

PARLIAMENTARY DEBATES

HOUSE OF COMMONS
OFFICIAL REPORT
GENERAL COMMITTEES

Public Bill Committee

HOUSE OF LORDS (EXPULSION AND SUSPENSION) BILL [*LORDS*]

Wednesday 4 February 2015

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Sittings motion agreed to.
CLAUSES 1 to 4 agreed to.
Bill to be reported, without amendment.

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The Committee consisted of the following Members:*Chair: DR WILLIAM MCCREA*

Beckett, Margaret (*Derby South*) (Lab)
 † Byles, Dan (*North Warwickshire*) (Con)
 † Chope, Mr Christopher (*Christchurch*) (Con)
 Coffey, Ann (*Stockport*) (Lab)
 Dobson, Frank (*Holborn and St Pancras*) (Lab)
 † Gyimah, Mr Sam (*Minister for the Constitution*)
 † Heath, Mr David (*Somerton and Frome*) (LD)
 † Lefroy, Jeremy (*Stafford*) (Con)
 † Mowat, David (*Warrington South*) (Con)
 Neill, Robert (*Bromley and Chislehurst*) (Con)
 Paisley, Ian (*North Antrim*) (DUP)

† Pound, Stephen (*Ealing North*) (Lab)
 † Randall, Sir John (*Uxbridge and South Ruislip*)
 (Con)
 † Raynsford, Mr Nick (*Greenwich and Woolwich*)
 (Lab)
 Twigg, Stephen (*Liverpool, West Derby*) (Lab/Co-op)
 † Young, Sir George (*North West Hampshire*) (Con)

Liam Laurence Smyth, *Committee Clerk*

† **attended the Committee**

Public Bill Committee

Wednesday 4 February 2015

[DR WILLIAM MCCREA *in the Chair*]

House of Lords (Expulsion and Suspension) Bill [Lords]

9.30 am

Sir George Young (North West Hampshire) (Con): I beg to move,

That, if proceedings on the House of Lords (Expulsion and Suspension) Bill [Lords] are not completed at this day's sitting, the Committee do meet at 9.30 am and 2.00 pm on Wednesday 11 February.

I welcome you to the Chair, Dr McCrea. This must be one of the last Public Bill Committees of the Parliament, and for some of us it might be the last Public Bill Committee ever. I am sure that under your benign chairmanship, it will be an agreeable experience.

The sittings motion is entirely precautionary. I hope that it will not be necessary to sit next week. The Bill is short and uncontroversial. I believe that we can do it justice this morning, but just in case we cannot, I am moving the motion.

Question put and agreed to.

Clause 1

EXPULSION AND SUSPENSION OF MEMBERS OF THE HOUSE OF LORDS

Question proposed, That the clause stand part of the Bill.

The Chair: With this it will be convenient to consider clauses 2 to 4 stand part.

Sir George Young: The Bill was promoted by and taken through the other place by the former Lord Speaker, Baroness Hayman. She said:

"I believe that we have a dangerous lacuna in our disciplinary proceedings and the Bill sets out to fill it and protect the House in those circumstances."

The Bill was supported by peers in all parts of the House and received its Third Reading unopposed.

The upper House is as anxious about reputation as we are, and its has been tarnished by recent incidents. Their lordships believe that they need additional powers to those they have at the moment if they are to deal robustly with misconduct. They believe that the existing powers are inadequate and that the public share that view. We have a common interest in restoring public confidence in the body politic, and we suffer collateral damage if the upper House takes a hit.

We, of course, have the unfettered right to scrutinise all legislation, but we should think hard before denying the upper House sanctions that it has asked for. Peers expressed the hope that the Bill would pass through this House before Dissolution. As Lord Wallace of Saltaire said of the Bill:

"It has a limited and specific purpose and is concerned with the reputation of Parliament as a whole...The Bill is also concerned with rebuilding public trust in our political institutions and, as she"—

Baroness Hayman—

"made clear, is intended to give the House precautionary powers—powers which are intended to be available but to be rarely, and, one hopes, never, used".—[*Official Report, House of Lords*, 21 November 2014; Vol. 757, c. 645-648.]

