

Procedure Committee

Oral evidence: Work of the Leader of the House, HC 509

Wednesday 4 December 2024

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Members present: Cat Smith (Chair); James Asser; Bambos Charalambous; Sir Christopher Chope; Mr Lee Dillon; Graeme Downie; Tracy Gilbert; Gurinder Singh Josan; Frank McNally; Lee Pitcher; Michael Wheeler.

Questions 1-39

Witness

I: Rt Hon Lucy Powell MP, Leader of the House of Commons.



Examination of witness

Witness: Lucy Powell MP.

Chair: Good afternoon and welcome to the first public oral evidence session of the House of Commons Procedure Committee in this Parliament. My name is Cat Smith; I am the Member of Parliament for Lancaster and Wyre and the Chair of the Procedure Committee.

Today, my fellow Committee members and I are delighted to be joined by the Leader of the House of Commons, the right honourable Lucy Powell MP. The Leader of the House is said to act as the Government's representative in the House and as the House's representative in Government, providing a pivotal link between the two. Given our focus on how the procedures of the House of Commons operate, the relationship between this Committee and the Leader of the House has been close historically. We are certain that that will continue in this Parliament.

Good afternoon, Lucy. Before we start this afternoon's evidence session, I will be grateful if you could please introduce yourself for the record.

Lucy Powell: I am Lucy Powell. I am Leader of the House of Commons and MP for Manchester Central.

Q1 **Chair:** As is traditional, the first question this afternoon comes from me. Lucy, what do you think the working relationship between the Modernisation Committee and the Procedure Committee should look like in practice?

Lucy Powell: Thank you for having me at my first Select Committee hearing. It is a bit weird to be on the other side of these things, having spent many years as a member, and now as Chair of the Modernisation Committee.

That is an important and good question. We had a manifesto commitment to set up the Modernisation Committee because over the past few years we had seen things about the way in which Parliament works that needed to change, in particular around restoring trust in Parliament, raising standards and looking at some of the culture and behaviour issues, as well as how we do things to ensure that Parliament is the most effective it can be and, when the outside world looks in, that it lives up to that attention.

By the way, I really thought that Parliament did that on Friday; it was a really good moment for us. The world was looking in, and it was one of the most respectful, considered and well-attended debates that many of us had seen—*[Interruption.]* Sir Christopher, honestly! He does not respect the rules of the Chamber at all, with his mobile not on silent.

Before the election, we set up the idea of a Modernisation Committee to look at some of those broad areas. With that, I was keen to ensure that we had an overarching way of looking at some of the issues. Over the past Parliament, I saw many good reports from this Committee, the Standards Committee, the House of Commons Commission and others, but they sat



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in abeyance for a long time, because at the end of the day unless the Leader of the House brings something forward as a motion to the Floor of the House, it does not progress. I wanted a way that we could consider some of these issues as a whole House, on a cross-party basis, working with the Committees that already exist in the House, not duplicating their work.

The Procedure Committee is a really important, long-standing Committee of this House. I look forward to you doing some great, detailed work on some of these issues. But I hope the Committee could look at things holistically, working as a task-and-finish group, if you like, so that when recommendations are made by your Committee or others, there is a place where I am held to account for bringing them forward and where we can consider taking them forward, along with any unintended consequences or other things.

The Modernisation Committee is absolutely not to replace the work of the Procedure Committee, the Standards Committee or any other Committee, but to act as an additional player in the market, to speed things up and ensure that we have a way in which your recommendations of progress can be made, because I think, from this Committee's point of view, progress needs to be made in how we do things, how our procedures and some of our rules work and how we use the time in the Chamber—the sorts of things that you consider. We will need to make more progress in the coming years. I am keen to do so.

Q2 Chair: I think we have kind of agreed already that we make some good recommendations as a Committee. Could you say more explicitly what role you see the Modernisation Committee having when it comes to considering those recommendations? What will your attitude as Leader of the House be to seeing those recommendations implemented?

