



HOUSE OF COMMONS

Procedure Committee

Oral evidence: Correcting the record, HC 521

Monday 30 January 2023

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Members present: Karen Bradley (Chair); Aaron Bell; Chris Elmore; Patrick Grady; James Sunderland; and Liz Twist.

Questions 56 to 78

Witnesses

I: Jack Homer, Editor, Official Report (*Hansard*), House of Commons; and Tom Goldsmith, Principal Clerk, Table Office, House of Commons.



Examination of witnesses

Witnesses: Jack Homer and Tom Goldsmith.

Chair: I welcome our witnesses, Tom Goldsmith, Principal Clerk of the Table Office, and Jack Homer, Editor of the Official Report, otherwise known as *Hansard*. We are very grateful to you for coming to provide evidence to our inquiry on correcting the record. So far, we have heard from campaigners on the matter and from reporters who use the Official Report to write their pieces for broadcast and newspapers, and now we will hear from you about the technical aspects. We hope it will not be too long a session, but I am sure it will be an informative one. I will ask Chris Elmore to start.

Q56 **Chris Elmore:** Will you talk us through your respective roles in the Table Office and in *Hansard*, and how corrections are made?

Jack Homer: It is nice to be here, thank you for having us. In *Hansard*, we have a lot of discussions with Members about potential corrections, some more contentious than others. On the written ministerial corrections, which I know is the focus of what you are looking at, we have a lot of conversations with Departments about whether the proposed corrections fall into the criteria—that is, are they factual, are they stand-alone, are they focused, or are they more clarificatory and more appropriate for a statement or something like that?

I have a lot of conversations with Members and with Departments about the various types of corrections that might be appropriate and indeed, on occasion, about corrections that we cannot make, because they are inappropriate.

Tom Goldsmith: At the Table Office, I do not—or my office does not—do so much with the formal corrections process. I suppose where we do get involved is if a Member thinks that another Member has been incorrect, when we can help that Member draft questions on the topic, and, as a Table Clerk, I am sometimes one of the people advising the Speaker or the Deputy Speakers on how to deal with points of order, if they are raised, about the accuracy of contributions.

Q57 **Chris Elmore:** May I push a little? You mentioned how corrections could sometimes be challenged by Members or Departments. Could you expand a little on that? I am not asking for “This Member said x,” or “This Department said y”—it can be a fictitious example of where it is challenging for you or your team to get the record corrected.

Jack Homer: Perhaps I will start by giving you a quick example of a correction that we might accept and make silently to *Hansard*. Let’s say that a Member, in their maiden speech, says, “I have a constituent who is turning 100 tomorrow”, but it turns out to be the day after tomorrow; it wouldn’t really serve anyone not just to quietly correct that.



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Where we go to the other end of the spectrum, often a Member will want to correct what they believe is a minor slip, but it was in Question Time when a Minister has responded to what they have asked.

You have to be very conscious that *Hansard* is not just all about the Member who has the Floor. It is about the fact that, often, something is being responded to in debate. If a Member asks about something and gets it slightly wrong, but is answered on those terms, that is an example where we would say that, while it might be viewed as a minor slip, it is actually significant in the context of the debate or the Question Time.

- Q58 **Chris Elmore:** Tom, you said the Table Office will advise the Speaker, but when you get disputes between Members about corrections, does that cause a particular strain on your staff, or do you tend not to be involved in debates when one Member accuses another of inadvertently—since we are in live session—misleading the House?

Tom Goldsmith: I think Jack and his colleagues deal with the strain of that when it comes to negotiating over what is a reasonable correction or not. Where we get involved—and we can do this without taking a side quite easily—is if a Member comes and says, “I had this answer from the Minister. I am pretty sure it is not right for these reasons.” We can help draft a question that says something like: “What the evidential basis was for the Minister’s statement of x.” So we are not taking sides in that process, but we are helping the Member pursue it.

- Q59 **Chris Elmore:** It is more problem solving, in that sense?

Tom Goldsmith: Hopefully.

- Q60 **Aaron Bell:** I wanted to ask a bit more about the visibility of the current corrections system to members of the public, so I guess most of my questions are probably to Mr Homer. Do you think that the labelling of corrections in *Hansard* is currently sufficiently obvious to a non-expert member of the public?

Jack Homer: No, I don’t. Having looked at it and having been prompted to look at it in some detail by this inquiry, I think one thing we could definitely improve is the reference to where a correction has been made. Where there is an originating error and we have that link to the written ministerial correction, I agree with some of the evidence you have been given that it is not really clear to a non-expert what that link is.