Furthermore, the Lords wants to deal with the matter in peacetime—in other words, when no complaint is being investigated.

The former Lord Chancellor, Lord Mackay of Clashfern, who gave the original advice to the House on the extent of its powers, supported the Bill. It also had the strong endorsement of the previous Chair of the Sub-Committee on Lords' Conduct, Lord Brabazon of Tara, and the current Chair, an ex-justice of the Supreme Court, Lord Brown of Eaton-under-Heywood.

The Bill is permissive. Clause 1(1) gives the upper House powers to amend its Standing Orders in two respects, on suspension and expulsion, which are dealt with in subsections (2) and (3) respectively. It will be for that House to draw up Standing Orders to ensure that the powers that it has been given by statute are fairly and properly implemented, and that its procedures are of the highest standard.

At the moment, the maximum length of suspension in the upper House is in inverse proportion to the remaining length of the Parliament. Were a peer to be guilty of serious misconduct now, they could be suspended only until the end of this Parliament. If he or she committed the same offence in May, however, they could be suspended until 2020. That is because the writ of summons trumps suspension, but that position is indefensible. Primary legislation is needed to correct the anomaly to ensure that peers serve the allotted time of suspension.

A Member of either House is automatically expelled if they are sentenced to prison for more than a year. In addition, the Commons has the power to expel, but the upper House does not. Lord Mackay said:

"It is very desirable that powers of expulsion should exist in the House."

Lord Norton said:

"There is clearly a powerful case for bringing us into line with the House of Commons."

There is a more powerful case for having the power in the Lords because peers cannot be expelled by constituents. I see no reason why we should deny that House a power that we have and that it wants. We hope that the power will never be used, but implementing it will make a clear statement to the public that some behaviour is so unacceptable that a peer should be expelled. On the circumstances in which expulsion might be used, Baroness Hayman said that

"it would be irresponsible not to have such a provision in place when all of us can envisage circumstances—it might be repeat offences against the Code or Conduct or sentences for criminal offences that were less than nine months or were suspended—where the House would wish at least to have the opportunity to consider expulsion and to decide whether it would be the right course of action. In such circumstances, I believe that not having that opportunity would provoke significant public disquiet and criticism of the House. That is not just a belief but based on experience."

Subsection (4) makes it clear that the powers are not retrospective, except in so far that the conduct was not public knowledge at the time the Bill comes into force.

On the principle of the Bill, Lord Philips of Sudbury said:

“If one had a jury of good and honest men and women, unrelated to Westminster, who were to consider what the Bill is doing, they would be amazed that it is not already the law.”—[*Official Report, House of Lords, 24 October 2014; Vol. 756, c. 926-935.*]

Clauses 2, 3 and 4 are consequential and technical, but I will be happy to give more detail on them later in the debate, if colleagues require some explanation.

Mr Christopher Chope (Christchurch) (Con): First, I thank my right hon. Friend the Member for North West Hampshire for inviting me to be a member of the Committee. I received notification last week, while I was at the Parliamentary Assembly of the Council of Europe, which meant that I was unable to table any amendments before the appropriate time on Friday. I am therefore taking this opportunity to raise some of the concerns that I and other Members have about the Bill so that my right hon. Friend has the opportunity to respond to them.

The long title states that the Bill makes provision “empowering the House of Lords to expel or suspend members.” As my right hon. Friend said, the House of Lords already has powers to expel or suspend its Members, particularly following the passage of what became known as the Byles Bill, which passed through this House and the other place on the basis of consensus between all Members. The Bill before us is an attempt to build on the provisions of the Byles Bill, although I think my hon. Friend the Member for North Warwickshire left those provisions out of his Bill because he thought that they might be contentious. If such contentious provisions are introduced in another Bill, we must not be surprised that they are subject to some probing and discussion.

