbench committee can filter out the petitions. This does however not happen that often. He further noted that it is entirely up to the select committee what they study. If something appears to be important to the population they will often take this into account and be as reactive and responsive as they can. .

Mr. Wright agreed with Mr. Loughton about the importance of people taking the time to say something about why a certain area matters to them personally. He also agreed that committees are more reactive and responsive. But he also highlighted that they are strategic. With fixed parliament committees can plan what they want to achieve by the next general election and set their agenda based on this

Question 3: **Hon. Wei Neng Ang MP, Singapore** asked how the committees are chosen. He also asked why the UK limit the number of parties represented in each committee to three.

Mr. Loughton answered that chairs are elected by all MPs from every party except from frontbenchers. Ordinary members of the committees are elected by members of their own party. He further





answered that at the beginning of parliament the parliament will come together to decide how many committees will be chaired by members of certain parties.

Mr. Wright added that there is a convention for certain committees to be chaired by either the government or the opposition.

Question 4: Dr Ingrid Buffonge MP, Montserrat stated that in Montserrat they only have a public accounts committee, and asked who decides what types of committees there should be in the first place?

Mr. Loughton answered that there is one for every department. In addition to this, he said that there are some additional committees such as public accounts committee. There are currently more committees than ever, with new additions such as the Petition Committee.

Mr. Wright added that there is also a liaison committee consisting of all committee chairs, which comes together once a month to question the Prime Minister.

Dr Ingrid Buffonge MP, Montserrat further asked whose role it is to make sure that committee business works as it should.

Mr. Wright answered that clerks ensures that everything goes on as it should and whips makes sure that there is attendance.

Mr. Loughton added that there is a way to have a no confidence vote for a chair of a committee, but that this is rare. He also added that committees are open to the public scrutiny and must be responsive.

Mr. Wright finally added that it is evolving, and that this is one of the ways parliament works very well.

Question 5: Hon. Scott Farlow MLC, Australia - New South Wales pointed out some experience from Australia where increasingly amounts of enquiries are moved to the committees. He asked whether more and more issues are referred to committees in the UK and if the committees have too much work to do.





Mr. Wright highlighted that how to manage expectations is difficult. He said that a lot of the work of select committees are often below the radar, so not everything creates head-lines.

Mr. Loughton said that select committees can themselves decide what they want to look into.

Mr. Wright stressed that committees need to have a good relation to government. He said that more value is added if the select committee focuses on what works well and where the government need to make changes, rather than just opposing the government.





65TH Westminster Seminar Parliamentary Practice and Procedure

SESSION NOTES

Date:	Tuesday 22 nd November 2016
Session Title:	Session 10B: Standing Orders
Time:	15:30 - 16:30
Notetaker's name:	Meet Kaul
Panellists	Chair: Martyn Atkins, Clerk, Procedure Committee, House of Commons
Session content:	<p>Panellist 1: Martyn Atkins, Clerk, Procedure Committee, House of Commons</p> <p>Martyn Atkins began by setting out the aims of the session: the exploration of Standing Orders as they operate in the House of Commons. He added that he would only be talking about Standard Orders in the context of public business and not private business (the latter consisting of legislation that affects a group of individuals differently to the rest of the population).</p> <p>Standing Orders for public business emerged in the 19th century and are used today mainly for public infrastructure projects. There are no founding documents to lay out the role and form of parliament, so there is nothing to legally bind the practices and conventions of both Houses. These are found instead mainly through precedent and tradition. The House of Commons is the master of its own affairs, in that it is bound by legislation it has itself passed though.</p> <p>By the 1840s, a systematic analysis of the laws and practises of parliament was formed that was named after its author, Thomas Erskine May. Many editions later, it is still the definitive account of parliamentary practice today. However, despite being a highly authoritative guide to procedure, it is not a constitutional Bible for Members and it is always open to interpretation.</p> <p>Mr. Atkins explained that Standing Orders can be made either permanent or temporary, the latter of which indicates that the Standing Order will only take effect for the remainder of the parliamentary session. He gave the example of two select committees that were recently established through the use of temporary Standing Orders: the Women and Equalities Committee and the Exiting the European Union Committee. He explained that a permanent Standing Order for the Exiting the European Union</p>





	<p>Committee might have sent the wrong message about how long the Brexit process would take.</p> <p>Mr. Atkins proceeded to state that as Standing Orders have grown organically over time, they have begun to overlay intricately. Some Standing Orders are infamous - number 14 determines the allocation of time given to different parties in the House and gives the government a significant degree of control over the House itself, in that it limits the effectiveness of the opposition and backbench Members. Detailed Standing Orders have also been passed detailing the passage of Public Bills, allowing for a minimum of loopholes and legislative manipulation. In the example of the EVEL process, 13 new Standing Orders have been drafted by external counsel to grant England and Wales separate consent for laws that affect only them and not Scotland or Northern Ireland.</p> <p>He went on to explain that there is no particular guiding hand with regards to how Standing Orders are removed or added to the existing list of parliamentary procedure, so old Standing Orders can be found directly next to new ones. There is no formal scheme for codification, but the categorisation of the list is broadly followed when adding new Standing Orders to it.</p> <p>Standing Orders can be modified and suspended on a near daily basis, although a move to amend the list needs the support of the government. Mr. Atkins explained that although party whips have no formal role in drafting Standing Orders, they tend to take interest in their operation. This is because it is necessary for the Whip's Office to understand their opposition. For the House to function smoothly the whips have to be well primed in their speaking, with a good general knowledge of parliamentary procedure, thus necessitating a familiarity with the list of Standing Orders. He also mentioned that the Speaker similarly has no formal involvement in drafting Standing Orders, but it would be unusual for him or her to not be consulted in their formation.</p>
<p>Questions and answers:</p>	<p>Question 1: Camillo Pwamang, Ghana asked what the status of the Standing Orders is within the legal framework.</p> <p>Mr. Atkins responded that they are not legislation at all. If a House has passed a Standing Order, it is up to the House itself to abide by it.</p>





Question 2: **Camillo Pwamang, Ghana** asked why government approval is needed to provide proposals for Standing Orders and procedural frameworks for the House to follow.

Mr. Atkins responded that as the government by definition commands a majority of House Members, without this majority in the House a Standing Order will not get passed.

Question 3: **Hafeez Sheikh, Pakistan** asked if ascertaining orders should be different from general rules and procedures.

Mr. Atkins responded that there is no single place to find procedural guidelines for parliament. Custom and precedents are set out by documents including Erskine May, the Standing Orders of the House and even legislation itself, in the case of examples such as MPs' expenses.

Question 4: **Fung-ming Anita Sit, Hong-Kong** asked if procedural study is frustrating because the rules of the House are scattered between several sources of documentation.

Mr. Atkins responded by stating that the more he finds out about the Standing Orders of the House, the more fascinating he finds them. This process can sometimes be frustrating to go through, but he feels it is easily worth it in the long run.



65TH Westminster Seminar Parliamentary Practice and Procedure

SESSION NOTES

Date:	23/11/2016
Session Title:	Session 11: Giving Parliamentarians a Voice: Amendments, Adjournment Debates, Parliamentary Questions and Motions.
Time:	09.30 - 11.00
Notetaker's name:	Tone Langengen
Panellists	<p>Chair: Charles Walker OBE MP (Conservative), Chair, Procedure Committee, House of Commons</p> <p>1: Patrick Grady MP (SNP), Spokesperson for International Development</p> <p>2: Mike Hennessey, Clerk, Backbench Business Committee, House of Commons</p>
Session content:	<p>Panellist 1: Charles Walker OBE MP</p> <p>Charles Walker OBE MP opened by stating that he was proud of the British Parliament.</p> <p>He continued by asking what the role of an MP is. He highlighted that it is primarily to be a constituent representative in parliament and hold government to account. He also highlighted that MPs represent their party, but that they must simultaneously think for themselves to properly check the government.</p> <p>Mr. Walker further went on to outlining how MPs can check the government. He said that debates are the most vivid manifestation of this checking mechanism. During debates, MPs can praise part of the bills, criticise parts of the bills and amend the bills, which he noted is usually not taken in to account and that this is one of the great failures of government. He also mentioned the report stage where bills can be scrutinised further, but mentioned there was not always sufficient time to do this properly. He further mentioned parliamentary questions, highlighting his own role in the Procedure Committee to make sure MPs get adequate responses in a timely fashion to these questions and are treated with respect. In addition to these elements, he mentioned urgent questions, where there is a problem that not always the government minister is the one answering, speeches in Westminster Hall, where there is a problem that it is not usually taken into account, and finally points of order, which he saw as usually not serious but effective. He concluded this</p>





section with saying that there are many ‘parliamentary tricks’ to be used to check the government, but that procedure is important because there must be rules of the games.

He ended by questioning what the essence of democratic accountability is. In his view it is that a constituent can contact their MP, who further brings their case to the relevant minister, so the constituent can get a proper response from the secretary of state.

Panellist 2: Patrick Grady MP (SNP)

Patrick Grady MP began by arguing that the most important thing an MP can do is to bring constituents views into the policy process to demonstrate why aspects of government policy needs to change in their better interests. He then said that there is a range of different procedures and opportunities for this.

He said that one tool is early day motions, which he said was a useful way to raise issues. He highlighted the efficiency of it by sharing a story of when a bus service was withdrawn in his constituency and he tabled an early day motion, which got a lot of attention in the local community and put pressure on the local government. He further presented the tool of written questions, where he presented an example of when constituents had asked him a question about a subject matter leading him to ask a written question to the minister. This meant that the answer he got could sent back to the constituents. He also mentioned that another tool was to get attention in the media, and that a minor parliamentary trick can generate massive media attention.

Mr. Grady further said that parliamentary clerks play a very important role in making sure that the MPs keep to the rules within parliament. Many of the procedures mean that MPs will have to meet with the clerks to get guidance first, which mean that they are able to understand and keep to the rules.

He then continued talking about the different procedures MPs can use to bring constituents views to the government. He said that MPs can use an e-tabling system through iPads, they can ask written question for more detailed responses, or they can ask oral questions to make political points or raise critical questions about constituents. He highlighted that compared to the US, they have much less possibility to introduce bills. However, they can add amendments, but if you are from the opposition this does not tend to get approved. He stressed that it is nevertheless a good ways to put pressure on government and highlight what is wrong with the bill. He also said that if the MPs are able to use enough time, they can end up in discussions about compromises.





He then said - continuing on time - that compared to the Scottish Parliament time is much less constricted with much less set working hours.

