

HOUSE OF COMMONS
ORAL EVIDENCE
TAKEN BEFORE THE
POLITICAL AND CONSTITUTIONAL REFORM COMMITTEE

**REVISITING *REBUILDING THE HOUSE*: THE IMPACT OF THE WRIGHT
REFORMS**

THURSDAY 18 APRIL 2013

SIR RICHARD MOTTRAM, ROGER DAWE, PETER FACEY, ALEXANDRA
RUNSWICK and PROFESSOR PATRICK DUNLEAVY

Evidence heard in Public

Questions 110 - 164

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Oral Evidence

Taken before the Political and Constitutional Reform Committee

on Thursday 18 April 2013

Members present:

Mr Graham Allen (Chair)
 Mr Christopher Chope
 Paul Flynn
 Sheila Gilmore
 Fabian Hamilton
 Mrs Eleanor Laing
 Mr Andrew Turner

Examination of Witnesses

Witnesses: **Sir Richard Mottram GCB**, Chair, Better Government Initiative, **Roger Dawe CB**, Better Government Initiative, **Peter Facey**, Director, Unlock Democracy, **Alexandra Runswick**, Deputy Director, Unlock Democracy, and **Professor Patrick Dunleavy**, Co-Director, Democratic Audit, gave evidence.

Q110 Chair: I am going to ask Members and witnesses to help me logistically here, because we have a lot of witnesses. Now, if every witness wants to answer every question we will be here until Sunday. Much as I think that will be very illuminating, I suspect that various parts of the anatomy will ache considerably at that point. Please do not feel obliged to chip in. I think the best way is if people indicate that they would like to answer a particular question. I say this to Members: much as Members' views are very helpful at all points, if we could stick to the questions, that would ensure that business is conducted fairly expeditiously. Unless anyone is bursting to say something to start us off, because if one person does it I think everybody will feel obliged to, I will probably just jump straight into questions, if that is okay.

Mr Chope: One of the purposes of the Wright reforms was to change the balance between the House of Commons and the Executive, and I wondered if you could say to what extent, if at all, they have succeeded in doing that.

Sir Richard Mottram: Shall I start?

Chair: Please do, yes.

Sir Richard Mottram: I would say the answer to that is: "up to a point." I think there has been significant progress in two areas. One is the work of the Backbench House Committee. I think that has been a big plus.

Chair: Backbench Business Committee.

Sir Richard Mottram: Business, thank you so much.

Chair: Just because we will talk about the House Committee later.

Sir Richard Mottram: House Committee, yes. I have done well there; I have failed to recognise the Wright Committee. The Backbench Business Committee, we think, has been a big success. I think that is generally recognised. Secondly, from the perspective of the Better Government Initiative, we were very keen on giving Select Committees greater power in relation to the Executive. This is perhaps not what you would expect from a group of mainly former civil servants, but that was and is our view. We were keen on the election of Chairs

and the new arrangements that were brought in following the Wright Committee, and we think—we can talk about detailed areas where we would like to go further—that the way in which Select Committees have been reformed and the further proposals in the Liaison Committee report are all positive. We would say that, yes, we are definitely moving forward in relation to Wright. Obviously there is a big gap, particularly in relation to the Backbench Business Committee, and we would like to see that gap closed; we can't quite see, to be honest with you, why it has not been closed.

Q111 Mr Chope: What about incidents such as what happened on Tuesday, when the Agricultural Wages Board was abolished by Parliament without the House of Commons ever having a chance to utter anything about it? Does that concern you? Do you think that is an issue that we should still be concerned about?

Sir Richard Mottram: I would not say I was a great expert on the Agricultural Wages Board, but no, I think that the position you are still in—the Government dominates the proceedings in the House of Commons to an extraordinary extent—is a very odd position for you to be in and, as an outsider, I wonder sometimes quite why, to be honest with you, Members of Parliament put up with it.

Alexandra Runswick: If I could just briefly add to that, I agree with everything you said. I think progress has been made, but with regard to your supplementary question, that does not mean that the journey has stopped. There are still things that can be improved. Just because they are slightly better than they were before the Wright Committee report, it does not mean that there are not things we can also do to improve the power of Parliament with regard to the Executive.

Q112 Mr Chope: Do you have any particular suggestions you want to make on that?

Alexandra Runswick: In terms of the Backbench Business Committee, I think there are a number. For example, we would support there being a specific day that is scheduled for Back-Bench business, rather than it being given on a more ad hoc basis, but in terms of things like scrutiny and statutory instruments, there is a wide range of ways in which I think you could open up parliamentary procedures and go further than the Wright Committee did. That does not mean that what we have done is not progress and is not valued.

Professor Dunleavy: I just add that obviously the interrelationship between the Executive and Parliament is a multifaceted one, and the point that you have pointed out on the detailed implementation of regulations and that kind of level of scrutiny is, I agree, still a huge problem. However, if you look at, let us say, the balance between Parliament and the Executive on very major investigative tasks that in the past might have been wholly contracted out by the Executive to a judge or inquiry or whatever, and you think about how prominent Parliament has been since the Wright Committee reforms in areas like pressgate, the media scandal in the conduct of the banks and the way in which the taxpayer ended up with a huge liability, and in home affairs after the London riots and in many other areas, I think it is very clear that Select Committees have begun to take on investigative tasks that previously would have been solely disposed of by the Executive, and there would have been relatively minimal parliamentary engagement. That is a very important and, from a public point of view, very visible change. Citizens will have noticed that on these big issues of the day MPs and Select Committees are important vehicles for investigation and discussion.

Q113 Mr Chope: Do you think the increased importance of Select Committees is attributable to the way in which we have chosen their membership and their chairmanships?

Professor Dunleavy: I do. The Chairs were previously paid, but they were very little known and their legitimacy was often questioned in various ways. That is not happening now.

Everybody knows that they are elected by all MPs, and everybody knows that the members of the Committee are also elected by the party groups, and that makes an important difference to whole status of the Committees. They are a lot more legitimate in the eyes of MPs, in the eyes of Government and among citizens, we would say.

Q114 Mr Chope: Do you think there is a danger that some of the Select Committees are now just going for headline-grabbing initiatives?

Professor Dunleavy: If you look at the evidence that I have submitted, you can see that four Committees—Home Affairs, Public Accounts, Treasury and Culture, Media and Sport—do dominate the last couple of years of press coverage—that is for sure. However, you can also see that there has been a very big across-the-board increase in press coverage of almost all Select Committees. Some have declined slightly—Wales has gone down a bit—but even Scotland has gone up.

Q115 Mr Chope: You do not think there is an issue about the Select Committee Chairman becoming too autocratic—I am not suggesting that applies in this Committee—because of their status of having been elected across the whole of the House?

Professor Dunleavy: I do not see that at all. Certainly if you look at the press coverage, one of the things that slightly surprised us was that the Chairs of the Committees were not hugely visible. There was some coverage, but on the whole the press likes to give ownership of what Committees are doing to the whole Committee, and they do not focus hugely on the Chairs, with one or two exceptions. I think if you go to 24-hour TV, Chairs are much more prominent there, but I have also noticed an increasing number of members of Committees on 24-hour TV as well.

Q116 Mr Chope: What about social media? Do you see social media as having a bigger part to play?

Professor Dunleavy: I think it has a hugely vital part to play, because what Committees do is generate a lot of text and a lot of video that is of interest to relatively specialist audiences, often. In the past it has been very difficult for those audiences to connect with the text. With respect, the Parliament website is a dreadful website, dreadfully set up and run. It is very hard indeed for me, and I have a PhD in political science, to find the right Committee hearing, whereas if somebody tweets a link to a Committee hearing, you go directly to it. You do not have to get through all that interface, and that is a huge advantage. You can get it in a very timely way when it is relevant, not find it weeks or months later.

I think we at Democratic Audit would say Parliament is missing many tricks in not having a developed social media operation that is operating on behalf of Committees, that is essentially bringing them to the right audience. For example, the audience for this Committee is relatively specialised. The audience for the Health Committee looking at social care is fairly specialist people, but that is what universities and professions and a lot of other organisations that generate large volumes of text and video are doing, and it seems a shame that Parliament is not.

Q117 Mr Chope: Interconnection between the public and Parliament is obviously fundamental to all this, and you have made a very serious criticism of the parliamentary website. I noticed Sir Richard was guffawing at the same time. Sir Richard, are you critical also of the parliamentary website?