Lucy Powell: I am keen that we do that. Normally, how these things would have worked is that the Procedure Committee would produce a report, and then some time later—perhaps more time than it should have taken—the Government would produce a response to that report and decide which bits of it they did or did not like and whether to take any forward.

I want us to make faster progress on those things. The Modernisation Committee can help to hold me to account for that, as well as the rest of the House, but it can also consider those things quickly, hopefully getting them brought forward where they need to be brought forward, with time made available to them.

I also hope that we can have a symbiotic relationship in some of the areas where we find that there is a lot of demand—those relating to the Procedure Committee, for example. Obviously you should not be compelled or anything like that, but we could work with this Committee so that you look at some of the things that are coming up and that the Modernisation Committee in general thinks we need to look at. You can look at that and come up with recommendations, and then we can just



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take them forward. I am hoping that we will get to a position where we can just agree and take them forward when you have done the work, if that's all right!

Chair: Thank you. We are, as a Committee, hoping to do quite a lot of work in this Parliament—

Lucy Powell: Good.

Q3 **Chair:** So that is certainly music to my ears. This is the Committee that you probably relate to most closely as a Minister, and we are really grateful to have you before us to give evidence so soon after the Committee was formed. Will you commit to appearing before this Committee regularly, to update us on progress?

Lucy Powell: As much as you want, as many times as you want, I am here.

Chair: Thank you, Minister.

Lucy Powell: "Lucy", please.

Q4 **Chair:** I was trying to keep things quite formal, but we will go with "Lucy", then. When the Government contemplate procedural changes throughout the remainder of this Parliament, do you see yourself coming to this Committee for advice on them before the Government propose them?

Lucy Powell: Absolutely. I really want to emphasise that I want us to take the House with us. I want this to be a House issue that the Government then bring forward. On some of these issues, we could have come in and just laid motions, changed the rules and done those things. In effect, we can put things on the Order Paper. We have a majority in Parliament—in the Commons, not in the Lords. In the Commons, we could just do that. I did not want to do that. I want any changes that are made to be changes that have a lot of support, that can work, that will stand the test of time and that will not have unintended consequences. That is why the work of this Committee is so important: because you can take that view and have a look at things in the detailed way in which others cannot. I would say, as Leader of the House and Chair of the Modernisation Committee, we can perhaps take that more global view about where some of the gaps are or where some of the areas where we really want to make progress are.

I have a funny job, really. I am in Government. I am Parliament's voice in Government. I am the Commons' voice in Government and round the Cabinet table, and I am the Government's voice in the Commons and in Parliament. I take both those roles incredibly seriously. I am not just a voice of the Government. I should be, and want to be, the voice of the House to Government as well, and I need all your assistance in that.

Chair: Well, we appreciate your coming before the Committee so early on. My colleagues have lots of questions, so I will hand over to Lee Pitcher,



who has a couple of questions.

Lee Pitcher: Thank you for joining us, Lucy.

Lucy Powell: It's a pleasure.

Q5 **Lee Pitcher:** It does feel strange to call you "Lucy", but we will do so. You have mentioned gaps that might exist, and you have mentioned processes and potential tweaks and changes to those. In terms of procedural reform specifically, what do you see as the Government's main priorities during this Parliament?

Lucy Powell: There have been some things early on that we have made some progress on, and that I know you are going to look at in more detail as well. Proxy voting is an example. We brought in some changes recently, because they were very immediate and there were some gaps in the system around the current baby leave and baby loss proxy provision; we were extending that further. There are some issues with the medical leave proxy provision, which your predecessor Committee was going to look at in more detail. I would really welcome that. So there are some smaller things, but they are very important to colleagues.

More broadly, I would really welcome this Committee's looking at the following things. We mentioned Friday and the private Member's Bill process, and there were questions from colleagues about process. I thought the process on the day really lived up to the moment, as I had hoped, and it was not subject to the tricks of the trade that sometimes it can be. Previously, this Committee had looked closely at the private Member's Bill process. I would welcome that.

