

House of Commons
Procedure Committee

**PARLIAMENTARY
QUESTIONS**

Third Report of Session 2001–02

LIST OF REPORTS FROM THE COMMITTEE IN THIS PARLIAMENT

SESSION 2001–02

First Report: Making Remedial Orders: Recommendations by the Joint Committee on Human Rights (HC 626)

Published 14 February 2002

Second Report: Appointment of Deputy Speakers (HC 770)

Published 22 April 2002

Third Report: Parliamentary Questions (HC 622)

Published 26 June 2002

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Third Report of Session 2001–02

*Report, together with
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Minutes of Evidence and Appendices*

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Contacts

All correspondence should be addressed to The Clerk of the Procedure Committee, Journal Office, House of Commons, London SW1A 0AA. The telephone number for general inquiries is: 020 7219 3318; the Committee's e-mail address is: proccom@parliament.uk.

TABLE OF CONTENTS

	<i>Page</i>
REPORT	5
Introduction	5
Scope of the Report	5
The evolution of questions procedure	6
Statistics	9
What does the House now think of its questions procedure?	9
What are questions for?	11
Oral questions	12
Prime Minister's Questions	18
Written questions	21
Electronic tabling	25
Electronic tabling: our conclusions	27
Questions during recesses	29
Printing of questions	31
Implementation	32
SUMMARY OF CONCLUSIONS AND RECOMMENDATIONS	33
ANNEX A: Questionnaire from the Chairman sent to all Members of the House of Commons	39
ANNEX B: Analysis of the responses from Members to questionnaire	42
ANNEX C: Statistics supplied by the Table Office, House of Commons	48
PROCEEDINGS OF THE COMMITTEE RELATING TO THE REPORT	49
LIST OF WITNESSES	57
LIST OF MEMORANDA INCLUDED IN THE MINUTES OF EVIDENCE	58
LIST OF APPENDICES TO THE MINUTES OF EVIDENCE	59

THIRD REPORT

The Procedure Committee has agreed to the following Report:

PARLIAMENTARY QUESTIONS

Introduction

1. The right of Members of the House of Commons to ask questions of Ministers, to seek information or to press for action, is an essential part of the process by which Parliament exercises its authority and holds the Government to account. We have carried out a review of the system of parliamentary questions (both written and oral), to assess how well it is working and how it might be improved. We conclude that new technology should be introduced, to enable the electronic tabling of questions. We make other recommendations aimed at increasing the topicality and effectiveness of questions, and at making Question Time in the Chamber a more thoughtful and less 'tribal' occasion, with brisker and more effectively focussed exchanges between Members and Ministers. We see this review as an integral part of the ongoing process of modernising Parliament.

2. We began our inquiry in November 2001 by sending a questionnaire to all Members of the House, seeking their views on the use they made of questions and on options for change: we received 167 responses.¹ Between February and May 2002 we took oral evidence from two panels of backbench Members, from representatives of civil service unions, from Professor The Lord Norton of Louth as an academic commentator, from the Rt Hon Robin Cook MP, Leader of the House, and from Ms Helen Irwin, Principal Clerk, Table Office, together with two of her colleagues. We also visited the Scottish Parliament to learn about their system of parliamentary questions, held discussions with the Committee on Procedures of the Northern Ireland Assembly, and received written evidence from the Clerk to the National Assembly for Wales. We received a helpful memorandum on electronic tabling from Mr Richard Allan MP, formerly Chairman of the Information Committee, and we had informal contacts with the Office of the Government e-Envoy. We are very grateful to all our witnesses and others who assisted us in the inquiry.

3. We wish especially to record our gratitude to our specialist adviser on information technology, Professor Robert Hynds, formerly Professor of Computer Management at Imperial College, London.

Scope of the Report

4. The current rules governing questions are complex. As so often with House of Commons procedures, their rationale can best be understood by tracing how they evolved, usually piecemeal as a response to particular problems. We therefore begin with a historical summary, followed by some relevant statistics. Next we outline the results of our survey of Members' opinions, and discuss the purpose of questions. We then, in the main section of the report, set out our proposals in relation to oral questions, Prime Minister's Questions, written questions, electronic tabling and other issues.

5. There are two matters we have chosen not to investigate in detail: firstly, the quality of Government answers, because this is subject to regular scrutiny by the Select Committee on Public Administration;² and, secondly, the general rules governing the content of questions, because this was considered comprehensively by the Procedure Committee in 1991,³ and we have received no evidence to suggest that opinion in the House on this

¹ See paragraphs 21 to 27 below, and pp 42–47, for an analysis of the responses.

² See paragraph 64 below.

³ Procedure Committee, Third Report of Session 1990–91, *Parliamentary Questions* (HC 178), paras 84–121.

subject has changed materially since then. We believe that the specific issue of the rules in relation to questions on devolved matters does require further consideration; this can most appropriately be done as part of the inquiry into the procedural consequences of devolution which we intend to conduct next Session.

The evolution of questions procedure

6. The first recorded parliamentary question to a Minister was put in the House of Lords in 1721.⁴ Questions in the Commons were first printed in 1835, and first appeared on the Order Paper in 1849.⁵ In the early days notice was often given orally, but a Resolution of the House in 1886 required that it be given in writing, and this was converted into a Standing Order (the first to deal with questions) in 1888. Originally a Member could ask any number of oral questions, but in 1909 a limit of eight per day was imposed; this was reduced to four in 1919 and to three in 1920, at which level it remained till the 1960s. Questions for written answer were introduced in 1902, and have never been limited. The time allotted to oral questions was also originally unlimited, but in 1902, in response to a steep increase in the number of questions (from 200 or 300 a year in the 1850s to 4,000 or 5,000 in the 1890s) a Question Time of 40 minutes was established; in 1906 this was increased to a maximum of 55 minutes. Also in 1902, a minimum of two days' notice was laid down for questions for oral answer (previously a question might be put on the paper for answer on the following day). A formal rota of answering departments was first established in the 1920s. Notice of questions in writing was originally handed in to the Clerks at the Table, but as a result of the continuing increase in the number of questions this became impracticable, and in 1940 the Table Office was created in order to provide a convenient venue for tabling.⁶

7. Questions to Ministers evolved comparatively late in the history of Parliament—long after the basic pattern of parliamentary discussion based on debate arising from a motion had been established—and they have always been regarded as a somewhat informal proceeding. To this day, no mention of Question Time is made in the Votes and Proceedings or the Journal, and questions procedure is only partially regulated by Standing Orders (for instance, neither the rules governing content of questions nor details of the rota of departments are spelled out there). The Government retains an ultimate right to decline to provide the information sought in questions, and the Speaker has always enjoyed complete discretion in relation to the calling of supplementaries.

8. Questions procedure has been the subject of frequent select committee inquiries since the Second World War. These have usually been prompted by specific concerns, such as increases in the number of questions tabled or a desire to curb the practice of 'syndication' of questions by the political parties. The first post-war inquiry, however, was prompted by the desire of the incoming Labour administration to carry out "a comprehensive scheme for the reform of parliamentary procedure".⁷ A Procedure Committee was set up in August 1945, and as part of this wider programme undertook an inquiry into questions. In their report (January 1946), the Committee recommended that the period of notice for oral questions should be increased from two to three days,⁸ and urged the Government to reply

⁴ See Patrick Howarth, *Questions in the House: The History of a Unique British Institution* (London, 1956), pp 11–14.

⁵ Most of the historical information in the remainder of this paragraph is taken from Procedure Committee, Second Report of Session 1945–46, *Questions and Divisions* (HC 58-I), Ev 1 (memorandum from the Second Clerk Assistant); D. N. Chester and Nona Bowering, *Questions in Parliament* (Oxford, 1962); and Sir Norman Chester, 'Questions in the House', in *The Commons in the Seventies* (London, 1977), ed. S. A. Walkland and Michael Ryle, pp 149–174.

⁶ See David Natzler, 'The Table Office, House of Commons, Westminster', in *The Table: Journal of the Society of Clerks-at-the-Table in Commonwealth Parliaments* (1988) LVI, 58–60.

⁷ HC (1945–46) 58-I, para 1.

⁸ The report's actual wording is that the period of notice "should be increased from one to two days" (para 10), but it is clear from the context that this is counting from the first appearance of the question on the notice paper, not from the date of tabling.

to questions for written answer within seven days after their appearance on the notice paper.⁹ The recommendation relating to notice was implemented in 1947.

9. A further general review of procedure was undertaken in 1958–59. With regard to questions, the Committee drew attention to the increasing length of supplementaries and Ministerial answers, and a consequent reduction in the number of questions reached. As well as urging Members to be more concise, they recommended a reduction in the number of oral questions allowed per Member per day from three to two, in the hope that more Members would thus be able to take part. They also argued that the lack of a maximum period of notice for oral questions was being abused: “advantage is sometimes taken of this by Members who give notice of questions many weeks in advance, thus pre-empting a favourable place on the order paper”—at that time questions were taken in the order in which they had originally been tabled. They recommended that no more than 21 days’ notice (excluding recesses) should be given of any oral question.¹⁰ The recommendation for a reduction in the daily ‘ration’ of questions was implemented; that for a maximum notice period was not.

10. The Procedure Committee returned to these issues in a report published in April 1965.¹¹ They repeated their predecessors’ complaint that the lack of a maximum notice period meant that the actual notice required for an oral question to have a chance of being taken had become much longer than the three days minimum provided for in Standing Orders: “it is clearly undesirable that it should have become necessary to give a month’s notice if a question is to have a reasonable chance of receiving an oral reply”.¹² The Committee repeated the 1959 recommendation that there should be a maximum notice period of 21 days, accepting the risk that this might lead to a mass tabling of questions “within seconds of the opening for bookings”.¹³ They also expressed concern about the overall number of questions, and recommended that Members should be limited to tabling eight oral questions a month.¹⁴ Finally, they called for “a brisker approach by Members ... with the aim of improving the momentum of question time”.¹⁵ The 21-day limit was adopted by the House in October 1965. The ration of eight questions per month was not adopted.

11. In April 1967 the Committee reviewed the operation of the 21-day limit.¹⁶ They noted certain problems arising, but recommended no change. In March 1970 they returned to the issue and recommended that “in order to avoid any staleness of questions on the Order Paper”, the maximum notice period should be reduced from 21 calendar days to ten sitting days.¹⁷ This was agreed to.¹⁸

12. In 1971 a Select Committee on Parliamentary Questions was set up, under the chairmanship of the Leader of the House. Having noted “a considerable feeling of dissatisfaction with the operation of Question Time”,¹⁹ it recommended that the number of questions tabled for oral answer by each Member should be rationed, to two on any one day (only one of which to any Minister on that day), and to eight within a period of ten sitting days.²⁰ This recommendation was approved by the House in December 1971, and led to

⁹ *Ibid.*, paras 7–11, 12.

¹⁰ Procedure Committee, Report, Session 1958–59 (HC 92-I), paras 38–40.

¹¹ Procedure Committee, Second Report of Session 1964–65, *Question Time* (HC 188).

¹² *Ibid.*, para 2.

¹³ *Ibid.*, para 6.

¹⁴ *Ibid.*, para 8.

¹⁵ *Ibid.*, para 2.

¹⁶ Procedure Committee, Fifth Report of Session 1966–67, *Questions* (HC 410), paras 2–5.

¹⁷ Procedure Committee, Second Report of Session 1969–70, *Question Time* (HC 198), para 13.

¹⁸ CJ (1970–71) 380.

¹⁹ Select Committee on Parliamentary Questions, Report, Session 1971–72 (HC 393), para 2.

²⁰ *Ibid.*, para 19.

a significant reduction in the number of oral questions on the Order Paper during the remainder of the 1970s. The House also approved Committee recommendations that a system of priority written questions should be introduced (to be answered on a named day, subject to the same amount of notice as required for oral questions), and that Government departments should endeavour to answer non-priority written questions within a working week of their being tabled.²¹

13. In July 1976 the House referred to the Procedure Committee the matter of “the procedure for establishing the order of oral questions”. The Committee reported on this some weeks later.²² They noted that the chances of an oral question being taken depended on the order in which it was printed on the Paper, which in turn depended on a rather unscientific random shuffle carried out by the printers. The Committee defended the principle of random selection, but recommended that henceforward the shuffle should be carried out by the Clerk’s Department in the Upper Table Office at a set time, so that any Member who wished could see it being done. This recommendation was implemented, and led to the institution of what became known as the ‘four o’clock shuffle’. The shuffle has been carried out by computer since 1989.²³

14. The problem of increasing numbers of oral questions raised its head again: between 1981–82 and 1988–89 there was a three-fold increase in the number tabled. In 1990 the Procedure Committee recommended that henceforward only a specified number of the highest placed questions in the shuffle should be printed. They also drew attention to the high proportion of oral questions which appeared to be syndicated (this being “the practice adopted by PPSs and, to a lesser extent, by Whips of farming out pre-arranged groups of identical (or nearly identical) and often vague texts to a large number of individual Members, with a view to increasing the probability of ‘desirable’ subjects dominating Question Time”). In an attempt to rein in this abuse, they recommended that oral questions should be tabled by a Member in person, or by another Member acting on his or her behalf, and that no Member should be permitted to table more than two oral questions per Minister (one on his or her own behalf and one for another Member).²⁴ The Committee also recommended that the time of the shuffle be deferred from 4 pm to 5 pm. These recommendations were implemented from the start of Session 1990–91.

15. The Procedure Committee reported on other aspects of questions in May 1991.²⁵ They recommended that the maximum period of notice for oral questions should be reduced from ten to five sitting days, in order to allow “greater scope for topicality in the wording of questions”.²⁶ They also recommended that the ration of oral questions over a ten-day period should be abolished, as this had become largely redundant following the introduction of the new system of printing questions. They expressed concern that the system of priority marking for written questions was being abused, but rejected the introduction of quotas. Other recommendations related to the rules governing the content of questions. Following a further Procedure Committee report in May 1993,²⁷ most of the 1991 recommendations were implemented. One significant exception was the recommendation that notice for oral questions be reduced to five sitting days; in the light of opposition from the Government (on the grounds of the difficulty of preparing adequate briefing for Ministers within this curtailed period), the Committee agreed to withdraw the recommendation.²⁸

²¹ CJ (1972–73) 84.

²² Procedure Committee, First Report of Session 1975–76, *The Procedure for Establishing the Order of Oral Questions* (HC 618).

²³ See HC Deb, 15 November 1989, col 356.

²⁴ Third Report of Session 1989–90, *Oral Questions* (HC 379).

²⁵ Third Report of Session 1990–91, *Parliamentary Questions* (HC 178).

²⁶ *Ibid.*, para 18.

²⁷ First Report of Session 1992–93, *Parliamentary Questions* (HC 687).

²⁸ *Ibid.*, para 8.

16. In July 2000, the Procedure Committee recommended that the time of the shuffle be moved from 5 pm to 6.30 pm.²⁹ The Speaker authorised this change, which is now in force on an experimental basis.

17. Prime Minister's Question Time is very different in its nature from ordinary departmental Question Time, and has been considered as a separate topic in Procedure Committee reports. We summarise the history of Prime Minister's Questions (PMQs) in paragraphs 49 to 51 below.

Statistics

18. The effect of the restrictions introduced nearly 12 years ago on the number of oral questions printed (printing being limited to those questions likely to be reached) has been to stabilise the number recorded as tabled (excluding 'short' Sessions curtailed by a Dissolution and the 'long' Sessions which follow): 4,821 were tabled and printed in 1990–91, 5,747 in 1999–2000.

19. Until the present Session, the number of written questions has also remained reasonably constant since 1990–91, the greatest number tabled (excluding 'long' Sessions) being 44,994 in 1994–95 and the least (excluding 'short' Sessions) being 32,149 in 1998–99. As we outline in paragraph 67 below, there has been a significant increase in the daily average of written questions tabled so far in the present Session, but it is not clear whether this is a trend which will be sustained. We discuss in paragraph 70 below the ratio between 'named day' and ordinary written questions.