Mr. Grady continued by talking about when MPs get the chance to speak in the chamber. He first explained that the system of standing up and down is because they need to let the speaker know that they still are there and wish to speak. He further said that speaking in the chamber is the moment when an MP can get their chance to put their point on record and express the views of their constituents. He said that this is when it all comes together. He finally said that if a MP get an intervention they get a minute extra speaking time, which diminishes time that are open for others. This means that not everyone get to speak.

He further outlined the petitions procedure. He said that an MP can either present them on behalf of constituency or when a petition get 100,000 signatures it triggers a discussion in Westminster Hall.

He finally compared the UK Parliament to the Scottish. He firstly said that the Scottish Parliament is more understandable and transparent. He did however praise the system of the Westminster Hall debates which gives backbenchers the possibility to raise issues and explore issues in dept. He ended by saying that this could be due to the comparative size of the parliaments, with means that there is less specialisation in the Scottish Parliament.

Panellist 3: Mike Hennessey

Mike Hennessey began by explaining the adjournment general debates system, by saying that it is a convoluted system, but a good system that gives members more time to speak. He then went on to talk about the Westminster Hall debates, and how they can vary in topics and time, depending on the purpose. He said that MPs can send in their debate applications, and that there is a debate rota. He further said that the Westminster Hall debates are very popular, and are usually of very high quality and get good responses to government. He commented on the fact that they are also less adversarial. He did however understand Mr. Walker's point about them being less important. He finally said that there are no divisions in a Westminster Hall debate.

He continued by saying that the Backbenchers Committee from 2012 is the fruit of the everlasting struggle between executive and legislature about being in control of the parliament's time. The backbench committee is in this way a half-way house between the old system where executive decides time, and the proposed system where the House decides everything itself. This new system introduced 35 days for backbenchers to discuss what they wanted. He then gave a couple of example of such debates, such as climate change or airport expansion in an area.





	<p>Mr. Hennessey then outlined what the Backbencher Committee (BBCom) is. He said that it has 8 members with a chair from the opposition, and that is elected every session. She further said that it meets weekly to consider the applications received from MPs for debates, where they consider whether they are good applications, urgent applications among other things and decides when they should happen. He then stressed that they usually cannot plan for more than a week or two ahead.</p> <p>He further outlined what types of debates they are looking for, highlighting that they don't want debates to be used for party political purposes, as it is rather for backbenchers to get attention and rally around certain topics they find important. The amount of time the debates get depend on the topic, they can be as short as 90 minutes and as long as 6 hours, but is usually 3 hours long.</p> <p>He then highlighted that these debates can lead to change, through members tabling a substantive motion for a debate in the Chamber. He further noted that this cannot be done with European Union documents or about any topic the House already deals with, and that on these motions the parties will not whip its members. He then said that the government does not have to pay attention to these motions, but that it can be an important tool to the media, which can put further pressure on the government.</p> <p>He further talked about the volume of parliamentary questions. He said that these questions are a vital instrument of parliamentary scrutiny and very popular. He said that there are both oral and written questions. He said that for oral questions there is rota of when different departments answers these, and members have about a 1 in 10 chance to get their questions through. He then explained that written questions are very different, they cover all sorts of issues and are often just about getting data and sometimes to seek policy understanding. These questions must be answered within a certain time. He finally talked about urgent questions, which is an important mechanism to ask the minister clarification on something urgent. He did however point out that Mr. Walker was right in saying that it is often junior ministers that is sent rather than the secretary of state which is a problem. He finally said that they are however rarely granted as they take up a lot of time, giving backbenchers less time to have debates on their subjects.</p>
Questions and answers:	<p>Question 1: Hon. Sen. Sassui Palijo, Pakistan said that in the Pakistani senate they have a system that after each session any member are given some time to speak. She further asked if they have zero hour that MPs can use every day.</p>





Mr. Walker answered that you can raise a point of order at any time. He also pointed out that there are questions at the start of every parliamentary session. He did however say that they do not have the situation that they have in Pakistan. He further said that on a Thursday the leader of the house comes to meet members, and that on this occasion they can ask the leader of the house whether they can have a debate on a certain topic. This is a way backbenchers can put what they wish to debate on the record.

Question 2: Frank Feighan, Republic of Ireland asked whether there is a limit on the number of written questions per member. He also asked which department has the most question. He further used an example of when an MP has refused to leave the chamber in Ireland, asking what would happen in the UK if someone refuse to leave the house.

Mr. Walker answered that if someone refuses to leave the house they will be removed by the speaker.

Mr. Hennessey further answered that they receive many written questions daily. The limit on their iPad is 20, but some put in more, and otherwise there is a limit of 5 per day for other questions.

Question 3: Hon. Matt Doocey, New Zealand asked what arguments were used to introduce the backbencher's debates.

Mr. Hennessey answered that it is a compromise committee. He also said that the government saw that they could gain from having it, as it has lightened the load of request for debates for the leader of the house. It is consequently not just about stealing the government's time.

Question 4: Hon. Sahr Tengbeth MP, Sierra Leone said that the system in Sierra Leone bases itself on the Westminster system, but has variations. He said that for instance it only has one chamber. He further asked what the difference is between the main chamber and Westminster Hall.

Mr. Walker answered that there was deemed the need for another chamber for members to use on matters that are important to them. He said that votes and passing of legislation takes place in





the main chamber, and that Westminster Hall is for discussing committee reports and have backbencher's debates.

Mr. Grady added that the UK Parliament has two chambers, the House of Commons and House of Lords. He emphasised that Westminster Hall is a part of the House of Commons. He further explained that they use the word chamber in two different ways - with a small and big 'c'. He finally added that no decisions are taken in Westminster Hall and that there are no divisions in Westminster Hall. It was a way to increase capacity.

Question 5:

Dr Ingrid Buffonge MP, Monserrat asked how much time ministers have from seeing oral questions to answering them. She also asked how many supplementary questions members can ask. She finally asked for clarification on the difference between urgent questions and regular questions.

Mr. Hennessey said that they get about two and a half day time from seeing the question, but that it is sometimes more. He further said that there is one supplementary question per person, but that sometimes other members keep asking to follow up on another member's question.

Mr. Walker said that normal questions are about bringing attention to problems in the constituency; urgent questions are on the other hand about bringing attention to something more urgent. He also said that MPs get 2 minutes for urgent questions, which is much more than for regular questions. They are also entitled to a proper response from the minister if it is an urgent question. Urgent questions must also be submitted on the same day, because it has to be related to some sort of crisis.

Mr. Grady added that urgent questions are about current issues that are important to the individual MP. He also added that supplementary questions are when ministers must think on their feet.

Question 6: **Hon. Wei Neng Ang MP, Singapore** asked how the oral questions are prioritised.





Mr. Walker said that every member would say their question is priority, and that it consequently is not prioritised by chance. He further said that they do get a lot of oral questions done, about 30 or 40 questions in an hour.

Hon. Wei Neng Ang MP further asked what happens if the question is not answered.

Mr. Walker said that if an MP's question isn't answered they get a written answer.

Question 7:

Hon. Nalinda Wijeramal Jayatissa MP, Sri Lanka asked about how they monitor questions to get a proper answer from the minister.

Mr. Walker answered that the MPs get in touch with the procedure committee. He further highlighted that some government departments are better than others at answering, and that with for instance the Home Office the procedure committee often have to get involved. He further said that they do not just monitor whether the MP get an answer, but also the quality of the answers. He said that some departments tend to just answer that they 'are working on a better answer'. This technically qualifies as an answer.

Question 8: **Hon. Abubakar Jajua MP, Sierra Leone** asked about how to best get speaking time in the chamber. He also wondered what you do if you do not have any information about the topic that is discussed.

Mr. Walker said that many people speak in the House of Commons about topics that they know nothing about. He further highlighted that some debates are very poorly attended and that the whips have to make sure some members go to certain debates. He further said that if an MP really has an interest in something, they can talk to the Speaker to let him know. He also said that it is a good approach not to speak on everything in debates, but rather wait, because this increases your chance of being called about things that matter to you.





Question 9: **Hon. Godfrey Farrugia MP, Malta** said that in Malta the processes are different, for instance urgent questions are done spontaneously. He then asked whether ministers are supposed to do ministerial statements. He also asked whether there is any threshold for the cost of gathering information for parliamentary questions.

Mr. Hennessey answered that the cost of getting information for parliamentary questions should not exceed 800 pounds.

He further said that ministers can sometimes use a written statement, which they often do. If this happens MPs can use urgent questions to get answers. He also said that the government has a couple of statements every week if there is something the government want to speak about, using the Autumn statement as an example. He further said that the opposition, and also the backbenchers, can ask questions in these situations. He finally said that in these situations the ministers do not know what the questions will be and have to think on their feet.

Question 10: **Richard Denis, Canada** asked if there's a difference between backbench committee and Private Member Bills.

Mr. Walker answered that the Private Member Bills are basically a farce. He said that if you are a government member of parliament you get a hand-out bill from the government, and if you are an opposition member of parliament you take some rubbish bill from a well-meaning charity.

Richard Denis, Canada further asked what the success rate is for Private Member Bills.

Mr. Walker answered that the success rate of government Private Member Bills are high, while it is very low for others.

Question 11: **Deputy Montfort Tadier, Bailiwick of Jersey** asked why the first oral question is not posed orally.

Mr. Grady said that it saves time. He compared it to the Scottish Parliament where the first question is asked orally, which is less confusing but more time consuming. He also said that people can also withdraw their questions.





Mr. Walker said that the most important thing is when MPs vote, as they don't do this electronically, but in division lobbies. He said that this is when rank and file MPs get to see ministers and the Prime Minister. It is also a good way to catch up with each other, as well as with the opposition.

Mr. Grady said that he disagrees with Mr. Walker. He believes the same thing could still be achieved with electronic voting. He said that so much time is wasted with this system and that they run out of time to discuss amendments and have debates. He argued that it is much better in Scottish Parliament where they vote at the end of the day on everything. He claimed that the UK Parliament need more fixed decision times.

Hon. Godfrey Farrugia MP, Malta asked how much transition time there is between the division and the vote.

Mr. Walker answered that they get 8 minutes.

Mr. Grady said that this is enough time if your office is close to the chamber. He said that however if you are a new member, like the new SNP MPs, you get an office far away and it is difficult to make it on time.

Question 12: Hafeez Sheikh, Pakistan said that Pakistan also has a system of amendments, which is a very fair system as they have a competent chairman. He then asked what the system of balloting is in the UK Parliament and whether people think it is fair.