My right hon. Friend the Member for North West Hampshire said that we have a role to probe, and that is the role that I seek to undertake today, especially because this Bill, with its significant constitutional implications, received its Second Reading on the nod, meaning that people had no chance to put down markers in a debate. I had no problem with that because the Bill has been debated by the other place, unlike some Bills, which are not debated at all. It was therefore reasonable to allow this Bill to go through on Second Reading without objection, but it would not be right if it completed all its stages without discussion.

I want to ask my right hon. Friend some specific questions. As in this House, the other place has the ability to expel anyone who has been convicted of an offence that has led to a prison sentence in excess of one year. The other place also has the ability to expel for non-attendance. I accept fully his point on the suspension anomalies. As Members cannot be suspended beyond the end of the Parliament, the length of their suspension depends on the time during the Parliament when the offence is committed or the Member is brought before the relevant Committee for sanctioning. If the other place had an unlimited power to suspend, or a power to suspend for up to 10 years, it would also have a power to expel, because if the suspension meant that people were unable to attend, they would be liable to be expelled on the basis of non-attendance.

That is relevant because clause 1 contains an open-ended measure relating to the sort of conduct that gives rise to expulsion or suspension. It is wrong in principle that hon. Members should allow the other place to have an unlimited power to expel that is dependent only on its Standing Orders, because we should be nervous about their potential misuse.

We have heard talk of repeat offences. A friend of mine in the other place said to me the other day, “It is outrageous that the very large number of new peers who have been appointed by the Government”—you will know, Dr McCrea, that I have introduced a private Member’s Bill to limit the membership of the other place, but despite my best efforts, the numbers in the other place continue to expand—“can just sign in, qualify for significant subventions at the taxpayers’ expense and do absolutely nothing during the rest of the day or the weeks that they are there.” That is a cause for public concern.

What should be done about that? Should there be sanctions within the power of the House of Lords to suspend people who effectively do not carry out their responsibilities in a professional way, or—this is my suggestion—should the other place think about whether it is right that people should qualify for significant taxpayer subventions merely by turning up and signing in? That rule in itself creates the potential for abuse. Coupled with the patronage coming from the appointment of so many new Members of the other place, there is the potential for large numbers of people to draw their money from the taxpayer without making any contribution, except perhaps occasionally by becoming Lobby fodder for whichever patron supported their membership in the first place.

If the solution to the problem identified and accepted by a lot of Members of the other place is increased powers of suspension or expulsion, they need to think about the basis on which those expulsions or suspensions will be carried out. As I have implied, it might well be better for them to change the rules on eligibility for taxpayer-funded allowances rather than going down the potentially dangerous route of arbitrary expulsions on the basis of, as my right hon. Friend cited in his opening remarks, potential repeat offences.

Dan Byles (North Warwickshire) (Con): Does not my hon. Friend agree that the rules will be laid out in the Standing Orders of the other place and so will not be arbitrary? I understand his point, but the word “arbitrary” is perhaps too strong.

Mr Chope: The rules will be laid out in Standing Orders, but who will decide the Standing Orders? They will be decided by Members of the other place. It is already clear, as is the case in our House, that changes to Standing Orders can be pushed through by a majority, so there is a danger of the tyranny of the majority. For example, we in this House are jealous of the fact that we do not bring sanctions against people for personal or private behaviour that does not have an impact on the reputation of this House.

9.45 am

Stephen Pound (Ealing North) (Lab): The hon. Gentleman frequently gives us a master class in bloviation on Friday mornings and I am tempted to say that he seems to be following that well-trodden path today. To

[Stephen Pound]

refer to the “tyranny of the majority” in the context of a fairly minor and much-needed—and, I would say, entirely necessary—Bill seems to be over-egging the pudding slightly. Does he agree that perhaps his words were a tad intemperate?