20. As at April 2001, the average cost of answering a written question was estimated at £129 and that of answering an oral question at £299.³⁰ The Government's advisory cost limit for answering written questions currently stands at £600 (above this figure Ministers consider whether to decline to provide the information on grounds of disproportionate cost).³¹ The overall cost of administering the questions system since 1997 has been estimated by the Government at over £31 million, at current prices.³² This does not include costs borne by the House such as those of staff work in the Table Office and of printing relevant parts of the Vote Bundle and Hansard.

What does the House now think of its questions procedure?

21. The composition of the House has changed markedly since the last Procedure Committee review of parliamentary questions in the early 1990s. The general election of 1997 in particular led to a influx of new Members and a notable increase in the number of women Members. In the light of these changes, we wished to assess what Members now think of the questions system and the rules relating to questions. We therefore sent a detailed questionnaire to all Members of the House. In order to maximise the candour of replies, we undertook to treat all comments in confidence and to use quotations unattributably.³³ We received 167 responses, which we think affords a good sampling of the House. The text of the questionnaire is given at Annex A, and a statistical analysis of the responses at Annex B.

²⁹ Procedure Committee, Third Report of Session 1999–2000, *Deadlines for Tabling of Oral Questions* (HC 735).

³⁰ HC Deb, 11 April 2002, col 582W; see HC Deb, 22 May 2002, col 417W, for the method of computation of these costs.

³¹ HC Deb, 11 April 2002, col 581W.

³² Ev 63, para 2.

³³ The ten Members who subsequently gave oral evidence to us agreed to waive this condition.

22. One of the questions we asked was “how do you use the system of questions to assist you in your work as a Member?” The responses to this were remarkably consistent, as the following representative selection will make clear:

“It is one of the few areas where, as a backbench MP, you can have a direct impact.”

“To elicit often factual information—and comparative data—which would otherwise be very time-consuming and to get Government positions on the record.”

“To build up a picture, to make a point on behalf of constituents, to give a Minister the opportunity to explain/justify/improve policy.”

“To obtain information about constituency matters.”

“To obtain information. To raise local issues.”

“To elicit information and/or put pressure on Ministers.”

“To research an issue in depth or help with a local campaign.”

“To pursue national policy scrutiny and to press constituency issues.”

“Proving to constituents that you really are trying to get answers out of the Government.”

“To find things out.”

“To gain information, statistics not available from other sources, clarification of policy (or lack of it).”

23. Members expressed more varying views when asked how effective they thought the questions system was “in bringing information into the public domain, contributing to political debate, and holding the Executive to account”. In relation to oral questions, 43% thought the system either quite or very effective, and 31% thought it either not very or not at all effective.³⁴ The corresponding figures for written questions were: quite or very effective, 60%, not very or not at all effective, 21%. (We give more details of the questionnaire responses in relation to written questions in paragraph 63 below.)

24. In some areas Members indicated their wish to change current arrangements: 73% thought that the current deadlines for tabling oral questions should be reduced or abolished, in order to allow for more topicality in Question Time, and a majority of Members wished to see changes to the timing and format of Question Time (50% in favour, 40% against). There was overwhelming support for the electronic tabling of questions (74% in favour, 24% against) and for a change in the rules to allow the tabling of questions during part of the summer recess (89% in favour, 10% against).

25. In other areas there was majority support for the status quo. Asked about the requirement that oral questions can only be tabled by a Member in person (or another Member acting on his or her behalf), 60% thought it justified as against 39% who thought it unjustified. There was very little support for any redesign of the current question forms: only 9% supported this as against 70% who did not. Narrow majorities of Members thought that the current rules governing content of questions were reasonable (46% to 42%), and that there should be no change to allow ‘open’ questions to departmental

³⁴ Where totals do not add up to 100%, that is either because respondents assenting to a middle category (e.g., ‘no opinion’) have been omitted, or because some respondents did not reply to the question.

Ministers (51% to 44%). An even narrower majority (47% to 45%) thought that the current distinction between 'named day' and ordinary written questions was useful.

26. Asked how frequently they received requests from outside organisations or lobbying groups to table questions on their behalf, 57% of respondents replied "occasionally" and only 7% replied "never"; 62% "occasionally" acceded to such requests, 23% never did so. In response to a similar question about requests from whips or party advisers, as many as 30% of respondents said that they received such requests at least once a week, 40% "occasionally" received them, and 21% never did so; 52% "occasionally" acceded to such requests, 13% did so at least once a week, and 20% never did so. Over two-thirds of respondents (67%) told us that their staff were involved in preparing questions for them to table.

27. When asked whether there were any improvements Members would like to see to the service offered by the Table Office, 34% replied "yes" and 31% "no". The principal complaint was of lack of space and cramped conditions in the Office: one Member referred to the Clerks being "crammed like battery hens", and another commented that having to discuss their questions in the hearing of other Members was "not ideal". Other respondents wished to see more staff on duty, especially at busy times. Some Members considered that the Clerks "quibbled over detail", or were "a little too pedantic". However, a greater number of Members expressed satisfaction with the Clerks, referring to them as "very helpful" or "invariably professional, helpful and *on our side!*"

What are questions for?

28. The Principal Clerk, Table Office, has supplied us with a succinct summary of the traditional definition of parliamentary questions, and the rules imposed by the House which flow from this definition:

"Questions are formal proceedings in Parliament, addressed by Members to Ministers, and must relate to matters for which Ministers are responsible and on which they are accountable to Parliament. The basic rules are quite clear. Questions must either press for action or seek information and a question which has recently been answered may not be asked again. The other rules relating to questions and the practice of the Table Office on behalf of the House depend on these central provisions and are intended to ensure that orderly questions are not crowded out by those relating to matters of debate for which other parliamentary opportunities are available."³⁵

29. The statement that questions exist to "press for action or seek information" remains very largely accurate as a description of the purpose of written questions. It is striking how many of the comments by Members, when asked in our questionnaire to describe how they used questions, amount to a paraphrase of that classic formulation (see paragraph 22 above). However, as has frequently been pointed out, the function of oral questions has increasingly diverged from that of written questions. Lord Norton described oral Question Time as a means not only of information gathering but also "of partisan point scoring, of self-promotion, of promoting external interests, and of forcing government to justify itself".³⁶ He commented that:

"Question Time used to be an opportunity for backbenchers to seek information from Ministers. It has in recent decades become more an opportunity for frontbenchers to intervene and for Opposition Members to try to catch out Ministers, as well as for government backbenchers to support Ministers and put questions about Opposition

³⁵ Ev 82, para 9.

³⁶ Ev 45, p 1.

policy. This change in nature has been a feature especially of Prime Minister's Question Time."³⁷

30. It is inescapable that oral questions, particularly those to the Prime Minister, will in many cases be employed for essentially party-political purposes. The televising of the House's proceedings has made this even more inevitable. Without seeking to challenge this fact of parliamentary life, however, we believe that it would be possible for the House to modify its procedures in relation to oral questions so as to increase the effectiveness of Question Time as an instrument of scrutiny of the Executive, "a principal means" (to quote Lord Norton again) "of enabling the House of Commons to force Ministers to explain and justify their policies and their actions".³⁸ In the next two sections of this report we examine ways in which this might be done.

Oral questions

31. The most frequently expressed criticism of the present system of oral questions is that it lacks topicality and relevance. This is because the deadline for tabling questions for oral answer is ten sitting days, in other words two calendar weeks. In theory, the minimum amount of notice for tabling questions for oral answer is three sitting days³⁹ and the period of ten sitting days is a maximum.⁴⁰ This reflects the original wish of the House to allow for some questions to be tabled at relatively short notice, *and* to allow Members a lengthy period beforehand in which they could table questions at longer notice at their convenience. However, as we have seen (in paragraphs 10 to 15 above), the increasing quantity of questions, and Members' desire to give their questions priority (because oral questions were originally taken in the order in which they were tabled) meant that the maximum notice period gradually turned into the *effective* deadline for tabling. This is now formally recognised by the holding of the 'shuffle', in which questions are selected for printing on a random basis, at 6.30 pm on the earliest day on which the standing orders allow notice to be given.

32. Many of our witnesses drew attention to the undesirable effects of this two-week deadline. Graham Allen MP pointed out that no television journalist interviewing a Minister would submit to a requirement to give two weeks' notice of questions.⁴¹ Other Members described the deadline as "absurd",⁴² and leading to "lack of spontaneity". By a majority of nearly three to one (73% to 24%) respondents to our questionnaire thought that the current deadlines for tabling oral questions should be reduced or abolished, in order to allow for more topical questions. None of our witnesses defended the current notice period for oral questions, although representatives of the civil service unions expressed concern about the effect of very short deadlines on the departmental staff who have the responsibility of preparing briefing for Ministers.⁴³

33. The Leader of the House in his memorandum commented that "it is a source of frustration to MPs and the public that many 'live' issues do not figure" in oral Question Time.⁴⁴ In oral evidence he expanded on this:

³⁷ Ibid.

³⁸ Ibid.

³⁹ S.O. No. 22 (6) provides that "notice of any question for oral answer must appear at latest on the notice paper circulated two days (excluding Saturday and Sunday) before that on which an answer is desired".

⁴⁰ S.O. No. 22 (5) provides that "notice of a question for oral answer may not be given on a day earlier than ten sitting days before the day for answer, provided that, where that earliest day would otherwise fall on a Friday, the earliest day on which such notice may be given will instead be the previous sitting day". S.O. No. 22 (7) further provides that non-sitting Fridays shall normally be treated as sitting days for the purposes of determining periods of notice.

⁴¹ Q 9.

⁴² Q 72 (Mr John Taylor MP).

⁴³ Ev 31, Q 136.

⁴⁴ Ev 66, para 26.

“If you look back over the last few months there are some spectacular cases where the length of notice for oral questions has vitiated the topicality of question time. If I just take the Foreign Office questions, which I am particularly familiar with because of my previous role, when we came back in January there was not a single question on India, Pakistan and Kashmir, despite the fact that that was the lead front-page story on foreign affairs. The next month there was not a single question on Gibraltar, although there was enormous interest in the negotiations with Spain—so much so that the Foreign Secretary did a PNQ at the end of question time because there was no question about it. Last week we did not have a single question in the Foreign Office question time on the Middle East, either the intifada or on the peace process. ... I do not think Parliament is going to restore itself as a central point of national debate unless we are talking about what the world outside is talking about, and we have to dramatically shorten that period of notice for question time.”⁴⁵

34. We consider that the present notice period required for oral questions has become a major barrier to the effective operation of questions. It frequently operates to prevent the House discussing the ‘issues of the day’. Even where such discussion is possible, this often comes about because of the happy accident of a relevant question having been tabled two weeks before, or because the ingenuity of Members is deployed in exploiting a semi-relevant question. The only defence of the current arrangements which might theoretically be advanced is that they allow civil servants ample time to prepare briefing for their Ministers. However, when we asked the Leader of the House what he thought the minimum feasible notice period was, in terms of being able to prepare satisfactory briefing, he responded:

“I have not got any hard and fast prejudice on this matter and possibly not all my colleagues would concur, but I would personally think two days is not unreasonable, but I add the rider it has to be two working days. That I think will be reasonable.”⁴⁶

35. We note that—as our historical survey in paragraphs 6 to 17 above makes clear—it was never the House’s wish to impose an unrealistically long deadline for tabling oral questions. The present deadline arose as the unintended consequence of rules designed for other purposes. We also note that in the early days of parliamentary questions, very short deadlines were the norm. Prior to 1902, a question might be tabled for answer the following day—and this in a period when Ministers had responsibility for governing a global empire, and modern communication techniques were in their infancy.⁴⁷ From 1902 to 1947 only two days’ notice was required.

36. We have considered the question of how long a satisfactory notice period might be. Our predecessors in 1991 recommended that the period should be reduced to five sitting days, but withdrew their recommendation after the then Government opposed it.⁴⁸ More recently, in 2000, the Conservative Party’s Commission to Strengthen Parliament, chaired by Lord Norton, also recommended a reduction to five working days.⁴⁹ Giving oral evidence to us, Lord Norton said that he would regard a reduction to two working days as “feasible”.⁵⁰ As we have seen, the present Leader of the House also regards two working

⁴⁵ Q 233.

⁴⁶ Q 237.

⁴⁷ “In 1901, and indeed for some years after, a Member could hand in a question at the Table as late as 11 pm or 11.30 pm on, say, Monday for answer the next afternoon. His question would be certain to be reached. If he did not like the answer he could come out of the Chamber, think out one or two further questions, hand them in and be certain of the Minister having to reply on the Thursday. If the Minister again failed to satisfy him he could put another question which would be reached on Friday, and so on, day after day if he so wished.” (Sir Norman Chester, ‘Questions in the House’, *op. cit.*, p 149.)

⁴⁸ See above, para 15.

⁴⁹ Ev 46.

⁵⁰ Q 174.

days as “reasonable”.⁵¹ One of our witnesses, Mr Graham Allen MP, even raised the possibility of abolishing notice altogether, commenting that

“This would make questions far more political. Colleagues with detailed or specific questions could ask written questions or write to Ministers. The valuable hour for questions would then focus on the vital issues of the day. Ministers instead of pretending to know each microscopic detail would be held to account for their policies.”⁵²

37. We do not support the abolition of notice altogether. As Mr Allen points out, this would have the effect of making departmental Question Time “far more political”, in other words more like Prime Minister’s Questions. We do not think that either the House or the general public would wish to see a move in this direction. For the same reason, we do not favour any change in departmental Question Time from closed to open questions. The Prime Minister has general responsibility for Government strategy as a whole, and there is a strong argument for permitting open questioning of him, without notice, in relation to these broad issues. Departmental Ministers, on the other hand, have specific responsibilities in defined areas of policy, and it is equally reasonable that they should be subject to detailed questioning on their own policy areas, which in turn requires that they should be given adequate notice of questions.

38. **We recommend that the period of notice required for oral questions to departmental Ministers should be reduced from ten sitting days to three sitting days.⁵³ We believe that this will enable Question Time to become much more topical and relevant, while allowing a reasonable period (in effect, two whole working days) for departments to prepare briefing for their Ministers.** The new pattern of tabling—allowing for the fact that there is no Question Time on a Friday, and that in our view Members would not wish a deadline for tabling to fall on a Friday either—would be as follows:

<i>Table before cut-off on:</i>	Monday	Wednesday	Thursday	Thursday
<i>for answer on:</i>	Thursday	Monday	Tuesday	Wednesday.

39. **We believe that this change should be accompanied by three other modifications of the existing rules. The first is that Members should be allowed to table oral questions on any day after their last Question Time and before the minimum notice period—that is, generally, up to a period of four weeks before the day for answer.** We see no reason for continuing the present, restricted arrangements whereby Members have in effect a single, narrow ‘slot’ of one day on which to table oral questions. The Table Office has told us that they see no difficulty in administering a system whereby questions could be tabled in advance, and then put in the shuffle on an equal basis with those tabled on the ‘last day’.⁵⁴ This will be much more convenient for Members. It will have the further benefit that Members who are abroad on parliamentary business will not miss the opportunity to table oral questions if the minimum notice period for questions falls during their absence. The Principal Clerk, Table Office, confirmed to us that if the proposal is adopted, Members would be able to amend questions tabled on earlier days until the time of the shuffle on the due day.⁵⁵ The proposal is also likely to reduce the congestion in the Table Office at particular times of the day (see paragraph 27 above).

⁵¹ Q 237.

⁵² Ev 1.

⁵³ For a definition of ‘sitting day’, see footnote 40 above.

⁵⁴ Qq 278–91.

⁵⁵ Ev 85, para 28.

40. We recognise that a reduction of the minimum period for notice of oral questions to three sitting days will, inevitably, place greater pressure on the civil servants responsible for preparing briefing for Ministers. In recognition of this, we make two further recommendations intended to reduce the extra burden.

41. **The timing of the shuffle should be brought forward from 6.30 pm to 4 pm.** This will allow departments to be notified of the successful questions in the ballot on the last day of tabling rather than on the morning of the following day, and thus give some much-needed extra leeway for preparing briefing.⁵⁶

42. **The number of Questions per department in each daily slot should be reduced.** The quotas for the number of questions successful in the shuffle which are actually printed have been set by the Speaker following the House's acceptance of the Procedure Committee's recommendations in 1989–90.⁵⁷ The current allocations were set in 1997, as follows:

<i>Oral questions slot</i>	<i>Questions printed (maximum)</i>
1 hour	40
50 minutes	35
45 minutes	30
30 minutes	30
15 minutes	15
10 minutes	10.