Mr. Walker said that it is fair. He also added that it is not celebrated by everyone in parliament, and that he believed they could need a new system for Private Member Bills.

Question 13: Deputy Fiona O'Loughlin TD, Republic of Ireland said that Ireland has just introduced electronic voting and that it certainly takes less time. Then she continued by saying that Ireland has a quite a strict whipping system, but that they have a conscience vote. She then asked whether the UK Parliament has a conscience vote.

Mr. Walker said that he votes how he wants and doesn't care what the whips say, because he believes that it is important to follow





your own mind. They do have conscience votes on some bills, for instance abortion. He further said that parliamentarians are becoming increasingly independent and rebellious. He then said in relation to electronic voting that he would be reluctant to separate debate and vote, and that it would be unfortunate to have a debate on Monday and vote on Thursday.

Deputy Fiona O'Loughlin TD further asked what the implications of not following whips were.

Mr. Walker said that the simplest answer is that you do not become a minister, and stressed that he believes that it is more important to celebrate parliament.

Mr. Grady said that pursuing a career within parliament, such as becoming a committee leader is an alternative route if you don't want to become a minister. He also added that whipping depends on the individual party, saying that SNP has more discipline because they are a smaller group and decide things together.

Mr. Walker ended by thanking everyone for the good session and advised the participants not to turn their parliaments into horseshoe systems, as the opposing system is the best system for debating and checking.



65TH Westminster Seminar Parliamentary Practice and Procedure

SESSION NOTES

Date:	23/11/2016
Session Title:	Session 12: Holding the Prime Minister to Account - Prime Minister's Questions [Video Stream]
Time:	11.15 - 12.30
Notetaker's name:	Tone Langengen
Panellists	<p>Chair: Rt. Hon. Sir. Alan Haselhurst MP (Conservative), Member, CPA UK Executive Committee</p> <p>1: George Hollingberry MP (Conservative), Parliamentary Private Secretary to the prime Minister</p> <p>2: Rt Hon. David Hanson MP (Labour), Hon. Treasurer, CPA UK Executive Committee</p>
Session content:	<p>Panellist 1: George Hollingberry MP (Conservative)</p> <p>George Hollingberry MP opened by explaining the purpose of PMQs, emphasising that it is meant to be difficult for the Prime Minister. He further explained the procedure of PMQs, outlining the process of the opening question and how the members can request to ask a question, and what order questions are asked in. He then said that the government try to make sure they know as many questions as possible before the PMQs, especially when it comes to the questions from the opposition, in order to prepare the Prime Minister.</p> <p>Mr. Hollingberry then outlined the benefits and drawbacks. He that the benefit is that it is good because it is a measure to hold the government to account. He also said that it gives government a window to explain policy. He further said that the drawbacks is that it is very much of a pantomime and that there is little substantive discussion going on. He said that he believed it would be good for the reputation of parliament if PMQs became less of a pantomime and rather more discursive. He consequently argued that on the whole it is not the most effective way to translate policy and get it across to the population.</p> <p>He finally ended by saying that a more diverse parliament will not lead to this oppositional style ending, as the newcomers are Will it be more difficultly with a more diverse parliament? No because the people come in know it is oppositional and they act thereafter.</p>





Panellist 2: Rt Hon. David Hanson MP (Labour)

Rt Hon. David Hanson MP began by saying that it is important that government must be held to account. He then spoke about his experience from being the Prime Ministers Parliamentary Private Secretary, saying that the Prime Minister he worked for used PMQ to get on top of what was the important issues for parliament and also what was important for the government. He said that they always prepared for many topics, and that a lot of the question they prepared for did not come up. He then said that the Prime Minister afterwards could bring members in the days after to discuss the issues that did not come up.

He further argued that Prime Minister's Question is different for the opposition. They rather have to think about what they want to get on the agenda and what they can divide the government on.

Mr. Hanson then said that PMQs are important this is what the population will see. He said that both the government and opposition have a message they want to send, and that they need to work together in the party to get this message through. He then said that the parties must focus their message on three demographics. He firstly said that they must focus on the people who actually watch PMQs, which is a small proportion of the electorate. He secondly identified that they had to focus on the journalists, who would go on to write reports about it and influence public opinion. He thirdly identified that the most important audience is the MPs, highlighting that if the leader of the opposition does a bad job the opposition MPs can become unhappy about their leader.

He then emphasised that for the opposition it is good to focus on facts, as this is how to best challenge the government.

He also claimed that PMQs is not a very effective tool to hold government to account, because frontbenchers get so many more questions than backbenchers. He therefore pointed to the liaison committee where the Prime Minister must answer select committee chairs questions about a themed topic. He finally said that this was introduced under Tony Blair post 9/11.

George Hollingberry MP agreed that it gives the Prime Minister an overview. He further commented on the PMQs usefulness, saying that it probably does not have any influence on elections but is a way for the opposition to build more confidence.

Panellist 3: Rt. Hon. Sir. Alan Haselhurst MP

Rt. Hon. Sir. Alan Haselhurst MP gave some brief background comments on how the PMQs TV works and about the current speaker.





Questions and answers:	<p>Question 1:</p> <p>Hon. Sen. Sassui Paliyo (Pakistan) began by praising that the UK has chosen a lady politician for their new Prime Minister, like Pakistan has done before. She further wanted to know how MPs can challenge the answer the Prime Minister's gives in PMQs if they wish to do so.</p> <p>George Hollingberry MP said that there are many ways this can be done, for instance through written answers or Westminster Hall debates. The leader of the opposition can also ask the same question every time until he gets an answer.</p> <p>Rt Hon. David Hanson MP said that some MPs ask a stupid, naïve question just to get their face on the front of their local paper.</p> <p>Question 2: Hon. Patrick Nsamba Oshabe MP, Uganda stated that the Prime Minister Question system seemed to be effective because in the UK the PM holds the executive power. He pointed out that in Uganda even though the PM is the leader of the parliament, the president holds the executive power, and that in countries like this the PM cannot answer properly and commit on several themes because he does not hold the executive power. He continued to ask what can be done about this.</p> <p>Mr. Hollingberry answered that it is important to have the right person there to answer the relevant question. He suggested that there might be needed to make some changes to that the President answers these question, as it is important to make sure that the right person is held accountable.</p>





Question 3: **Hon. Scott Farlow MLC, Australia - New South Wales** asked what kind of provisions there are for supplementary questions and what the procedures are around this.

Mr. Hollingberry answered that those who are aware and wish to can ask a closed question on the order paper, which means that the Prime Minister will answer their original question and that they also get the possibility to ask a supplementary question.

Mr. Hanson also added that it is sometimes arranged so that another person can ask a supplementary question through making them change their original question if there is something the party wish to press on. He continued by saying that sometimes dynamics change because of current events during PMQs.

Question 4: **Hon. Sen. Yahaya Abdullahi, Nigeria** asked if the issues raised in PMQ could lead to change in public policy.

Mr. Hollingberry answered that if there is sufficient commitment and the questions are asked in a good way the public policy could change. This is however usually if there has originally been a mistake in the policy.

Mr. Hanson said that if the opposition government MPs continuously stand up and attack the government on a certain issue, the government can understand that something is wrong and subsequently change policy.

Question 5: **Deputy Montford Tadier, Bailiwick of Jersey** commented on the change that the public can send questions to the opposition leader to be asked at PMQs. He asked how effective it is to get the public to ask questions like this.

Mr. Hanson answered that the Leader of the Opposition has asked questions the public has sent in PMQs, but said that he still asks the same questions he would ask normally. He further commented that this is a very tiring approach. He said that it is for the MPs and the leaders to ask the questions, not the population. He did also add that for a local MP it can be useful to refer to individual constituents because the individual case can be useful. He concluded by saying that it should be about something serious that





has happened to one person, not one person that represent a larger group this has happened to.

Mr. Haselhurst said that they have something called a ‘free hit’. In this situation no one knows who the speaker will choose, and the secretary will look at who is standing in their seat and has not asked a question before. He then said that there is an issue that people ask a long question, and that the MP asking the question should be brief in respect of their colleagues.

Question 6: Hon. Sen. Mit Kabeer Shahi, Pakistan asked how frequently the Prime Minister has to attend the sessions.

Mr. Hanson said that the Prime Minister has to answer once a week. He also added that Prime Minister has to make a statement to the Commons after meetings with other state leaders. He further added that the Prime Minister can also, though very rarely, be dragged to the Commons for an urgent question. He also said that there is also allocated time for MPs to come and talk to the Prime Minister.

Question 7: Frank Feighan, Republic of Ireland said that in Ireland they have leader’s questions three days a week, but that they often do not turn up and have a substitute. He then asked what happens if the leader cannot make it to Prime Minister Questions.

Mr. Hanson said that it is very rare that time Prime Minister is not present. The only time the Prime Minister can be away is when he or she is out of the country for reasons outside his or her control. He further said that in this case there is a designated substitute, which is usually the leader of the House of Commons or the designated deputy prime minister.

At this point there was shown a recording of the PMQs.

Mr. Haselhurst ended by commenting on the streamed PMQs, especially focusing on the speaker’s role and changes in the last couple of years.





65TH Westminster Seminar Parliamentary Practice and Procedure

SESSION NOTES

Date:	Wednesday 23 rd November 2016
Session Title:	Session 13: The Accountable Parliament: Parliamentary Ethics & Standards
Time:	13:15 - 14:30
Notetaker's name:	Meet Kaul
Panellists	<p>Chair: Rt Hon. Sir Kevin Barron MP (Labour) Chair, Committee on Standards and Committee on Privileges, House of Commons</p> <p>1: Dr Lynn Gardner, Clerk, Committee on Standards and Committee on Privileges, House of Commons</p> <p>2: Kathryn Hudson, Parliamentary Commissioner for Standards</p> <p>3: Lord Bew, (Crossbencher), Chair, Committee on Standards in Public Life</p>
Session content:	<p>Panellist 1: Rt Hon. Sir Kevin Barron MP (Labour) Chair, Committee on Standards and Committee on Privileges, House of Commons</p> <p>Sir Kevin Barrow began the session by providing an overview of parliamentary ethics and standards and a background to the historical formation of the current system of ethics.</p> <p>Significant changes to the system occurred in the mid-1990s and from 2010-2012, in the wake of separate parliamentary scandals. After the 'cash-for-questions' affair of the mid 1990s, John Major's government was prompted to set up the Committee on Standards in Public Life. This committee drafted the 7 Principles of Public Life (or the Nolan Principles) and recommended that all public bodies should adopt these standards. After the 2009 expenses scandals, the Independent Parliamentary Standards Authority was formed, with equal numbers of both lay members and MPs appointed to the committee.</p> <p>Sir Barrow stated that only about 2-3 disciplinary cases go through the House of Commons each year. He asserted that today, the House is less sensitive about bad press and slander compared to previous periods. He reiterated that in the House of Commons, members are careful to recognise that the enforcement of privileges is transparent and fair.</p>





Panellist 2: Dr Lynn Gardner, Clerk, Committee on Standards and Committee on Privileges, House of Commons

Lynn Gardner stated that until 2013, there was only a single committee dealing with parliamentary standards and privileges, but in the wake of the 2009 expenses scandal it was decided that this committee should be split into two separate parts and a lay member element should be introduced.