Mr Chope: No, I do not think so. When we consider legislation, we need to think about worst-case scenarios, and the worst-case scenario is the tyranny of the majority being exercised in the other place to change the Standing Orders and thus, effectively, to exclude from that House people who have been appointed for life or are hereditary peers on the basis of self-serving criteria that are not laid out in the Bill. It would be easy for us to remedy that situation by specifying in clause 1 the types of conduct that could give rise to the powers being exercised. I will not expand at great length on those ideas now because, as the hon. Member for Ealing North suggests, I might have the opportunity to introduce focused amendments on which we can concentrate when the Bill returns to the Floor of the House—[*Interruption.*] I am glad that he agrees that that is a good way forward.

Stephen Pound: Absolutely.

Mr Chope: I take some encouragement from the hon. Gentleman’s sedentary intervention.

It is fair, given that my right hon. Friend the Member for North West Hampshire gave me the opportunity to serve on this Committee, for me to mark potential causes of concern. I focus particularly on the fact that the conduct that would give rise to expulsion is not specified in the Bill. Given that expulsion is such a severe sanction, it seems to me that conduct going beyond having been sentenced to imprisonment for more than one year, or having not attended the other place for a long time, should be set out in the Bill.

As far as suspension is concerned, I think it perfectly reasonable that any organisation should be able to suspend members, so I have less of a problem with the other place’s Standing Orders specifying the terms on which suspensions can be made. The former Lord Speaker, who promoted the Bill in the other place, indicated that the sanction of expulsion might never be used, but if it will never be used, why provide for it in the Bill? As with all Bills, people are being ambitious by wanting to take more powers than they properly need, so that is why we, as a constraining force on our colleagues’ legislative ambitions, have a role to play. That is the role that I am seeking to play, and I hope to be joined by others with a record of trying to constrain the appetite for more legislation and more powers over how we run our lives, particularly when such powers have an impact on our constitution.

I wish to make a couple of other, more detailed points before I give my right hon. Friend the opportunity to respond to my concerns. At the moment, the Bill provides that sanctions may apply to conduct that

“occurred after the coming into force of this Act, or...occurred before the coming into force of this Act and was not public knowledge before that time.”

Will he consider whether the provision should refer to when the Standing Orders of the other place have been changed? Otherwise, we might have the situation that after the enactment of the Bill, but before the changes

to the Standing Orders, somebody is found guilty of misconduct of some sort and the powers that be will say, “We want to deal with that particular set of circumstances,” and effectively introduce changes to the Standing Orders retrospectively, thus having an adverse impact on the individual concerned. That might be worth considering, because we in this House, and people in the other place, are concerned about retrospection.

There is a need to ensure that we get alignment with the powers that we have in our House. That links in with the recall Bill, which I understand will be debated in the other place next week. By the time we discuss this Bill on Report, we should know the other place’s attitude towards matters of recall. We should try to ensure that we have some alignment, and the Bill should contain some safeguards for exercising powers of suspension that almost echo those in our code of conduct for this House. Those safeguards could, with benefit, be included in the Bill to ensure that it was not possible for the powers of suspension to be initiated and executed against Members of the other place whose faces do not fit, or who are found to be a bit of an embarrassment because of the views that they articulate.

There are all sorts of arguments about whether the other place should be further reformed. My view is that we need to ensure that it is a smaller House, but I do not think that we should change its composition. I certainly do not think that we should allow a situation to arise in which, effectively, people could be suspended from that House because of their age, because of the views they express or because of the political parties.

Sir George Young: I do not know whether my hon. Friend is up to date with the House of Lords code of conduct, but it is absolutely clear that matters that do not fall within the remit of the standards commissioner include policy matters and a Member’s views or opinions. Those are outwith the scope of the code of conduct.

Mr Chope: I am delighted to hear that, but does my right hon. Friend accept that there is therefore no reason why such safeguards should not be included in the Bill? If those safeguards are already in the code of conduct, they can be replicated in the Bill, and there would then be no danger that the code of conduct could be changed in future to the detriment of Members.