The Government describes these quotas as “unrealistic”. The Leader of the House commented, “I would have to say to the Committee that there is a trade-off between shortening the period of notice and ... the number of questions for which there is an available quota each time”. He added that when a Minister prepares for Question Time he is given

“a great big loose-leaf folder and that goes, in the same detail and the same voluminous background, up to question 40. I feel for the poor official who has slaved for days to produce their answer to question 39 in the full and demoralising knowledge that it will never, ever be reached. I think if we are going to ask officials to do the preparation at a much shorter period we have to radically alter the number of questions we are asking them to prepare for.”⁵⁸

Likewise, the FDA (the union representing civil servants in senior grades) argued that if the numbers of questions printed were to be reduced, “this would reduce the workload and in particular would reduce the amount of supporting briefing which is prepared and not used when an oral PQ is not reached”.⁵⁹

43. The Government propose new quotas as follows:

<i>Oral questions slot</i>	<i>Questions printed (maximum)</i>
1 hour	20
50 minutes	20
45 minutes	20
30 minutes	20
15 minutes	8
10 minutes	6.

⁵⁶ See Qq 280–89.

⁵⁷ Appendix 22, para 29; HC (1989–90) 379, para 8.

⁵⁸ Q 236.

⁵⁹ Ev 31.

The Table Office point out that this would be a matter for Mr Speaker following a recommendation from the Committee. They add that any figures would have to be high enough to allow for some withdrawals to take place without risking that there will not be enough questions. **We recommend that the following new quotas should be adopted:**

<i>Oral questions slot</i>	<i>Questions printed (maximum)</i>
55 minutes	25
50 minutes	20
45 minutes	20
30 minutes	15
15 minutes	10
10 minutes	8.

We believe that these new quotas should be subject to regular review, and that Mr Speaker should have the authority to make any further adjustments which seem to him desirable.

44. The four recommendations set out in paragraphs 38 to 43 above comprise an integrated package. They are intended to operate in conjunction with each other and we believe it is essential that they should be implemented together.

45. We consider that these recommendations will have a major and beneficial impact in terms of making Question Time more topical and relevant. **We believe that the House should be invited to decide upon two further proposals aimed at injecting greater topicality into oral questions. These are that:—**

- (1) On every Tuesday and Thursday, departmental Question Time should be followed by a further session of up to 30 minutes of questioning on a single subject.** The choice of initial question would be made by the Speaker on the basis of applications submitted to him before noon on the previous day. In making this choice, the Speaker would give due weighting to topicality, urgency, the public importance of the subject, suitability in terms of potential for supplementary questions, party balance, and balance between the Opposition parties and backbenchers on both sides of the House. He would aim to achieve an overall balance between these criteria over a period of time. The Speaker would have discretion, if he thought fit, occasionally to substitute two 15-minute sessions for one 30-minute session. We envisage this procedure as closely resembling the existing procedure on private notice questions; but we do *not* propose that private notice questions in their present form should be abolished (though in practice we think it likely that the need for them would be significantly reduced). We appreciate that our proposal would entail a significant transfer of control of time on the Floor of the House from the Government to the Opposition and backbenchers, and we therefore recommend that before the House is invited to take a decision on the proposal, discussions should take place between the usual channels with a view to establishing whether the Opposition parties would agree as a *quid pro quo* to a reduction in the number of Opposition days allocated per Session (currently 20).⁶⁰
- (2) Once a week, an hour-long session of questioning addressed to a single Minister of State, or two 30-minute sessions addressed successively to two Parliamentary Under-Secretaries, should be held in Westminster Hall (possibly on Thursday mornings).** We believe this would be a useful way of exploiting the potential of Westminster Hall. Questions would relate to any aspect of the Minister's responsibilities. There would be a rota of Departments and Ministers. The notice required of questions would be the same as that required for oral questions in the

⁶⁰ S.O. No. 14 (2).

Chamber, the rules governing content would be the same as those applying in relation to departmental Question Time (i.e. open questions would not be permitted), and a shuffle would be held to select questions. In order to allow for depth of questioning, no more than 20 questions could be taken in each 30-minute period.

46. If the House approves the principle of either or both of the above proposals, we will draw up more specific recommendations for their implementation.

47. Finally, we make some comments in relation to the conduct of departmental Question Time in the Chamber. **We are very concerned about the increasing length both of questions and of Ministerial answers.** Several Members giving evidence to us drew attention to this. Norman Baker MP said that "answers are far too long on occasion and we ought to see Ministers and MPs questioning Ministers pulled up rather more".⁶¹ Mr John Taylor MP said:

"What I am most unhappy about is the sheer tedium of oral questions these days. I am sure it has deteriorated in the 19 years that I have been in this House. It seems increasingly that we do not get beyond question 10. I am quite sure that as a younger man I can remember us in an hour getting to question 20 and even beyond. Not only are the questions long but the Ministers' replies are long and this is a besetting sin. It shows a lack of discipline and a lack of commitment on the part of the Member who is framing the question, who really should have thought about the question, how to get it tight and concise. A minister, if he knows his subject, will answer promptly and succinctly, exhibiting a willingness to be exposed to more questions later on. We do not get far down the order paper."⁶²

We strongly support Mr Speaker in his attempts to restrain the prolixity of some Members. Long, rambling questions are counter-productive, whilst long, rambling answers are an abuse of the time of the House. We would encourage Mr Speaker—and the Deputy Speakers—to interrupt long-winded Members and instruct them to come to the point. We believe that the Chair should take a pro-active role in seeking to change the 'culture' of Question Time and foster more incisive, tightly focussed exchanges.

48. **We also believe that the balance of power at Question Time between Minister and questioner is at present tilted too far in favour of the former, who can choose to give evasive or unhelpful replies, knowing that questioning will move on and he or she will shortly be 'off the hook'. We support the proposal by Lord Norton⁶³ that the Speaker should give the Member who has asked a question the opportunity to ask a second supplementary after all supplementaries from other Members have been called. If this recommendation is implemented, the questioner will have the opportunity of some redress if the Minister has blatantly failed to address the original question.**

Prime Minister's Questions

49. Prime Minister's Question Time as a regular parliamentary occasion was introduced in 1961. Prior to that date, questions to the Prime Minister appeared at No. 45 on each day's list and frequently were not reached.⁶⁴ From 1961 to 1997, PMQs took place twice

⁶¹ Q 8.

⁶² Q 58.

⁶³ Ev 46; Q 182.

⁶⁴ Before 1881, all questions to Ministers were taken in the order in which they were tabled. Starting in that year, as a courtesy to Mr Gladstone (then aged 72), questions addressed to the Prime Minister were placed last on the daily list. As the number of questions rose, PMQs were in danger of not being reached. From 1904, therefore, it was decided that they should begin at No. 51, then, when this provision proved inadequate, at No. 45. See HC (1976–77) 320, para 12.

a week, on Tuesdays and Thursdays, for 15 minutes. Since 1997, this has been replaced by a single weekly slot of 30 minutes on Wednesdays.

50. The nature of PMQs has always been dictated by the unique nature of the Prime Minister's office: although as head of Government he has a general co-ordinating responsibility for all that is done in the name of the Government, he has direct administrative responsibility for very little. In the early days of regular PMQs it became the practice for Prime Ministers to transfer substantive questions to the departmental Ministers who were directly responsible for particular policy areas. This in turn led to the development of the open question (most commonly, "if he will list his official engagements for the day"), to which a supplementary question relating to any aspect of Government policy could be pegged. Since the late 1970s Prime Ministers have abandoned the practice of transferring questions, but the dominance of the open question has continued.

51. The Procedure Committee last reviewed the operation of PMQs in 1994–95.⁶⁵ In their report they commented that PMQs could no longer be held to satisfy the test that 'the purpose of a question is to obtain information or press for action'. They summarised the criticism of PMQs that it had "developed from being a procedure for the legislature to hold the executive to account into a partisan 'joust' between the noisier supporters of the main political parties", and observed that it was "not seen outside the House to reflect well on the performance of the House".⁶⁶ However, they added, "it must be recorded that there are those who see the present Prime Minister's question period as the very centre of political argument and believe this is the time when the Government and the Prime Minister are most exposed".⁶⁷

52. The Committee's 1995 report discussed a series of options for reform. These were:

- changing to a procedure of short 'question and answer' debates on substantive subjects
- backbenchers putting questions to the Prime Minister in Select Committee format
- dispensing with the requirement for notice of a question by having name-only ballots to ask questions; and
- extending the question period to 30 minutes.⁶⁸

53. The Committee's recommendation was that an experiment be held with PMQs on Thursday, with a ballot to choose ten Members, each of whom would be entitled to table a specific question by noon on the previous day, which when taken would be followed by relevant supplementaries. The Committee argued that "such an experiment on Thursdays would enable the House to conduct sustained questioning of the Prime Minister on between four and six specific subjects without the House jumping quickly from one subject to another".⁶⁹ They claimed that it thus represented the best opportunity for combining topicality with the advantages of specific, closed questions. The Committee's proposal was not, however, adopted by the House.

⁶⁵ Seventh Report of 1994–95, *Prime Minister's Questions* (HC 555). Earlier select committee reports dealing with PMQs were: Select Committee on Parliamentary Questions, Report, Session 1971–72 (HC 393), paras 20–27; Procedure Committee, Fifth Report of Session 1976–77, *Questions to the Prime Minister* (HC 320); and Procedure Committee, Third Report of Session 1990–91, *Parliamentary Questions* (HC 178), paras 32–39.

⁶⁶ HC (1994–95) 555, paras 4, 24.

⁶⁷ *Ibid.*, para 43.

⁶⁸ *Ibid.*, para 30.

⁶⁹ *Ibid.*, paras 50–52.

54. The reform which *was* made, after the 1997 general election, was the switch from two weekly PMQs slots of 15 minutes to a single slot of 30 minutes. This change has been criticised on the ground that it was made by authority of the present Prime Minister without prior consultation within the House.⁷⁰ However, we note that Mr Blair, when Leader of the Opposition, did indicate to the Procedure Committee that he favoured making such a change, and other witnesses cited in the 1995 report also discussed the merits of this option.⁷¹ We also note the Prime Minister's comment to the House shortly after the introduction of the new arrangement that the Procedure Committee would be able to "review the system as time progresses" and "will look at ways that it can be improved in the light of experience".⁷²

55. Decisions about which Ministerial teams answer on which days have always been a matter for the Government. Details of the departmental rota are not specified in standing orders, which merely set limits for the overall timing of daily questions. In general we think this is sensible: it allows for flexibility, and means that the House does not need to amend the standing orders relating to questions every time Government departments are split, merged, created or abolished. However, **we believe that the distinction between Prime Minister's Questions and departmental Question Time is sufficiently fundamental that special provision for the former would be justified. We recommend that the timing of PMQs ought to be separately specified in the standing orders, so that any future change to it will be open to debate and subject to the formal decision of the House, which will thus be seen to have 'ownership' of its own procedures.**

56. Our present inquiry has focussed chiefly on departmental oral questions and written questions, not on PMQs. However, the possibility of reform to PMQs was raised by some of our witnesses. The most specific proposals came from Lord Norton, who recommended that PMQs should revert to being held twice a week, but for 30 minutes not 15; that the number of questions should be limited to five closed questions, of which four would be tabled five days in advance and the fifth would be a topical one tabled the previous day.⁷³ Lord Norton argued that the use of open questions was based on the fallacious assumption that this enables backbenchers to catch the Prime Minister unawares on a particular issue, whereas in practice, "backbenchers hardly ever catch the Prime Minister out and the basis underlying the retention of open questions is therefore fundamentally flawed".⁷⁴

57. Asked to comment on Lord Norton's proposals, the Leader of the House said that "it would be in everybody's interest if people were free and indeed were encouraged to table specific questions for the Prime Minister"—but he did not support the outright prohibition of the open question, and in any case thought that the Leader of the Opposition had to be free to raise topical questions without notice.⁷⁵ In terms of timing, the Leader did not think it would be desirable to double the demands on the Prime Minister's time by reverting to a twice-weekly question time.⁷⁶

58. During our inquiry we explored another option raised in the 1995 report. We considered the merits of relocating PMQs, at least occasionally, to a Committee setting, possibly to be held in Westminster Hall, with the Prime Minister being questioned by a small number of backbench Members who had balloted for the right to do so. When asked about this, the Leader of the House commented that this was "a very innovative and interesting idea", which he wished neither to kill off nor immediately endorse. He thought it would be desirable for there to be "a more informal, less combative exchange geared

⁷⁰ Ev 47.

⁷¹ *Ibid.*, Ev 43; paras 5, 11, 12, 39–42.

⁷² HC Deb, 15 May 1997, col 162, and 21 May 1997, col 712.

⁷³ Ev 47.

⁷⁴ *Ibid.*

⁷⁵ Q 244; see also Q 247.

⁷⁶ Q 247.

more to actually making progress in identifying the truth and identifying solutions”; but he warned that there was a danger of “introducing a gladiatorial approach in places and procedures where at present we are free from such things, in Westminster Hall and select committee hearings”.⁷⁷

59. Shortly after the evidence session at which these comments were made, the Prime Minister announced that he was willing in principle to appear before select committee chairmen every six months to discuss domestic and international affairs. Details of how these public evidence sessions will be conducted are currently being discussed between the Prime Minister, the Liaison Committee and the House authorities.⁷⁸

60. We very much welcome the Prime Minister’s willingness to appear before the Liaison Committee, which we believe will lead to a significant increase in Government accountability to Parliament, as well as an enhanced recognition of the importance of the select committee system within Parliament. We look forward with interest to the first Prime Ministerial appearances before the Liaison Committee. It may be that in due course the principle of questioning the Prime Minister in committee could usefully be extended, with more frequent committee appearances, perhaps every six to eight weeks. Such evidence sessions might be held in Westminster Hall.

61. Notwithstanding this possibility, there is no doubt that PMQs in the Chamber will, for the foreseeable future, continue to be the principal means by which Members of the House can hold the Prime Minister to account for his policies and decisions as head of the Government. We believe that the existing system of PMQs has some merits, in particular the unfettered right of the Leader of the Opposition and other Members to raise topical issues. However, the almost exclusive use of open questions also tends to encourage the ‘tribal behaviour’ on both sides which damages the public image of the House, whilst the hopping from one subject to another which is a consequence of open questions militates against sustained and serious scrutiny. **Our proposal to reduce the period of notice for oral questions from ten to three sitting days, if implemented, will reduce some of the perceived disadvantage to Members of tabling closed questions to the Prime Minister, by making it easier for such questions to be relevant and topical. We hope this will encourage Members to make greater use of closed questions. In addition, any future extension of the practice of questioning the Prime Minister in committee might provide an opportunity to experiment with greater use of closed questions.**

62. One minor reform will, we think, be helpful to users of the Order Paper. **We recommend that the text of ‘engagements’ questions to the Prime Minister should no longer be set out in full. Instead, the names of Members successful in the ballot should be listed under a rubric indicating that, unless a question is printed under their name, they will ask an open question.** This will make the Order Paper clearer to visitors, and will have the added benefit of highlighting any closed questions (which will continue to be set out in full).

Written questions

63. A majority of Members surveyed in our questionnaire thought that the system of written questions was either quite (42%) or very (18%) effective in bringing information into the public domain, contributing to political debate, and holding the Executive to account. A much smaller group thought the system was either not very (16%) or not at all (5%) effective. Nearly nine out of ten Members said that they tabled written questions at least once a week. The proportion of Members satisfied with the speed of answers to

⁷⁷ Qq 249–50.

⁷⁸ HC Deb, 26 April 2002, col 465W. On 14 May 2002 Standing Order No. 145 (Liaison Committee) was amended to insert the words, “The Committee may [...] hear evidence from the Prime Minister on matters of public policy.”

written questions (44%) was very similar to that of those who were dissatisfied (45%). More Members (28%) were dissatisfied with the quality of answers than were satisfied (21%), but a high proportion (36%) expressed no opinion one way or the other.