I think it would be a relatively easy and quite helpful change to be more explicit that that link is actually to a correction, and I think we could implement that without difficulty. I guess there is a wider question here about the visibility of the corrections in general, but I guess that we might come on to that under other questions.

- Q61 **Aaron Bell:** Yes. In those examples, the link is there, but it is not clear what it is. There are many cases where there is no link at all. If, for example, someone corrects themselves via a point of order or so on, there may be a link back from that point of order but there is not a reciprocal link. Does *Hansard* have any sort of psychological issue with



correcting the bit that was essentially already on the record? Obviously you still print *Hansard* every day, but are you content to go back and amend it online—to go back maybe a week earlier and say, “This was corrected at a later point”?

Jack Homer: I think that is a good point, and there is a case for better signposting. The product is primarily digital these days. The vast majority of people read it in its digital format. I think we could look at better forward signposting.

The only reservation I would make with that is that we would have to think a little bit about the scope of those types of corrections. I would not want to get into a situation where we were linking back and forth to clarifications and points of argument and debate; we would want to find some way of keeping it quite focused on factual changes. But I have no reservation in principle about better signposting.

Q62 **Aaron Bell:** When you write it up on a daily basis, what are the criteria you apply when you decide whether to put a link in as a reference, not necessarily even a correction? Is it only direct speech or direct reference to something someone said?

Jack Homer: We always put a link in where *Hansard* is quoted. That is the basic rule.

Q63 **Aaron Bell:** Okay. More generally, are there other ways not just to make it clear when someone is looking through *Hansard* that something is either a correction or has later been corrected, but to be more transparent more generally? The evidence we took from the Scottish Parliament is that they have a record of the formal corrections and so on, and make that much more clear. Is there something we could do around the transparency of corrections as well as direct linking in the text of *Hansard*?

Jack Homer: I think there is. I think our website is a work in progress. There is the ability on the website to look at a page associated with an individual Member and see whether they have tabled any written ministerial corrections.

I think there is a wider point. I know the Scottish Parliament has a list of all the corrections that have been made. I am a bit sceptical about how useful that list is because what I see among our readers is that they are interested in topics. Some of the highest numbers of views that we got were for e-petition debates in Westminster Hall about a topic of concern. Arguably, it would serve people better to see corrections in association with a topic or a Member they are interested in than a simple long list of corrections, which are often very technical and very small. Where a correction is actually quite important or contentious, it will usually publicise itself effectively because it is a matter of contention or debate.

I think there is a degree of clarity on the website. I think it could probably be improved and we could think of ways of doing that. I am not necessarily sure that a long list of corrections made, as a list of links on a



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page, is of all that much use to anyone who is not looking for how many corrections have been made.

Q64 **Aaron Bell:** If you put a flag on a correction, or something like that, you could perhaps make it searchable.

Jack Homer: I think you could, yes. That's a good point. You could designate all the corrections into a particular category and you would be able to search them within that category. So, yes.

Q65 **Aaron Bell:** To slightly broaden this out, you have said that *Hansard* is now essentially mostly digital and people are using it as such. Is it the case that the only links you have are still to other parliamentary business—that is, written statements or other records of the House—or do you ever link to anything external?

Jack Homer: That's a good question. I think the answer is that it is to internal only. We link to Select Committee reports. We link to pages that have biographical information about Members. There are various links in there, but as a general point, no, we wouldn't link outside.

Q66 **Aaron Bell:** Not even to a gov.uk page, an ONS page or something?

Jack Homer: No.

Q67 **Aaron Bell:** Okay. I just wanted to be clear about that, because obviously the corrections often refer to official statistics or other statements that Government may have made, rather than directly to the House. That's something you would be reluctant to get into, I assume, for the reasons you gave earlier.

Jack Homer: I'm wondering now whether I have given you the right information, so I will check that and let you know if I haven't.

Aaron Bell: If you would. Write to us if it's otherwise, yes.

Chris Elmore: Correct the record!

Chair: We'll be happy to correct the record.

Jack Homer: Thank you. But again, if we defined the parameters for it, I don't see, if it was a Government publication, why we wouldn't do that, necessarily.

Q68 **Aaron Bell:** You just don't want to be involved in refereeing debates and the continuation of a debate?

Jack Homer: Exactly.