There is the question about how we use the parliamentary time—the Commons time—available. Are we using that to best effect in the allocation of Westminster Hall business, Back-Bench business and so on? I want to ensure, and I know Sir Christopher shares my view, that there is proper time for scrutiny of Government legislation and that the role of Back Benchers is impactful and purposeful. I would welcome views from the Committee on some of those things.

We have just done a broad call for views at the Modernisation Committee, which I never in a million years thought would be capturing the zeitgeist as it is. There is a lot of interest in it, and it is fostering a lot of views. Sir Christopher is on the Committee as well. One theme that is emerging is that not just colleagues: House staff and other people are looking for a bit more certainty in the day, in the week and in how we do things in forward business. One of the early things I have tried to do in this job is share recess dates a long way in advance, but I would welcome the Committee's looking at how we might be able to create a bit more certainty for people on things such as voting and debates.

Lee Pitcher: I agree. It has made a huge difference on a Thursday morning when you go through the future recess dates. That has absolutely helped people to organise their lives, so thank you for that.



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Lucy Powell: We have been trying to do business a bit further in advance as well where possible—two or three weeks instead of just the one week.

Lee Pitcher: That is appreciated.

Q6 **James Asser:** You have already touched on private Members' Bills, which the Committee is picking up because we anticipated that, following last week, there would be interest in the issue. One of the priorities you suggested in your memorandum to the Modernisation Committee was organising how parliamentary time is allocated to Back-Bench business. Could you outline what you see as the right balance between providing enough time for scrutiny of Government legislation and time for debate on broader policy and local issues, especially given that there are so many new Members?

Lucy Powell: Hopefully, that is something you can look at as well. We currently have quite a bit of Chamber time allocated to the Backbench Business Committee. I am a supporter of that Committee as a vehicle for Back Benchers to initiate and bring forward debates, but that pattern is sort of continuing—they are not very well-attended or popular for the time allocation that they are being given. However, let us take, for example, petition debates. They are some of the most watched in Parliament, because if you have signed a petition you then get notice of the debate happening. Petition debates often come up around PMQs, and then they are consigned to Monday in Westminster Hall or whatever.

One thing we have been trying to do, because we have a lot of statements and urgent questions on Mondays, is not to put big, heavy pieces of Government legislation on a Monday. I experienced that in the last Session with the Online Safety Act: a Second Reading that had been anticipated for about five years was on a Monday night. Because of statements and UQs, there were less than three hours for that debate, which I just do not think is acceptable. Chunky pieces of Government legislation should have proper time on the Floor of the House so that people can scrutinise them and look into them.

I would be receptive to views on that, and maybe on private Members' Bills having a different slot in the week. I am hoping that you will consider some of these things for me.

James Asser: I am sure we will be happy to.

Q7 **Mr Dillon:** Hi, Lucy. I am Lee Dillon from Newbury. You mentioned not doing things to the House and bringing everyone along together. How will you build and maintain that consensus across the House on procedural reforms?

Lucy Powell: Hopefully we will proceed on consensus with some of these things; that is the idea. Hopefully we will not divide too often, but there may be people who do not agree with some of these things. Some things that a lot of colleagues have raised with me, and I am sure with all of you as members of this Committee, are actually not procedural or about rules. Sometimes they are cultural things, such as transparency and letting



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people know what is going on, or how the Whips work with the Speaker and in the Chamber. Sometimes there are issues relating to slipping versus proxies, which is a cultural rather than a procedural issue. That is why we need to look at things in the round and not just think about the rule changes. I want to take the House with us.

I have also made sure that we have really engaged with the smaller parties, which often feel as if they are not included on Select Committees—they are not on the Modernisation Committee. We have now had three sessions of the Modernisation Committee with the smaller parties about their input, which is really interesting because their inputs are different from other people's. For example, one of the things that the smaller parties struggle with is that they do not have the whipping arrangements and the relationship with the Chair and the Speaker in the Chamber. They are not necessarily in on the conversations happening with the usual channels. So, they are a bit more in the dark even than other colleagues about what things are happening and when. There is an interesting perspective there.