64. The quality of Ministerial answers has been monitored for several years by the Select Committee on Public Administration, which conducts an annual inquiry and publishes an annual report on the subject.⁷⁹ We acknowledge the valuable work done by the Committee, which we do not seek to duplicate here. We look forward to their next annual report, expected shortly, and note that in this the Committee hopes “to arrive at a more up-to-date and comprehensive assessment of whether or not the performance of Government departments is improving.”⁸⁰

65. Although we have not sought directly to assess the quality of answers, we must record that a number of Members have written to us drawing attention to what they regard as particularly evasive or unhelpful replies. The Liberal Democrats submitted a paper making similar claims. We print these submissions with the Minutes of Evidence.⁸¹ **We trust that the Select Committee on Public Administration will address these and similar concerns in their continuing inquiry into the quality of ministerial answers. We recommend that they give consideration in particular to the need for the Government, in cases where it does not give a full and satisfactory answer to a question, to state the reasons why this has not been possible.**

66. **We also take the opportunity of reminding the Government of the importance of adhering to the 1997 Resolution of the House on ministerial responsibility.** This states:

“Ministers should be as open as possible with Parliament, refusing to provide information only when disclosure would not be in the public interest, which should be decided in accordance with relevant statute and the Government’s code of practice on access to Government information.”⁸²

In a statement on 28 November 2001, Mr Speaker reaffirmed the importance of the Resolution as an expression of the House’s legitimate expectations, and said that it was the duty of Ministers to act in the spirit of the resolution when answering questions.⁸³

67. We must address a concern expressed by several of our witnesses, that a further increase in the number of questions being tabled may lead to an erosion of the quality of responses and to delays in responding. Both the Government and the Table Office drew our attention to a significant increase in the average number of written questions tabled per sitting day so far in the current Session compared to previous Sessions (from an average of 252 per sitting day in 1997–98 to 481 in the present Session up to February).⁸⁴ The Table Office has supplied fuller figures relating to this trend.⁸⁵ There is some evidence that a contributory factor is the mass-tabling of questions by a small number of individuals: for instance, by 12 April 2002, nearly 3,500 of the 43,933 written questions tabled in the present Session had been tabled by one Member, this amounting to 7.7% of the total. The Government comment, “the sheer volume of questions that are currently being asked is inhibiting the speed with which answers can be prepared”.⁸⁶

⁷⁹ Most recently: Second Report of Session 2000–01, *Ministerial Accountability and Parliamentary Questions* (HC 61); Government response in Fourth Report of Session 2001–02 (HC 464).

⁸⁰ HC (2001–02) 464, para 1.

⁸¹ Appendices 10, 18 and 19.

⁸² CJ (1996–97) 328.

⁸³ HC Deb, 28 November 2001, col. 971.

⁸⁴ Ev 63, para 6, and Ev 82, para 7.

⁸⁵ Ev 87–101.

⁸⁶ Ev 64, para 7.

68. Other witnesses agreed that the system was in danger of becoming over-loaded. Andrew Bennett MP told us:

“We have gone for quantity rather than quality. There is a major problem that some junior ministers spend all their time rushing around ... here there and everywhere. They do not have time to think about the answers, particularly to written questions, so they just sign off whatever the civil servant puts in front of them. There are far too many questions and it would make a big difference if there were fewer but there were far better answers to them.”⁸⁷

Lord Norton observed that, while written questions seem at present to fulfil their purpose effectively, there was a danger that an increase in the numbers tabled would devalue their impact and erode the quality of replies. He argued that there might be a case for limiting the number tabled by each Member, perhaps to four a day; though he acknowledged the counter-argument that a Member should be free to pursue particular issues in an unfettered way.⁸⁸

69. Much criticism was directed at the system of named-day (formerly ‘priority’) questions, at least in its current form. Under S.O. No. 22, “where a Member has indicated that a question is for written answer on a named day the Minister shall cause an answer to be given to the Member on the date for which notice has been given”, provided the same amount of notice as required for oral questions is given (i.e., a minimum of three sitting days). In principle, it is sensible that Members should have the opportunity of indicating which of their questions are time-sensitive. However, the effectiveness of this system is damaged if too great a proportion of questions are marked as having priority: this in turn leads to a proliferation of ‘holding answers’⁸⁹ and much frustration on the part of Members.

70. The Principal Clerk, Table Office, told us that “the system of named-day questions is not working in the way in which it was designed to operate”.⁹⁰ When the Select Committee on Parliamentary Questions first recommended the introduction of this system in 1972, they commented “it is to be hoped that Members would not overload the ‘priority’ system for written questions by the indiscriminate marking of their questions with a W”.⁹¹ This hope rapidly proved unfulfilled. As the table set out in Annex C demonstrates, although the ratio between priority and ordinary written questions has fluctuated over the years, it has never fallen below 1:2, and has usually been much higher.⁹² In Session 2000–01, nearly half of all written questions tabled (48%) were for a named day; of these, two-thirds (i.e. nearly one third of the total of written questions) were for the earliest named day.⁹³ The Principal Clerk commented: “it is the habit of some Members to table their written questions for the earliest named day as a matter of course; sometimes this is a deliberate policy on the part of the Member and the Table Office is obliged to follow Members’ instructions if they wish to specify a date for reply”.⁹⁴ A survey of 20 Government departments in November 2001 revealed that in the period specified only nine had answered more than half named-day questions on the day requested, and of those nine, three had answered about a third with holding replies. Only six departments had anything like a reasonable record in answering named-day questions on the appropriate day.⁹⁵

⁸⁷ Q 5.

⁸⁸ Ev 48.

⁸⁹ A ‘holding answer’ takes the form ‘I shall answer this question shortly’; these replies are not printed in the Official Report.

⁹⁰ Ev 83.

⁹¹ HC (1971–72) 393, para 28.

⁹² See below, p 48; see also Ev 88–89.

⁹³ Ev 89.

⁹⁴ Ev 83.

⁹⁵ *Ibid.*, para 15.

71. The Government told us that they support the principle of named-day questions, as MPs would need information on some issues at short notice, but they added that it was “hard to see any discernible urgency in the majority of these questions”. They argued that the indiscriminate use of named-day questions for the shortest notice diverted officials from other pressing tasks and resulted in Ministers not being able to respond properly to genuinely urgent questions. In oral evidence the Leader of the House told us that “we are getting an absurd number of priority questions”.⁹⁶ The Government urged us to consider a weekly limit on the number of questions to which an answer is required within five sitting days. They added that “we would expect that such restrictions would need to be applied flexibly so as not to undermine an individual Member’s ability to question the Executive on serious and urgent issues”. They also proposed that the minimum period for a reply for a named-day question should be extended from three to four working days, to reduce the number of holding answers.⁹⁷

72. The Procedure Committee in 1990–91 expressed concern about the abuse of priority questions (as they were then called). They considered recommending the introduction of a ration but rejected this, calling instead for Members to exercise self-discipline: “the priority marking should be used sparingly and selectively [and] the earliest permitted date should be reserved for those questions to which an urgent answer is genuinely required”.⁹⁸ They expressed the hope that “the overloading of the system by a relatively small number of Members will ultimately be self-correcting”.

73. More than a decade on, it is clear that our predecessors’ hopes have not been fulfilled. We do not believe that half of all written questions tabled can legitimately be described as being urgent, or that a third of all written questions tabled should be for the earliest named day. The proliferation of holding replies arises from this overloading of the system, and we fear that there is likely also to be an impact on the quality of answers. **We therefore believe that the House should impose a daily quota per Member of five named-day questions (that is, five per day relating to *all* named days, not just the earliest named day). We expect that this measure, by relieving the pressure on departments, will lead to a significant reduction in the number of holding replies.**

74. The Government initially suggested that rationing be imposed “flexibly”, but in oral evidence the Leader of the House acknowledged that this would not be workable:

“The moment you leave anything dangling at the edges Members will argue about it, and we have to protect Clerks from being in the difficult position of disagreeing with a Member”.⁹⁹

The Table Office pointed out that “this would require the Clerks in the Office to reach and enforce political judgements on the urgency and importance of a question, which would be a clear departure from what has been its role”.¹⁰⁰ **We concur: the ration must be fixed and non-negotiable.**

75. If the House accepts our recommendation, we propose to keep the operation of the new system under review in order to monitor the extent to which the proportion of questions tabled for a named day is reduced, and the extent to which fewer holding replies are given in consequence. In the light of this review, it may be that adjustments to the quota, upward or downward, seem to us desirable; if so, we shall report to the House accordingly.

⁹⁶ Q 253.

⁹⁷ Ev 64–65, paras 13–21.

⁹⁸ HC (1990–91) 178, paras 69–75.

⁹⁹ Q 256.

¹⁰⁰ Ev 147.

76. We reject the Government's further proposal that, in addition to a daily ration of named-day questions, the minimum period for a reply to a named-day question should be extended from three to four working days. This seems to us wrong in principle: the object of a reform should be to reduce the total number of named-day questions to a sensible level, not to introduce greater delay in replying to questions which are genuinely urgent.

77. The Principal Clerk, Table Office, suggested to us that if there were to be a ration of named-day questions, a Member who did not receive a substantive answer to such a question on the due date could be given priority in a forthcoming ballot for adjournment debates, perhaps in Westminster Hall.¹⁰¹ The Principal Clerk argued that "such a penalty might discourage excessive use by Ministers of holding replies". We understand the attraction of this proposal, but consider that it would be best to see whether our reform, if implemented, is successful in significantly reducing the number of holding replies before deciding whether it would be desirable to introduce sanctions of this kind. We may return to this proposal in a future report.

78. We do not propose that any limit be placed on the number of ordinary written questions a Member can table, and indeed believe that it would be wrong in principle to do so.

79. We hope that our recommendation in relation to rationing of named-day questions will lead to a significant amelioration of the current overloading of the system. One further step which would contribute to this would be if Members were to be more aware of the extent to which the information they seek is readily available by other means. In particular, there is now a vast quantity of information easily available on the Internet, much of it supplied by Government departments. We urge all Members of the House, and their staff, to develop greater awareness of alternative sources of information, especially via the Internet, and to seek information by means of parliamentary questions only if those alternative sources have been explored and found wanting. Members must ensure that their staff do not draft PQs as a first resort when researching a particular issue. Members must take direct responsibility for all questions tabled in their name.

80. The Government made two further proposals in relation to written questions. The first was that the time for answering written questions should be brought forward. At present, written answers may not be released before 3.30 pm from Monday to Wednesday, 11.30 am on Thursday and 9.35 am on Friday.¹⁰² The Government argued that these timings create unnecessary delays, and they propose that questions should be answered from 9.30 am every day of the week.¹⁰³ The Table Office comment that this would raise no practical or procedural issues for them and would no doubt be helpful to Members. However, they add that it might be more convenient for Members if there were a fixed time for answering, rather than for answers to be sent over at any time during the day.¹⁰⁴ The Department of the Official Report told us that in general they welcome the Government's proposal, which will facilitate prompt printing, but they also expressed concern that it might result in departments "drip-feeding the replies in small batches throughout the day", which would disrupt Hansard's workflow considerably. In view of recent delays in departments sending copies of answers to the Official Report, they suggest a daily deadline for delivery of, say, 7 pm.¹⁰⁵

¹⁰¹ Ev 83, para 17.

¹⁰² The earliest time for release on a Friday was recently brought forward from noon to the time of meeting of the House by authority of Mr Speaker; see Ev 83, para 18. The timings given above apply only to questions answered on the day for which they were tabled, not those answered on later days.

¹⁰³ Ev 64, para 12.

¹⁰⁴ Appendix 22, para 2.

¹⁰⁵ Ev 145.

81. We welcome the Government's proposal that the time for answering written questions should be brought forward. We recommend that it be implemented. However, we note the concerns expressed by the Table Office and the Official Report. We recommend that the Government should give an undertaking that departments will use their best endeavours to answer questions *at 9.30 am* rather than in batches during the day, and that (other than in exceptional circumstances) all questions will be answered by 7 pm.

82. The Government's second proposal is that the device of "planted" or "inspired" questions designed to elicit Government statements should be replaced by an entry on the Order Paper giving notice of written statements by Ministers expected that day, which would then be published in a separate section of that day's Official Report.¹⁰⁶ This would be more transparent and convenient, and has been welcomed as such by the House of Commons Library.¹⁰⁷ The Table Office and the Official Report see no difficulties in administering this new arrangement.¹⁰⁸ **We recommend that this proposal to replace planted questions with 'written statements' should be adopted.** We do not, however, believe that the right of Members to table questions for answer the next day should be removed in consequence. As the Table Office pointed out, if such questions are not "planted" they will almost certainly not receive an answer that day, but there may be circumstances when Members wish to highlight their questions by putting them down for the next sitting day and thus ensuring they are printed with the Order Paper.

Electronic tabling

83. A large majority of respondents to our questionnaire (74%) indicated that they would support the introduction of a system of tabling questions by e-mail; just under a quarter of respondents (24%) did not support this. When asked whether they personally would make use of such a facility, the breakdown of Members was almost identical: 75% replying yes, 22% no.

84. The Leader of the House expressed the support of the Government for the principle of electronic tabling. In addition to the greater convenience for Members, he envisaged it leading to further technological improvements such as the electronic delivery of questions to Government departments and of answers to Members, the Official Report and others.¹⁰⁹

85. The Table Office told us they were "committed to the expansion of using new technology, where appropriate".¹¹⁰ They endorsed comments made in January 2001 in a paper submitted to our predecessor Committee by the then Principal Clerk, Table Office.¹¹¹ He noted that the Office already deal with draft questions and EDMs as well as other queries by e-mail, when required, although few Members have used this facility. He then set out a series of practical issues which will need to be tackled before electronic tabling could be introduced. These principally relate to the means of verifying that an electronically tabled question has been submitted by the Member it purports to come from.

86. The present rules in relation to the tabling of questions were agreed by the House in 1990 following recommendations of the Procedure Committee. The basic rule is that all notices of questions must be clearly authorised by the Member asking them. Hence a verifiable signature (which is impossible to include on a fax) or the word of a Member is required to give proper authority for a question to be tabled. Members may table written

¹⁰⁶ Ev 65, paras 22–24.

¹⁰⁷ Appendix 23.

¹⁰⁸ Ev 82, para 12; Ev 145.

¹⁰⁹ Ev 69, paras 57–61.

¹¹⁰ Ev 86, para 35.

¹¹¹ Ev 103–105.

questions in person or by post, as long as they are signed by a Member; they may also, if duly signed, be brought to the Office by Members' staff or (after 2 pm on Monday to Thursday) left in a box outside. Oral questions must be tabled by a Member in person or by another Member on a Member's behalf. This latter requirement was introduced in 1990 because of concern about the syndication of questions. The Procedure Committee commented: "our strong hope is that if Members are obliged to take the trouble to go to the Table Office in person, there will be a greater incentive to decline the syndicated hand-out in favour of a question of genuine concern to the individual Member or his constituency".¹¹²

87. As the former Principal Clerk, Table Office, pointed out, "the tabling of notices of oral questions by e-mail would directly breach the current rule that Members must hand their questions to the Table Office in person".¹¹³ The risk is that such a change might lead to various undesirable outcomes in relation to both oral and written questions. One would be an increase in party-led syndication. Another would be a significant further increase in written questions arising from the greater convenience of the new system. Lord Norton asked in this context, "is there the danger that you are going to be flooded with even more questions than you have at the moment?"¹¹⁴ Some Members might allow outside organisations to table large numbers of questions in pursuit of their own political or commercial agenda. If the Members concerned were in receipt of any payment from the organisation, the House's 'paid advocacy' rule might be breached, possibly without the Member being even aware of it.¹¹⁵

88. If the House wishes to introduce the electronic tabling of questions, there are, broadly speaking, two options as to the form of authentication procedure that could be adopted. These might be called "strong" and "weak" authentication. "Strong" authentication would seek to ensure, or at least to render highly probable, that the electronic submission containing a question from a particular Member was sent by that Member in person—in other words, it would be the equivalent of the present rule governing the tabling of oral questions. This could be achieved in a number of ways. Biometric techniques are available to give unique identification of an individual; these include iris or fingerprint recognition. An alternative would be to require Members to use their personal Palace of Westminster security pass as a swipe card to gain access to a template for submitting questions. Of course, it would be possible for a Member to give his or her pass to another person but, given that without it they could not be sure of gaining access to the parliamentary precincts, we think they would be reluctant to do so. All these strong authentication options would require the purchase of appropriate hardware to enable the creation of a 'digital signature' which when attached to the electronically submitted question would give the Table Office authority to accept it. Given that Members are provided with up to three PCs and one laptop by the House, the cost of installing suitable hardware for all who required it would not be insignificant.