Aaron Bell: Thank you very much. Thank you, Chair.

Q69 **Chair:** This is probably a question for Mr Goldsmith primarily. We have had evidence about Members wishing to challenge the veracity of statements that are made—usually, it's Government Ministers making statements. Do you think that Members use the full range of procedural opportunities that are available to them, or do you feel that there is more



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they could do, perhaps working with you, to find new, novel ways, or existing ways that are not used very often, to tease out those issues?

Tom Goldsmith: There are actually quite a lot of ways Members can pursue this if they want to, and very experienced and very tenacious Members probably do use most of them. I was struck by the evidence of Sir Stephen Timms: he has pursued a particular issue using quite a lot of routes. When you think about it, these things can be picked up in debates, further oral questions and written questions.

Members could seek to initiate debates via the Backbench Business Committee or, if they are an Opposition Member, they could seek to convince their Front Bench that there should be an Opposition day debate on the issue. They can table early-day motions. If they really think a Member has behaved very badly and deliberately misled the House, they can even table an early-day motion about the conduct of that Member and make that claim in a way they couldn't just off the cuff in the Chamber. They can raise points of order, of course. If it is very serious—although the bar is very high for this—they can write to the Speaker and make a claim for the matter to be pursued as a matter of privilege.

Some of those things are very easily done; some are more difficult and require a higher bar to be reached. Of course I haven't touched on the non-parliamentary things they can do, such as to publicise what they think is the case on social media or broadcast media. There is quite an array of things there. Do Members use the whole array? Probably not as much as they might when they think these things happen. And probably we could do more, as a procedural service in the House, to help them with some of those approaches.

Q70 Chair: In terms of what the ministerial corrections mechanism should be used for, there is some concern that it is being used more broadly than perhaps was originally envisaged and that it was intended to be for correcting factual errors, not Government policy. Could you say a few words about that? This question is probably for Mr Homer.

Jack Homer: That is not something that has come to my attention. We are quite careful to make sure that any corrections are factual, stand-alone points.

There are, however, cases that push the boundaries; there was one recently where several corrections were made within the context of the same speech, and I think in that particular instance, which I think related to the British Council in Afghanistan, a far better course would have been to wrap all those corrections into a single ministerial statement. Sometimes we do get cases that sort of push the boundaries, but generally speaking, no, we are very careful to keep them factual and to keep them very focused and specific.

Q71 Chair: That was the case that was raised with us as a Committee, actually, so it is useful to hear that. On the bald facts of what was presented to the Committee, it did feel that a WMS would have been a better mechanism for that correction. Could there then be a link from



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that WMS to the original *Hansard* record?

Jack Homer: Yes, I think there could, and that example—if it had gone down that route—would be a very good example of where that was appropriate.

Q72 **Patrick Grady:** We have covered some of the comparisons with the system in Scotland, but for some of the things we are talking about in terms of making things more widely known and available, and the kinds of changes that might be implemented, how would those be implemented in practical terms? Would you need a resolution of the House to instruct *Hansard* and the Table Office? Could you make those changes on your own authority? Would recommendations from this Committee be enough? Would it require a change to Standing Orders? How would change practically come about?

Tom Goldsmith: It is a good question; I think it would depend, really, on how radical the changes are. We already have the House's agreement for the system of written ministerial corrections, but to the best of my memory, that was actually agreed by the House—it did go to the Floor of the House from a recommendation from your predecessor Committee.

I think if we were doing some of the things we have been talking about, like enhancing links and making things clearer, we could just do that; there might be some resource implications for some of them, so we would need to cost it. If you wanted to be much more radical, then perhaps there would be a case for a change having to go to the Floor of the House.

Q73 **Patrick Grady:** I think we have covered the other areas I was going to ask questions on. If we were to do something like put a list of corrections that had been made, does that appear in the *Hansard* daily volume? Would it be possible to put it on to the Order Paper as well, for example?

Jack Homer: I think all of these things would be possible. There would be a question about whether that list generated itself or had to be generated manually. There would also be the question I raise about the utility of a list of links: if it were in the daily *Hansard*, it would also have to be a list of ascriptions as well, because of hyperlinks, so there would be detail to it. I am not convinced that it would offer a great deal more transparency.

Q74 **Chair:** We are making good progress, so we have not got much more to cover, but one of the issues that has come up has been about Back Benchers. Clearly, there is an official way that Ministers can correct the record and be clear about corrections that have been made, but for Back Benchers, it is much harder. You may make a point of order, or there may be ways you can correct the record, but it is not linked back and there is no official record of the fact that that correction has been made. Can you see any reason in principle why you could not have a corrections page and links for all Members?