Sir Richard Mottram: I have to admit that I do guffaw a lot. I just think it is, like lots of websites, quite old-fashioned. It is pumping printed information at people. That is fine for me—I like that sort of thing—but if you were thinking about the engagement of Parliament

across the age range, for instance, then I very much agree with what Patrick was saying. Although it would cost some money, obviously you would think of a range of imaginative ways in which you can communicate better what you are doing.

Q118 Mr Chope: Can you think of any Government Departments that we could use as exemplars on that?

Professor Dunleavy: There is the new Government Digital Service, and they have a whole set of policies that it would be great to see Parliament thinking about adopting and bringing over and using. Maybe you could ask them to look at the whole parliamentary function. They are a very expert team, and they have just won some big design awards for Government websites, which is an unusual thing to happen in Britain. I do think you are at the point where you could make a very qualitative change—a big step-change in the visibility of Parliament to the people who are interested in lots of different policy areas.

Alexandra Runswick: If I could just add a point on social media, I think there is a lot that Select Committees could gain from using social media more, but you have to understand that it is not simply a case of publishing a press release link. For social media to work and to be effective, there has to be engagement, so it has to be resourced. There has to be somebody who can reply to the tweets or to the Facebook page. If you are going to engage with people it does have to be a dialogue. It is not as simple as just taking a template of what may have worked in terms of getting press coverage and changing the format into a tweet or into a Facebook page. You do have to change the nature of the engagement. That is an important point, as are the points that have already been raised about the parliamentary website, which I am notorious in our office for avoiding at all costs. I will use any other service I can find rather than look something up on the Parliament website. You do have to rethink how you use that interaction, and not just assume that you can take a template press release and change the format and that will have an effect.

Roger Dawe: You touched on going for headlines. I think it is natural that Select Committees should get involved in big current issues and often can make a good contribution to them. At the same time, I think we in BGI think there is a case for Select Committees taking a more forward-looking strategic view on where the whole Department is going—for example, call in the Secretary of State at the beginning of the year and say, “What are the plans for the coming year? What are you delivering with the money you have?” and so on, and then at the end of the year call the Permanent Secretary in and say, “Okay, what have you delivered?” Yes, of course I think Select Committees ought to get involved in current issues and can make a big impact there, but they should not do that at the expense of having a more strategic, longer-term, forward-looking view on where their Departments are going and how well they have done in delivering what they said they were going to do, what inputs they have had, what outputs they have had, and what value for money they have delivered. That could and should be a regular process of Select Committees. We have made that point very strongly to the Liaison Committee.

Q119 Chair: I think we probably are at the latter end of your description there, Roger. I think we tend to look a little more strategically and long-term—

Roger Dawe: Yes, you do.

Chair—and deliberately do not do the short term. We do not exactly have a Committee of shrinking violets here who avoid the press at all costs. We collectively have made a decision that we want to try to do some fundamental stuff. A lot of the time, the democratic and constitutional things are slower burners. There are other Committees that choose to do it in a different way, and they are nimble enough to be able to pick up topical

issues, but we tend not to do it in that way. Peter, I am conscious that you have not had a chance to chip in. Is there anything you want to comment on so far before I call Paul?

Peter Facey: The only thing I would add is in some ways, yes, it is important that the punters in the institution use communication methods such as social media better, but the thing about social media is you need a voice; it is not just an institution. In most cases, if you look at what people follow, they follow individuals who have a particular view or voice that is communicated. In lots of ways, the best way of using social media—I hate to say it—is for you as parliamentarians to use it. Yes, Parliament and Committees as institutions need to use it better, but if you are going to have the dialogue that Alexandra talked about, then it is you having that dialogue and using the media, and not just the institution using it, because in lots of cases people do not want to interact with an institution. They want to interact with the people whom they elected to that institution.

Chair: We are going to come on to petitions later, but there is an interesting point about whether petitioners seek to bypass Parliament by going straight to the petition and accumulating a number. We can turn that around: some Members of Parliament bypass Parliament, do not use Parliament, because they can have a relationship with their constituents and perhaps make that relationship even stronger with social media. Perhaps all of us should focus on building up the institution, as well as having what I will call a workaround because of the problems of the system. Maybe let us address the problems of the system. I did say people should ask questions, so I should shut up immediately.

Q120 Paul Flynn: It is disappointing that in the first elections for Chairs of Select Committees—instead of it being fixed by the Whips in the traditional way, they were elected by Members—I believe nine of them were uncontested. There was just one candidate, so there was no choice. In other cases, the candidates were limited to, say, one section of a party; they were perhaps on the right wing of the Conservative party, or the left wing of the Labour party. There was not the wide choice there should have been. Do you agree with this? Do you agree that the Wright reforms have worked properly? Can you think of ways in which we can improve the Select Committees, possibly by having mid-term elections for new Chairs?

Peter Facey: On mid-term elections, I would be sceptical about whether you wanted to do that, because one of the tests is whether the Committees can gain the expertise and the authoritativeness. If you had two or two and a half years to do that, I am not sure you would do it in an effective enough way. In this case, I think it is a cultural change in Parliament, and what we need is more MPs to come forward and stand next time. Again, you can create the formal structure, but you have to change the culture inside this place to make that formal change a reality. Therefore, in some ways, it may be too early to tell whether you need to change those things until you have done the second round of elections.

Q121 Paul Flynn: It was so limited; in the case of one Select Committee, there were only nine MPs who could possibly be candidates—it was the Welsh Affairs Select Committee—because they wanted a Welsh Conservative and there are only nine of them. Only one of them had been an MP before and had any experience in Parliament. I think Tony Wright made the point that he thought that some of the Select Committee Chairmen could beneficially be changed, and many of us have very strong views about that. There are clearly Committees that are failing in their leadership, but there are other Committee Chairmen who would never have been appointed by the Whips. I think there has been success as far as that was concerned.

Peter Facey: Maybe you could try recall.

Paul Flynn: Yes, indeed. So, generally, are you happy about this?

Sir Richard Mottram: I read Tony Wright's evidence, which was, as one would expect, fascinating. The point that he made, which was a valid point, was that you had a big change in the composition of Members of Parliament at the last election for all sorts of reasons that are very familiar and we need not waste time on it. People were often voting in circumstances in which they had very little knowledge of some of the candidates, and also in circumstances in which this was quite a new thing. I agree with Peter that one would hope that, firstly, there would not be such a big turnover—I am in dangerous territory here—in the next election in terms of wholesale departures and, secondly, people will have more confidence in thinking about how to make the system work. At the margin you are probably going to have Select Committees—I do not want to get into Welsh ones—that are not popular, but my impression, externally because I no longer am grilled in these as a civil servant, is that the quality, certainly of the major ones, has been good, and I think that is the flavour of the Liaison Committee report as well.

Roger Dawe: I agree that the quality is now good. We did make a suggestion in our first report as to whether Committee Chairs should not receive extra pay, which would take them to about the level of junior Minister, or maybe even Minister of State. Now, I doubt whether pay is the answer, but it is relevant. Does it encourage people to think of a career in parliamentary scrutiny by being Chair of a Committee? That is one that—

Sir Richard Mottram: That is the next issue, yes.

Q122 Paul Flynn: On the previous question about the use of social media, tweets I believe would be the future, and possibly are the present, but we have to have techniques to use tweets, to use the 140 characters, and to get people to then link to longer reports, and I think that is probably the way to do it. You could have a sexy intriguing tweet that suggests there is something amazing at the end of the link. They will go in and see a Select Committee report or even a speech in the House of Commons. There are no reports of parliamentary speeches in the press now as there used to be many years ago. That seems to be the way of doing it, and what I have urged is that all oral questions should be tweeter length in the House of Commons. They would be better questions and you would be called more often by the Speaker, who loves brief questions.

Professor Dunleavy: The evidence from academia shows that where people have tweeted or used social media to explain what they have done in a research article it can attract up to 150 times more coverage than if it is not, and I would say the ratio is going to be much higher for Parliament. A large amount of resources are expended on producing transcripts of evidence and proceedings, and the readership is very small indeed. I think if you had a good staff presence—you would need to have probably one member of staff per Select Committee who was working on making things visible—you would see a big uptake.

Q123 Paul Flynn: Would you agree that the reports of Committees, which are not instantly digestible by the general population, should be presented journalistically by someone who knew how to draw people into reading detailed reports? At the moment, we do it in a traditional way: "There is the great slab of our report; it is brilliant and balanced and erudite, but almost unreadable".