89. "Weak" authentication would not require hardware but would simply require the Member to give written authority to the Table Office to accept questions sent from one or more specified electronic addresses. This would be similar to the procedure adopted in the Scottish Parliament and in the House of Lords. It would be much cheaper and simpler to implement, but inevitably less secure, in that Members' staff or anyone else who had access to a Member's computer could submit questions in the name of that Member, with or without the Member's authority.

¹¹² HC (1989–90) 379, para 15.

¹¹³ Ev 104.

¹¹⁴ Q 218.

¹¹⁵ Q 326.

Electronic tabling: our conclusions

90. In the light of the evidence we have taken, **we conclude that the introduction of a system of electronic tabling is highly desirable and should proceed**, both because of its convenience for Members and as the first step towards a ‘seamless’ process whereby questions can be tabled, transmitted to Government departments, and replied to electronically. However, the concerns expressed by previous Procedure Committees about the mass-tabling of questions either on behalf of political parties or outside interests and lobbying groups remain valid. There must be concern that the introduction of electronic tabling with insufficient levels of authentication might encourage an increase in such abuse, or an increase in the total number of questions tabled of such a magnitude as to lead to an erosion of the quality of responses. What is not easily predictable in advance is the extent to which these problems will be realised in practice. We are reluctant to recommend that the House should pursue the ‘strong authentication’ option, with its concomitant costs, complexity and delay, in the absence of certainty that it is actually needed. We therefore recommend that **in the first instance the House should approve the introduction as soon as possible of a system of electronic tabling which is closer to the Scottish or House of Lords model (but with some added safeguards which we detail below). This should proceed on an experimental basis**, with any subsequent changes to the quantity of questions and the pattern of questioning being carefully monitored by the Table Office. **The House should confer on Mr Speaker by resolution a reserve power, to be exercised on the basis of advice from the Table Office, either to impose quotas on the number of questions Members may table electronically, or to halt the experiment altogether, if in Mr Speaker’s opinion the number of questions increases excessively or other significant abuses are suspected. If necessary, the more expensive and complicated option of commissioning a system based on ‘strong’ authentication could at this point be pursued. We hope that Members will operate the new system in a responsible manner and this latter option will *not* prove necessary.**

91. We now turn to the details of the experimental system. We recommend that it should embody the following features:—

- (1) **Members who wish to use the new system should be required formally to opt into it, by supplying the Table Office with a signed authority allowing the Office to receive questions sent from specified electronic addresses.**
- (2) **Questions should only be accepted from addresses within the Parliamentary Data and Video Network (PDVN).** This will erect a protective ‘wall’ around the system and provide a rather greater degree of security than that afforded to electronically tabled questions in the Scottish Parliament (where questions may be sent from any Internet e-mail account).
- (3) **Questions should not be accepted via ordinary e-mail. Instead, there should be a Web-based system using a template.** This will ensure that specified data (Members’ names, constituencies, parties, whether the question is oral or written, the names of Ministers and departments, etc.) is captured in the correct format at the initial point of contact. We envisage the possibility that much of this data could be input by choosing options from drop-down menus. The template might automatically prompt Members with certain information: for instance, the Member could choose his or her own name from the menu and then the four-figure printing code which ensures that the name and constituency appear in the correct form would be allocated automatically (or alternatively it might be possible to bookmark the form with the right name and constituency already filled in). A further possibility is that the template might prompt the Member with deadlines for tabling in respect of particular departments, and only allow questions to be submitted if within the appropriate deadline. If it proves necessary to introduce quotas for electronic tabling, this too might be policed

automatically; in other words, the system would not allow questions in the name of a Member to be submitted once that Member's quota had been reached.

92. **The development of the template and associated software should be undertaken by the parliamentary IT authorities, in liaison with the Table Office and other interested parties such as the House of Commons Library and the Official Report. The Table Office (subject to the authority of Mr Speaker) should have the final say as to the contents and configuration of the system. The overall objectives will be to maximise the advantages of automation, by producing a system which is as easy as possible for Members to use, which will capture as much relevant information as possible at the earliest time, and which may, if it proves technically feasible, police any relevant deadlines and quotas. The system will need to be developed within the wider framework of the House's overall strategy for future information services.**¹¹⁶

93. Two points must be emphasised to avoid misunderstanding. Firstly, **electronic tabling will be *in addition to*, not *instead of*, the existing methods of tabling.** For the foreseeable future, a significant number of Members will, for a variety of reasons, choose not to use computer-based methods; and, of course, many Members rightly value the opportunity to table questions in person and to discuss them with the Clerks in the Office.

94. Secondly, **electronic tabling will be simply the first stage in a longer process of making provision for 'seamless' electronic movement of data relating to parliamentary proceedings.** What is being envisaged in this first stage is *electronic tabling*, not *electronic answering*. The immediate gain will be that of convenience to Members when tabling, rather than speeding up of the onward transmission of questions. On this point, it is worth highlighting the fact that the text of notice of questions in the order book is *already* available electronically on the Internet, and, in addition, each Government department receives from the printers (at about 5 am) an e-mail attachment containing the text of new questions tabled for that department. Under the new system, questions sent electronically will be processed by the Table Office Clerks in the same way as those submitted by traditional means. It will be for the Table Office to draw up its own rules of operation, but we understand that it is proposed that when the Clerks need to communicate with a Member about a question sent electronically, they will 'card' the Member by e-mail, with any dialogue between the Member and the Office thereafter being by telephone or in person, as at present.¹¹⁷ Members will also need to be aware that queries from Members proffering questions in person in the Lower Table Office will necessarily have the first claim on the time and attention of the Clerks, and that if disorderly questions are submitted electronically shortly before a deadline, it may not be possible to communicate with the Member in time for necessary corrections to be made (this is of course already the case with written questions submitted by post).

95. We recommend that **oral as well as written questions should be submissible electronically.** This raises a question about the continuance of the rule introduced in 1990, whereby oral questions must be submitted in person by a Member or by a Member on behalf of another Member. That rule was introduced in order to discourage syndication. We were told by our Table Office witnesses that, regrettably, it has not been particularly effective in dealing with this abuse.¹¹⁸ In our view it would be illogical to maintain the prohibition on submitting oral questions by post whilst allowing them to be submitted

¹¹⁶ This strategy embraces initiatives such as the proposed new Parliamentary Information Management Services (PIMS) project, which amongst other functions will supersede the present Parliamentary On-Line Indexing Service (POLIS). The corporate strategic plan adopted in October 2001 by the House of Commons Commission includes the objective: "to support the business processes of the House at all levels by developing and maintaining an information infrastructure that is unified, consistent, seamless, and easily accessed by, and appropriate to the needs of, the various user communities".

¹¹⁷ Q330.

¹¹⁸ Q330.

electronically. We therefore recommend that, **with effect from the introduction of electronic tabling, submission of oral questions by post should be again permitted.**

96. **Further developments in regard to electronic transmission of information should be reviewed in the light of the experience of introducing electronic tabling and of IT developments such as new arrangements for printing questions and the proposed new information system for the House.** Possible extensions of the system would include a refining of the current system of on-line delivery of notices of question to Government departments on request; the sending of Written Answers from departments to Members, the Table Office, the Official Report and the Library; and provision for electronic tabling of Early Day Motions, other motions, and amendments to bills. These are topics to which we will return in due course.

Questions during recesses

97. At present questions may be answered only on days on which the House sits. Questions may be tabled during recesses, for answer on the day the House resumes and on subsequent sitting days. Such notices are printed in unofficial lists on designated printing days, and in an official Notice Paper on or shortly before the day on which the House resumes.

98. The inability of Members to receive answers during the long summer recess in particular is a source of widespread concern within the House. When asked in our questionnaire whether they would support a change in the rules to allow questions to be answered during part of the summer recess, 89% of respondents replied 'yes'. Members who gave oral evidence variously described the existing rules as "absurd" and "bizarre".¹¹⁹ However, some expressed the view that, if tabling in the recess were to be permitted, it would be prudent to impose a limit on the number each Member could table, "because otherwise" (as Mr Graham Allen MP put it) "busy researchers who are not on holiday will be pumping out hundreds of questions during their spare vacation weeks, which is an abuse of the system".¹²⁰

99. The Government told us that they were "not convinced" that questions should be tabled during the summer recess:

"It is unlikely that questions in the recess could be answered as fully or quickly as when the House is sitting. Quite reasonably, Ministers and officials take their holidays to coincide with parliamentary recesses. The Government believe that the effect of such a change would only increase the number of 'I will write' letters, indicating a Minister's intention to write with more detail at a future date."¹²¹

They added that the proposals put to the Modernisation Committee by the Leader of the House for September sittings of the House would halve the current 'barren' period during the summer recess.¹²² Giving oral evidence to us subsequently, the Leader of the House said that he thought it reasonable for written questions to be tabled during the proposed three-week recess for the party conferences in late September/early October, but he repeated his view that "during the *bona fide* holiday period of the end of July/August I personally would not wish us to get into the business of accepting questions".¹²³ Mr Jonathan Baume, the General Secretary of FDA, told us that "I do not perceive that it would cause major problems if parliamentary questions started in early September rather

¹¹⁹ Qq 8, 75.

¹²⁰ Q 34.

¹²¹ Ev 67, para 40.

¹²² *Ibid.*, paras 41–42.

¹²³ Q 266.

than late October” but that if there were to continue to be some kind of break in the summer, “that would be welcomed in the Civil Service”.¹²⁴

100. The Principal Clerk, Table Office, addressed some of the practicalities of tabling in the recess:

“I should have thought that if questions were accepted during a recess, it would make sense to follow something like the pattern you have in the short recess and probably open the Office on, say, a Thursday and a Friday, so on a Thursday there would be a Table Office Clerk in who would deal with the questions that had come in by post and which would be brought in or sent in electronically ..., and the next day they would be printed and we would check them and do any necessary communication with departments.”¹²⁵

101. We consider that the current ‘closed period’ for questions during the summer of nearly three months represents an unacceptable restriction of Members’ rights to pursue urgent political and constituency concerns. Equally, we accept that it is reasonable that there should be a shorter annual break from tabling of questions during the holiday period. We therefore recommend that with effect from 1 September each year, Members should be permitted to table written questions. We recommend that this change should be made irrespective of whether the Government’s proposals for September sittings of the House are adopted.

102. We do not believe it would be in Members’ interests to propose unnecessarily complex arrangements for tabling in recesses: what Members are likely to appreciate most is certainty and predictability, with a fixed weekly pattern of tabling and answering. **We therefore recommend that during recess periods in September/October, the Table Office should be open every Thursday during specified hours to receive questions, which should be printed after each tabling day in a special issue of the blue notice paper; and that answers should likewise be printed in a special issue of Hansard to appear on a fixed day once a week.** In order to maximise the simplicity of the new system, and to reduce the likelihood of a proliferation of holding answers, **we recommend that during September/October recess periods, named-day questions may only be put down for answer on a day one week ahead of the tabling day** (this being in effect the normal period for ordinary written questions when the House is sitting).

103. We do not believe that, initially at any rate, quotas should be imposed on the number of questions a Member may table in the recess. If experience during the first recess in which the new rules operate suggests that significant abuses are taking place, then it may be necessary to review this decision.

104. There is a further problem with the arrangements for questions in relation to the summer recess. This is that questions for oral answer shortly after the return of the House in October have to be tabled before the House rises in July. As the Principal Clerk, Table Office, pointed out to us in her paper, this can produce “some absurd results”, where issues cease to be of interest over the intervening period or new issues arise which do not feature on the question paper.¹²⁶ Our proposal to reduce notice for oral questions from 10 to 3 sitting days will help to alleviate the effects of this problem, but will not remove it altogether. **We recommend that the shuffle for a Question Time immediately after the summer recess should be held in the final part of the recess, on the day on which it would be held if the House was not in recess—i.e. if the House were to return on a Monday, the shuffle for Question Time on that Monday would be held (assuming our recommendation about notice is accepted) on the preceding Wednesday. We do not**

¹²⁴ Q 159.

¹²⁵ Q 341.

¹²⁶ Ev 85, para 31.

recommend any change to the earliest tabling dates for these questions. This proposal will enable much more topical questions to be tabled for Question Times immediately after the summer recess, and will maximise convenience for Members, whilst still affording the standard notice period for Government departments.

105. The Government have proposed a reform to the current practice in relation to answering questions. At present, all questions to which an answer is outstanding when the House rises for a recess receive an ‘I will write’ reply. The Government proposes that in future departments should be allowed to answer these questions substantively in the normal way and that the replies should be printed in a special edition of the Official Report in the recess.¹²⁷ The Table Office told us that this proposal had no practical implications for them.¹²⁸ The House of Commons Library commented that issuing an Official Report during the recess would have staffing implications for them, in terms of inputting data into POLIS (the Parliamentary On-Line Indexing Service). The Official Report told us that they had agreed with the Leader of the House that they would publish any substantive answers received from departments during the recess in a special edition of Hansard in about mid-September, with those received during the remainder of the recess being published on the first working day after the recess.¹²⁹

106. We welcome the Government’s sensible proposal in relation to questions unanswered at the start of the recess. If the Government’s plans for September sittings, and our recommendation that questions should be tabled from 1 September, are accepted, the timings set out in the Official Report’s memorandum will no doubt need to be adjusted to provide for a special edition of Hansard in August rather than September.

Printing of questions

107. In addition to the recommendation we make in paragraph 62 above about the printing of questions to the Prime Minister, we make one further recommendation about the way questions are printed. The Principal Clerk, Table Office, drew our attention to criticisms that the blue notice paper published each morning which contains the questions tabled on the preceding day is difficult to read. She pointed out that the questions on the paper are grouped by date of answer asked for and are listed in alphabetical order of department and Members’ surnames. She added that “it would be a relatively simple matter to insert headings to reflect this organisation of the paper and little or no expense would be involved”.¹³⁰ **We recommend that headings should be inserted in the blue notice paper to reflect the way questions are organised on the paper, in order to make easier for Members and others to find their way around the ‘blues’.**

Implementation

108. We recognise that some of our recommendations—such as those in relation to electronic tabling and tabling in the summer recess—will have resource implications for the House in terms of staff time and printing costs. We believe that the extra resources needed can be more than justified in terms of the gains that will accrue to the House by way of more effective scrutiny of the Executive and greater convenience to Members. We also recognise that our recommendations will impose some extra burdens on the staff of the House. We hope that where necessary the House authorities will take steps to provide more staff resources and to ensure that staff facilities are adequate (for instance, a review of the accommodation available to the Table Office would be desirable). We also wish to take this opportunity of thanking

¹²⁷ Ev 86, para 48.

¹²⁸ Appendix 22, para 14.

¹²⁹ Ev 145.

¹³⁰ Ev 87, para 40.

the staff of the House—and especially the Clerks in the Table Office—for the commitment, skill and courtesy with which they administer the system of Parliamentary Questions.

109. We hope that our recommendations, if approved by the House, will be implemented as soon as possible, preferably with effect from the start of Session 2002–03. We recognise that some recommendations will require the development of computer software, alterations to the POLIS system, or considerable liaison between departments of the House, and that it may not be possible at this stage to impose a firm deadline for their coming into effect. We believe that if such recommendations have been approved in principle by the House, Mr Speaker should have the authority to approve their coming into effect as soon as he is satisfied, on the basis of advice from the House authorities, that the necessary preparatory work has been carried out.