Tom Goldsmith: If I can kick off on that one, please, I think there are two separate things there. One is a link back from things like points of order—so, if a Back-Bench Member raises a point of order, or otherwise says in a debate or a Question Time that they previously made a mistake



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and want to correct it, could we have a link? We think that is possible, and that there would not be objections in principle. We would have to scope out exactly how it would work, because as with written ministerial corrections, you would need some parameters on it. You obviously could not have Members being able to rewrite the debate or pursue the debate in a different way.

The second thing is whether you could have a system like written ministerial corrections, but for Back-Bench Members. There—you would expect me to say this—I support what the Clerk of the House says in the memo to your Committee, which is that he is not convinced that doing that would be proportionate.

There would be quite a resource implication, and I think it is important to remember that Ministers are a different category, for all sorts of reasons that you all know well. They have a responsibility to be accountable to the House for the policy and administration of Government. They have questions fired at them continually, including, at topical questions, on things that won't be expected, so perhaps mistakes are more likely. Members and people outside Parliament look to them as an authoritative source. As I think Will Moy said to you in evidence, what a Minister says can move markets, at the extreme end. I think there is a stronger reason to ensure a formal mechanism is in place for when corrections are needed to what Ministers have said.

Ministers also have the civil service behind them, so you could say that they are better supported, and should be getting things right. They have a particular responsibility to be accountable to the House under the Ministerial Code and the 1997 resolution of the House about ministerial accountability.

I think there is justification for treating the two categories differently. There would be quite a resource implication to having a system of corrections for Back Benchers or non-ministerial Members akin to the one for Ministers. All that said, it would not be impossible. Obviously, the Scottish system does allow that to happen. If that was the direction that the Committee wanted to go in, we would look very carefully about how we could make that happen.

Q75 Chair: Finally from me, the area where we have the most difficulty is in determining whether something is a point of debate, rather than a factual error. Also, even if a factual error has been made, there is the issue of whether a Member or Minister accepts that they made a factual error and is prepared to correct the record.

We are challenged to look at how corrections might be possible in a procedural way, albeit that there are lots of methods, which we have talked about, through which Members can follow up on matters that they believe have not been properly explained to the House. Do you have any views as to whether there is a procedural way to deal with a challenge on a point of debate, or somebody not accepting that they were factually incorrect? How could we write that into Standing Orders?



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Tom Goldsmith: I think this is really difficult. I read the evidence from Full Fact suggesting ways that you might be able to do it. I think the proposal was that the Library would give a view about whether a mistake had been made. It could then go to the Speaker, who would give a view, and then to the Commissioner for Standards.

From our perspective, there is a real risk of dragging people who should not be involved in the political debate into it. I think it would be incredibly difficult for the Library to be asked which of two competing versions was true. It would also be very difficult for the Speaker to give a view, given his role as the impartial Chair of the House.

We know it is really difficult with a lot of these things. Things that on first appearance can look quite open and shut can be very much open to interpretation when you hear the full story. We know there are lies, damned lies and statistics. Depending on the exact data set or timescale you are talking about, and the population and geographical spread it applies to, you can reach quite different conclusions. Members can legitimately say, "That is not quite what I meant." Even things that some outside bodies seem to think are quite capable of being judged as just a factual yes or no are not always that binary. I find it really difficult to come up with a way that it could be done without dragging parts of the House apparatus into political areas into which they should not go.

It would be even more controversial if you were to outsource it to an external organisation to give a view. There are really big constitutional and cultural questions here. Constitutionally, if you were compelling a Member to say that they had got something wrong when they did not want to, you would be making an inroad on their freedom of speech. Privileges are incredibly important to how the House and Members work, and the most important privilege is freedom of speech. It allows Members to say things that other Members think are incorrect or wrong.

Constitutionally, saying that they have to change their view is a very difficult thing. If you do it even with an internal body, you come up against that freedom of speech issue. If you do it with an external body, it is even more hazardous, in a way, because you come across article 9, where you might be thinking of an external person impeaching or questioning, to use the language of article 9, what the House is doing, or what is happening in proceedings. It is really tough.