Patrick Dunleavy: There is a big trend. For example, in academia, the trend is towards work that is shorter, better, faster and free, and all those things are lessons that Parliament could learn. If you write a large paper now—say 10,000 words—it is common to write a 1,000 word summary of that, which has the key things in it, and then blog that and tweet the blog and the article. You can imagine similar kinds of stages: the Committee staff would write, say, 1,000 words about what happened in this session today, and then there would be

links to the full transcript. You would see a big increase in the visibility of Parliament if you did that. It would take two or three years, but—

Q124 Chair: Patrick, are you arguing for additional weaponry, rather than giving up, which I might object to, the big chunk of persuasive, steady, sometimes intellectual argument? The reason I say that is, again, on behalf of this Committee, we attempt in our work not just to write a report but to have some influence, often very long-term. If you are talking about greater freedom for local government, or what a constitutional convention might do in this country, it is often not amenable to a slogan, but it is nonetheless about getting out the information and intriguing people to go a bit further.

Professor Dunleavy: Yes, indeed. For example, I think you wrote a blog for our LSE blog, which was very well viewed, and we would like to see a lot more of that. I think the Committee staff will take a little bit of time to work out the style of how you do that, but it would be a huge gain for Parliament. Instead of putting out lots of large wedges that nobody would read, you would find that interested publics, very specialist publics, would read and access much more, and I think that would improve what people were saying.

Sir Richard Mottram: To make an obvious point, the challenge here is you have multiple audiences. A Select Committee is certainly trying to engage with the public and get attention for what it is saying and so on, but also it is trying to influence Government—and is influencing Government. There will be people in Government who do read a heavyweight report that is backed up by analysis and so on. Before this session, I reread the Wright Committee report. I have forgotten its official title, so I call it the Wright Committee report. It is very well written. It is absolutely readable. It is not going to appeal to your average person because it is very technical, but you could certainly present aspects of it in the way that Patrick says—I am not disagreeing with what Patrick is saying—but it would be a great pity if you did not having something like that quality of work backing up these very difficult issues.

When you read the analysis, it is very persuasive, because inch by inch it goes through all the mind-boggling detail of how Parliament schedules its business and so on. Who is interested in that? Very few people. How could the Wright Committee influence that debate without getting into that level of detail? I can think of other areas, similarly, where Select Committees do the heavy lifting of forcing Government to confront the fact that it is thinking about problems in the wrong way. That is not going to make a very exciting headline. Obviously the reports need to be well written, and there is stuff in the Liaison Committee report about clarifying what are conclusions and what are recommendations, about picking out the main recommendations, and about offering a summary, as Patrick says, in plain English. You might get help for the Clerks from journalists on how to write plain English. It is certainly an issue in the civil service.

However, you have this issue of multiple audiences, so I personally would not argue that your Committee should not produce very well thought out, weighty analyses of technical and difficult issues that are, by definition, going to have quite a narrow but influential readership.

Q125 Paul Flynn: I accept that entirely. Not everything can be beneficially reduced tabloid languages, but there was an American who gave evidence to one Committee recently, and he talked about their aim of producing a report on procurement that was fast, inexpensive, simple and timely, which spells FIST. In this House we are reported to be complex, random, asinine and prodigious, which is—

Sir Richard Mottram: Yes, I have that.

Chair: Funny, but inaccurate.

Paul Flynn: With the exception of this Committee, of course. I am talking about the average Committee in this House.

Sir Richard Mottram: Yes. As my colleague has pointed out, you could tweet that.

Q126 Paul Flynn: You could indeed. It has been tweeted, I assure you. What is your view of the Government's action in changing the rules for election to the Backbench Business Committee—a change that tends to give more power to the Whips, as we think in our usual suspicious way? Any strong views on this?

Peter Facey: Organisationally, it is another example of how the culture has not changed, and how the Executive basically still thinks it is its job to reorganise things in Parliament for its convenience, and not necessarily Parliament doing it. Any move whereby, in effect, it moves away from the principle of it being elected by the whole House—it is a Back-Bench Committee—and into the party caucuses undermines the reform. We will come on to issues of petitioning; it was recommended that you have a petitions committee, but instead, Government—the Executive—decided to hand that to the Backbench Business Committee. That was not consulted on. It was not discussed outside. It was just simply done by the Executive, and it is those sorts of things that Parliament still needs to deal with.

What amazes me in my time dealing with Parliament is the problem is that Parliament accepts it. We can sit here and we can tell you, “You should not accept it”. The weird and wonderful bizarreness of the British constitution tells you that you do not have to accept it. You are sovereign, but you accept it. I do not know why Parliament did not revolt, but you accepted it.

Q127 Paul Flynn: Let me give one recent example you may not be aware of. There was a well-presented plea to the Backbench Business Committee to have a debate on the Iraq war, and it was on the anniversary, which was in March of course. It was presented by a balanced team of Rory Stewart and Bob Stewart, two very distinguished Tory Back-Benchers, and by the Green MP and by a Labour MP, and it had the support of many others. The issue would have had, you would have thought, prominence over all other issues because of the need to discuss it, due to the controversial nature of the war and so on. That debate has not taken place, and it has been leapfrogged by 20 other issues of minor significance because of the—

Chair: I can feel a question coming on. Perhaps our witnesses could comment on that.

Paul Flynn: It is not the Backbench Business Committee, I am sure, that are doing it. They wanted to accept the debate, and thought it was the right time to do it. It is the influence of the Whips and those who control the business of the House. They are kicking the debate into the long grass of early summer, perhaps. Do you perceive that as a weakness in the powers of the Backbench Business Committee?

Peter Facey: Yes. That is why my colleague said that the Backbench Business Committee should be given a day a week on which it can do it. It is why things like the petition system should be taken away from the Backbench Business Committee. It should have allocated days, so that you do not have a situation where you have things which are important in Parliament and things which are important to people outside competing against themselves for what is very limited time, but that means that Parliament has to be more assertive and say, “These reforms have been recommended. If necessary, we are collectively going to deliver them”. I am not naïve enough to say that it is not difficult, but I do not know how many times you can have reports that say, “You need to move in this direction”. Parliament is the block. It is not the studious reports on it. It is not the recommendations. It simply comes down to the fact that the Executive will always try to get its business through, to minimise opposition, to do what it has to do, and unless Parliament is assertive enough to

say, “These are important changes because they deliver a better quality of democracy”, you are not going to get the reform. I hope this Committee will come up with recommendations to implement the full part of the Wright Committee reforms, and to go and look at the bits that were supposed to be investigated by Parliament but were not investigated, but you have to do it as an institution.

Roger Dawe: Can I just add that the Better Government Initiative regionally supported strongly the original Wright proposals? We still do. We think the Backbench Business Committee has done a good job, but it might have done an even better job if the original Wright proposals had gone through. That is our position.

Chair: I am going to just leap forward. We Members have talked about this before, but Andrew, I know, was interested in a particular group of questions, so I will ask him to come in, because he has some thoughts on petitions in particular.

Q128 Mr Turner: Petitions are all very well, but most people who sign petitions have Members of Parliament. Are they consulting their Member of Parliament, or do they feel they can just go past them?

Professor Dunleavy: There is some research being done on petitions by a colleague of mine at Oxford University called Professor Helen Margetts. She studied 19,000 petitions and they tend to have a very quick start-up. I think one of the problems about consulting your MP is that that would seem to a lot of people to be quite a lengthy process. They would need to find out who their MP was, which they might not know. They tend to feel that they would need to write to MPs, even though they could e-mail them, but a lot of these petitions are very much spur-of-the-moment. People run across the link to the petition, and they then go on to the Cabinet Office site, or the Digital Service site now, and try and sign up.

According to Professor Margetts, what happens in the first 10 hours of a petition is very important. If a petition gets around 3,000 signatures in 10 hours it has a chance of getting to the 100,000 limit, which is the limit for the petition to be referred to the House, but if it does not get to 3,000 signatories within 10 hours, the chances are almost zero and only one in 1,000 petitions ever gets to the level that would allow it to be referred to the House. That is extremely restrictive. One in 1,000 petitions will get 100,000 signatures. Seven in 1,000 will get 10,000 signatures. I think the other thing that a lot of people think about in relation to petitions is that perhaps their MP may not be in favour of the petition, particularly, let us say, if they are petitioning against some aspect of Government policy and they have a Government MP. They may feel that the Government MP would not be sympathetic and it would be a waste of time.

