



## **Evidence from the Hansard Society to the Modernisation Committee Inquiries: Role of the Backbencher and Non-Legislative Time.**

**1. Introduction:** The Hansard Society is pleased to be able to contribute to the Modernisation Committee's inquiry on the role of the backbencher and non-legislative time. We have considered these subjects in a number of reports including *The Challenge for Parliament: Making Government Accountable, the report of the Commission on Parliamentary Scrutiny* (2001)<sup>1</sup>, *New Parliament, New Politics: A Review of Modernisation since 1997* (2005)<sup>2</sup> and *A Year in the Life: From member of public to Member of Parliament* (2006).<sup>3</sup>

**2. The conflicting role of MPs:** Any inquiry that looks at the role of backbench MPs, and the mechanisms that would allow them to make effective use of non-legislative time, should realistically address the political and institutional framework in which they operate. Every MP must balance a number of competing roles, which include representing the interests of their political party and their constituency, as well as discharging their parliamentary duties. The absence of a job description gives Members considerable scope to interpret the role of MP as they choose.

The Modernisation Committee refers to the pressure on Members to devote more time and energy to their constituency role. The increased importance of the constituency in the daily lives of MPs can be verified by the findings of Hansard Society surveys of members of the 2005 intake (conducted in May 2005 and May 2006):

- **Time:** MPs are now spending significant amounts of their time on constituency work. For example, after a year in the role, the 2005 intake of MPs reported that they were spending half their time on constituency work (49%), with one MP spending as much as 97% of his time on this. Correspondingly, the intake were spending 14% of their time in the Chamber, 14% on committee work, and 22% on other work.
- **Priorities:** In May 2005, the new intake rated the importance of representing the nation as a whole, representing their constituents and representing their political party. More than four in five (81%) of the new intake ranked representing their constituents in first place, compared to 70% of the 1997 intake shortly after their election to Parliament. By May 2006, this figure had risen to 90%.
- **Perceptions of the role:** The 2005 intake ranked which aspects of the job they believed to be the most important. 'Protecting/promoting the interests of the constituency' and 'dealing with constituents' problems' were regarded at both the outset and the end of the year as more important than 'holding the government to account' and 'scrutinising legislation'.<sup>4</sup>

The Hansard Society found that an allegiance with the constituency and the desire for re-election are instrumental factors in shaping the constituency-focused approach of the most recent intake of Members. The notion of a permanent campaign underlies this focus on the constituency. As one MP told us: "Most MPs will do what they think helps them get re-elected...Is going to open a local schools going to help you get elected more or less that standing up and arguing a clause on the Climate Change Bill?" Taking on casework and attending events in the local area is an important way to build a network of supporters in the constituency. MPs are now easily accessible to their constituents and working practices have evolved to adapt to this change. They receive a continuous influx of email correspondence, with the expectation that a response will be immediate. The impact of this has been compounded by the advent of websites that monitor the response time of MPs to such correspondence.

**3. Parliamentary induction:** There is probably less preparation, support and training for MPs than for any comparable professional position. A formal induction process is standard in many types of organisation, but it is a fairly new initiative for the House Authorities and political parties. Following the May 2005 election, the Hansard Society surveyed all new Members asking whether Parliament provided an adequate welcome for them. Sixty-eight per cent believed they had, but almost one-third disagreed. The House Authorities sought to improve inductions for new Members in 2005 and are aware of the need to build on this progress next time round.

Expectations as to what information would be desirable during the induction process vary considerably between MPs. The most recent intake of MPs commented that better co-ordination was needed between the different departments of the House. Many of them asked for more information on procedures and processes (in relation to the Chamber, for example). In particular:

- Many members of the 2005 intake professed to having only a limited awareness of parliamentary etiquette and did not feel sufficiently equipped by the induction process. Some doubted that an induction process could ever fully prepare MPs for the role, but there was much support for a clear guide that sets out basic procedures and conventions.
- Hiring staff and running an office requires more knowledge and understanding about the administrative side of Parliament, including seeing a typical set of accounts for the year. Some Members highlighted the need for specific assistance for those who had won a seat from another party, or were relocating to London.
- New Members are busy from the outset and struggle to attend many of the induction briefings provided for them or fully utilise the resources available. Consequently, information provision and training should be ongoing in both the short and medium-term and new Members must feel comfortable contacting House officials for advice.
- In 2005, there were clashes in the timetabling of induction briefings between the parties and the House Authorities. The Hansard Society believes that scheduling clashes should be avoided in future. Political parties should work with House authorities to provide a comprehensive induction programme for MPs of all parties and Independents.
- Political parties should further develop their mentoring programmes. Members of the 2005 intake were allocated mentors, but the mentors were often unsure what information they were supposed to tell the new intake, and the intake did not know what they were supposed to ask. The political parties or the House Authorities may consider developing guidelines of good practice for mentoring. This could also be a

useful mechanism for longer-serving MPs to reappraise how they operate. Similarly, new Members often become reliant on other members of their intake for information. The ability of MPs to learn from their contemporaries should not be under-estimated and may be able to be harnessed by the House authorities or political parties.