The lay members were introduced to the Committee on Standards in 2012, with a different role to the MPs on the same committee. The lay members have the right to submit an opinion to any committee report that must be published with the report, which highlights discord within the committee and can cause problems for the members. However, lay members lack voting rights, creating a balance of power between these two groups.

The Committee on Standards examines disciplinary cases within the House and has a role in the general oversight of the system of ethics. It has an active role in changing the culture of the House towards standards, as there is always room for improvement in this area. The Committee on Standards meets twice a month, as opposed to the Committee on Privileges, which meets only when necessitated by the House. Both Committees have 7 MP members.

Panellist 3: Lord Bew, (Crossbencher), Chair, Committee on Standards in Public Life

Lord Bew began by explaining that the Committee on Standards in Public Life was initially set up as a result of the parliamentary ethics crisis of the mid-1990s, under the leadership of Lord Nolan. Although it is an independent body, it is funded by the government. However, Lord Bew stressed that this does not prevent the committee from turning out reports that are not favourable to the government.

He stated that the Nolan Principles are still widely accepted in British public life. The committee's remit was expanded by the government to examine the practices of private firms, meaning that they too are now covered by the Nolan principles. In this case, the Committee on Standards in Public Life has served as a useful bully pulpit.

Lord Bew added that public perception is important and is perhaps not kept in mind enough by politicians in general. He stated that there still exist problems in explaining that the 'old' system of political corruption is almost entirely gone today. Despite this, levels of public trust in the system have recently increased by around 8%. He attributed this to a number of potential factors, the first of which being the inauguration of a new Prime Minister with a different style of rhetoric and practice. He also hypothesised that Brexit voters, who often were those complaining the most





	<p>vehemently about parliamentary corruption, have been vindicated as a result of the EU referendum vote and feel less dissatisfied with the state of affairs today.</p>
	<p>Panellist 4: Kathryn Hudson, Parliamentary Commissioner for Standards</p>
	<p>Kathryn Hudson explained that the same year that the Nolan report was published, the position of the Parliamentary Commissioner for Standards was established. This post is non-renewable, but also cannot be dismissed, so she possesses a security of tenure. This means that she is free to do her job in the way she feels it should be done. She submits reports to the Committee on Standards, which oversees her but does not explicitly direct her work. She also mentioned that her work only relates to the House of Commons, not to the House of Lords. She is also not responsible for ministerial conduct, which is supervised by the Prime Minister and Ministerial Office.</p> <p>Ms. Hudson went on to explain some of the duties of her position, the first of which being the keeping of registers regarding House staff, MPs' interests, all party parliamentary groups and journalists. She added that MPs' interests are defined as interests that may be thought to influence the conduct of MPs, even if said interests will not influence them in reality. All interests must be registered in one of 10 categories and the register is published online.</p> <p>Another responsibility of the position is the monitoring of the code of conduct for ministers of parliament. She mentioned that she desires to review the code at least once during every parliament.</p> <p>The Commissioner is also required to investigate any possible breaches of parliamentary rules. Anyone can make a complaint to him or her in writing, after which he or she decides whether there is sufficient evidence to investigate a matter. The process is highly evidence based and transparent.</p>
Questions and answers:	<p>Question 1: Caro Tomlinson, Bailiwick of Jersey asked the panel how lay members are appointed to the committee.</p> <p>Ms. Gardner stated that under the Standing Orders of the House, these staff have to be recruited with free and open competition like any other job. There were 386 completed applications for 4 posts in the last round of admissions. After this initial process, there is a recruitment panel that makes a recommendation to the commission and then to the House.</p>





Question 2: **Hon. Godfrey Farrugia MP, Malta** inquired about the grey area between the remit of the Commissioner for Standards and the judicial system.

Ms. Hudson stated that she meets with the police both formally and informally. If she is looking at an investigation with a potential criminal offence she would refer the matter to the police and suspend the investigation. If the matter could fall to either the police or her own office she would meet with the police to determine their intentions.

Question 3: **Hon. Leonne Theodore-John MP, Saint Lucia** asked **Ms. Hudson** how detailed are the statistics her office publishes.

Ms. Hudson responded that there has been an increased level of detail over the last few years. The name of the Member in question and the alleged breach of conduct will appear on the department website after the report has been published.

Question 4: **Neil Laurie, Australia - Queensland** asked about report recommendations with regards to the penal powers of the House.

Sir Barron stated that the House possesses many penal powers that haven't been used for centuries, such as the ability to imprison and fine Members, but such powers are not used in the 21st century. The last time someone was admonished by the House happened in 1967.

Question 5: **Deputy Scott Wickenden, Bailiwick of Jersey** asked whether ministers should be examined by an independent commissioner like MPs are.

Ms. Hudson responded that there already is an independent entity examining the conduct of ministers.

Question 6: **Hon. Lara Giddings MP, Australia - Tasmania** asked if the code of conduct should be made longer as it is quite short.

Ms. Hudson stated that she does not think it should be much longer and that there are other supporting documents to go with the code of conduct.





Question 7: **Hon. Nalinda Wajiramal Jayatissa MP, Sri Lanka** asked if there is any tradition for the Speaker being informed prior to the arrest of an MP.

Ms. Hudson responded that the Speaker should be informed if a member is being arrested and if the police are coming into the House itself, then the Black Rod should be informed as well.

Question 8: **Hon. Pamela Ward Pearce MLC, St Helena** asked what the code of conduct states when a member is sentenced to a prison sentence.

Sir Barron responded that any member getting sentenced for 12 months or more would get disbarred under current rules and trigger a by-election in their constituency. Recall legislation was brought in under the 2010 General Election, where people would have the ability to recall an MP who had done something grossly wrong. However, ultimately parliament has the right to say if MPs can be recalled or not.





65TH Westminster Seminar Parliamentary Practice and Procedure

SESSION NOTES

Date:	Wednesday 23 rd November 2016
Session Title:	Session 14: The Role of a Speaker
Time:	14:30 - 15:30
Notetaker's name:	Meet Kaul
Panellists	<p>Chair: Rt Hon. Sir Alan Haselhurst MP (Conservative), Member, CPA UK Executive Committee</p> <p>1: Rt Hon. Baroness D'Souza CMG (Crossbencher), Former Lord Speaker</p> <p>2: Hon. Leonne Theodore-John MP (Saint Lucia)</p>
Session content:	<p>Panellist 1: Rt Hon. Sir Alan Haselhurst MP (Conservative), Member, CPA UK Executive Committee</p> <p>Sir Alan Haselhurst began the session by stating that the role of the Speaker has changed over the years. The powers of the Speaker have gradually diminished with time, although he or she still possesses disciplinary powers as well as the ability to determine the business of the day besides that set by the government and the ability to influence the holding of an emergency debate.</p> <p>He added that the Speaker exists to uphold the Standing Orders of the House. Personality plays a part in being a successful Speaker, as does impartiality, a capability for humour and a careful consideration for the context of a situation. The Speaker is also the guardian of backbench interests, which can be disliked by the chief whips.</p> <p>He concluded by stating the UK has the only parliament in the world that is puritanical about the independence of the Speaker. The Speaker exists above partisan lines and will rather become a crossbencher in parliament than take on a ministerial role within a new government.</p> <p>Panellist 2: Rt Hon. Baroness D'Souza CMG (Crossbencher), Former Lord Speaker</p> <p>Baroness D'Souza began by laying out the role of the Lord Speaker. Given that the House of Lords is the chamber that tends to revise and scrutinise legislation, it has powers of delay but not the ability</p>





to veto. The role of Lord Speaker was created in 2006, resulting from constitutional reform. The residing officer of the House before this was the Lord Chancellor who was a member of the government and a member of the judiciary simultaneously.

The Lord Speaker does not call members to speak, does not call order within the House and does not select who speaks. He or she has a limited role because the House of Lords is a self-regulating entity that makes its own rules and abides by them. Each Member has the responsibility to preserve decorum within the House. As opposed to the House of Commons, the House of Lords is very sedate, with little intervention needed.

The Lord Speaker is elected by the whole House, which gives the position a significant degree of authority. He or she has the role of being an ambassador and spokesperson for the House, as well as being responsible for various appointments, recalling the House during periods of resits and calling amendments.

More importantly, the Lord Speaker is a goodwill ambassador with an outreach role to play. Given public distrust of politicians today, it is incumbent to explain to the public what exactly both Houses do in the political system. Few people have an accurate idea of what the House of Lords does, given its important role in revising legislation. There is an opportunity for ordinary citizens to influence legislation more through the House of Lords, because the Lords tend to have less party affiliation and are whipped less. Amendments to legislation can be added through dialogue between the public and the House, leading Baroness D'Souza to call the institution a 'vital anachronism'.

Panellist 3: Hon. Leonne Theodore-John MP, Saint Lucia

Hon. Leonne Theodore-John MP began by explaining that role and function of the Speaker of the lower House of parliament in Saint Lucia is basically to control the proceedings of the House. He or she allows Members who are speaking to express their views and opinions, makes sure they adhere to the rules of debate and allocates time for debate. In Saint Lucia, the Speaker is elected by the whole House like the Lord Speaker in the UK, although the constitution does not require the Speaker to be an elected MP. The President of the Senate is elected in a similar manner, although the President must be an existing Senator.

Compared to the UK, the St Lucian system has a small workload considering that the population is only around 172,000, represented by 29 MPs. Though the assembly is still far from the goals set by the CPA and the WPC, the parliament now contains 6 female members, which Ms Theodore-John described as being a solid effort but still short of the 33% quota.