SUMMARY OF CONCLUSIONS AND RECOMMENDATIONS

- (a) The present notice period required for oral questions has become a major barrier to the effective operation of questions. (paragraph 34)
- (b) The period of notice required for oral questions to departmental Ministers should be reduced from ten sitting days to three sitting days. We believe that this will enable Question Time to become much more topical and relevant, while allowing a reasonable period (in effect, two whole working days) for departments to prepare briefing for their Ministers. (paragraph 38)
- (c) This change should be accompanied by three other modifications of the existing rules. The first is that Members should be allowed to table oral questions on any day after their last Question Time and before the minimum notice period—that is, generally, up to a period of four weeks before the day for answer. (paragraph 39)
- (d) The timing of the shuffle should be brought forward from 6.30 pm to 4 pm. (paragraph 41)
- (e) The number of Questions per department in each daily slot should be reduced. (paragraph 42)
- (f) The following new quotas should be adopted:

<i>Oral questions slot</i>	<i>Questions printed (maximum)</i>
55 minutes	25
50 minutes	20
45 minutes	20
30 minutes	15
15 minutes	10
10 minutes	8.

These new quotas should be subject to regular review, and ... Mr Speaker should have the authority to make any further adjustments which seem to him desirable. (paragraph 43)

- (g) The four recommendations set out in paragraphs 38 to 43 above comprise an integrated package. They are intended to operate in conjunction with each other and we believe it is essential that they should be implemented together. (paragraph 44)
- (h) The House should be invited to decide upon two further proposals aimed at injecting greater topicality into oral questions. These are that:—
 - (1) On every Tuesday and Thursday, departmental Question Time should be followed by a further session of up to 30 minutes of questioning on a single subject.
 - (2) Once a week, an hour-long session of questioning addressed to a single Minister of State, or two 30-minute sessions addressed successively to two Parliamentary Under-Secretaries, should be held in Westminster Hall (possibly on Thursday mornings). (paragraph 45)
- (i) We are very concerned about the increasing length both of questions and of Ministerial answers. (paragraph 47)

- (j) We strongly support Mr Speaker in his attempts to restrain the prolixity of some Members. Long, rambling questions are counter-productive, whilst long, rambling answers are an abuse of the time of the House. We would encourage Mr Speaker—and the Deputy Speakers—to interrupt long-winded Members and instruct them to come to the point. We believe that the Chair should take a proactive role in seeking to change the ‘culture’ of Question Time and foster more incisive, tightly focussed exchanges. (paragraph 47)
- (k) We also believe that the balance of power at Question Time between Minister and questioner is at present tilted too far in favour of the former, who can choose to give evasive or unhelpful replies, knowing that questioning will move on and he or she will shortly be ‘off the hook’. We support the proposal by Lord Norton that the Speaker should give the Member who has asked a question the opportunity to ask a second supplementary after all supplementaries from other Members have been called. If this recommendation is implemented, the questioner will have the opportunity of some redress if the Minister has blatantly failed to address the original question. (paragraph 48)
- (l) The distinction between Prime Minister’s Questions and departmental Question Time is sufficiently fundamental that special provision for the former would be justified. We recommend that the timing of PMQs ought to be separately specified in the standing orders, so that any future change to it will be open to debate and subject to the formal decision of the House, which will thus be seen to have ‘ownership’ of its own procedures. (paragraph 55)
- (m) We very much welcome the Prime Minister’s willingness to appear before the Liaison Committee, which we believe will lead to a significant increase in Government accountability to Parliament, as well as an enhanced recognition of the importance of the select committee system within Parliament. ... It may be that in due course the principle of questioning the Prime Minister in committee could usefully be extended, with more frequent committee appearances, perhaps every six to eight weeks. Such evidence sessions might be held in Westminster Hall. (paragraph 60)
- (n) Our proposal to reduce the period of notice for oral questions from ten to three sitting days, if implemented, will reduce some of the perceived disadvantage to Members of tabling closed questions to the Prime Minister, by making it easier for such questions to be relevant and topical. We hope this will encourage Members to make greater use of closed questions. In addition, any future extension of the practice of questioning the Prime Minister in committee might provide an opportunity to experiment with greater use of closed questions. (paragraph 61)
- (o) The text of ‘engagements’ questions to the Prime Minister should no longer be set out in full. Instead, the names of Members successful in the ballot should be listed under a rubric indicating that, unless a question is printed under their name, they will ask an open question. (paragraph 62)
- (p) We trust that the Select Committee on Public Administration will address these and similar concerns [raised in evidence] in their continuing inquiry into the quality of ministerial answers. We recommend that they give consideration in particular to the need for the Government, in cases where it does not give a full and satisfactory answer to a question, to state the reasons why this has not been possible. (paragraph 65)

- (q) We also take the opportunity of reminding the Government of the importance of adhering to the 1997 Resolution of the House on ministerial responsibility. (paragraph 66)
- (r) The House should impose a daily quota per Member of five named-day questions (that is, five per day relating to *all* named days, not just the earliest named day). We expect that this measure, by relieving the pressure on departments, will lead to a significant reduction in the number of holding replies. (paragraph 73)
- (s) The ration [of named-day questions per Member per day] must be fixed and non-negotiable. (paragraph 74)
- (t) We reject the Government's further proposal that, in addition to a daily ration of named-day questions, the minimum period for a reply to a named-day question should be extended from three to four working days. (paragraph 76)
- (u) The Principal Clerk, Table Office, suggested to us that if there were to be a ration of named-day questions, a Member who did not receive a substantive answer to such a question on the due date could be given priority in a forthcoming ballot for adjournment debates, perhaps in Westminster Hall. The Principal Clerk argued that "such a penalty might discourage excessive use by Ministers of holding replies". We understand the attraction of this proposal, but consider that it would be best to see whether our reform, if implemented, is successful in significantly reducing the number of holding replies before deciding whether it would be desirable to introduce sanctions of this kind. We may return to this proposal in a future report. (paragraph 77)
- (v) We do not propose that any limit be placed on the number of ordinary written questions a Member can table, and indeed believe that it would be wrong in principle to do so. (paragraph 78)
- (w) We urge all Members of the House, and their staff, to develop greater awareness of alternative sources of information, especially via the Internet, and to seek information by means of parliamentary questions only if those alternative sources have been explored and found wanting. Members must ensure that their staff do not draft PQs as a first resort when researching a particular issue. Members must take direct responsibility for all questions tabled in their name. (paragraph 79)
- (x) We welcome the Government's proposal that the time for answering written questions should be brought forward. We recommend that it be implemented. However, we note the concerns expressed by the Table Office and the Official Report. ... The Government should give an undertaking that departments will use their best endeavours to answer questions *at* 9.30 am rather than in batches during the day, and that (other than in exceptional circumstances) all questions will be answered by 7 pm. (paragraph 81)
- (y) We recommend that [the Government's] proposal to replace planted questions with 'written statements' should be adopted. (paragraph 82).
- (z) The introduction of a system of electronic tabling is highly desirable and should proceed. (paragraph 90)
- (aa) In the first instance the House should approve the introduction as soon as possible of a system of electronic tabling which is closer to the Scottish or House of Lords model [than to the 'strong authentication' option] (but with some added safeguards

which we detail below). This should proceed on an experimental basis. (paragraph 90)

- (bb) The House should confer on Mr Speaker by resolution a reserve power, to be exercised on the basis of advice from the Table Office, either to impose quotas on the number of questions Members may table electronically, or to halt the experiment altogether, if in Mr Speaker's opinion the number of questions increases excessively or other significant abuses are suspected. If necessary, the more expensive and complicated option of commissioning a system based on 'strong' authentication could at this point be pursued. We hope that Members will operate the new system in a responsible manner and this latter option will *not* prove necessary. (paragraph 90)
- (cc) Members who wish to use the new system should be required formally to opt into it, by supplying the Table Office with a signed authority allowing the Office to receive questions sent from specified electronic addresses. (paragraph 91)
- (dd) Questions should only be accepted from addresses within the Parliamentary Data and Video Network. (paragraph 91)
- (ee) Questions should not be accepted via ordinary e-mail. Instead, there should be a Web-based system using a template. (paragraph 91)
- (ff) The development of the template and associated software should be undertaken by the parliamentary IT authorities, in liaison with the Table Office and other interested parties such as the House of Commons Library and the Official Report. The Table Office (subject to the authority of Mr Speaker) should have the final say as to the contents and configuration of the system. The overall objectives will be to maximise the advantages of automation, by producing a system which is as easy as possible for Members to use, which will capture as much relevant information as possible at the earliest time, and which may, if it proves technically feasible, police any relevant deadlines and quotas. The system will need to be developed within the wider framework of the House's overall strategy for future information services. (paragraph 92)
- (gg) Electronic tabling will be *in addition to*, not *instead of*, the existing methods of tabling. (paragraph 93)
- (hh) Electronic tabling will be simply the first stage in a longer process of making provision for 'seamless' electronic movement of data relating to parliamentary proceedings. (paragraph 94)
- (ii) Oral as well as written questions should be submissible electronically. (paragraph 95)
- (jj) With effect from the introduction of electronic tabling, submission of oral questions by post should be again permitted. (paragraph 95)
- (kk) Further developments in regard to electronic transmission of information should be reviewed in the light of the experience of introducing electronic tabling and of IT developments such as new arrangements for printing questions and the proposed new information system for the House. (paragraph 96)
- (ll) The current 'closed period' for questions during the summer of nearly three months represents an unacceptable restriction of Members' rights to pursue urgent political and constituency concerns. Equally, ... it is reasonable that there should be a

shorter annual break from tabling of questions during the holiday period. We therefore recommend that with effect from 1 September each year, Members should be permitted to table written questions. ... This change should be made irrespective of whether the Government's proposals for September sittings of the House are adopted. (paragraph 101)

- (mm) During recess periods in September/October, the Table Office should be open every Thursday during specified hours to receive questions, which should be printed after each tabling day in a special issue of the blue notice paper; and ... answers should likewise be printed in a special issue of Hansard to appear on a fixed day once a week (paragraph 102).
- (nn) During September/October recess periods, named-day questions may only be put down for answer on a day one week ahead of the tabling day. (paragraph 102)
- (oo) We do not believe that, initially at any rate, quotas should be imposed on the number of questions a Member may table in the recess. (paragraph 103)
- (pp) The shuffle for a Question Time immediately after the summer recess should be held in the final part of the recess, on the day on which it would be held if the House was not in recess—i.e. if the House were to return on a Monday, the shuffle for Question Time on that Monday would be held (assuming our recommendation about notice is accepted) on the preceding Wednesday. We do not recommend any change to the earliest tabling dates for these questions. This proposal will enable much more topical questions to be tabled for Question Times immediately after the summer recess, and will maximise convenience for Members, whilst still affording the standard notice period for Government departments. (paragraph 104)
- (qq) We welcome the Government's sensible proposal in relation to questions unanswered at the start of the recess. (paragraph 106)
- (rr) We recommend that headings should be inserted in the blue notice paper to reflect the way questions are organised on the paper, in order to make easier for Members and others to find their way around the 'blues'. (paragraph 107)
- (ss) We recognise that some of our recommendations—such as those in relation to electronic tabling and tabling in the summer recess—will have resource implications for the House in terms of staff time and printing costs. We believe that the extra resources needed can be more than justified in terms of the gains that will accrue to the House by way of more effective scrutiny of the Executive and greater convenience to Members. We also recognise that our recommendations will impose some extra burdens on the staff of the House. We hope that where necessary the House authorities will take steps to provide more staff resources and to ensure that staff facilities are adequate (for instance, a review of the accommodation available to the Table Office would be desirable). We also wish to take this opportunity of thanking the staff of the House—and especially the Clerks in the Table Office—for the commitment, skill and courtesy with which they administer the system of Parliamentary Questions. (paragraph 108)
- (tt) We hope that our recommendations, if approved by the House, will be implemented as soon as possible, preferably with effect from the start of Session 2002–03. We recognise that some recommendations will require the development of computer software, alterations to the POLIS system, or considerable liaison between departments of the House, and that it may not be possible at this stage to impose a firm deadline for their coming into effect. We believe that if such recommendations have been approved in principle by the House, Mr Speaker

should have the authority to approve their coming into effect as soon as he is satisfied, on the basis of advice from the House authorities, that the necessary preparatory work has been carried out. (paragraph 109)

ANNEX A

QUESTIONNAIRE SENT TO ALL MEMBERS OF THE HOUSE OF COMMONS

MEMBER'S NAME:

YEAR WHEN FIRST ENTERED HOUSE:

PLEASE TICK THE BOXES WHERE APPLICABLE

A. GENERAL

1. Which aspects of the current system of parliamentary questions do you find most attractive?

Which aspects of the current system of parliamentary questions do you find least attractive?

If you could introduce a single reform to the system, what would it be?

2. How effective do you think the system of oral and written questions is in bringing information into the public domain, contributing to political debate, and holding the Executive to account?

(a) oral questions (b) written questions

3. How often in an average week do you table oral questions?

How often in an average week do you table written questions?

How do you use the system of questions to assist you in your work as a Member?

B. GOVERNMENT RESPONSIBILITIES AND CONTENT OF QUESTIONS/ANSWERS

4. Could the Government do anything further to clarify areas of departmental responsibility to assist Members in their tabling of questions?

5. Are you satisfied with the current system of transfers between departments?

YES NO If not, how might this be improved?

6. In your view, are the current rules governing content of questions reasonable?

YES NO If you feel they are not, could you give specific examples?

How satisfied are you with the speed of answers to written questions?

Very Quite No opinion Dissatisfied Very Dissatisfied

How satisfied are you with the quality of answers to written questions?

C. TIMING AND TOPICALITY

7. Should the current deadlines for tabling oral questions be reduced or abolished, in order to allow for more topical questioning?

YES NO

The present rules require that, in order to be admissible, an oral question to a departmental Minister should be so worded as to indicate, within reasonably broad limits, a particular subject matter. Would you support a change to allow 'open' questions to departmental Ministers?

YES NO

Should the timing and format of Question Time in the House be changed?

YES NO If so, how?

8. Would you support a change in the rules to allow questions to be answered during part of the summer recess?

YES NO

9. Is the current distinction between named day (formerly 'priority') written questions and ordinary written questions useful?

YES NO If not, why not?

D. ELECTRONIC TABLING

10. Would you support a system of tabling questions by e-mail?

YES NO

Would you personally make use of such a facility?

YES NO If so, how often?

How do you think technical issues such as verification of the identity of the Member tabling the question could be tackled?

11. Should any system of electronic tabling be extended to cover Early Day Motions and other motions as well?

YES NO

E. MEMBERS' PERSONAL RESPONSIBILITY FOR QUESTIONS

12. Is the requirement that oral questions can only be tabled by a Member in person (or another Member acting on his or her behalf) justified?

YES NO If not, why not?

13. How frequently do you receive requests from outside organisations or lobbying groups that you should table questions on their behalf?

Several times a week Once a week Once a month Occasionally Never

How often do you accede to such requests?

Several times a week Once a week Once a month Occasionally Never

How often do you receive similar requests from your own whips or party advisers?

Several times a week Once a week Once a month Occasionally Never

How often do you accede to such requests?

Several times a week Once a week Once a month Occasionally Never

14. To what extent are your staff involved in preparing questions?

Would it be helpful for the House authorities to offer some form of training in the questions system for Members' staff?

YES NO

F. TABLE OFFICE SERVICES

15. Are there any particular improvements you would like to see to the service offered by the TableOffice?

16. Are you aware that it is possible to for the Table Office to communicate with you by pager?

YES NO

Have you made any use of this opportunity?

YES NO

Do you think this is a useful facility?

YES NO

17. Could the current question forms be redesigned to make them clearer and more helpful to Members?

YES NO If yes, please state how

G. OTHER COMMENTS

18. Are there any other comments you wish to make?

ANNEX B

ANALYSIS OF RESPONSES FROM MEMBERS TO
QUESTIONNAIRE ABOUT PARLIAMENTARY QUESTIONS

Number of Responses

	<i>Overall figures</i>	<i>by party</i>				<i>by date of election</i>		
		<i>Lab</i>	<i>Con</i>	<i>LD</i>	<i>Other</i>	<i>pre-1997</i>	<i>1997</i>	<i>2001</i>
Responses	166	81	62	18	4	73	63	29

Note: One response was anonymous and therefore does not appear in the breakdowns by party or by date of election. Figures for members elected in 1997 and 2001 include members elected in by-elections during the Parliaments beginning in those years.