Sir George Young: There is a very good reason why the Bill is not more specific, and that is related to parliamentary privilege, of which I am sure that my hon. Friend is a great defender. The more detail one gives in legislation, the more one exposes the internal proceedings of not only the upper House, but our House, to interference by the courts.

Mr Chope: That may be so, but these provisions were actually contained in the 2012 House of Lords Reform Bill. That Bill contained provisions on expulsion and suspension that were linked to conduct.

Dan Byles: The 2012 Bill was a terrible Bill, and I was proud to vote against it. I do not believe that any part of it should be a precedent for what we are discussing today.

Mr Chope: I join forces with my hon. Friend in saying that the 2012 Bill was a ghastly Bill. It was an extraordinary episode, but that Bill was drafted, as I understand it, by

the Government, who are very knowledgeable about issues of privilege. It is slightly disingenuous to say, as Baroness Hayman did, that the provisions of this Bill are taken straight out of the 2012 Bill. It is true that they are, but they are only part of the 2012 Bill, because other clauses in that Bill specified issues relating to conduct in some detail. If the references to the nature of the conduct that would give rise to expulsion or suspension were set out in more detail in that Bill, why not in this Bill?

I have made it clear that although I support this Bill, and I have great concerns about the way in which the other place is bringing itself into disrepute by having such large numbers of people attending who do not do anything other than draw down on the money they are given by the taxpayer, I do not think that this sort of legislation, which gives a blank cheque, is necessarily the right solution. That is why I hope that my right hon. Friend the Member for North West Hampshire will feel able, before we get to Report, to make a few modest amendments to the Bill that would tweak it in the direction that I and others wish it to be tweaked, rather than insisting on it staying exactly as it is.

If this Bill has the support of the Government—I look forward to hearing what the Minister says—there should not be any problem about there being time to make such changes, which is often the objection that is raised. Surely there must be time between now and Dissolution to ensure that we not only get this Bill on the statute book, but achieve its enactment in a form that meets the needs of both Houses of Parliament and ensures that the reputation of Parliament can be enhanced, while protecting and preserving the rights of individual peers against autocratic procedures that are designed to undermine their independence.

Mr Nick Raynsford (Greenwich and Woolwich) (Lab): I shall not detain the Committee for long.

The right hon. Member for North West Hampshire said that this would be one of the last Public Bill Committees of this Parliament—or, indeed, for ever, for some of us. I have a certain wry amusement because I was in this seat, in this very Committee Room, just two weeks ago and there was a confident assumption that we were attending the very last Public Bill Committee of this Parliament. I am therefore slightly apprehensive about what may come about in the next few weeks.

I rise to make very clear my support for the principles behind the Bill. I disagree with most of what the hon. Member for Christchurch said and believe that the Bill's merits are straightforward. However, I want to highlight concerns about the definition in clause 1(4)(b), which deals with retrospectation. The right hon. Member for North West Hampshire rightly highlighted the importance of provisions against retrospectation, but the Bill provides that particular misdemeanours that were “not public knowledge” at the time when they occurred should not benefit from the safeguard against retrospectation. The lack of a definition of “not public knowledge” gives us possible scope for difficulty.

Would the provision apply if something was being investigated, perhaps by the police, but was not public knowledge? What would happen if there was speculation in some sections of the press about possible wrongdoing? We all know about the use of innuendo and suggestion

by *Private Eye*. I feel a bit apprehensive that in the absence of a definition, there could be scope for a lot of dispute if people are caught by these provisions but argue that the retrospectation powers should apply, and then find that those powers may not apply because of the possible interpretation of actions that were “not public knowledge” before the Bill came into force.

There is a genuine issue here, so I would like to know how the right hon. Gentleman believes that the provision should be interpreted. Does he think that there might be a case for further safeguards or definitions? Having said that, however, I make it clear that I wholly support the principles behind the Bill.