She mentioned that the Speaker must always be mindful that he or she is the servant of all the Members of the House. Outside the





	<p>chamber itself, the Speaker also has to run the affairs of the office of parliament in conjunction with the clerk of parliament, as opposed to the President of the Senate who is not involved with the day to day running of parliament.</p>
Questions and answers:	<p>Question 1: Hon. Sen Alincia William-Grant, Antigua & Barbuda stated that the Speaker for her parliament's lower house has shown a precedent for getting involved with debates on the chamber floor despite the requirement for neutrality. She asked for the panel's comments on this and also asked whether the House of Lords should be directly elected.</p> <p>Ms. D'Souza stated that the issue of the election of the upper house is a vitally important question of democratic legitimacy. She argued that the House of Lords has fallen into disrepute as of late, as it has become far too large. IT currently consists of around 900 Members when it could manage with perhaps half of that number. She did however state that the main advantage of the House of Lords relates to the expertise possessed by its Members, which becomes important in a world driven by legislation that is becoming increasingly complicated and intricate.</p> <p>Ms. Theodore-John stated that it is not the role of the Speaker to get involved in debates on the floor of the Chamber.</p> <p>Question 2: Hon. Dr Ingrid Buffonge MP, Montserrat asked the female panel members if they have ever felt discriminated against in the world of politics.</p> <p>Ms. Theodore-John stated that she has not been discriminated against in her experiences with politics and mentioned that at one point, both the Senate President and the Speaker were women simultaneously.</p> <p>Ms. D'Souza said that generally in her career, she has not experienced sexism. However, when she was the leader of the crossbenchers, she noticed that male colleagues often managed to obtain more staff members and office facilities than she did despite conducting similar levels of work.</p>



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SESSION NOTES

Date:	Wednesday 23 rd November 2016
Session Title:	Session 15: Knowledge is Power: Parliamentary Research and Information Services
Time:	15:45 - 17:00
Notetaker's name:	Meet Kaul
Panellists	<p>Chair: Jo Churchill MP (Conservative), Member, Women and Equalities Committee, House of Commons</p> <p>1: Martin Leay, Deputy Director, Parliamentary Research Service</p> <p>2: Penny Young, Librarian and Director General of Information Services, House of Commons</p> <p>3: Dr Chandrika Nath, Director, Parliamentary Office of Science and Technology</p>
Session content:	<p>Panellist 1: Martin Leay</p> <p>Martin Leay began the session by explaining that the Parliamentary Research Service (PRS) is a pooled service for Labour MPs. He explained that the running of modern governments is so complex that it would be impossible for MPs to do their job without a support network: about 3000 people work for British MPs. He stated that pooled research units experience economies of scale and can provide information more efficiently than singular research units.</p> <p>The advent of social media has enabled lobby groups and campaigners to contact MPs directly: Members have been asked for information regarding issues as diverse as the NHS and anti-bullying policy. One role for the parliamentary researcher is to draft responses to these questions regarding policy issues. The researcher is also required to make sure that MPs are aware of political issues across the board. Other tasks include briefing preparation for meetings, administrative support, diary management and constituency case work.</p> <p>Mr. Leay argued that it makes sense for research to be carried out on a pooled basis to avoid the duplication of effort across departments, freeing up MPs' staff to focus on more specific constituency focused work. He concluded by stating that the work</p>



of parliamentary researchers and research groups enable MPs to serve their constituents more effectively and quickly.

Panellist 2: Penny Young

Penny Young began by splitting her discussion into three sections. The first of these was the question of why the work at the House of Commons Library is important. She answered this by stating that politics is a process of evidence gathering and analysis, in which availability of information is hugely important. However, we have to deal with problems of echo chamber effects and distorted news, in a world where information can be weaponised. In this context, citizens need honest, trusted brokers of information, which are limited in supply. The House of Commons Library is one of these trusted brands.

The second question explored by Ms. Young was the issue of what exactly the staff at the library do. This involves answering enquiries from MPs in support of constituency work, although not in the case of giving legal or consumer advice. Individual MPs also sometimes seek information for a parliamentary question or German Debate. Ms Young stressed that her work with MPs is strictly confidential and exists within a safe space.

The Library also publishes briefings, debate packs regarding legislative debates for those attending the debate and also statistics regarding issues such as unemployment. It also performs all the other services one would expect the typical library to provide, such as storing books.

The last issue raised by Ms Young related to the challenges faced by the Library today. She mentioned that with the Brexit result, there is a need for expertise in new areas and a need to make research highly accessible to Members. She also raised the possibility of working in partnership with academics regarding the Brexit result.

Panellist 3: Dr Chandrika Nath

Dr Chandrika Nath began by stating that POST is a small team working for both Houses of Parliament that supports and advances the use of research in parliament as well as informing debate on scientific and technological issues.

She mentioned that POST is different to the House of Commons Library in that it is a proactive, not reactive organisation. This means that it attempts to predict 'tomorrow's issues' and be ahead of the game in the research context. Dr Nath gave the example of nanotechnology, which POST was writing about in 1996 - significantly ahead of the curve.

The organisation is divided into 4 different sections that are separated by subject area. POST provides a range of different outputs, including written briefings, events planning and work for





	<p>select committees. It also conducts training and outreach activities, such as the use of 25-30 young researchers for 3-month placements. Other programmes include in-house research methodology workshops and parliamentary capacity building work. In the latter case, from 2007-2012, POST worked with the Ugandan Parliament, building skills in identifying reliable evidence and conducting information literacy training.</p> <p>Panellist 4: Jo Churchill MP</p> <p>Jo Churchill added that political and social research gives structural and focused information regarding constituency issues. She mentioned that the House of Commons Library is her favourite space to work in, as it is quiet and she can take time out from the noise of parliament. She stated that MPs have a lot to learn when they are first elected, making the first few months of life as a new MP very difficult.</p> <p>Her office uses an in-house researcher who has to stay one step ahead of the game and provide the requested information very quickly and efficiently. In this context, she finds briefings from POST very useful as well. She also mentioned that online resources can be useful and she can pick up select committee reports from the Vote Office. As a parliamentarian, nothing is off-limits, which is why so much support is needed for MPs to do their jobs efficiently and networks crossing the different branches of government are vital.</p>
<p>Questions and answers:</p>	<p>Question 1: Di Farmer MP, Australia - Queensland asked Ms. Young how many staff members she worked with and how did she choose their skill-set. She also asked Dr Nath about her KPIs - could be easy for people to have expectations - what are agendas?</p> <p>Ms. Young responded that she works with about 75 subject specialists. With regards to skill-sets, she wants to hire very bright graduates as a bedrock, with the expectation that over time, they will develop specialisations, expertise and networks.</p> <p>Dr Nath responded that she is currently in the process of revisiting her department KPIs. She explained that when one is doing proactive work, it can be difficult to measure these, in that one cannot measure future success.</p>



Question 2: **Deputy Scott Wickenden, Bailiwick of Jersey** stated that he has to conduct all his research personally and does not have access to a team of researchers to do this for him. He asked **Penny Young** how much these services cost across the board per MP.

Ms. Young responded that all this information is published online, although it is difficult to estimate how much it would cost per MP.

Question 3: **Hon. Patrick Nsamba Oshabe MP, Uganda** stated that his parliamentary research library often does not have research available when his fellow MPs need it and asked about issues of timeliness in procuring information.

Ms. Young responded that her department KPIs are perhaps too focused on time issues: they want to respond to 97% of inquiries within a set deadline, but this can lead to slipping standards in service in terms of the quality of information provided.

Question 4: **Neil Laurie, Australia - Queensland** asked Ms. Young if her department has an e-alert service for Members.

Ms. Young responded that such a service does exist, but it needs improvement as it is not currently very good at honing subject specialisation. Modernisation is needed.

Question 5: **Hon. Wei Neng Ang MP, Singapore** asked if the panel collaborated with universities often.

Dr Nath commented that parliament has university outreach programmes, so universities find out about the work of parliament and organisations such as POST.



65TH Westminster Seminar Parliamentary Practice and Procedure

SESSION NOTES

Date:	24/11/2016
Session Title:	Session 16: Parliament in the Age of Modern Democracy: Education and Outreach
Time:	09.00 - 10.00
Notetaker's name:	Tone Langengen
Panellists	<p>Chair: Meg Hillier MP (Labour), Chair, Public Accounts Committee; Former Member, Speaker's Commission on Digital Economy, House of Commons</p> <p>1: David Clark, Head of Education and Engagement, Houses of Parliament</p> <p>2: Daniel Gallacher, Education Manager, Parliamentary Education Service, Houses of Parliament</p>
Session content:	<p>Panellist 1: Meg Hillier MP (Labour)</p> <p>Meg Hillier MP began by introducing herself as a previous member of digital democracy commission. She said that the committee was established by the Speaker Rt. Hon. John Bercow MP in January 2014 because he wanted to modernise parliament, and added that such speaker's commissions are rare and more formal than other committees.</p> <p>She then outlined their work in the Digital Democracy Commission. They first met at the beginning of 2014 and would work for one year, they had public and private sessions, met with a wide range of people, and everything they did would be digitally available. The aim of the commission was to find ways to make the mother of parliaments more modern.</p> <p>She then continued to outline their conclusions. She firstly said that the report concluded that by 2020 the House of Commons should ensure that everyone can understand what it does to make it more accessible, particularly in terms of the language they use through among other things making sure Erskine May is available online so people could understand. She secondly outlined that the commission concluded that bills in the making must be more accessible for people, bills could not just be published online once they are finished. Thirdly, they concluded that by 2020 parliament should be fully interactive and digital. Fourthly, by 2015 there</p>





should be a new form of public participation in the debating function. Fifthly, the report concluded that by 2020 they should introduce secure online voting open for all voters. And finally, they concluded that by this year all data from parliament should be open and easily accessible for the public, so people can easily look up what is happening in parliament on an area of special interest to them.

Ms. Hillier continued by saying that she is now the Chair the Public Accounts Committee. She expressed that she is determined for it to be one of the most digital and engaging committees, but that this is problematic as they do not deal with a single issue.

She went on to acknowledge that making parliament digital is not the top priority at the moment, with Brexit happening. But she stated that it is important.

Finally she commented on the problem with overload for the members. She expressed that it is important not to raise the expectations too high for the members. She did however add that the digital also can be a way to lighten the load for MPs, citing her own example of the many new Labour members in her constituency that she could interact with online rather than meet in person.

She finally expressed that there is needed to find ways to solve the issue that some MPs are more digital, while others are more hesitant to embrace digital tools.

Panellist 2: David Clarke

David Clarke began by saying that he came from charity sector and tried to use his experience from the outside world and introduce new things to parliament.

He then said that the biggest challenge of the British Parliament is that the general public do not think parliament and what it does is important and matters to them. He expressed that parliament can use digital information to overcome this and that innovation lead to a more representative parliament.