- Several new Members expressed the need for a longer break before Parliament returns after an election, believing that this would allow a period of recuperation and the opportunity to set up offices and familiarise themselves with parliamentary procedure.

**4. Knowledge of Parliament:** Individual MPs should also bear some responsibility for becoming familiar with Parliament. While an emphasis on the constituency can steer MPs away from the House, it is also the case that MPs are becoming fully-functioning Parliamentarians much sooner after arriving at Westminster than in earlier times. They tend to make their Maiden Speech usually a matter of weeks after their election to the Commons and are very quick to begin using the tools and processes at their disposal if they have sufficient knowledge of proceedings.

As they become more familiar with Parliament, MPs tend to change how they operate, so it is worth considering levels of self-reported knowledge amongst MPs. After the 2005 general election, we asked new MPs how familiar they were with parliamentary procedure. Half of those surveyed believed themselves to be 'somewhat familiar' with parliamentary procedure, with only seven per cent believing they were 'very familiar'. In contrast, 33 per cent said they were 'not very familiar' and 10 per cent reported being 'not at all familiar'. With the rise of the so-called career politician, it is too often presumed that the newly elected are familiar with basic parliamentary procedure. In reality, some new Members could not distinguish between standing and select committees, whilst one commented that they had not been taught how to vote in division lobbies.

A year later, the percentage of respondents who reported themselves as being 'very familiar' with parliamentary proceedings rose to 15 per cent and the proportion who were 'somewhat familiar' with parliamentary procedure was 60 per cent. On the other end of the scale, 23 per cent still believed themselves to be 'not very familiar' and two per cent thought they were 'not at all familiar'.<sup>5</sup>

**5. Impact of current practices on MPs:** Following their election to Parliament, many of the 2005 intake dismissed what they viewed as archaic procedures as a distraction from the job in hand, but some did revel in the customs and working practices of Parliament and others praised its proceedings for facilitating high quality debates.

At the end of their first year as MPs, the 2005 intake was asked whether there were any aspects of Parliament that they would like to reform. A significant proportion (71 per cent) of the respondents highlighted areas for reform, with comments ranging from 'power of patronage', 'simplify the legislative system', 'the voting system is archaic', 'would like to abstain in person when necessary', to views such as, 'the late hours and length of days are counter to any time with family', 'boorish behaviour tolerated in the Chamber', 'axe the "men-in-tights" culture'; and even 'dress code – no ties please'.<sup>6</sup>

More specifically, the Hansard Society found evidence that current procedures could discourage backbenchers from the most recent intake from engaging in the work of the House:

- MPs reported that they would be more encouraged to take part in debates if they knew when they were going to be called to speak. In particular, members of the 2005 intake identified the hierarchical approach to selecting speakers as a specific source of concern, and one which deterred them from attending the Chamber. This helps to explain the reduction in time that new MPs spend in the Chamber (from 24% in May 2005 to 14% in May 2006). Similarly, the repetition, padding out and over-the-top courteousness of many parliamentary speeches were viewed with dismay by members of the intake. The customs that dictate speaking could dissuade MPs from contributing in the Chamber, as shorter contributions were seen to be frowned upon.
- Many in the Conservative party's 2005 intake indicated the need to ensure a better balance between Parliament and the Executive. Their proposals for change included: better notice of when statements will occur; less of a time lag between questions being submitted and answered; a greater opportunity for debates to be triggered by backbenchers or the opposition when urgent issues arise; and creating alternative career paths within Parliament.