Then the final big thing is that when you are thinking about contacting your MP you tend to think about what support is locally, but many of these petitions are on issues that are very general across the country; there are other people who are concerned about it, but maybe not so very many in your local area. You would not think of organising to get that issue discussed by going through your local MP, particularly given the problems; your MP may seem very hard to contact compared to this instant petition, or may not be sympathetic and so on.

Q129 Mr Turner: What you are doing is allowing MPs to hide if they wish to do so. It would be much better if they contacted their MP and then they had to decide what to do, rather than just quietly disappearing and getting the work done anyway.

Professor Dunleavy: I think this is now being run by the Government Digital Service, which is a very well tooled-up kind of outfit, and I can see certainly the potential for MPs to be notified of one of their constituents’ petitions, but you would then have to think about whether you would want to have all these e-mails saying, “Somebody from your area has

petitioned about parking charges”. There are lots and lots of these petitions. Thousands of them get started. Most of them die a death very quickly. You might just want to get notified about ones that have reached a certain level of signings. I am sure that would be technically possible.

Q130 Mr Turner: Is there not a major issue, in that we are representatives of a certain area of the country? We have to be told that people are contacting Government or Parliament, and I am not quite sure which it is.

Chair: Can Alexandra maybe come back on that?

Alexandra Runswick: I think there are possibly ways that you can better integrate those. It is not necessarily an either/or, though. As an organisation we encourage our supporters to write to MPs a lot. We are often not very popular because we encourage our supporters to write to their MPs about particular issues, but a lot of the time we will get back e-mails from our supporters saying, “I would love to write to my MP about this issue. I care passionately about it, but I have written to them about x, y, and z. I know exactly what they are going to say. There is no point me engaging on this issue. I will support whatever you want to do. I will sign a petition and do anything else you want me to do, but I do not see it as worth my while to contact my MP.”

I think you have to have a range of ways that people can participate. Yes, contacting their MP should definitely be one of them, but I do not think it should be the only one because, as Patrick has already said, if they are a Government Minister, there may be limits on what they can do. I think it is also about what kind of interaction or what kind of change you are trying to see, because if you look at, for example, the way the Scottish Petitions Committee works, one of the successful petitions they had, which was after the change of policy, was around the treatment of pernicious anaemia and vitamin B12. That was something that the Committee was able to engage with because they were able to hold evidence sessions, including one with the relevant Minister, and issue advice. It was not something that necessarily an individual Member could have taken on in that way.

I think it is about having different types of interactions and being clear about what you can do with each of those different forms of participation. One of the problems with the petition system that we have at the moment—apart from the one that has already been raised about the fact that it was just bolted on, without any consultation, to the Backbench Business Committee—is that it raised expectations that if you got lots of signatures, something would automatically happen. That is not what happens, so people did rush into it, and it can be quite disillusioning if you think, “Oh you just sign up to this, you will get a debate and something will happen”, and then it does not. I think there are also issues about when people are signing petitions and what they are signing them for, because at the moment all they can hope to trigger is a debate. With lots of the very popular petitions, I would argue about whether people wanted a debate or wanted to change policy. On the one to do with the NHS Bill, you can’t say it was not debated in Parliament. There was parliamentary time given to the consideration of that Bill, but people felt very strongly about it. Were they saying, “We want another day of debate”, or were they saying, “We want to influence this policy”? I think that is one of the things that is not clear with the system at the moment.

Chair: Any more, Andrew?

Q131 Mr Turner: Just thinking of that, in the end 100,000 is a very small number, not a very large number, so they are not entitled, by that, to change the policy. Could a petitions committee with the power to implement a range of different responses to petitions be more effective?

Professor Dunleavy: Yes. I agree with your previous point, but I think it would be very interesting, for example, for MPs to be given some kind of digest of petitions that have been well supported in their constituency. I think it would be very useful for Parliament to register and publish, “100,000 is the limit for formal consideration”, but what about things that are sort of bubbling under, or have made the 10,000 limit or something like that? You can imagine a “Top of the Pops” version. That would be useful for MPs to keep an eye on, so they knew what sorts of things were attracting significant amounts of attention.

Peter Facey: The problem is that we have a bastardised system. It is the problem of plonking something on Parliament without debating it, scrutinising it and working out what it is for. There is an issue around a petitions committee where you may have to set a limit to what point triggers consideration, but the idea that you have to get 100,000 on what may be a very technical issue to have it considered is a very strange committee system. The European Parliament committee system works with three people. As long as you get three people, it goes into the system. The more signatures you get, the more consideration you are likely to get, but it goes in. With the Scottish Parliament, it is one signature. It is a Petition Committee; it puts an issue for Parliament to consider in the Petition Committee.

There is a different issue about whether you want what is called an agenda initiative, where you force a debate in Parliament, and that should have a much higher threshold to it, but what we have done is confuse them all. We have also done something that is very strange. We have introduced something that is only online. In a country where millions of our citizens still do not have online access, we have introduced a way of influencing Parliament that is only effectively for middle-class people, or people who have access.

Professor Dunleavy: 82% of the population.

Peter Facey: However, that means 18% don't.

Q132 Chair: In some constituencies, it is less than 50%.

Peter Facey: I hate to say it, but if you compare yourself to the European Commission, which has a citizens' initiative system—basically a form of agenda initiative—you can sign that on paper or online. How is it that the European Commission can have something that is more accessible than a number of Parliaments? This is a problem because it was not debated or discussed. The recommendation of the Wright Committee was that there should be an investigation into introducing agenda initiative. There should be creation of a petitions committee. Overnight, the Government took something that it had created, which was a vehicle to influence Government, not Parliament, and plonked it on Parliament. It did not go to the Backbench Business Committee and say, “How are we going to do this?” It did not come to this Committee. It did not have a White Paper or a Green Paper. It just happened, and people then said, “Okay, it does not quite work”. Of course it doesn't work. If you just plonk something down, you have to be extremely lucky for it to be perfect. It does need to be looked at and separated out into different bits. Yes, there are ways for people to contact their MP. We always recommend people talk to their MP first, and ideally write to them by hand. If not, go and visit them, or phone them, but that does not mean that there is not a role for a petition committee and there is not a role for agenda initiative. There is for all of them.

Q133 Mr Turner: Do you think people will become more cynical about this, or have they already?

Peter Facey: I think they already have. When it started, the perception was that if you get 100,000 signatures you get a debate in the House of Commons. That was never the reality, but that was the public perception.

Q134 Chair: The press perception, too.

Peter Facey: Yes.

Q135 Chair: Hence the campaigning to try to create 100,000 signatures.

Peter Facey: Now you have petitions that have had a lot more than that, and they have not got a debate in Parliament, and that feeds into the cynicism. Bad participation is always worse than no participation. The problem is, again, because it was not designed and because it was not clear, you are building up false expectations in people who are already cynical about you. You are not delivering on their expectations because you never intended to deliver on their expectations. They feel let down and even more cynical about the system.

Q136 Mr Turner: I understand, but you collectively appear to me to be saying, “This system does not work, therefore we will introduce a new system”, whereas the job of MPs is jolly well to do what his constituents think is important. We managed to get a petition of 60,000 names in one constituency, not limited to e-mail. Why is it possible in one constituency but not in another?

Peter Facey: It is possible to get those. My problem at the moment is there is no formal way of dealing with them. The phrase we have in the English language is “in the bag”, because it just goes in the bag and that is it. It is not that it is not possible. I would like to see more people do it, and I would like more MPs to have that vehicle and use it. What I am calling for Parliament to do is what the Wright Committee recommended in the first place, which was set up a proper petitions committee that looks at issues and, where they feel it is necessary, use them to investigate them and to advise and maybe even pass them to other Committees, and then to look at the issue of agenda initiative—something that I clearly think should be done, but in a measured way, where you have thought through the consequences and how it works. That is what the Wright Committee recommended in the first place.

What I am complaining about is the Executive coming along, getting a report, skipping to the conclusions and then going and doing something completely different. That is the problem here. If you are trying to engage the public with Parliament, it has to be very clear what the public can expect from it. We are very clear: we always say to people, “The first port of call is to talk to your MP and to have a personal relationship with them”, but that does not mean that that is where it stops. There should be more than just that.