One of the other reasons I wanted a Modernisation Committee, as opposed to going through other means, is that it is more transparent. Our findings and meetings are for the public record, so people know what is going on. Too often in the time that I have been an MP, I have found that these conversations go off into a dark room, and then something comes out that is completely different from what went on in the room—and I have no idea how that happened. It is about making that more transparent for people.

Q8 Mr Dillon: What guarantees can you give the Committee that if there were motions on procedural reform, the House would have sufficient notice of those motions, so that the analysis could be done and the debate could happen?

Lucy Powell: Obviously there are a few things that we have had to do early on and do quickly. There are loads of motions in my name today, I think. Most days there are motions on the Order Paper that are in my name and that are technical: setting up the Liaison Committee is today's one, which I am just required to do. On the bigger questions, where we have changes, hopefully anything procedural will have all gone through the filter of this Committee. If that is not possible—well, let us take the recent changes to proxy votes. I had a conversation with Cat about that and we had an exchange of letters. There was a time urgency to making some of the big changes, notwithstanding that the Committee is going to take a proper look at the whole proxy vote thing—as you should, and I look forward to seeing what you have to say on that. I will try to always be as respectful as I can to this Committee.

Q9 Mr Dillon: As a slight aside to that, in terms of your role as the Leader of the House, there have been a few occurrences since the general election when Ministers have given statements in other places before announcing them in the Chamber. How can you ensure that Ministers make those statements to the House first?

Lucy Powell: That is a good question, and an important part of my job. I want Parliament to be respected and I have been really clear with the Cabinet, special advisers and Ministers—in writing, orally and in other ways—that we expect announcements to be made in the House first. Obviously, where that is not possible—when the House is not sitting, on a Friday or a weekend—Ministers should then make themselves available to the House at the first opportunity. We live in an age of 24/7 media and people are on the radio in the morning, so we need to get the balance right between trailing an announcement and the substantive announcement being made to the Commons.

A really important part of being a Minister is coming to the House and accounting for yourself with statements. I am very strongly of the view that Ministers should be forthcoming with that. I think as of yesterday, we have had 54 oral statements in 49 sitting days, so we have done pretty well. As you know, the Speaker takes a particularly dim view, as do I, when that is not adhered to, so we try to rectify that as much as we can. Rest assured that I am the person behind the scenes challenging that and making sure it happens as well as possible.

Chair: We have some questions about the work of the Modernisation Committee, and my colleague Michael Wheeler is going to start them off.

Q10 **Michael Wheeler:** The first question we have is about a concern raised regarding the 1997-to-2010 Modernisation Committees, which is that they operated as a rubber-stamping exercise for proposals that were already supported by the Government. How will you ensure that the current incarnation—your incarnation—of the Modernisation Committee avoids such perceptions arising?

Lucy Powell: Good question. The previous Modernisation Committee, which I obviously took the name from, made some very quick progress early on, on necessary things. I think the first thing it did in 1997 was to remove the need for top hats to be worn to make points of order—you probably regret that, don't you, Sir Christopher? "Bring it back!"

There were also some really important changes to programming, with knives put in programmes. Up until that point, and in that early phase of that Government—a bit like in the Lords—there was no end to Government business, so votes would often come at 2, 3 or 4 in the morning. The House also sat different hours—longer hours—and through until 5 o'clock every Friday, so being a constituency MP in that era was quite different from what it is today.

I think it made some good early progress, but obviously it was then in existence for quite some time. I don't know; there were things that came later—there was the Wright report and other things that came along—so I am not sure that I would totally take the suggestion that it was just stuff that the Government happened to want to do anyway. I think there were other inputs into that at the time, with stuff that came from other Committees and outside organisations as well.