All remaining figures in this analysis are percentages. Where a column does not sum to 100%, this is because not all Members answered the question.

A. General

Q2: How effective do you think the system of oral and written questions is in bringing information into the public domain, contributing to political debate, and holding the Executive to account?

(a) oral questions:

	<i>Overall %</i>	<i>by party</i>				<i>by date of election</i>		
		<i>Lab</i>	<i>Con</i>	<i>LD</i>	<i>Other</i>	<i>pre-1997</i>	<i>1997</i>	<i>2001</i>
Very effective	10	14	6	6	0	8	10	14
Quite effective	33	33	35	17	25	32	38	21
Variable	20	19	18	33	25	15	24	24
Not very effective	24	23	24	28	25	29	19	24
Not at all effective	9	5	13	11	25	14	5	7

(b) written questions:

	<i>Overall %</i>	<i>by party</i>				<i>by date of election</i>		
		<i>Lab</i>	<i>Con</i>	<i>LD</i>	<i>Other</i>	<i>pre-1997</i>	<i>1997</i>	<i>2001</i>
Very effective	18	21	16	17	0	22	17	10
Quite effective	42	42	39	50	50	44	44	31
Variable	15	16	13	17	25	14	17	14
Not very effective	16	16	16	6	25	12	16	21
Not at all effective	5	0	13	0	0	5	2	10

Q3a: How often in an average week do you table oral questions?

	<i>Overall %</i>	<i>by party</i>				<i>by date of election</i>		
		<i>Lab</i>	<i>Con</i>	<i>LD</i>	<i>Other</i>	<i>pre-1997</i>	<i>1997</i>	<i>2001</i>
0/occasionally	7	4	*13	6	0	13	2	3
1 (or 1-2)	19	19	11	39	75	22	21	3
2 (or 2-3)	21	20	20	23	25	11	26	20
3 (or 3-4)	24	24	26	29	0	22	21	40
4	10	11	11	0	0	10	6	17
daily	10	10	8	6	0	5	14	7

[“Daily” could be taken as equivalent to “4” as oral questions are normally taken on four days in each week.] * includes 5% “Shadow Cabinet”

Q3b: How often in an average week do you table written questions?

	Overall %	by party				by date of election		
		Lab	Con	LD	Other	pre-1997	1997	2001
0/occasionally	9	11	8	0	0	4	14	6
1 (or 1-2)	18	20	26	6	25	20	19	7
2 (or 2-3)	17	17	16	28	50	16	20	10
3 (or 3-4)	8	6	8	17	0	8	5	17
4 (or 4-5)	7	7	7	6	0	4	3	10
5/daily	10	6	16	6	0	9	11	7
6-10	10	8	10	17	0	9	5	16
11-20	6	2	9	6	0	3	6	6

B. Government responsibilities and the content of questions/answers

Q4: Could the Government do anything further to clarify areas of departmental responsibility to assist Members in their tabling of questions?

	Overall %	by party				by date of election		
		Lab	Con	LD	Other	pre-1997	1997	2001
Yes	40	36	42	50	50	40	41	38
No	34	36	34	28	25	36	30	38

Q5: Are you satisfied with the current system of transfers between departments?

	Overall %	by party				by date of election		
		Lab	Con	LD	Other	pre-1997	1997	2001
Yes	51	52	45	67	50	48	51	59
No	37	32	45	28	50	47	30	28

Q6a: In your view, are the current rules governing content of questions reasonable?

	Overall %	by party				by date of election		
		Lab	Con	LD	Other	pre-1997	1997	2001
Yes	46	46	45	50	50	49	46	38
No	42	41	45	39	50	44	44	34

Q6b: How satisfied are you with the speed of answers to written questions?

	Overall %	by party				by date of election		
		Lab	Con	LD	Other	pre-1997	1997	2001
Very	6	12	0	0	0	4	6	10
Quite	38	47	24	44	25	33	48	28
No opinion/variable	7	9	2	17	0	8	5	7
Dissatisfied	35	25	48	33	50	37	29	45
Very dissatisfied	10	2	21	6	25	14	8	7

Q6c: How satisfied are you with the quality of answers to written questions?

	Overall %	by party				by date of election		
		Lab	Con	LD	Other	pre-1997	1997	2001
Very	2	1	2	6	0	3	0	3
Quite	19	19	16	28	0	16	25	7
No opinion	36	37	27	44	100	41	37	21
Dissatisfied	18	17	23	11	0	16	14	31
Very dissatisfied	10	7	16	0	0	11	8	10

C. Timing and topicality

Q7a: Should the current deadlines for tabling oral questions be reduced or abolished, in order to allow for more topical questions?

	Overall %	by party				by date of election		
		Lab	Con	LD	Other	pre-1997	1997	2001
Yes	73	69	74	89	50	67	71	90
No	24	28	23	6	50	30	24	10

Q7b: The present rules require that, in order to be admissible, an oral question to a departmental Minister should be so worded as to indicate, within reasonably broad limits, a particular subject matter. Would you support a change to allow 'open' questions to departmental ministers?

	Overall %	by party				by date of election		
		Lab	Con	LD	Other	pre-1997	1997	2001
Yes	44	35	52	56	75	44	43	48
No	51	58	45	44	25	55	48	48

Q7c: Should the timing and format of Question Time in the House be changed?

	Overall %	by party				by date of election		
		Lab	Con	LD	Other	pre-1997	1997	2001
Yes	50	53	35	78	100	51	49	52
No	40	38	50	22	0	42	41	31

Q8: Would you support a change in the rules to allow questions to be answered during part of the summer recess?

	Overall %	by party				by date of election		
		Lab	Con	LD	Other	pre-1997	1997	2001
Yes	89	89	87	100	100	86	94	90
No	10	11	11	0	0	14	5	10

Q9: Is the current distinction between named day (formerly 'priority') written questions and ordinary written questions useful?

	Overall %	by party				by date of election		
		Lab	Con	LD	Other	pre-1997	1997	2001
Yes	47	49	45	39	75	52	48	34
No	45	40	47	61	25	44	38	59

D. Electronic tabling

Q10a: Would you support a system of tabling questions by e-mail?

	Overall %	by party				by date of election		
		Lab	Con	LD	Other	pre-1997	1997	2001
Yes	74	86	55	89	75	67	81	79
No	24	12	42	11	25	30	19	17

Q10b: Would you personally make use of such a facility?

	Overall %	by party				by date of election		
		Lab	Con	LD	Other	pre-1997	1997	2001
Yes	75	85	58	89	100	68	81	83
No	22	14	37	6	0	27	17	14

Q10c: If so, how often?

	Overall %	by party				by date of election		
		Lab	Con	LD	Other	pre-1997	1997	2001
not at all	1	0	2	0	0	1	0	0
rarely	1	0	2	0	0	1	0	0
1-2	6	7	2	11	25	4	8	7
2-3	1	1	0	6	0	0	0	7
3 or more	13	20	5	11	25	10	21	7
half	1	1	0	0	0	0	2	0
often	22	25	21	22	0	22	16	38
same	4	4	3	6	25	5	3	3
variable	4	5	3	6	0	5	3	3
recess/weekend	1	1	2	0	0	3	0	0
all written	1	1	0	0	0	0	2	0
all	2	4	0	6	0	3	3	0

Q11: Should any system of electronic tabling be extended to cover Early Day Motions and other motions as well?

	Overall %	by party				by date of election		
		Lab	Con	LD	Other	pre-1997	1997	2001
Yes	70	85	48	83	75	62	79	76
No	25	12	45	7	25	36	17	17

E. Members' personal responsibility for Questions

Q12: Is the requirement that oral questions can only be tabled by a Member in person (or another Member acting on his or her behalf) justified?

	Overall %	by party				by date of election		
		Lab	Con	LD	Other	pre-1997	1997	2001
Yes	60	49	76	56	50	63	54	66
No	39	51	21	44	50	36	46	31

Q13a: How frequently do you receive requests from outside organisations or lobbying groups that you should table questions on their behalf?

	Overall %	by party				by date of election		
		Lab	Con	LD	Other	pre-1997	1997	2001
Several times a week	7	7	6	6	25	10	3	10
Once a week	12	14	6	17	25	12	13	7
Once a month	10	12	5	22	0	11	10	10
Occasionally/varies	57	53	61	56	50	52	63	52
Never	13	12	19	0	0	14	10	21

Q13b: How often do you accede to such requests?

	Overall %	by party				by date of election		
		Lab	Con	LD	Other	pre-1997	1997	2001
Several times a week	1	1	0	6	0	1	2	0
Once a week	3	2	0	17	0	1	7	0
Once a month	7	9	3	11	0	7	6	7
Occasionally/varies	62	62	61	61	100	67	63	48
Never	23	21	31	6	0	22	17	34

Q13c: How often do you receive similar requests from your own whips or party advisers?

	Overall %	by party				by date of election		
		Lab	Con	LD	Other	pre-1997	1997	2001
Several times a week	14	10	18	22	0	14	11	21
Once a week	16	22	13	6	0	7	19	34
Once a month	4	6	3	0	0	4	5	3
Occasionally/varies	40	36	42	56	25	42	44	24
Never	21	21	19	17	75	32	14	10

Q13d: How often do you accede to such requests?

	Overall %	by party				by date of election		
		Lab	Con	LD	Other	pre-1997	1997	2001
Several times a week	5	1	10	6	0	1	5	14
Once a week	8	10	8	6	0	3	8	24
Once a month	4	6	2	0	0	1	6	3
Occasionally/varies	52	53	48	61	25	56	54	34
Never	20	20	21	22	25	30	14	10

Q14a: To what extent are your staff involved in preparing questions?

	Overall %	by party				by date of election		
		Lab	Con	LD	Other	pre-1997	1997	2001
Are	67	67	60	89	100	68	67	66
Are not	32	33	37	11	0	30	32	34

Q14b: Would it be helpful for the House authorities to offer some form of training in the questions system for Members' staff?

	Overall %	by party				by date of election		
		Lab	Con	LD	Other	pre-1997	1997	2001
Yes	68	74	50	100	100	60	77	69
No	25	21	39	0	0	36	15	21

F. Table Office services

Q15a: Are there any particular improvements you would like to see to the service offered by the Table Office?

	Overall %	by party				by date of election		
		Lab	Con	LD	Other	pre-1997	1997	2001
Yes	34	36	29	56	0	36	35	31
No	31	31	39	11	25	34	30	28

Q16a: Are you aware that it is possible for the Table Office to communicate with you by pager?

	Overall %	by party				by date of election		
		Lab	Con	LD	Other	pre-1997	1997	2001
Yes	18	20	20	6	25	20	19	14
No	80	78	80	94	75	77	81	86

Q16b: Have you made use of this opportunity?

	Overall %	by party				by date of election		
		Lab	Con	LD	Other	pre-1997	1997	2001
Yes	6	5	8	0	0	6	6	3
No	84	85	79	94	100	83	81	93

Q16c: Do you think it is a useful facility?

	<i>Overall</i> %	<i>by party</i>				<i>by date of election</i>		
		<i>Lab</i>	<i>Con</i>	<i>LD</i>	<i>Other</i>	<i>pre-1997</i>	<i>1997</i>	<i>2001</i>
Yes	67	63	64	100	100	61	77	66
No	15	15	20	0	0	21	8	14

Q17: Could the current question forms be redesigned to make them clearer and more helpful to Members?

	<i>Overall</i> %	<i>by party</i>				<i>by date of election</i>		
		<i>Lab</i>	<i>Con</i>	<i>LD</i>	<i>Other</i>	<i>pre-1997</i>	<i>1997</i>	<i>2001</i>
Yes	9	10	5	12	25	6	10	14
No	70	61	84	65	50	80	60	66

ANNEX C

STATISTICS SUPPLIED BY THE TABLE OFFICE, HOUSE OF COMMONS

NUMBER OF QUESTIONS TABLED				
		WRITTEN		
	ORAL TOTAL	(i) Named Day	(ii) Ordinary	TOTAL
1946-47	13,785*			3,525
1950-51	12,995*			2,725
1953-54	13,153*			2,837
1958-59	11,149*			3,369
1964-65	10,878*			8,270
1968-69	10,721*			12,743
1971-72	11,108*			17,486
1972-73	7,781	**	**	17,950
1974-75	9,125	**	**	27,843
1975-76	9,081	**	**	33,239
1977-78	9,046	14,085	14,654	28,739
1980-81	8,175	11,054	11,634	22,688
1981-82	8,991	11,989	11,450	23,439
1984-85	14,800	18,128	13,395	31,523
1985-86	18,139	19,260	12,548	31,808
1988-89	23,932	23,501	16,039	39,540
1989-90	24,687	23,097	18,261	41,358
1990-91	4,821***	16,903	15,940	32,843
1993-94	4,559	14,911	26,140	41,051
1994-95	4,903	20,113	24,881	44,994
1995-96	4,464	16,059	19,784	35,843
1998-99	5,008	13,199	18,950	32,149
1999-00	5,747	16,212	20,569	36,781

* Before 1972-73 Members were not limited to one oral.

** Priority written questions were introduced in session 1972-73, but a breakdown between Named Day and Ordinary is not available for sessions prior to 1977-78.

*** From session 1990-91 only those Members successful in the oral shuffle had their questions printed in the Order Paper.

PROCEEDINGS OF THE COMMITTEE RELATING TO THE REPORT

THURSDAY 20TH JUNE 2002

Members present:

Sir Nicholas Winterton, in the Chair

Mr John Burnett
Mr Eric Illsley
Eric Joyce

Mr Iain Luke
Mr Desmond Swayne
David Wright

The Committee deliberated.

Draft Report [Parliamentary Questions], proposed by the Chairman, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraph 1 read, as follows:

The right of Members of the House of Commons to ask questions of Ministers, to seek information or to press for action, is an essential part of the process by which Parliament exercises its authority and holds the Government to account. We have carried out a review of the system of parliamentary questions (both written and oral), to assess how well it is working and how it might be improved. We conclude that new technology should be introduced, to enable the electronic tabling of questions. We make other recommendations aimed at increasing the topicality and effectiveness of questions, and at making Question Time in the Chamber a more thoughtful and less 'tribal' occasion, with brisker and more effectively focussed exchanges between Members and Ministers. We see this review as an integral part of the ongoing process of modernising Parliament.

Amendment proposed, in line 6, after the word 'of', to insert the word 'written'.—(*Mr Desmond Swayne.*)

Question put, That the Amendment be made.

The Committee divided.

Ayes, 1

Noes, 4

Mr Desmond Swayne

Mr John Burnett
Mr Eric Illsley
Eric Joyce
Mr Iain Luke

Paragraph agreed to.

Paragraphs 2 to 30 read and agreed to.

Paragraph 31 read, as follows:

The most frequently expressed criticism of the present system of oral questions is that it lacks topicality and relevance. This is because the deadline for tabling questions for oral answer is ten sitting days, in other words two calendar weeks. In theory, the minimum amount of notice for tabling questions for oral answer is three sitting days and the period of ten sitting days is a maximum. This reflects the original wish of the House to allow for some questions to be tabled at relatively short notice, *and* to allow Members a lengthy period beforehand in which they could table questions at longer notice at their convenience. However, as we have seen (in paragraphs 10 to 15 above), the increasing quantity of questions, and Members' desire to give their questions priority (because oral questions were originally taken in the order in which they were tabled) meant that the maximum notice period gradually turned into the *effective* deadline for tabling. This is now formally recognised by the holding of the 'shuffle', in which questions are selected for printing on a random basis, at 6.30 pm on the earliest day on which the standing orders allow notice to be given.

Amendment proposed, in line 6, to leave out from the word 'notice,' to the word 'However,' in line 8.—(*Mr Desmond Swayne.*)

Question put, That the Amendment be made.

The Committee divided.

Ayes, 2

Noes, 4

Mr John Burnett
Mr Desmond Swayne

Mr Eric Illsley
Eric Joyce
Mr Iain Luke
David Wright

Paragraph agreed to.

Paragraphs 32 to 38 read and agreed to.