Chair: Andrew, are you done?

Mr Turner: I think so.

Chair: I am going to ask two Members to pop in briefly. Sheila, you have experience as a Member representing a Scottish constituency. We normally have something serious to learn from the way the Scottish Parliament handle petitions.

Q137 Sheila Gilmore: I think some of the people giving evidence would probably agree with this point. My recollection was that a lot of the point of the petitions process at Holyrood was about allowing people to bring forward some sometimes unexciting but important, not necessarily popular, minority sort of issues that tend to get ignored, so that they could begin the process. Not all of them get terribly far with the Petitions Committee, it is fair to say, and there is a bit of frustration that people do get a hearing and then it just disappears. It is an important thing, because any Parliament is not necessarily going to deal with something that is quite unusual, but it might be the beginning of people saying, “Oh yes, that is important.” Is that the big difference?

Chair: Alexandra, do you have a comment on that?

Alexandra Runswick: Yes. For me it is about being able to raise issues in different ways. Yes, obviously you can contact your MP, but as I said earlier, one of the issues that was successfully dealt with by the Scottish Petitions Committee was around the treatment of pernicious anaemia. That is quite a technical subject, and it is something that they were able

to do because they were able to investigate it, rather than giving that to one constituency representative, with one constituent saying, “I think this is really important because I have personal experience of how this has gone wrong,” or “I have a particular perspective on it.” I think the Committee structure meant that they were able to investigate it as a policy area, and were able to move it forward in a way that an individual Member of Parliament might not be able to, given all the different competing needs on their time and all the different issues that their constituents care about. It is not about an either/or. It is about having different ways of engaging with MPs and with Parliament. I understand there have been some frustrations, but broadly speaking, I think the Scottish Petitions Committee has been a very successful model of how that can work.

Chair: By the way, I regard every letter I receive from a constituent as a petition. Also, if I receive an actual petition—that is, a letter with more than one person’s name on it, or that requests to be treated as a petition—I will always ask a Government Minister to reply on the issue before I reply to my constituents. I think the cynicism that Peter mentioned goes in both directions. I think Members of Parliament are very cynical—I am—about the way petitions, certainly by electronic means, can be got up by newsrooms and even some Members of Parliament on so-called populist causes, which I think devalues the concept of petitioning and devalues representative democracy. I suspect from the nods around the table from the Members here and from the witnesses that this is something we need to have a close look at, and something on which we need to make some follow-up recommendations to the Wright Committee.

Q138 Mrs Laing: I just wanted to clarify two points. My first question is to Professor Dunleavy. Are you aware that most Members of Parliament would not recognise your analysis of what happens? It is possible you are making assumptions, but perhaps not. That is what I want to ask you. Perhaps you have evidence of which the Committee ought to be aware of what happens in an MP’s office. You said that most people find it difficult to write to their MPs and think that they ought to write an actual letter on a piece of paper, and said that it is better for them to be able to click online and sign an online petition. First of all, there are two sets of people: those who can go online and those who can’t. Dealing first with the people who can go online, if they have the technical ability to sign an online petition, they have the technical ability with two seconds on Google to find their MP and their MP’s address, and to send an e-mail to their MP. Would that not be correct?

Professor Dunleavy: That is true. Certainly, I agree with that. We do regular focus group work, and one of the things we find is that people who are over 40 often do know the name of their MP and have often written letters to them, but people who are under 40 often do not know who their MP is, although they will say that they could easily find out who their MP was.

Q139 Mrs Laing: Do you agree that they could find it out in less than a minute if they are an under-40 person with a computer, iPad or smartphone? If they have a serious point to make and they really care about a point, shouldn’t they be able to make the effort to spend less than a minute finding out their MP’s e-mail address?

Professor Dunleavy: I think the point I was making was an overall point about the cost that people perceive as being involved in contacting their MP.

Mrs Laing: The cost? That is interesting.

Professor Dunleavy: The cost in time and effort, and the likely return that they will get.

Q140 Mrs Laing: If a person cares about a particular subject that is in the public domain and wants to make their opinion known on it, what would be a reasonable cost in time and effort? Would it be less than a minute, five minutes, or 10 minutes? If someone is not willing to give 10 minutes to making their point, is it a point worth making?

Professor Dunleavy: I don't know. You would have to be the judge of that. My view would be—

Q141 Mrs Laing: You are making a very serious point—that people consider the cost, in terms of time and effort, of contacting their MP.

Professor Dunleavy: Yes.

Q142 Mrs Laing: Well, this is a serious question to you. What is a reasonable cost in time and effort if a person's opinion is to be taken seriously? Is 10 minutes too much?

Professor Dunleavy: I am not in the business of screening out people's views and saying, "These views don't matter." The thrust of your question would seem to be that that is where you would like to go. I think citizens have a lot of different ways in which they would like to contact—

Mrs Laing: If you will forgive me, Mr Chairman, I cannot have you suggesting that I want to screen out people who get in touch with me.

Professor Dunleavy: I apologise.

Mrs Laing: I am sorry, that is just totally, totally out of order.

Professor Dunleavy: Okay, so I have misconstrued your question, then.

Chair: I think we have all made our points now on this particular one. Eleanor, did you have another rather briefer one? I am trying to get other members in.

Q143 Mrs Laing: I think we have not, unfortunately, Mr Chairman, got to a point where any of our witnesses can tell us—perhaps Sir Richard is indicating that he might want to—what a reasonable time and effort is for a person to make a point of substance. Perhaps one minute is not enough and 10 minutes is too much. Perhaps the price of a second-class stamp is too much. It is a very serious point.

Chair: Sir Richard, I am going to allow you one brief intervention.

Sir Richard Mottram: I just want to make a brief point, which is not based on any analysis or focus groups or anything. I have a feeling that for a significant number of people in this country, they would be quite nervous—I put "nervous" in inverted commas—about e-mailing their Member of Parliament directly, because they think it would be slightly disrespectful. If I was thinking about my Member of Parliament, I would tend to write them a letter, because you have an idea, and Members of Parliament are very important people. It could be that there is an issue over whether people realise that in this modern world, Members of Parliament are very happy to be communicated with by any means, including e-mail. There could be those sorts of psychological barriers; that is the only point I want to make, so it could be a different point, really.

Chair: I will come back to Eleanor's second question a little bit later on. I want to move on now. I think everyone has made very interesting points around that. It is good.

Q144 Fabian Hamilton: I just briefly add that the reality is, because of the number of e-mails we all get, we take written letters more seriously, even though we should not.

Sir Richard Mottram: That is interesting, isn't it? That is also a point that we need to think about. Anyway, sorry, I know the Chair wants to move on. That is very interesting.

Peter Facey: We advise members of the public who are trying to contact you. We always say to them—

Sir Richard Mottram: Write a letter.

Peter Facey—“Send an e-mail. If you feel strongly about it, print it out in your handwriting and send it to them, and if you feel really strongly, ring them.” We know that the more personal the communication, the more seriously you take it.

Q145 Fabian Hamilton: That is the way I work. May I get back to the House business committee issue? The coalition’s programme for government stated that a House business committee would be set up by the third year of this Parliament. We are now, of course, almost coming up to the end of the third year. The Leader of the House wrote to us in January, stating that “work on the development proposals for a House business committee within Government is ongoing”, which I take to be civil service speak for, “Yeah, some time in the future. We have kicked it into the long grass.” I may be being too cynical here. Why do you think that the Government has not yet brought forward proposals for a House business committee? Is it a conspiracy, or is it just other pressing matters?

Chair: Any takers? Go on, Richard.

Sir Richard Mottram: I will offer an obvious point. It is not cynical. In order to bring it about, you would need to have people inside the Government who really wanted to champion it, because there would be a lot of opposition on the grounds that departmental Ministers will have their own priorities. What they are volunteering to do by setting this up is to make life more difficult for themselves. I have spent many years in the civil service dealing with Ministers who are Members of Parliament, and I am always puzzled slightly about why, if you were a Member of Parliament, you would not give great priority to the importance of Parliament. I am afraid that Ministers and their advisers—call me old-fashioned—get into very bad habits. This is going back and forth—I have no personal knowledge of it—inside Government, with people saying, “Well, you know, it is going to cause us trouble, so don’t let’s do it”. To then move the question on, therefore, Parliament must force the Government’s hand.