10 am

Sir John Randall (Uxbridge and South Ruislip) (Con): I am a little concerned to hear of the constraining of appetites in the House, as that is not something that I have ever really wanted. Further to the point about this potentially being my last Public Bill Committee, it is rather neat to see the right hon. Member for Greenwich and Woolwich here because the first Public Bill Committee I served on was, in fact, on his Bill that became the Greater London Authority Act 1999. The hon. Member for Ealing North was also on that very Committee. I remember with great affection that at one stage, I described him as a dik-dik because of his characteristic skulking behaviour. I am pleased to see that his meteoric rise to the Front Bench has continued.

Stephen Pound: For the sake of future generations, who will pore over our deliberations and analyse our words, could it perhaps be noted that a dik-dik is in fact a rather attractive tropical bird and not what other people might think?

Sir John Randall: I will get the record corrected as a dik-dik is actually an antelope. I described the hon. Gentleman as that as a result of him describing my right hon. Friend the Member for Croydon South (Sir Richard Ottaway) as a giraffe, which I think was something to do with the length of the Committee and ideas of how certain words could be got into it.

Mr Raynsford: I seem to recall the right hon. Gentleman sitting, probably in this position, in that Bill Committee and, on one occasion, enlivening our proceedings by observing the passage of a bird—I think it was a shag—outside. However, we should bring those happy memories to an end.

Sir John Randall: I thank the right hon. Gentleman for that memory.

Having been present on many Fridays, I know that my hon. Friend the Member for Christchurch performs a great deal of service to the House. Although there is sometimes a collective groan when he stands up on a Friday from those who are anxious to get their Bills through, he follows in the footsteps of the great Eric Forth. Having been a Whip in both opposition and government, I have to say that the Forth rule on private Members' Bills, which is basically that those Bills should be debated, is very sensible. However, the idea of just nodding through Bills may seem attractive to those pushing them forward.

[*Sir John Randall*]

Normally, private Members' Bills have extremely good sentiments but do not necessarily make excellent law. My hon. Friend is very good at pointing out the errors in them and the improvements that can be made. I am delighted to be sitting on the same Committee as him. I hope that he and the right hon. Member for Greenwich and Woolwich will be able to raise any concerns with my right hon. Friend the Member for North West Hampshire, who is one of the most charming Members of the House and is always eager to please. I am sure that we can come to an amicable arrangement to satisfy Members' concerns while ensuring that the Bill, which I agree is needed, gets through in time.

The Minister for the Constitution (Mr Sam Gyimah): My hon. Friend the Member for Christchurch rightly noted that the Bill went through Second Reading on the nod. It was quite far down the list of private Members' Bills, and but for the Prime Minister and Deputy Prime Minister agreeing that it should get through, we would not be here today to hear my hon. Friend opine on yet another private Member's Bill, which he does so well.

The Government's support for the Bill has just one principle behind it, which is that the Lords do not have adequate powers to deal with misconduct. It is important that Members who bring the House into disrepute cannot continue to do so. That is why the Government support the Bill, as they did their own 2012 Bill. The right hon. Member for North West Hampshire made the case for the Bill clearly, so I will not detain us long, but I will run through the principal points.

The Bill will give the House of Lords additional powers to discipline its Members. Clause 1 will allow the House of Lords to make provision to expel and suspend Members through a resolution. It will be for the Standing Orders of the House of Lords to determine the circumstances in which the power may be exercised, much as it is in the Commons. The clause will provide the House with wider sanctions than it has under its current inherent powers to discipline Members. Those inherent powers, which derive from the Lords' status as a constituent part of the High Court of Parliament, allow it to suspend a Member until the end of a Parliament; they do not allow it to expel a Member.

The Bill will grant the House of Lords significant new powers, as my hon. Friend the Member for Christchurch noted, and they must be considered carefully. I thank my right hon. Friend the Member for North West Hampshire for his explanation. As I have said, the Government support the principle that Parliament should be able to deal with Members who bring the House into disrepute.