That is the constitutional element; there is also the cultural element. The House is sometimes at its best when it is dealing with difficult arguments between Members, and when Members are pulling to pieces their opponent's arguments through debate, and sometimes through an alternative perspective on the same so-called facts. That is how the House tends to deal with these differences: through robust debate. Of course, there are all those other means of raising allegations about misleading comments that I have mentioned, so you can see that I am very sceptical about something along those lines.

Chair: Yes. Thank you. Can I bring in James Sunderland?



Q76 James Sunderland: Thank you both for coming along today; I am sorry for being late. There is so much to say. This is really important work—much more important than we give it credit for. Politicians in this day and age need to be held to a much higher standard; the bar needs to be higher. I would want a much broader system, in which if people state a falsehood, are disingenuous or are tweeting nonsense, as we saw over the weekend, they are brought to account. If a politician is held to account for that and found to be misleading Parliament or the public more generally, there must be a system whereby they can be brought in and dealt with. That is my personal view.

I have two questions. First, should there be a trigger, whereby somebody or something makes the decision that the record needs to be corrected? Who is the arbiter of good taste on that? Secondly, should we distinguish between inadvertently and wilfully misleading the House?

Jack Homer: On the first point about who the arbiter is, I guess it comes down to the rules laid down by this Committee back in 2007, and also to the terms that *Hansard* operates under. Those rules that were laid down about ministerial corrections are the ones that state that it must be factual, it must be stand-alone, and it must be a very specific change to qualify for a correction as opposed to a clarification or some other form of utterance. The rules of *Hansard* are that we adhere to what is said, and we would not correct anything if it was substantively different from what was said. The second point is probably more for Tom to deal with.

Tom Goldsmith: I totally get the point about trust in politics and the need for politicians to be seen to be telling the truth. There is a kind of backstop here, which I mentioned briefly. If a Member thinks that another Member is misleading the House so egregiously that it constitutes substantial interference to the work of the House or Members, they can write to the Speaker, who can allow the House to debate whether it should be referred to the Privileges Committee. That is what has happened, obviously, with Boris Johnson and the case about gatherings in Downing Street. That is at the tough end of the spectrum of what can happen.

On whether there is some way of distinguishing between deliberately misleading and inadvertently misleading, I return to my earlier comments about how difficult it is to think of who the arbiter would be. I don't think you could have any House officials; I don't think you could have the Library saying, "When Mr X said this, he was deliberately misleading the House," or "When Ms Y said that, it was a mistake." That seems a very political decision to come to, but you would get into similar difficulties if you put it to a Committee of the House or to the Speaker.

Q77 James Sunderland: We have parliamentary privilege, so ultimately there is nothing really preventing us from talking complete nonsense in the Chamber; you could just make it up. My point is that this Committee needs to look a bit more at ways of dealing with colleagues who do that, stretch the truth, are disingenuous, or say things for political effect without thinking through the consequences. That might be through a point of order or by writing to the Speaker, but I think ultimately there



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has to be a decision by somebody that such instances need to be corrected, as well as Members voluntarily correcting the record.

Tom Goldsmith: Could I just come back very briefly? Let me go back to the Sir Stephen Timms example, if I may. I am not going to say what I think about who was right or wrong in that tussle, but I will say this: if the then Prime Minister had made a mistake, or thought he had made a mistake, and had simply used the ministerial corrections process the next day to say, "Actually, what I meant was this," I don't suppose that I, as someone who follows parliamentary affairs pretty closely, would have heard about it. The fact that he didn't, and that Sir Stephen has pursued it doggedly, and used lots of different means of raising it—including through the Liaison Committee, on the Floor of the House and through this Committee—means that I now know the argument that there are 600,000 fewer people in employment than there were pre-pandemic.

I use that as an example to say that there could have been a correction in that case and almost nobody would have noticed. There wasn't, and Members have been robust and persistent in using the avenues open to them and to the House, and that has probably shone a brighter light on that debate than a simple, quick ministerial correction. I do not disagree with the need to correct things; I just think that is an interesting example.

Q78 **James Sunderland:** That is spot on, and this is really interesting, but my personal view is that if there were a more robust system, or a way of Members being brought to account—if the Speaker or his team were a bit happier to call it out a bit more, or there was an arbiter of good taste—that would probably raise the bar in politics, so that Members would think twice about talking nonsense in the Chamber.

Tom Goldsmith: I understand your point.

Chair: Thank you for your time today; we very much appreciate it. This will help us enormously in our deliberations on our recommendations for the House, and we will hopefully talk to the Table Office and *Hansard* about how we properly implement and record them.