Peter Facey: The simple reality is that it is always the case that institutions are reluctant to give up power, whether that is the Executive giving up power to Parliament, or Parliament giving up power to another institution, and it always needs pressure from the outside—from the person who the power is coming to. If you simply leave it, all the reforms that shift power and have an institutional interest against it tend to take a lot longer. We have been dealing with the Department for Communities and Local Government over a particular piece of legislation for years, and given the number of letters I have in files, saying, “It is coming in the spring”, “It is coming in the autumn”, or “It is being actively considered”, I could wallpaper my office with them. Unless you push, I would not be surprised at the end of this Parliament if it still has not been set up, and if, at the end of the Parliament, it is something for the next Parliament. It needs to be seriously considered in the light of these reforms, and we need to see these reforms bed down before we take the radical steps. I could write a speech for you.

Roger Dawe: I think part of the push should be an assurance that the Government can still get its business through. I thought Wright had this absolutely right; the House should control its own business, but the Executive does need to get its business through. I guess that is what Richard was saying. Basically, the Government’s position is worry about it being more difficult to get the business through, and they need constant pressure from the House, but they also need that reassurance: “Look, we recognise you have to get your business through.”

Q146 Fabian Hamilton: Does this not come down to a fundamental flaw, though, in our long-evolved system, whereby the Executive, as Richard says, are members of the

legislature as well, and there is a conflict between the two? I have a very good friend, now retired from Parliament, who was in Parliament for 23 years, and he was a Minister in Blair's Administration. When he said, "I cannot do this on a Friday. I have to be in my constituency," a civil servant—I cannot remember which Department it was—said to him, "That is not a matter for us, Minister." He pointed out, "Well, I am a Member of Parliament, too. I have constituency obligations." "That is not a matter for us. We are not interested. You have to do your job in the Ministry."

Sir Richard Mottram: I can quite imagine a civil servant saying that, but that is a failure of education of civil servants, isn't it? To say that is so crass, and it is disgraceful. I tend to think, from the perspective of BGI, we never argued that we should move to a sort of American-style system. If I can make an observation about the Wright Report—this is a point that I noticed Tony Wright made last week—I know why it was framed in the way it was framed, that the Government should get its business, but I do not think that is the way we should think about this. "The Government should get its business" was the Wright formulation, "and the House should get its scrutiny", as though these two things were easily reconcilable. They are not easily reconcilable. The Government should get its business, if its business—if we are talking about legislation and other key things—is well thought through and Parliament is given sufficient time properly to scrutinise it.

Out of that would come a realisation, which might be partly why the Government is getting very nervous about going to the next stage, that there will be pressure properly to scrutinise all legislation, which is absolutely not what happens at present, and that will create pressure to have less legislation, which would be a very good thing. Individual Departments, in their psychology, and in the way they think about power and their importance, are keen. They are queuing up to do it. That is the fundamental problem. The Wright report very skilfully glossed over, because it was trying to sell something, this fundamental challenge, and it glossed it over and got progress at a time when, for various reasons we need not go into, the climate was good. Now the climate is less good, because Parliament has restored its reputation to an extent, and it is a much less salient issue, so Ministers say, "Why would we do this?" It is only going to lead to one thing, with a bit of luck: less legislation, better thought through.

Q147 Chair: As a member of the Wright Committee, I would perhaps just chip in. The reason—

Sir Richard Mottram: That may be a misrepresentation.

Chair: No, but the reason why we were convinced, on all sides and parties, of the argument was that we needed to reassure the Executive that this was not some sort of quick takeover of everything in which they would not get any business at all, so we had to repeat over and over again, "It is not our intention. Government must always get its business."

Sir Richard Mottram: Yes, absolutely, Chairman. I was not implying any criticism.

Chair: I say that just to be clear. Also, the Wright Committee was not in a position to try to resolve all the problems about poor legislation and poor drafting—

Sir Richard Mottram: No, of course not.

Chair—which, no doubt, will be slightly more transparent, but they are a whole set of additional issues.

Sir Richard Mottram: Exactly.

Q148 Chair: I cannot speak for Tony Wright personally, but as a long-serving member of that Committee, I think the fundamental question was: does Government see Parliament as a partner, and is some transparency and assistance therefore always welcome, or does it see it as a potential threat or problem to be managed? I think that is where the

psychology needs to be. That is where the psyche and the culture need to be, because if we are all working as partners, we can definitely find a way through this.

Sir Richard Mottram: If I could just make an observation, Chairman, I certainly was not in any way criticising the way that the Wright Committee framed its approach, because it was absolutely the right—sorry, too many “rights”—thing to do to get Government to buy in. I was watching it at the time. It was remarkable that the buy-in was achieved. The only point I am making is that fundamentally this partnership is fine, as long as the Government is living up to its side of the partnership, and its side of the partnership should include bringing forward legislation that is well-framed, well-drafted and not overloading the House’s capacity to scrutinise it.

Chair: We will be trying to answer that question, Richard, when we come to the “Better Legislation” Report that we are deeply engaged in.

Q149 Fabian Hamilton: Do you want me to continue?

Chair: Please do. I am so sorry for interrupting.

Fabian Hamilton: No, not at all, Chair. Natascha Engel, when she gave written evidence to this Committee, said that before a House business committee could be set up, there needs to be a decision as to exactly what that committee aimed to do, and she asked the question, “Does Parliament want to scrutinise better the scheduling decisions taken by the Executive, or does it want involvement in those scheduling decisions?” What do you think a House business committee should be for: scrutinising the decisions on scheduling, or making those scheduling decisions—in other words, managing its own time?

Professor Dunleavy: I would suggest that one of the things that a lot of people with very wide-ranging interests are hoping to see is a movement towards better legislative scrutiny, and to the extent that the House business committee might more appropriately allocate time across legislation in response to its difficulties, that could be a very positive thing. That is really the No. 1 gripe that I think most people have about Parliament at the moment: legislative Committees are relatively random sets of MPs assembled ad hoc, and business is pressed through in a way that does not really give confidence that scrutiny is effective.

Q150 Fabian Hamilton: Given that any House business committee would probably have a majority of Government MPs on it, would it actually make any difference to the decisions made?

Professor Dunleavy: One would hope that it would, and the way in which it would make a difference is that there would be more sensitivity, a broader range of sensitivities, about which pieces of legislation were felt to be in need of the most scrutiny.

Alexandra Runswick: If we look at the international examples, the business committee model is better at providing openness and transparency than it is at the involvement. It does not mean that it cannot do that, but if you look at how it is working in practice elsewhere, it tends to make more progress on the openness and transparency than the involvement. It depends very much, obviously, what the Standing Orders of that committee are, and one thing we have to be aware of is that setting up the structure is not an endgame in itself. You could quite easily create a business committee that was a formal structure of exactly how things operate at the moment and did not actually change anything, so it is very important to look at how that committee is working—at, for example, how smaller parties are brought into the process, or if they are brought into the process; or whether or not decisions are purely by majority vote, or if there has to be some kind of attempt at consensus. There are different ways of doing that, but that will influence whether it is purely about openness and transparency, or whether there is some greater level of engagement.

There are other things that the Wright Committee Report looked at in addition to the House business committee, such as moving from the business statement being a statement, and having it as something Parliament could vote on or could amend. In some ways, that might increase parliamentary involvement more than the business committee model, so there are different ways of going about it.

Q151 Fabian Hamilton: If the committee was simply a more formalised or committee structure that simply did the same as the existing business managers, it would not be worth having, would it?

Alexandra Runswick: It might increase—

Fabian Hamilton: Nobody would notice the difference, would they?

Alexandra Runswick: I do not think it would make a significant difference. That is why I said it depends on how you structure the committee. For example, in the New Zealand equivalent, they do not necessarily have to come to a consensus. They have to try to come to a near consensus, and the Speaker is part of the discussions. They also go further than they are required to do, involving smaller parties, whereas other committees do have it on a purely majoritarian vote, and yes, I can see that that would be more institutionalising the usual channels that we have at the moment. Even if we just did that and, say, published the papers that were considered, that would probably increase openness and transparency, so it would not necessarily be a bad thing, but I agree that it would not necessarily be a giant leap forward.

Q152 Fabian Hamilton: Is limited reform better than no reform?

Peter Facey: Always.

Alexandra Runswick: Yes, particularly in this parliamentary system, where incremental reform is almost always the order of the day.

Peter Facey: Transparency is always a good thing.