Mr. Clarke then went on to outline what the Parliamentary Education Service have put in place to deal with this. He firstly said that their perhaps greatest success was the digital debates, which was one of the recommendations in Digital Democrat Report. They use a range of social media platforms and create debates on variety of topic, and this gives people a change to have a say about the issues that matters to them. This information of the public opinions is in such a way available for MPs, and they can use these comments to inform them.

He said secondly that they had made some films called “Your Story. Our History”, which featured normal people talking about how government legislation have impacted their life. These films



reached a wide audience and was shared on to social media platforms where they generated more debate.

He then went on to outline how the Parliamentary Education Service educate and empower people digitally. He said that people with medical issues need to be empowered to engage with MPs, using the example of people with Cystic Fibrosis who got a digital platform to engage with MPs. In this way they gave a voice to those who normally wouldn't interact because there is a barrier for them to come to parliament.

Finally, he talked about the UK parliament week, which is a week of several activities across the UK. He mentioned that the success of this was that they managed to use both face-to-face, online and joined-up tools, which made it reach many people across the country.

Panellist 3: Daniel Gallacher

Daniel Gallacher began by introducing the work of the education centre. He said that it is for school visitors to visit parliament, where they get a tour around parliament and a classroom session in their new building.

He then said that in 2006 they had 9000 school visits, this year they aim to have a 100,000. This has been facilitated by the completely new building and the fact that it is free and schools from further away can get a travel subsidy to come visit. He said that it is for student between the age of 5 and 18, and that they get to meet MPs, Lords, and Local Councillors among others. He then showed an example of how this experience changed some of the schoolchildren's view of parliament.

Mr. Gallacher then went on to explain why the education centre is so important. He said that few young people vote and are engaged in politics, and that this is a way to fix this problem in the long-term. He said that it is to enhance children's knowledge about parliament, for instance so that they understand that parliament and the government is not the same thing. He also said that they try to make a call for action by showing people the youth parliament, telling them about E-petitions and other ways they can get engaged.

He continued by saying that both meeting a friendly person face-to-face and technology is important to learning. He further said that technology is important tool to make people to learn and engage. And he used an example of "Skype the Speaker", where they effectively used technology for education.

He finally mentioned that they also train teachers to be more comfortable and knowledgeable when talking about parliament, so that they can spread this knowledge.





Questions and answers:

Question 1: Caro Tomlinson, Bailiwick of Jersey said that for outreach and engagement in Jersey they get schoolchildren into parliament to have play out a debate. She further asked whether the UK Parliament have thought of this, as children learn well from experience.

Mr. Gallacher answered that they do have a classroom that looks like a chamber. They do also send out equipment to schools. He further said that they do not use scenarios to make children learn, but that this is something they are looking into.

Ms. Hillier added that they have a youth parliament that uses the Commons.

Question 2: Hon. Sen. Sassui Palijo, Pakistan asked what percentage of the parliament budget is used on outreach and education.

Mr. Clark answered that it is about 3 million, but that a large part of it is the transport subsidies provided to schools. He also added that a large part goes to staff that travel around to do outreach work.

Question 3: Hon. Scott Farlow MLC, Australia asked how MPs use the digital debate comments in their parliamentary work.

Mr. Clark answered that it is a challenge to be able to track members use of the digital debates because they tend not to state it clearly when they use stuff from the digital debates. He also added that they are trying to get select committees to use the digital debates.

Question 4: Hon. Sen. Alincia William-Grant, Antigua and Barbuda said that she wanted to understand what the transition was like for senior members to embrace the educational programme. She pointed to an example from her own country where the old people have a mental block when it comes to education.

Ms. Hillier answered that transition for older members just get easier with time. She further commented that they have MPs,





especially mentioning the SNP MPs, who come from other jobs in the real world and help in modernising the system by bringing in an outside perspective. She also said that Mr. Bercow stood on a modernising platform when he was elected speaker and that he has been important for pushing the modernisation agenda forward. She further mentioned that Mr. Bercow are standing down soon, and that this opens for the question of whether they will get a more traditional speaker or continue with a more modernising speaker.

Question 5: **Hon. Diallo Rabain MP, Bermuda** expressed his interest in the digital resources, especially the digitalised version of Erskine May. He asked if the UK parliament would share some of these resources with other Commonwealth countries, as this could be useful for small Commonwealth countries when they try to move parliament in to the digital age.

He secondly pointed out, in reference to Hon. Sen. William-Grant's point, that they also have a lot of older members who refuse to do anything digitally and that there therefore is being used ridiculous amounts of papers, and that it was difficult to make them change.

Ms. Hillier firstly commented, following on from her answer to Hon. Sen. William-Grant, that it is still necessary to use paper in certain instances. She also pointed out that it is necessary to make it easy for older MPs, but emphasised that it is important that they do change their ways. She used the example of when she was elected to parliament in 2005 and she was surprised by the reluctance of many MPs to using emails. She emphasised that this should not be accepted as parliament is a workplace like others, and there must be some rules that MPs must follow like in other workplaces.

She further continued to say that when it comes to Erskine May Mr. Rabino should speak to the speaker, Mr. Bercow. She said that she believes it has not been fully digitalised yet. She further expressed that she believed in the importance of sharing information, as this is much more effective, especially with the Commonwealth.

Question 6: **Hon. Pamela Ward Pearce MLC, St Helena** said that St Helena is aspirational to be digital like the UK Parliament. She did





however mention that they have a very slow and expensive internet speed, and that they need to improve this to catch up.

Ms. Hillier expressed her sympathy and mentioned that the UK internet speed isn't what it should be either. She also emphasised the importance of working together across parliament.

Mr. Clark added that it is important to remember that face-to-face is still important, and that there can be made changes on this.

Hon. Pamela Ward Pearce MLC said that face-to-face happens frequently, as they are such a small nation.

Question 7: **Hon. Godfrey Farrugia MP, Malta** said that Malta has fully digitalised parliament, with its own television station, and that they are in the process of launching an app. He continued by outlining the committee system, and saying that they often have citizens come in as witnesses. He further said that a problem they have is that certain citizens seems to come in front of the committees because they are televised and they wish to be on TV, not because they have something to say. He therefore asked what kind of vetting system the UK Parliament has to make sure the witnesses in the committees are the right people.

Ms. Hillier answered that they first of all have a security vetting for all people who come in. She continued by saying that there are strict rules when you are speaking in a committee, and that if you do not follow these you are thrown out. She further pointed out that they do a lot of work to make sure that the right witnesses come in. She especially emphasised the duty of care she as a committee chair has for making sure the witnesses can cope with the pressure of being a witness.

Ms. Hillier ended the session by stressing that it is important to be weary of overload for MPs and make sure they are not swept away with change. She also mentioned that there must be found a way to deal with the dark side of internet. But she said she wanted to focus on the successes, such as the digital debate and the educational centre.





She finally ended by saying that the link with constituents is a big issue with the digital sphere and that parliament must work further to find solutions to this.



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SESSION NOTES

Date:	24/11/2016
Session Title:	Session 17: Parliament and Partnership: Media, NGOs, CSOs and Public Engagement
Time:	10.00 - 11.15
Notetaker's name:	Tone Langengen
Panellists	<p>Chair: John Nicolson MP (SNP), SNP Spokesperson for Media and Former BBC & ITV Journalist</p> <p>1: Sophia Linehan, Acting Head of Media Relations, House of Commons</p> <p>2: Susan Elan Jones MP (Labour), Member, Committee of Standards and Committee on Privileges, House of Commons and Chair of the Charities and Volunteering Group</p> <p>3: David Clark, Head of Education and Engagement, Houses of Parliament.</p>
Session content:	<p>Panellist 1: John Nicolson MP</p> <p>John Nicolson MP began by introducing what he thinks is the role of the press in parliament. He argued that the media's role is to scrutinise the government, the parliament and the individual members, and generally provide people with information about what happens in parliament.</p> <p>He continued by saying that people's understanding of parliament comes from the media, as the ordinary citizen does not spend a lot of time on Hansard to see how their MP is voting. He said that as constituents cannot scrutinise their MP, we need media to do this for them. He argued that this is why we need a strong independent press, both local, regional and national.</p> <p>He further highlighted the problem that the people usually focus on the high profile debates and PMQs, while it is often in Westminster Hall debates or committee hearings where ministers are made aware of important things.</p> <p>Mr. Nicolson further argued that parliament has changed to accommodate for scrutinising by the media. Parliament used to begin in the middle of the afternoon and last until the middle of the</p>





night. He said that this has however changed, it now begins earlier, and is now more likely to influence the news cycle.

He then continued by arguing that the digitalisation has made it possible to scrutinise MPs, parliament and the government even more. For instance everything is streamed live, which means that it is easy for journalists to pick up evidence from a select committee. He also highlighted that the media can easily spread short videos online. He further argued that MPs also can use digitalisation for transparency, by showing their constituents what they are doing on their behalf by for instance sharing a video of what they did in parliament on social media.

Mr. Nicolson further highlighted the problem that false reports also can spread easily. He said that the problem is that people often tend to make their mind up based on these false reports, and it is difficult to change their minds at a later point. To illustrate this he used the example of when The Sun chopped an image to make it look like Jeremy Corbyn was dancing at a remembrance event. He also used the example of luxury travel story about SNP MPs, highlighting that there is no luxury travel between Scotland and London.

He finally concluded that the media and the digitalisation of media is a wonderful asset and vital to democracy, and that it is important to find new methods to engage responsibly to the public.

Panellist 2: Sophia Linehan

Sophia Linehan began by introducing what the Media Relations Team does, saying that they respond to journalist questions and proactively pitch stories to explain what parliament does.

She then continued by highlighting their reactive work. She used the example of when there are problems with the estate, which is firstly highly visible for the public and secondly associated with some costs that can be perceived negatively. In this situation the Media Relations Team must speak to the media to uphold the view of parliament.

She further focused on their proactive work, by talking about how they turn negative stories into positive stores. She used different examples to highlight this role, for instance when there were commercial projections on Big Ben and they managed to get media coverage that focused on the idea that 'Big Ben is not a billboard'.

Sophia Linehan further highlighted the importance of opening for commercial filming in parliament, which makes money for parliament and saves tax payers money. She continued by outlining some rules and procedures around commercial filming. She then showed some different clips of films and shows that had been filmed in parliament, like the Suffragette film, the Great British Menu on BBC2 and the documentary series Inside of Commons also





on BBC 2. She highlighted that this was a way to broadcast the building, promoting their House corporate services, and generally what parliament does. She also showed a variety of examples of photography in parliament, such as the illumination of parliament for the Queen's birthday.