Paragraph 39 read, as follows:

We believe that this change should be accompanied by three other modifications of the existing rules. The first is that Members should be allowed to table oral questions on any day after their last Question Time and before the minimum notice period—that is, generally, up to a period of four weeks before the day for answer. We see no reason for continuing the present, restricted arrangements whereby Members have in effect a single, narrow 'slot' of one day on which to table oral questions. The Table Office has told us that they see no difficulty in administering a system whereby questions could be tabled in advance, and then put in the shuffle on an equal basis with those tabled on the 'last day'. This will be much more convenient for Members. It will have the further benefit that Members who are abroad on parliamentary business will not miss the opportunity to table oral questions if the minimum notice period for questions falls during their absence. The Principal Clerk, Table Office, confirmed to us that if the proposal is adopted, Members would be able to amend questions tabled on earlier days until the time of the shuffle on the due day. The proposal is also likely to reduce the congestion in the Table Office at particular times of the day (see paragraph 27 above).

Amendment proposed, in line 3, leave out from the word 'questions' to the end of the paragraph and add the words 'one day before the minimum notice period'.—(*Mr Desmond Swayne.*)

Question put, That the Amendment be made.

The Committee divided.

Ayes, 2

Noes, 4

Mr John Burnett
Mr Desmond Swayne

Mr Eric Illsley
Eric Joyce
Mr Iain Luke
David Wright

Paragraph agreed to.

Paragraphs 40 to 44 read and agreed to.

Paragraph 45 read, as follows:

We consider that these recommendations will have a major and beneficial impact in terms of making Question Time more topical and relevant. **We believe that the House should be invited to decide upon two further proposals aimed at injecting greater topicality into oral questions. These are that:—**

- (1) **On every Tuesday and Thursday, departmental Question Time should be followed by a further session of up to 30 minutes of questioning on a single subject.** The choice of initial question would be made by the Speaker on the basis of applications submitted to him before noon on the previous day. In making this choice, the Speaker would give due weighting to topicality, urgency, the public importance of the subject, suitability in terms of potential for supplementary questions, party balance, and balance between the Opposition parties and backbenchers on both sides of the House. He would aim to achieve an overall balance between these criteria over a period of time. The Speaker would have discretion, if he thought fit, occasionally to substitute two 15-minute sessions for one 30-minute session. We envisage this procedure as closely resembling the existing procedure on private notice questions; but we do *not* propose that private notice questions in their present form should be abolished (though in practice we think it likely that the need for them would be significantly reduced). We appreciate that our proposal would entail a significant transfer of control of time on the Floor of the House from the Government to the Opposition and backbenchers, and we therefore recommend that before the House is invited to take a decision on the proposal, discussions should take place between the usual channels with a view to establishing whether the Opposition parties would agree as a *quid pro quo* to a reduction in the number of Opposition days allocated per Session (currently 20).
- (2) **Once a week, an hour-long session of questioning addressed to a single Minister of State, or two 30-minute sessions addressed successively to two Parliamentary Under-Secretaries, should be held in Westminster Hall (possibly on Thursday mornings).** We believe this would be a useful way of exploiting the potential of Westminster Hall. Questions would relate to any aspect of the Minister's responsibilities. There would be a rota of Departments and Ministers. The notice required of questions would be the same as that required for oral questions in the Chamber, the rules governing content would be the same as those applying in relation to departmental Question Time (i.e. open questions would not be permitted), and a shuffle would be held to select questions. In order to allow for depth of questioning, no more than 20 questions could be taken in each 30-minute period.

Amendment proposed, in line 16, to leave out from the word 'abolished' to the word 'We' in line 17.—(*Mr Desmond Swayne.*)

Question put, That the Amendment be made.

The Committee divided.

Ayes, 1

Noes, 5

Mr Desmond Swayne

Mr John Burnett
Mr Eric Illsley
Eric Joyce
Mr Iain Luke
David Wright

Another Amendment proposed, in line 26, to leave out the words 'in Westminster Hall'.—(*Mr Desmond Swayne.*)

Question put, That the Amendment be made.

The Committee divided.

Ayes, 1

Noes, 5

Mr Desmond Swayne

Mr John Burnett
Mr Eric Illsley
Eric Joyce
Mr Iain Luke
David Wright

Another Amendment proposed, in line 27, after the word 'mornings', to insert the words 'elsewhere than in the Chamber'.—(*Mr Desmond Swayne.*)

Question put, That the Amendment be made.

The Committee divided.

Ayes, 1

Noes, 5

Mr Desmond Swayne

Mr John Burnett
Mr Eric Illsley
Eric Joyce
Mr Iain Luke
David Wright

Paragraph agreed to.

Paragraphs 46 to 59 agreed to.

Paragraph 60 read, as follows:

We very much welcome the Prime Minister's willingness to appear before the Liaison Committee, which we believe will lead to a significant increase in Government accountability to Parliament, as well as an enhanced recognition of the importance of the select committee system within Parliament. We look forward with interest to the first Prime Ministerial appearances before the Liaison Committee. It may be that in due course the principle of questioning the Prime Minister in committee could usefully be extended, with more frequent committee appearances, perhaps every six to eight weeks. Such evidence sessions might be held in Westminster Hall.

Amendment proposed, in line 8, to leave out from the word 'weeks.' to the end of the paragraph.—(*Mr Desmond Swayne.*)

Question put, That the Amendment be made.

The Committee divided.

Ayes, 1

Noes, 5

Mr Desmond Swayne

Mr John Burnett
Mr Eric Illsley
Eric Joyce
Mr Iain Luke
David Wright

Paragraph agreed to.

Paragraphs 61 to 72 read and agreed to.

Paragraph 73 read, as follows:

More than a decade on, it is clear that our predecessors' hopes have not been fulfilled. We do not believe that half of all written questions tabled can legitimately be described as being urgent, or that a third of all written questions tabled should be for the earliest named day. The proliferation of holding replies arises from this overloading of the system, and we fear that there is likely also to be an impact on the quality of answers. **We therefore believe that the House should impose a daily quota per Member of five named-day questions (that is, five per day relating to *all* named days, not just the earliest named day). We hope that this measure, by relieving the pressure on departments, will lead to a significant reduction in the number of holding replies.**

Amendment proposed, in line 6, after the word 'impose', to insert the words ', for an experimental period,'.—(*Mr Desmond Swayne.*)

Question put, That the Amendment be made.

The Committee divided.

Ayes, 2

Noes, 4

Mr John Burnett
Mr Desmond Swayne

Mr Eric Illsley
Eric Joyce
Mr Iain Luke
David Wright

An Amendment made.

Paragraph, as amended, agreed to.

Paragraphs 74 to 89 read and agreed to.

Paragraph 90 read, as follows:

In the light of the evidence we have taken, **we conclude that the introduction of a system of electronic tabling is highly desirable and should proceed**, both because of its convenience for Members and as the first step towards a 'seamless' process whereby questions can be tabled, transmitted to Government departments, and replied to electronically. However, the concerns expressed by previous Procedure Committees about the mass-tabling of questions either on behalf of political parties or outside interests and lobbying groups remain valid. There must be concern that the introduction of electronic tabling with insufficient levels of authentication might encourage an increase in such abuse, or an increase in the total number of questions tabled of such a magnitude as to lead to an erosion of the quality of responses. What is not easily predictable in advance is the extent to which these problems will be realised in practice. We are reluctant to recommend that the House should pursue the 'strong authentication' option, with its concomitant costs, complexity and delay, in the absence of

certainty that it is actually needed. We therefore recommend that in the first instance the House should approve the introduction as soon as possible of a system of electronic tabling which is closer to the Scottish or House of Lords model (but with some added safeguards which we detail below). This should proceed on an experimental basis, with any subsequent changes to the quantity of questions and the pattern of questioning being carefully monitored by the Table Office. The House should confer on Mr Speaker by resolution a reserve power, to be exercised on the basis of advice from the Table Office, either to impose quotas on the number of questions Members may table electronically, or to halt the experiment altogether, if in Mr Speaker's opinion the number of questions increases excessively or other significant abuses are suspected. If necessary, the more expensive and complicated option of commissioning a system based on 'strong' authentication could at this point be pursued. We hope that Members will operate the new system in a responsible manner and this latter option will *not* prove necessary.

Amendment proposed, in line 2, after the word 'tabling', to insert the words 'for written questions'.—(*Mr Desmond Swayne.*)

Question put, That the Amendment be made.

The Committee divided.

Ayes, 1

Noes, 4

Mr Desmond Swayne

Mr John Burnett
Mr Eric Illsley
Mr Iain Luke
David Wright

Another Amendment proposed, in line 15, after the word 'tabling', to insert the words 'for written questions'.—(*Mr Desmond Swayne.*)

Question put, That the Amendment be made.

The Committee divided.

Ayes, 1

Noes, 4

Mr Desmond Swayne

Mr John Burnett
Mr Eric Illsley
Mr Iain Luke
David Wright

Paragraph agreed to.

Paragraph 91 read, as follows:

We now turn to the details of the experimental system. We recommend that it should embody the following features:—

- (1) **Members who wish to use the new system should be required formally to opt into it, by supplying the Table Office with a signed authority allowing the Office to receive questions sent from specified electronic addresses.**
- (2) **Questions should only be accepted from addresses within the Parliamentary Data and Video Network (PDVN). This will erect a protective 'wall' around the system and provide a rather greater degree of security than that afforded to electronically tabled questions in the Scottish Parliament (where questions may be sent from any Internet e-mail account).**

- (3) **Questions should not be accepted via ordinary e-mail. Instead, there should be a Web-based system using a template.** This will ensure that specified data (Members' names, constituencies, parties, whether the question is oral or written, the names of Ministers and departments, etc.) is captured in the correct format at the initial point of contact. We envisage the possibility that much of this data could be input by choosing options from drop-down menus. The template might automatically prompt Members with certain information: for instance, the Member could choose his or her own name from the menu and then the four-figure printing code which ensures that the name and constituency appear in the correct form would be allocated automatically (or alternatively it might be possible to bookmark the form with the right name and constituency already filled in). A further possibility is that the template might prompt the Member with deadlines for tabling in respect of particular departments, and only allow questions to be submitted if within the appropriate deadline. If it proves necessary to introduce quotas for electronic tabling, this too might be policed automatically; in other words, the system would not allow questions in the name of a Member to be submitted once that Member's quota had been reached.

Amendment proposed, in line 5, after the word 'receive', to insert the word 'written'.—(*Mr Desmond Swayne.*)

Question put, That the Amendment be made.

The Committee divided.

Ayes, 1

Noes, 4

Mr Desmond Swayne

Mr John Burnett
Mr Eric Illsley
Mr Iain Luke
David Wright

Paragraph agreed to.

Paragraphs 93 and 94 agreed to.

Paragraph 95 read, as follows:

We recommend that oral as well as written questions should bemissible electronically. This raises a question about the continuance of the rule introduced in 1990, whereby oral questions must be submitted in person by a Member or by a Member on behalf of another Member. That rule was introduced in order to discourage syndication. We were told by our Table Office witnesses that, regrettably, it has not been particularly effective in dealing with this abuse. In our view it would be illogical to maintain the prohibition on submitting oral questions by post whilst allowing them to be submitted electronically. We therefore recommend that, **with effect from the introduction of electronic tabling, submission of oral questions by post should be again permitted.**

Amendment proposed, in line 1, after the word 'We', to insert the words 'do not'.—(*Mr Desmond Swayne.*)

Question put, That the Amendment be made.

The Committee divided.

Ayes, 1

Noes, 4

Mr Desmond Swayne

Mr John Burnett
Mr Eric Illsley
Mr Iain Luke
David Wright

Another Amendment proposed, in line 2, to leave out from the word 'electronically.' to the end of the paragraph.—(*Mr Desmond Swayne.*)

Question put, That the Amendment be made.

The Committee divided.

Ayes, 1

Noes, 4

Mr Desmond Swayne

Mr John Burnett
Mr Eric Illsley
Mr Iain Luke
David Wright

Paragraph agreed to.

Paragraphs 96 to 109 read and agreed to.

Annexes agreed to.

Resolved, That the Report, as amended, be the Third Report of the Committee to the House.

Ordered, That the Chairman do make the Report to the House.

Several Papers were ordered to be appended to the Minutes of Evidence.

Ordered, That the Appendices to the Minutes of Evidence taken before the Committee be reported to the House.—(*The Chairman.*)

[Adjourned till Tuesday 2 July at Four o'clock.]

LIST OF WITNESSES

Page

Tuesday 12 February 2002

Mr Graham Allen MP, Mr Norman Baker MP, Mr Andrew Bennett MP, Mr Tim Boswell MP and Ms Oona King MP	2
--	---

Tuesday 5 March 2002

Mr Tam Dalyell MP, Mrs Gwyneth Dunwoody MP, Mr Mark Prisk MP, Mr Lawrie Quinn MP and Mr John Taylor MP	16
---	----

Tuesday 19 March 2002

FDA

Mr Jonathan Baume and Mr Lorimer Mackenzie	31
--	----

PUBLIC AND COMMERCIAL SERVICES UNION (PCS)

Mr Charles Cochrane	31
---------------------------	----

Tuesday 16 April 2002

Professor The Lord Norton of Louth	49
--	----

Wednesday 24 April 2002

The Rt Hon Robin Cook MP	69
--------------------------------	----

Tuesday 21 May 2002

Ms Helen Irwin, Mr Roger Phillips and Ms Janet Hunter	105
---	-----

LIST OF MEMORANDA INCLUDED IN THE MINUTES OF EVIDENCE

	<i>Page</i>
Letter from Mr Graham Allen MP to the Chairman of the Committee	1
Letter from Mr Andrew Bennett MP to the Chairman of the Committee	1
Memorandum from the FDA	30
Memorandum from Professor the Lord Norton of Louth	45
Supplementary memorandum from Professor the Lord Norton of Louth	60
Memorandum from the Leader of the House of Commons	63
Supplementary memorandum from the Leader of the House of Commons	80
Memorandum from the Principal Clerk, Table Office	81

LIST OF APPENDICES TO THE MINUTES OF EVIDENCE

	<i>Page</i>
APPENDIX 1: Letter from Mr Graham Allen MP to the Chairman of the Committee	119
APPENDIX 2: Memorandum from Mr Richard Allan MP	119
APPENDIX 3: Letter from the Hon Nicholas Soames MP to the Chairman of the Committee	121
APPENDIX 4: Memorandum from the Clerk of Parliaments, House of Lords	122
APPENDIX 5: Memorandum from the Clerk/Chief Executive of the Scottish Parliament	125
APPENDIX 6: Memorandum from the Minister for Parliamentary Business, Scottish Parliament to the Chairman of the Committee	131
APPENDIX 7: Letter from the Rt Hon Eric Forth to the Clerk of the Committee ..	133
APPENDIX 8: Letter from Mr Anthony Steen MP to the Chairman of the Committee	133
APPENDIX 9: Memorandum from the Hansard Society to the Chairman of the Committee	133
APPENDIX 10: Letter from Mr Paul Tyler CBE MP to the Chairman of the Committee	134
APPENDIX 11: Memorandum from the Clerk to the National Assembly for Wales	136
APPENDIX 12: Letter from the Chief Executive/Clerk to the Northern Ireland Assembly to the Chairman of the Committee	138
APPENDIX 13: Memorandum from the Parliamentary Communications Directorate	141
APPENDIX 14: Letter from Mr Crispin Blunt MP to the Chairman of the Committee	142
APPENDIX 15: Letter from Sir Sydney Chapman MP to the Chairman of the Committee	143
APPENDIX 16: Letter from Mr William Cash MP to the Chairman of the Committee	143
APPENDIX 17: Letter from Miss Anne McIntosh LLB MP to the Chairman of the Committee	143
APPENDIX 18: Letter from Mr Richard Ottaway MP to the Chairman of the Committee	144

APPENDIX 19: Letter from Mr Patrick McLoughlin MP to the Chairman of the Committee	144
APPENDIX 20: Memorandum from the Official Report	145
APPENDIX 21: Memorandum from the Cabinet Office	146
APPENDIX 22: Memorandum from the Table Office on the Government Memorandum to the Procedure Committee	147
APPENDIX 23: Memorandum from the Library on the Government Memorandum to the Procedure Committee	151