Sir Richard Mottram: It would not be very ambitious simply to say, “We are going to have a committee that is the usual channels in a committee.” The questions are: who is going to chair the committee, and are there going to be senior Back-Benchers sitting on it, alongside the usual channels? If there are, and I think the assumption in the Wright Committee was that it would not vote, but if there is both transparency and a different group of people around the table, and you chose the chair carefully, then my experience would be the dynamics of how things are decided, and the interests of Parliament as a whole, would be reflected in a different way to the closed system that we have now. It would probably be incremental, and the important thing would be to keep up the quality of the chair and the quality of the Back-Bench participation.

Q153 Fabian Hamilton: The chair would presumably be elected, though, by the whole House, as the chair is at the moment in the Backbench Business Committee.

Alexandra Runswick: Just to be clear, I do not want a business committee.

Sir Richard Mottram: No, I was not suggesting you would.

Alexandra Runswick: There is a danger that that could happen; that was all I wanted to say.

Fabian Hamilton: Absolutely, and it would certainly be a lot less than the Wright Reforms suggested.

Chair: Was that a comment, Fabian?

Q154 Fabian Hamilton: Discuss. Does anybody want to comment on that? I suppose my question really is, if we get limited reform, which I think most agree is better than no

reform at all, that is still a long way short of what Wright suggested, and should we then continue to press for the full Wright reforms to be implemented and a fully independent business committee to be established?

Peter Facey: Our view would be that the Wright reforms were a first step. To view the Wright reforms as the kind of gold-plated endgame—that is where you get and stop—I think would be a fatal mistake. If you are pushed back and you do not get the Wright reforms, yes, you should campaign or put pressure on to get there as quickly as you can, but you then need to review whether you are actually where you need to be, in terms of a powerful Parliament. I hate the phrase, “Get your business through”. If you go to most Parliaments in the world, the job of a Parliament is to hold an Executive to account, it is to pass legislation and it is to scrutinise that to make sure that the legislation is good.

As for the idea that you have to assume that the Government will get its business through, I know why in this place we have to do so, but we have a culture here that it is a sausage machine. In some ways, the Departments view passing legislation as their function. It is not. It is to govern, and your function is to pass good legislation—to ensure that legislation is passed that you will not have to amend or change or, in some cases, look at seven years later and find that parts of them have never been implemented. All too often I find myself looking at pieces of legislation and finding, “Oh, that bit has not been implemented, seven years later. Oh, we are still thinking about it”. Once you have passed the legislation, it should be implemented. The thinking should be done before you pass the legislation.

Q155 Fabian Hamilton: I go back to what I said earlier: the biggest problem for our constitutional system is the conflict between the people who are legislators and people who then become members of the Executive, and you cannot resolve that conflict.

Professor Dunleavy: Maybe you can bridge it a little. If you have a House business committee where the chair is elected by all MPs and is answerable to all MPs, if it meets and discusses business in a more open and transparent way, if it can not only be lobbied by Members of the House who are unhappy about scheduling decisions, but can be subject to public and media scrutiny and criticism, surely that moves us a little bit further along the route that we would like to see Parliament progressing down.

Peter Facey: There are plenty of Parliaments that manage to strike that balance better than ours. I am not a fan of directly elected Executive functions, particularly. I can see the case for them, but there are plenty of Parliaments that manage to hold the Executive to account better and control their business, and that are in some ways more sovereign than you are, in reality, and can check that. If you look at some of the Scandinavian Parliaments, if you even look at the New Zealand Parliament, there are ways in which Parliaments can do that without having to say that the solution has to be to move to a presidential style.

Sir Richard Mottram: I was just going to make a quick point based on observation when I was a civil servant. A great strength of our system is that Ministers are Members of Parliament. The civil servant who made the remark about “It is nothing to do with us” is a fool. It is a great strength of our system that Ministers are Members of Parliament. It does not mean that because Ministers are Members of Parliament, Parliament has to be so dominated by the Executive. There are obvious ways in which this balance could be changed without bringing Government to a halt and that would improve Government. It is a question of finding them. However, it requires a change in mentality, including a change in mentality, I would suggest, among Members of Parliament themselves.

Chair: Again, just for information, on the Wright Committee, we acknowledged immediately this was not a partnership of equals, and that we, in the parliamentary sense, are dwarfed by dealing with a highly strung, psychotic, 800lb gorilla called “Executive power” in the UK, which can crush us and could tonight withdraw even the reforms that we have

achieved so far, in terms of the Wright Committee, as Christopher indicated, without debate. So this process of negotiation is not necessarily between two rational human beings. That is the way it felt and still feels, I have to say, so we will try to do whatever we can, as best we can.

Q156 Mrs Laing: I would like to continue examining your analysis of the engagement of people with the democratic process through Parliament, and I have listened to what you said in your analysis. Could I ask, Mr Chairman, each member of the panel—

Chair: I think we agreed we would not do that.

Mrs Laing: This is a quickie. Maybe—

Chair: That is what you said before, Eleanor. We will test one.

Mrs Laing: Which of our witnesses would like to answer my question? How many letters, e-mails and phone calls do you imagine a Member of Parliament gets in the average day, first from their constituents, and second in general from other people about political issues? How many, Professor Dunleavy, do you imagine a Member of Parliament gets?

Professor Dunleavy: By “day”, do you mean “working day”? I am just trying to do the maths.

Mrs Laing: I do not mean working day, I mean day.

Professor Dunleavy: Every day?

Chair: If we could just go quickly on, because—

Professor Dunleavy: I would imagine that it would be about—

Q157 Mrs Laing: Do you suppose that members of the public do not send e-mails and letters on a Sunday? That is part of my question. Is that your supposition? Do you suppose we do not get phone calls at 2.00 am?

Chair: Eleanor, you have to let the witnesses answer.

Mrs Laing: I beg your pardon, Chair.

Chair: You have asked a very long question there that is going to take forever to get an answer from every witness, so you really have to let them reply.

Professor Dunleavy: I would think it would be about 35,000 pieces of communication.

Mrs Laing: Per day?

Professor Dunleavy: Per year.

Chair: Alexandra?

Alexandra Runswick: I have no idea about numbers, but I would expect it would be—

Mrs Laing: No. Thank you.

Chair: Peter?

Peter Facey: Same.

Mrs Laing: No idea.

Chair: Richard?

Sir Richard Mottram: Probably 100-plus a day.

Chair: Roger?

Roger Dawe: I would guess a bit more than that. 300.

Q158 Mrs Laing: Mr Dawe’s is the nearest. It is well over 100. Listening to the evidence being given to us earlier, there appeared to be an assumption that people do not contact their Member of Parliament. Sir Richard was right in saying that people who are very serious about a matter tend to put pen to paper, but most people—and somebody made the point about under-40s—do now e-mail. A well set-out e-mail is just the same as a handwritten letter. Taking that forward, there appears to be a misconception about the extent to which

people already engage with their Members of Parliament. It is hundreds and hundreds of e-mails every day.

On ways in which matters can be brought forward for debate in the House of Commons—my colleague talked about pernicious anaemia—are you aware that individual Members of Parliament can apply for an Adjournment debate or a Westminster Hall debate?

Alexandra Runswick: I would question whether somebody who does not do the job I do but lives in my constituency would know that, but yes, I know that.

Q159 Mrs Laing: They would not exactly, but do you think it is likely that there could be an issue about which 100,000 people who might sign a petition were concerned, and about which no single Member of Parliament was willing to request a debate? Is it possible that there could be an issue that 100,000 people care about but no Member of Parliament cared about?

Alexandra Runswick: You asked about whether or not we knew about Adjournment debates and Westminster Hall debates. One of the problems from a general public point of view about that kind of parliamentary procedure is that it is not necessarily clear how they go about requesting their MP get one, and what the process is for their MP getting one. For example, there are all kinds of different roles that Members of Parliament can take on if a constituent raises an issue. They can do a presentation Bill, or they can do a private Member's Bill. However, it is not always clear to somebody who does not understand parliamentary procedure what the different stages are and how they can go about—

Q160 Mrs Laing: Why would it be? If somebody goes to a doctor or a lawyer asking for professional advice, they are going to ask, are they not?

Alexandra Runswick: Yes, but—

Mrs Laing: If you go to a doctor with a sore ankle, you do not know what the doctor is going to do. That is why you go to the doctor. If somebody cares about pernicious anaemia and they come to their Member of Parliament, and it matters—

Chair: Let Alexandra answer, please, Eleanor.

