



HOUSE OF LORDS

Procedure Committee

11th Report of Session 2010–12

Grand Committees
Questions for Written Answer

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The Procedure Committee

The Select Committee on Procedure of the House is appointed each session to consider any proposals for alterations in the procedure of the House that may arise from time to time, and whether the standing orders require to be amended.

Current Membership

The members of the Procedure Committee are:

Baroness Anelay of St Johns
Lord Bassam of Brighton
Lord Brabazon of Tara (*Chairman*)
Lord Campbell-Savours
Baroness D'Souza (*Lord Speaker*)
Baroness Gould of Potternewton
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General Information

General information about the House of Lords and its Committees is on the Internet at <http://www.parliament.uk/lords/index.cfm>.

Contacts for the Procedure Committee

All correspondence should be addressed to the Clerk to the Procedure Committee, House of Lords, London, SW1A 0PW.

The telephone number for enquiries regarding the Committee's work is 020 7219 8796.

ELEVENTH REPORT FROM THE PROCEDURE COMMITTEE

Grand Committees

1. Recommendations 9, 20 and 22 of the Leader's Group on Working Practices¹ related to Grand Committees. The Leader of the House has brought forward a number of proposals, drawing upon these recommendations, which we now put before the House. In so doing, we suggest that the new arrangements described below, if agreed by the House, be introduced on a trial basis, for the duration of the 2012–13 session of Parliament. This Committee will then review the trial, and make a further report to the House, so that the House can reach a final decision.

Sitting hours of Grand Committees

2. Recommendation 22 of the Leader's Group was as follows:

22. We recommend that the sitting hours of the Grand Committee should in future be more predictable and longer. We propose that, with the exception of a period of around two weeks at the start and end of each session, there should be a presumption that the Grand Committee will sit on Tuesday, Wednesday and Thursday of each sitting week, from 10.30am to 12.30pm, and from 2.30 until 6.30pm.
3. The Leader of the House, while supporting the Group's recommendation that Grand Committee sittings should be longer, proposed, as an alternative to morning sittings, that Grand Committees on primary legislation should sit from 3.30pm to 10pm on Mondays and Tuesdays, from 3.45pm to 10pm on Wednesdays, and from 12 noon to 7pm on Thursdays. He suggested that these extended sittings should include a one-hour dinner break or, on Thursdays, tea break. He proposed no change to sitting times of Grand Committees on other types of business (such as statutory instruments or general debates).
4. Most members of the Committee favoured longer sittings, though some concerns were expressed at the impact of such sittings on backbench and opposition Members. In putting the Leader's proposals before the House we therefore add the proviso that Grand Committees should under no circumstances sit later than the new proposed finishing times.

Oral statements in Grand Committee

5. Recommendation 9 of the Leader's Group was as follows:

9. We recommend that, on days when more than one oral statement needs to be taken, the option should be available to take the second and subsequent statements in the Moses Room. Such statements would take precedence over other business scheduled in the Moses Room.
6. The Leader of the House, while supporting the recommendation, suggested that there would be practical difficulties with allowing statements to take precedence over other business scheduled in the Grand Committee. He accordingly proposed that on days when more than one oral statement is to be made or repeated, and a Grand Committee on primary legislation is due

¹ Report of the Leader's Group on Working Practices (HL Paper 136).

to sit, the option should be available to take one of the statements in the Grand Committee's dinner or tea break, subject to agreement in the Usual Channels. We support the Leader's proposal.

Committal of Commons bills to Grand Committee

7. Recommendation 20 of the Leader's Group was as follows:

20. We recommend that a rule be established, and included in the *Companion*, that all Government bills introduced in the Commons should be considered in Grand Committee, apart from major constitutional bills and emergency legislation and other exceptionally controversial bills. In the case of such bills, the minister in charge of the bill should, when moving the committal motion to Committee of the Whole House, make a brief statement explaining to the House why the bill was deemed unsuitable for Grand Committee.

8. The Leader of the House proposed that, instead of a firm "rule" subject to certain defined exceptions, there should simply be a "presumption" that Government bills introduced in the Commons should be committed to a Grand Committee, except where the Usual Channels agree otherwise. The formal committal would take place, as now, on a motion, and this motion would, as now, be debatable and amendable.
9. Opinions within the Committee differed on whether the approach recommended by the Leader's Group or that proposed by the Leader of the House was preferable. However, the majority of the Committee endorsed the Leader's proposed wording, which we put before the House accordingly.

Recommendations

10. We make the following recommendations to the House:

- That for the duration of the 2012–13 session of Parliament, Grand Committees on primary legislation should rise no later than 10pm on Mondays, Tuesdays and Wednesdays, and no later than 7pm on Thursdays;
- That these extended sitting times should include provision for a one-hour dinner or tea break;
- That on days when more than one oral statement is to be made or repeated, and a Grand Committee on primary legislation is due to sit, the option should be available to take one of the statements in the Grand Committee's dinner or tea break, subject to agreement in the Usual Channels;
- That there should be a presumption that Government bills introduced in the House of Commons should be committed to a Grand Committee, except where the Usual Channels agree otherwise;
- That these arrangements be adopted on a trial basis for the duration of the 2012–13 session of Parliament, before being reviewed by this Committee.

11. Some members of the Committee dissented from these recommendations. It is for the House as a whole to decide whether or not to agree them.

Questions for Written Answer

12. The number of Questions for Written Answer tabled in the House of Lords has risen steadily for a number of years. In the 2003–04 session an average of 29 Questions for Written Answer were tabled each sitting day. This figure rose to 48 each day in 2009–10, and in the current session to date has risen to an average of 60 each day.
13. The Treasury estimates the cost of Questions for Written Answer at £159 per Question.² Thus the cost to the public purse of House of Lords Questions for Written Answer in the current session has been of the order of £9,500 in respect of each sitting day, or some £1.5 million per annum.
14. It has been a longstanding practice of the House that Members are entitled to table up to six Questions for Written Answer each sitting day. We believe that this is still an appropriate maximum figure for any given day. However, six is a maximum, not a target: if a small number of Members regularly or continuously table Questions up to the maximum number permitted, their actions can quickly impose a disproportionate burden upon the Table Office, upon answering Departments, and upon the taxpayer. This would not, in our view, be an appropriate use of the right of Members to ask Questions of the Government.
15. **We therefore recommend that, in addition to the current daily limit of six Questions for Written Answer each sitting day, Members should be entitled in future to table a maximum of 12 Questions for Written Answer each sitting week.**
16. If this recommendation is agreed by the House, the new limit will apply to each calendar week in which the House sits, regardless of how many sitting days fall within that week. There will be no change to the limits that apply to “tabling days” in the long recess.

² Written Statement, 27 April 2011 (WS 14).