**6. Backbenchers and select committees:** The Hansard Society has frequently put forward recommendations to enhance the role of MPs by offering them more opportunities to place their concerns on the agenda and more incentives to reconcile their roles in a manner that promotes the role of Parliamentarian. The Hansard Society Commission on Parliamentary Scrutiny identified select committees as one of the main methods by which MPs could play a more productive parliamentary role and argued their potential lay in a number of characteristics. The activity of the committees is not determined, predominately at least, by party political considerations, and thus they allow MPs to develop a specifically parliamentary role. Crucially select committees provide an important arena for scrutiny where activity is not prescribed by the Government's business agenda. Therefore we have proposed a number of recommendations in this area:

- Fewer than half the MPs in Parliament serve on a committee designed to scrutinise and hold government to account. In excess of 100 backbench MPs do not sit on any permanent committee at all. *The Challenge for Parliament* recommended that every backbench MP should be expected to serve on a select committee. The report acknowledged that MPs should not be coerced into this activity, and accepted that there are some MPs, perhaps former Prime Ministers or senior ex-ministers, may be unlikely to want to engage in committee work. However, the expectation of committee service, which is the norm in most other legislatures, should be established and may provide the impetus for a new ethos to develop in Parliament.
- Furthermore, the report recommended that Parliament should become a more committee-based institution and proposed that there would be one day per week when the Commons Chamber did not sit to allow more time for Committee work.
- Another reform, which directly affects the relationship of backbench MPs with the Executive, relates to the number of MPs on the payroll vote. The Hansard Society has argued that the number of MPs on the payroll vote weakens Parliament's ability to carry out its collective functions and is a mechanism by which government exercises a specific form of control. The Commission on Parliamentary Scrutiny recommend that each government department should have only one Parliamentary Private Secretary (PPS), although it recognised that a few larger departments might require more than one. Nonetheless, it proposed that the number of PPSs should be significantly reduced.

**7. Greater access by Backbench MPs to the Parliamentary Agenda:** The Hansard Society has also put forward proposals that would allow MPs to have more opportunities for short debates on substantive issues. Such short debates are a common feature of many European legislatures (for example, Germany and Sweden) where an opposition party (or an equivalent number of MPs) can call a debate on a topical issue or a matter of public concern. The system obliges a government minister to attend and provide an official statement. The debates are more substantial than adjournment debates in that they cover important topical issues. In Australia some time is set aside for non-governmental Private Members' Business. This includes Private Members' Motions which are vehicles for debating issues of concern which do not result in a vote and Members Statements where backbenchers can make a short statement of up to 90 seconds (or three minutes on certain other days). Arrangement of Private Members' Business is the responsibility of a Selection Committee of Backbench Members.

Another option would be for the Commons to experiment with 'unstarred questions', as used in the House of Lords allowing for 90-minute debates, and also 60 minute 'emergency debates'.

**8. Public interest debates:** The House of Commons could make specific provision for 'public interest debates' motivated by policy failure or maladministration on a major scale. Many MPs regard representing their constituency as their most important role and the constituency experience is an important valve for alerting MPs to policy failure. MPs should have the opportunity to call a short debate and require a ministerial response on such issues where there is a clear case of policy failure. The trigger for such debates would be a specific number of MPs (maybe between 100 and 200) drawn proportionately from all the parties. The cross party requirement would prevent potential abuse by pressure groups or manipulation by the whips. The system would effectively allow Early Day Motions to force a debate, but given the number of signatures and the cross-party balance this would only happen in a small number of cases.

**9. Private Members' Bills:** One important area that the Hansard Society believe should be addressed when looking at the procedural options open to backbench MPs relates to Private Members' Bills (PMBs). We have long argued that the ability of backbench MPs to take forward legislative proposals that may command the support of both Houses is severely compromised by the arcane procedures governing the system and, most importantly, by the dominance that government is able to assert over the process. In fact PMBs are considered to be, in reality, almost a sub-specie of government bill, such is the control of the government in the process. The Hansard Society has previously put forward proposals for change in this area and would be happy to provide more details to the Committee.

**10. Conclusion:** The Hansard Society welcomes the focus that the Committee is placing on these important issues. Following our project on the experiences of new Members, the Hansard Society is beginning a study on the role of MPs. This will consider how MPs balance the competing demands on their time and assess the changing nature of their work. It will look at how MPs perceive their role and how they can be more effective in the role.

It is vital that MPs are given the knowledge and the procedural opportunities to be effective parliamentarians. The Hansard Society is happy to assist in any way that might be helpful to the Committee.

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<sup>1</sup> Hansard Society Commission on Parliamentary Scrutiny (2001), *The Challenge for Parliament: Making Government Accountable*, Chaired by Rt Hon Lord Newton of Braintree, (Hansard Society: London).

<sup>2</sup> A. Brazier, M. Flinders, D. McHugh (2005), *New Politics, New Parliament?, A Review of Parliamentary Modernisation since 1997*, (Hansard Society: London).

<sup>3</sup> G. Rosenblatt (2006), *A Year in the Life: From member of public to Member of Parliament*, (Hansard Society: London)

<sup>4</sup> Ibid, pp.30-31, 38-39, 44-45.

<sup>5</sup> Ibid, p.60.

<sup>6</sup> Ibid, p.61.