Alexandra Runswick: One of the challenges that you face, I think, is whether or not people see that their interaction either with their MP or with Parliament more generally is likely to have an effect, and the point I was making about whether or not they understand the different stages of the process is this: with a petition, however flawed it might be—and I do think it is flawed—there was a perception that if you got 100,000 people to sign it, you got an outcome. It is not always clear, if you take other measures, what that outcome is. For some MPs, it is very clear. Lots of people have said, “In this instance, I do x, y and z.” For other constituents, that is not the response that they get.

One of the reasons why I talked earlier about the importance of a petitions committee is that there is an open and transparent process about what you can expect at each stage and what the likely outcomes of your interaction with Parliament will be. If you look at something like the Hansard Society Audit of Democratic Engagement, only about 30%—certainly under a third of people—felt that their engagement with national politics would have any effect. It is not whether or not people can take the time to Google who their MP is. It is whether or not they think that them doing that, writing the letter, is going to have an effect, and I think that is the real challenge we have, not the fact that they do not Google the MP. It is the fact they do not feel that their engagement is going to change anything.

Q161 Mrs Laing: A lot of them do. That is why we get hundreds and hundreds of e-mails and letters and phone calls every single day.

Peter Facey: We get equally large numbers of e-mails back from our supporters, saying, “I have written to my MP on numerous occasions. I have never had a reply, other than a holding note in effect”.

Chair: This not helping. I am going to going to come back to you at the end, Andrew.

Peter Facey: That is not saying all MPs.

Chair: Peter, if you do not mind. Eleanor, if you can stick to the questions that we are addressing around the Wright Committee, rather than—

Mrs Laing: I am, Mr Chairman. I am very interested in the evidence that is being given to us about the way in which people engage with the democratic process. If we have misconceptions, then it is not going to get us anywhere. If the idea that is put about is that MPs get 50 or 60 e-mails and letters every day, then we are not exploring the right issues.

Going specifically to the way in which a business committee might work, do you consider that having a votable agenda might help to increase public influence on and public interest in the proceedings of the House?

Sir Richard Mottram: I do not think it would greatly influence public perceptions of the House, no. I think it would probably greatly influence the effectiveness of the House, so it is sort of second time around. Yes, I think over time it would improve the reputation of Parliament. The reputation of Parliament at the moment is, I think, seriously damaged by people’s perception that it is dominated by Government, and that might impact on how they see MPs. I do not wish to dispute anything you have said about the role of MPs, but it might be that people have an insufficient appreciation of the role of MPs because they see that Parliament is under the control, effectively, of the Government. A votable agenda would be part of that process.

Q162 Mrs Laing: Thank you. Perhaps other people want to answer the same question.

Alexandra Runswick: I would say basically the same thing. I think it would be a very good thing for Parliament. I do not think it would make a significant impact in terms of public perceptions.

Mrs Laing: Thank you. I think, Mr Chairman, on the issue of personalities and culture, we have already dealt with that in the general questions, so I will not go further with that. Thank you.

Chair: Andrew, did you want to come back on—

Q163 Mr Turner: Yes. I think one of the problems is that in perhaps a lot of constituencies, certainly in some constituencies, a lot of people are, as Sir Richard Mottram suggested, unable to write a letter, unable to write a serious letter, and therefore frightened of contacting their Member of Parliament. I know we have great difficulty—it is a small minority, but they are nonetheless there—contacting those people, and more importantly, getting a sensible discussion going over whatever very serious issues they are trying to discuss. The trouble is the petition does not do anything for those people.

Sir Richard Mottram: Can I just make a point, Chairman? We are talking about, inevitably, a range of different types of issues here. Some individuals have serious problems that they cannot get the system to tackle, and there are plenty of examples of that—you know I used to be the Permanent Secretary of the Department for Work and Pensions, for example, and I am acutely aware of this. Some people would find it very difficult to deal with their Member of Parliament in relation to those sorts of things, but there are intermediaries who can help them there—things like Citizens’ Advice, which has very good contacts with the relevant Member of Parliament. I think there are ways in which you can encourage people to see that

they do not necessarily have to do it themselves. Some people cannot write a letter, after all, and I do not mean that cruelly. They can use intermediaries.

What I think is very interesting is where it is a more generalised issue of public policy, so to speak. Why do people want to petition, rather than use their MP? There, I think there may be issues around whether people have confidence that if their MP is a Minister, they can follow up a constituent's interest. They can. However, where you are part of the governing party, or indeed an Opposition MP, are they credibly going to believe that you will get anything other than the bog-standard party line? Again, some of this is about a perception of how far Members of Parliament are—of course they should be closely associated with parties, because that is our system—capable of independent thought. There I think the reputation of Parliament has grown. I personally would not say that the way to deal with this is, “I cannot go to my Member of Parliament. I will sign a petition”, but that is probably because I am very old-fashioned. I do think we need to distinguish between different sorts of things that individuals might want to pursue and break it down a bit.

Chair: Sheila, I am conscious you have chipped in, but is there any contribution you would like to make?

Q164 Sheila Gilmore: I do not know to what degree, but we are starting to talk about House business and so on. That is not the same, necessarily, as improving legislation. Is it possible to balance those two out through just procedural means, or are we looking at something much more fundamental here?

Chair: Patrick, I think you were going to come in.

Professor Dunleavy: I just wanted to echo Richard's point that there are different types of issues. The House is very well set up, and MPs themselves do a fantastic job in terms of processing individual citizens' issues, particular issues with public services. If we look at the figure of, let's say, 100 letters a day, that cashes up to about 20 million letters a year, which is a tremendous total. However, I think that people see MPs in that way, very much as sort of dealing with very specific individual issues and grievances. If they know the MP or they feel that the MP is sympathetic, they will raise issues with them that are broader. Modern life is increasingly less organised on a spatial, local level. We have to recognise that there are lots of different communities of interest in the country, and they may find it quite tricky to think who would be sympathetic in Parliament. It might be that their individual MP is interested in one set of issues and that does not include their concerns, so I do think it would be well worth while not trying to over-fetishise the local constituent link. It is important and it is very well developed, and the House does a great job of it, but that does not mean it is the only way in which Parliament should be linking its citizens. In the evidence that I submitted, I say that there is strong evidence that anything that improves the visibility and independence of Parliament, which the Select Committee reforms and the Wright reforms have clearly done, has worked. I would think a House business committee and those sorts of things would be further small changes in increasing the visibility of Parliament as an independent body to citizens.

Sir Richard Mottram: I think a House business committee along the lines that we were discussing earlier would be a very significant change. It would not in itself tackle the problem we are discussing. In order to tackle the problem that we are discussing—not the one that Patrick was just discussing, but the issue around the relationship between the Executive and the legislature—the mentality of the Executive has to change. That is why—we are here with the Better Government Initiative—we are focused on how the Executive needs to change, as well as how Parliament itself needs to change.

Roger Dawe: Just to follow that, we made a lot of recommendations directly to the Executive to get the House in order properly in the first place, and then to Parliament to

scrutinise whether that is happening, but it has to be on both fronts. That is the importance of what we said about legislative standards, which I know you are producing a separate report on, so I think it all does go together.

Can I just add one point that has not come up? Whatever happens on the House business committee—let's say we get a super House business committee set up, at the optimistic end—we still think it is very important that the Backbench Business Committee continues. There might be a temptation to say, "Let's absorb it." I do not think we should. I think you could have a super House business committee—exactly the kind that Wright wanted—but we still need a Backbench Business Committee to prioritise the use of Back-Bench time.

Chair: I think that is a very good point, a consensual point, on which to finish, and I would just underline this point again: I think we have all experienced Members around the table here, but certainly when you talk to some of the new Members, they assume that we have always elected our Select Committee Chairs, and that the parties have always elected their representatives on the Select Committees. On one level, that is wonderful, and it is people looking to the future. On another level, we are all old-timers around this table, particularly myself—sorry, Sheila; there is one new girl—and we really have to be vigilant, because unfortunately what we have managed to achieve so far needs to be built on, and we ought to be really careful that it is not eroded if we want Parliament to be ever stronger. I congratulate the Members and the witnesses this morning. It has been very difficult with a large number of Members present, which is wonderful, but also a large number of witnesses, all bursting with ideas, and we have all been pretty disciplined this morning to get us to this point. It has been a very, very helpful session. Thank you all for coming this morning.