She further outlined how the parliament uses social media to engage with the media and the public. She said that they use twitter a lot, for instance by giving accessible information about complicated procedures or bills, highlighting the work of select committees or including snippets of urgent questions.

She finally talked about how the press gallery operate. She said that the journalists in parliament are the primary source of information about parliament, as the newspapers that work there must regularly publish on what is happening in parliament and they are briefed twice a day when parliament is sitting from the Prime Minister's spokesperson in addition to ad hoc briefings. She then talked about how the composition of the press gallery has changed, with a decreasing number of regional newspapers and an increasing number of online newspapers, reflecting that the way people are consuming news is changing.

Panellist 3: Susan Elan Jones MP

Susan Elan Jones MP began by introducing the work of all party parliamentary groups in parliament, saying that it brings together members of the Commons and the Lords who are interested in specific topics.

She then said that the all parliamentary group she is the chair of, the Charities and Volunteering Group, is special because it has a lot of affiliate groups such as charities and voluntary groups. She said that the all-party parliamentary groups are deeply rooted in the voluntary sector.

She continued by saying that the more time she has spent in the All Party Parliamentary Group on Charities and Volunteering, the more she understands how important it is. She said that they discuss many issues dealing with the voluntary sector, and they have for instance talked about how the government can work with small-charities.

Ms. Jones further pointed out that the voluntary sector cooperate very well, no matter if advocate for completely different causes. To illustrate this she used the example of the Lobbying Bill, where they worked well together across causes even though they were not successful.

She then highlighted how important it is for parliament to work with non-governmental associations and charities. She argued that one of the things that commonwealth countries have in common is





	<p>that they have a very strong tradition of charities, which divides them from other countries.</p> <p>She finally pointed out that they do change the government's mind on things. She said they were unsuccessful with the lobbying bill, but has been successful in other cases. She then ended by saying that all parliamentary groups are enhancing the relationship between parliament, charities and NGOs.</p>
	<p>Panellist 4: David Clarke</p>
	<p>David Clarke began by presenting the new House of Commons strategy to involve and inspire the public. He highlighted the challenges of the public's lack of interaction and understanding of what parliament does, and said that they try to engage citizens the 1825 other days between each election.</p> <p>He continued by outlining how they do this. He firstly mentioned their community workshops, where they have people travelling around to hold workshops that focus especially on the politically disengaged and disaffected. Mr. Clarke secondly mentioned the 'train the trainer' programme, where they train up civil society to understand how parliament work so they can spread this message further. He subsequently mentioned programmes focusing on women, adults with learning disabilities, and engaging different communities in select committees. He also mentioned a university programme they have started and a programme where they try to put parliament in the community through for instance taking over a local shop. He finally mentioned youth parliament and schools outreach programmes.</p>
<p>Questions and answers:</p>	<p>Question 1: Neil Laurie, Australia - Queensland asked whether there are any areas in parliament journalists do not have access. He also asked about whether there is any parts that cannot be filmed in the palace.</p> <p>Ms. Linehan said that journalist pass holders can go anywhere their pass allows them to, which is most places expect for instance MPs offices.</p> <p>When it comes to filming she said that MPs can film in their offices without requesting it. Committee rooms could also be filmed, but that this must be approved. She also said that there are fixed filming points for the media.</p>





Question 2: **Frank Feighan, Republic of Ireland** asked what kind of protocols parliament has when the media oversteps their line, especially wondering whether they can be banned.

Ms. Linehan answered that if something is presented wrong, they seek to sort that out. However, the Media Relations do not deal with party-specific or expenses stories. She also added that they can take action if it is a repeated issue.

John Nicolson MP further asked what they did about recurring stories, such as the story about MPs sleeping in the Commons when they in fact are only trying to listen to the speakers.

Ms. Linehan answered that journalist do deliberately mislead readers, and when this happen they try to clear it up. She also said that the Media Relations team in general try to take more of a macro view, and rather use campaigns to inform the media on what the day in a life on an MP really is like.

Question 3: **Hon. Bradly Felix MP, Saint Lucia** said that it is refreshing to hear what the UK Parliament has done to engage with the media. He pointed out that in St. Lucia the media can often be very nasty, and asked how the UK Parliament deals with journalists acting badly.

Ms. Linehan answered that if the media reports a story that is inaccurate they will try to talk to them, but that the issue is that when the story is out there people tend to have made up their mind. She continued by saying that what they often do is to try to get spokespeople and MPs out in the media to clarify the matter.

Ms. Jones said that there is a difference between proper scrutiny and attacking MPs. She pointed out how the tone changed in how the media presented the MPs after Jo Cox, saying that they were treated more fairly then.

Question 4: **John Nicolson MP** said that Britain is the parliament with most gays in the world and asked what parliament is doing in terms of outreach work for gay kids.

Mr. Clark said that they have done a number of different things on this issue, for instance using legislation such as the Equal Marriage





Act within their education services, attended pride parade as a parliament and will next year make a videos focusing on LGBT-people. He finally added that they generally work to make parliament more open.

John Nicolson MP ended by saying that the Speaker John Bercow has designed a coat of arms with the rainbow flag to commemorate the gay people who died in the Holocaust.





Session 19: Chamber debate

Note-taking: Tone Langengen & Wenyu Wang

Chair: Di Farmer MP

Di Farmer MP introduced the debate.

Gavin Shuker MP (Labour) here to speak about an important topic right across the continent. The chamber of the House of Commons has changed since I've been here. It has become more female and more representative in other ways. We are going to debate whether we need more stringent measures to get parliament where most of us want to get to. More equal in terms of gender, more representative in other ways. What matters is what works in relation to this issue.

However, let's not forget that there are more men than women has ever sat in our parliament. Few women BMEs are represented. We must keep our foot on the accelerator to keep getting better. We need to use all of our talent.

One of the political parties has introduced a quota system in the UK. The quota system has moved it up. If Labour had won the last election, half the members of the House of Commons would be women.

Other focus rather on changing the culture, or other things that are not quotas. Believe that we need quotas at party level, not legislative level. The pace of progress has been slow. If we do not achieve more women in the next election, we need to introduce legislation that states that half the candidates each party chooses to stand with. This is what changes the culture.

If it matters what works, we should acknowledge that what works best is quotas.

Hon. Bradley Felix MP (Saint Lucia). Think this is a conversation of the past. See it irrelevant in the time we live in, because women most certainly have more of an influence in the time we live. Women are such a good support that a quota should be introduced for women in parliament.

Hon. Godfrey Farrugia (Malta). The concept of gender equity is changing. Parliaments are not fulfilling their obligation to represent certain groups, like women and minorities; however, we should not restrict the freedom of constituents by restricting their votes. We should not use positive discrimination to pick candidates.

If we need to rejuvenate parliament we should rather focus on empower them through policies so they can on their own credentials be admitted to parliament.





Why should we have MPs who are looked as on lesser MPs because they are elected on a quota? That is not respectful.

Hon. John Nater MP (Canada) fewer women seeking the nomination is a problem, which means that there are fewer women on the ballot. This does not mean that women cannot reach high office, using examples from his own country. There is strong history of women and minorities reaching high office. But they remain a minority. What can be done?

Quota is one answer, but they do only fix the symptom. We should rather focus on encouraging women and minorities to put themselves forward.

In Canada when women's name is on the ballot, women are more likely to get vote. So women and minorities can get elected.

Quotas in itself will not achieve electing more women.

Hon. Patrick Nsumba MP. In Uganda we have a quota system. It has not brought the change we wanted. Only 10 percent of women went through a direct election, around 50 percent. We should empower more women so they participate in the election and in politics. This is a way it is more likely to get there.

There is not a one shoe fits all answer. Are you going to have all minority groups represented? No. Make sure that whoever you are, you represent the interests of everyone. Quota system might get a better system we are looking for.

Hon. Leonne Theodore-John MP. Women are the heart-beat of our democracy. There is something women bring to the parliament that comes to out very basic of our society. Women bring some uniqueness. It is important. A quota system is a best way to achieve this. So that the uniqueness women bring to society in general can be brought to parliament. It is also a way for women to understand that they can bring some uniqueness to parliament.

We need also to appreciate the domino effect this legislation will happen. If we have gender equality in the parliament, we will have much better society and legislation throughout the society.

Hon. Erin Babdock MLA (Alberta - Canada). I am very proud of having achieved 30% women in legislator in Alberta. But this is not the case everywhere. Still much more that needs to be done. We need to have a caucus for women. Countries that adopt quotas do so because the opinion of the country has changed; change does therefore not need a cause of quotas but a larger change.

It is a tool in the tool box, but it is not good enough alone. We must do other things as well, such as having women leaders as role model effect.

Hon. Alex Yam MP (Singapore). I would like to outline that we have a system of quotas for group representation in Singapore. There is a legislative quota.

If you use quota as the only mean to solve representation of society, there is a danger of falling into tokenism.





There must rather be policies in place to make sure that being a woman in politics is easier. We must also change legislation to make it easier for fathers also to take part in child care, and must make sure everyone is looked as equal.

Hon. Jenny Salesa MP (New Zealand). New Zealand is the country that gave the women the right to vote first. There are ethnically diverse larger cities. Despite that many years of voting in NZ there are not parity for women. NZ has gone backwards the last couple of years. Legislative quota is the best and most effective way to ensure representation of women.

How to make sure we are race blind and gender blind? First we need quota. Then when we are equal we can look at it in another way.

It has taken so long since women got the vote, we cannot just say that it will happen naturally. We need to take action by changing things.

Monty Tadier (Jersey). The aim is that we should have gender balance. The question is what steps can we take to get to that? But also, how long are we willing to wait? It has been 100 years since people got the vote. Quota is only a temporary, but quite good, way.

Do not like positive discrimination, rather use the word corrective action. There is definitely discrimination. Not hard to not know that. It is not just about that.

There will be no shortage of candidates if we make for more role models.

I support the principle of quotas, but it is not the best way to get there.

Need to look at ethnic minorities. We need different measures.

Marcia Shirilan Barnwell. I support a quota system because we live in a country.

Quota system is not a hand off for women; it is a system that supports greater equality.

If we do not have a proper system, a force hand, to make sure we can crack the glass ceiling. There are so many blockages on the way for young women to be more than merely appointed, to reach higher officers. Need a way to force men to allow more women to sit in the seats.

Hon. Diallo Rabain MP (Bermuda). We do of course need quotas in place. We need to increase women and minority representation. However, when we talk about force quota on a population, it pushes people to think and act like them. So rather than diversifying parliament, we get women who think like the old boys' network. Do not end up with the same people.