Stephen Pound: May I trespass on the hon. Gentleman's good nature by pointing out that the Opposition may not be able to tell the difference between a bird and an antelope, but we support the Bill? Rather than making a speech to that effect, I would simply like to place on record our support.

Mr Gyimah: I welcome the Opposition's support for the Bill. With that, and without detaining the Committee on the other clauses, I will simply say that the Bill deserves careful consideration but the provisions it contains are entirely sensible. That is why the Government have been willing to support it.

Sir George Young: I am grateful to colleagues for their attendance and for their contributions. I would like to respond to some of the issues that have been touched on, starting with those raised by my hon. Friend the Member for Christchurch. He said that the Bill was contentious, but it was not contentious in the House to which it applies, where, if he reads *Hansard*, he will see that it had approval from those on all Benches.

I am glad that my hon. Friend agrees that the position on suspension is an anomaly and that it should be put right. There is a difference between a very long suspension and an expulsion. If someone is suspended for a long time, they remain a Member of the House, but they do not get the writ of summons. Expulsion is different. It is a clear statement that membership is inappropriate and should be ended. My hon. Friend cast one or two aspersions on the upper House when he spoke about the tyranny of the majority. He implied that those in another place would frivolously change their Standing Orders to do away with Members whose views were unacceptable. That will raise some eyebrows down at the other end.

Mr Chope: I did not say that they would; I said that they could.

Sir George Young: Even the implication that they could is almost as offensive as the suggestion that they would. On a serious point, if my hon. Friend looks at the code of conduct, he will see that excluded are a Member's non-parliamentary activities, policy matters or a Member's views or opinions. It has to be a matter of conduct, and "conduct" appears in the Bill. It cannot be used for matters not relating to conduct.

Mr Chope: Does my right hon. Friend accept that some of the Members of the other place have in mind conduct that might include, for example, attending repeatedly to gather one's expenses but never making a contribution?

Sir George Young: My hon. Friend raised, during his speech, issues about how Members of the other House are remunerated, which is clearly outwith the scope of the Bill. If he looks at the code of conduct, he will see that conditions are attached to the claiming of expenses.

On my hon. Friend's other points, there is a good reason why the Bill is not specific. He is a member of the Committee of Privileges, so he will be aware that if one goes into too much detail, one opens up issues of privilege and the ability of the courts to challenge whether something was a misconduct. That is why the Bill is so carefully drafted and why the code of conduct is not in the Bill. I believe the same would be the case for the lower House.

The right hon. Member for Greenwich and Woolwich raised a serious point about public knowledge. Not being equipped with an army of civil servants, which one normally is when one takes a Bill through the House, I would like to take advice on that and come back to it on Report, but I thought it was a good point.

I am grateful to my right hon. Friend the Member for Uxbridge and South Ruislip for his support. To put the issue into context, the first Bill that I took through the

House was the Bill that abolished the Greater London Council. He mentioned our late colleague, Eric Forth. I got a private Member's Bill on London's minicabs through the House and through Committee with Eric Forth on the Committee, so it can be done.

Serious issues have been raised. I will take advice on the issue that my hon. Friend the Member for Christchurch raised about the issue of retrospectivity between the time that the Act comes into force and the standing orders being changed. I cannot promise any amendments, but I will see whether I can get some assurances that shed some light on that. Subject to that, I was pleased to hear that nobody plans to object to the Bill, and I hope that we might now make progress.

Question put and agreed to.

Clause 1 accordingly ordered to stand part of the Bill.

Clauses 2 to 4 ordered to stand part of the Bill.

Sir George Young: On a point of order, Dr McCrea. May I thank you for your benign chairmanship of this Public Bill Committee, which I am sure will be my last and will be a very happy memory of a very happy occasion?

Stephen Pound: Further to that point of order, Dr McCrea. May I add the Opposition's thanks and say that it is remarkably interesting how many people in this Committee may be affected by the Bill in the months to come?

The Chair: I thank Members for attending. Have a good day.

Bill to be reported, without amendment.

10.11 am

Committee rose.