We need to rather than looking at quotas, change the minds of the old boy's network that consist of mostly white men. We need to educate the people. Through this education members will not be seen for their race or gender, but skills. In his country he has no quota systems. His party looks at merits, and they find competent women.

Do not need quotas. It might be necessary in some areas and some cases, but the fact that quotas encourage equal rather than different is a problem.





Ingrid (Montserrat). Is it fearful to use a quota system? Is it not discrimination? What stops women from entering parliament? Is that they could not see themselves in parliament, now there are however role models?

Quotas work because they require women to run.

There are other ways to make women run, that does not interfere with the democratic process.

To force quotas we could create hostility and undermine the merit of women in parliament. But there are also problems of transgender people. I do want to see more women in parliament, but do not want to interfere with the democratic process.

Hon. Chris Nielsen (Canada). Political parties want more diversity, but do not want to do the steps to make that happen. We need quotas to get the process moving. Companies that have women in leadership are more successful.

At this pace we should reach equity in 170 years. I cannot wait 170 to make equality happen. I don't think this chamber can either. Some language rather than no language is good, to move this process forward. It is a good thing for democracy.

Hon. Christopher Omulele (Kenya). Women do not have the same access to education. Male children usually end up going to school, and men consequently end up having position in society.

The laws that are made by men in parliament effect women. Women have no say in this.

He believes women must have a say in this. This is why we need quotas.

Pamela Ward Pearce (Saint Helena). My natural instinct is to support quota. Saw how effective it was for Britain in the 1990s. However, I do not believe it is necessary in St Helena. This is because we have no party politics, no ethnic minority (all are mixed race). We are a small country, with a small assembly. They have equally. St. Helena has always had strong women serving in public life, being good role models. This year they have sworn in the first female governor.

Lara Giddings. Australia woman. She is inspired by contributions tonight to the issue of unconscious bias. Women face this sort of unconscious bias. Julia Gillard. After this people said, we cannot have another woman leader because of what a disaster. However, would this happen with a man? No.

She shared her experience from the day meeting, and she said she has to fight for her space. The system should stand on merit not on gender. But it is not equal.

Scott Farlow. Australia. Politics is about talent, the battle of idea. It is not about gender. This is the fundamental basis of democracy. There are many women who did not support Margaret Thatcher.

He firmly believes we need more women in politics. But we need to make politics worth it for women, both in parliament and parties. That is not going to be achieved by a quota system.





Nigeria. Oyemaechi. For Nigeria it is impossible. (We missed....)

Osbert Frederick. Antigua and Barbuda. It is a fact that women are smarter than men. However, I am not for the quota system.

We have a democracy and the way we select candidate is that constituencies put forward a candidate. If we introduce a quota system, it means that party would decide which constituents should have a female and male candidate, which can be problematic if the constituency want to elect a male.

We need to remove the barrier for women. The civil society is currently doing this. Young women are now participating much more, and going to school more. The natural process will in the very near future make equality happen.

Finlay Muruki. Kenya. Clerk. This question should have been divided into two. It should have been one about women and one about minority group. One affects half the population, another affects a very small part. So it is different issues for minority groups.

DI Farmer: Going to the vote.

13 positive.

23 negative.



65TH Westminster Seminar Parliamentary Practice and Procedure

SESSION NOTES

Date:	25 th November 2016
Session Title:	Session 20: Private Members' Legislation
Time:	0900-1000
Notetake's name:	Alexander Sansom
Panellists	<p>Chair: Andrew Stephenson MP, Parliamentary Private Secretary to the Secretary of State for Foreign and Commonwealth Affairs</p> <p>1: Andrew Stephenson MP</p> <p>2: Kate Emms, Former Clerk of Private Members' Bills, House of Commons</p> <p>3: Baroness Young of Hornsey OBE</p>
Session content:	<p>Panellist 1: Andrew Stephenson MP</p> <p>Andrew Stephenson MP initially introduced himself and his role as PPS to Boris Johnson MP. He spoke about Private Members' Bills, referencing his own experience of lobbying the government through the Bail Amendment Bill. He stressed the difficulty of passing a Private Members' Bill, and said that the primary purpose of these bills was not to become laws to be added as an amendment to a government bill, thereby bringing the proposal into effect.</p> <p>Panellist 2: Kate Emms</p> <p>Kate Emms said there were a number of motives for introducing a Private Members' Bill (constituency issue, national issue, personal ambition to write a piece of legislation etc.). She stressed that Private Members' Bills can have a large influence regardless of whether they are made into law or not, citing historical examples including the abolition of slavery, abolition of capital punishment, same-sex marriage and abortion. She argued that in many instances, this kind of 'controversial' constitutional legislation could only be introduced as a Private Members' Bill, as the government cannot be seen to take a stance.</p> <p>Ms. Emms went on to detail the different types of Private Members' Bills, including the 'ballot bill' and the 'ten minute rule bill'. She finished by stressing her belief that legislation should be properly</p>





	<p>thought through and scrutinised, and that it should be difficult to change the law.</p>
	<p>Panellist 3: Baroness Young</p>
	<p>Baroness Young opened by speaking about her amendment to the Coroners and Justice Bill. She said it was easier, as a Crossbench peer, to talk to all political parties within the Lords. She spoke about her current efforts to add transparency to supply chains through her current bill. This would require public bodies, as well as private companies, to make a ‘modern slavery statement’.</p>
<p>Questions and answers:</p>	<p>Question 1: Neil Laurie, Australia - Queensland said that it was common practice in Queensland for crossbench and opposition members to introduce PMBs. He then asked whether PMBs are introduced in the UK on matters the government intends to legislate on.</p> <p>Ms. Emms said that this does not happen here very often as the House cannot make decisions on the same issue in the same session of parliament.</p> <p>Mr. Stephenson said that the government would involve an MP in general, even if they come from an opposition party. He used the example of the government resisting formally legislating for 0.7% GDP to be spent on foreign aid.</p> <p>Question 2: Hon. Sen. Sassui Palijo asked how bills were effectively written given that there is no written constitution. She also asked how many PMBs were introduced compared to government bills.</p> <p>Ms. Young said the system of consultation with the Table Office, was very open, democratic and effective.</p> <p>Ms. Emms said that in an average session in the Commons, 6-10 PMBs would become law compared to 25-30 government bills.</p> <p>Mr. Stephenson said that some of the government bills are incredibly large and take a large amount of time to pass. For example, the investigatory powers act is 300 pages long and took lots of parliamentary time and scrutiny. Consequently, in some sessions, PMBs can be really squashed and forced out of time.</p>





Question 3: Hon. Scott Farlow MLC, Australia - New South Wales asked what happened to Lords bills when going in to the Commons.

Ms. Emms stated that bills that have passed through the Lords still go to the bottom of queue and go to table in the Commons for a maximum of 14 days whilst waiting for a member of the Commons to take it up and name a date for second reading

Question 4: Hon. Pamela Ward Pearce MLC, St. Helena commented that she was proud of the Baroness' bill, making reference to the role of St Helena in abolishing slavery. She added that in St Helena there is not a party system and so members must be persuasive in making government take on member's interests in government legislation.

Question 5: Hon. Godfrey Farrugia MP, Malta said that in Malta, the chief whip can put forward PMBs. He asked if this was possible in Westminster.

Mr. Stephenson joked that whips cannot even speak. He said that whips manage everything behind the scenes without saying a word, adding that the Whips Office is the only part of government which does not have their own agenda other than to assist the Prime Minister, as opposed to departments who have their own policy interests. He argued that rebellious whips would not last long.



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65TH Westminster Seminar Parliamentary Practice and Procedure

SESSION NOTES

Date:	25 th November 2016
Session Title:	Session 21: Private Members' Legislation - Group Exercise
Time:	1100-1230
Notetake's name:	Alexander Sansom
Panellists	<p>Chair: Matthew Salik and Ann Hodkinson</p> <p>1: Kate Emms</p> <p>2: Fergus Reid</p> <p>3: Theo Pembroke</p> <p>4: George Margereson</p> <p>The Delegates were split into groups and asked to consider four questions:</p> <p>Question 1: If you were given the opportunity to propose backbench legislation, how would you go about determining what subject or issues to cover?</p> <p>Question 2: Within your national context, which stakeholders could you seek support from in drafting this legislation?</p> <p>Question 3: What strategies would you employ to get your bill passed?</p> <p>Question 4: Does your parliament enable backbench parliamentarians to legislate? If so, in what ways? If not, why not?</p> <p>The panellists divided between the groups and gave help where possible.</p>
Session content:	<p>Canada Nielson's Group concluded that there were evidently differences between countries. He said that their discussion had revolved primarily around these and the individual nuances and procedures.</p> <p>Australia Giddings' Group mentioned countries where there existed no such notion as a backbencher and the need to understand the</p>





	<p>concept itself. The group imagined a fictitious bill concerning the conservation of certain types of trees in Hong Kong and how they would engage the public and third parties as well as the government of the day.</p> <p>Bermuda Outerbridge's Group dialogued about a possible bill for the use of Marijuana. The group thought public support was initially the most important thing to ascertain, before consulting patients and doctors. They thought it was worth looking at existing laws and amending these either by changing criminal punishment or changing permitted substances. The group also referenced the differences inherent within the various systems.</p> <p>Jersey Truscott's Group spoke about Jersey's lack of procedure for backbenchers to legislate. The group said it was important to be passionate about your bill. They thought up a scenario where the group was tasked with implementing a bill to introduce E-IDs for the purpose of secure cross-border trade.</p>
<p>Questions and answers:</p>	<p>Discussion at end:</p> <p>Most groups began at question 4 before working backwards. All groups referenced finance as a hindrance for introducing bills.</p> <p>Ms. Emms spoke about interventions and their uses, either for the MP speaking to use by building an argument or the use of interventions during a filibuster by an associate of the MP to give the MP speaking a break.</p> <p>Mr. Reid was struck by the similarity of issues faced by the delegates across the whole Commonwealth.</p>





65TH Westminster Seminar Parliamentary Practice and Procedure

SESSION NOTES

Date:	25 th November 2016
Session Title:	Session 22: Conclusion
Time:	1230-1300
Notetake's name:	Alexander Sansom
Panellists	Mr. Tuggey recalled a moment during the Conference when the PPS to the Prime Minister said how useful he thought the Conference was, having not realised the work and usefulness of the CPA. Mr. Tuggey said he was very grateful for everyone's work and contribution.