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This Modernisation Committee has a broader remit, because we are looking at issues around standards, culture and behaviour, while that Committee was very procedure-heavy, if you like. I think I am probably going to have the opposite problem, where I am going to have to convince the Government to do some things that I think we need to do, but let's see.

Q11 Michael Wheeler: I think that is a wonderful starting point—to feed things the other way. You have set out your ambition that the Modernisation Committee will operate as a clearing house, I think you said, that will draw on the work of a range of other Committees. I think you have touched on this partly—we were talking about us as a Committee—but how do you envisage that working in practice across a range of Committees?

Lucy Powell: We may have to slightly feel our way through. In terms of what I would like, I am here before this Committee, and we are discussing areas that you might consider to be some of my priorities, and that kind of thing, so we have that symbiotic relationship. Whenever we are considering procedural issues or other things like that at the Modernisation Committee, Cat, as the Procedure Committee Chair, will always be invited as a guest member. We recently had Daniel Greenberg, the Commissioner for Standards, in to talk to the Committee about the standards landscape, and the Chair of the Committee on Standards came along to all of those sessions as a contributory member.

As I say, we are sort of recipients of your work in that sense—well, your reports are to the House, strictly speaking, and to me, but we will look at those and, hopefully, because we will have worked together in some way along the way, we will just agree with everything you say on those points, looking at some of the issues that I think we need to. For example, we have this big call for views out, and there are some things that have come through from that early on that I had perhaps not foreseen. Those are much more relevant to the work of this Committee, so we will obviously make sure that that is all fed back to Cat, for her to pick up some of those issues with you and think about how to take them forward.

It could also be with other Committees—for example, on accessibility. I think we have more disabled MPs in this Parliament than we have ever had before. Accessibility issues—physical and other kinds—have been a real problem for some of our MPs, and for staff working here. Maybe the Women and Equalities Committee, for example, would look at some of those, or there might be work where a couple of Committees are involved. Hopefully that helps.

Chair: Gurinder, I think you have a few more questions on Mod Com.

Q12 Gurinder Singh Josan: Thank you, Chair. You have already touched on the first one, regarding the call for views. The question was about what the early themes were, and you have already touched on the certainty aspect going forward. That is something that we have picked up on and reflected in our work programme, but are there any other themes that



are currently developing?

Lucy Powell: Yes, a number of issues have been raised so far, and we are expecting a lot more to come in over the next two weeks—people have still got two weeks to put something in. I hope that colleagues know that there is an anonymous form for people to fill in, although it recognises your email address, so Sir Christopher cannot put in 25, for example. I know he likes to put in more than one—I'm only joking. You can put in only one in that anonymous form, but you can put in a written submission as well or instead. If you do not want that to be public, you can say so in the correspondence. We are expecting a lot more to come in.

Some of the themes coming through are around certainty. There is an issue about how people are called in the Chamber, and having a bit more understanding of when they may or may not be called. That is definitely a strong theme that has come through. Another is sitting hours, albeit that there are diametrically opposed views—sitting hours are probably not something we can get real consensus on. It totally depends on the geography of where you are based a lot of the time, and what works for people.

There are quite a few procedural issues in the Chamber as well, which might be of interest to this Committee. One is wanting more time for proper scrutiny of legislation—that is quite a big theme—and not just time for it, but the ability and procedures to do that. The time it takes to vote has come up quite a lot. Proxy votes, which you are looking at, prayers and Select Committees are some of the things that have initially come up. We will obviously produce something and share all of that with Cat. I will probably invite Cat and the other relevant Select Committee Chairs to a meeting to discuss that, so Cat can get a full read-out, and you can take your dibs then, can't you?

Q13 **Chair:** It sounds like there is quite a lot of work coming out of the Modernisation Committee that the Procedure Committee could pick up on.

Lucy Powell: One hundred per cent. There are some other important issues around standards, outside interests and further improvements to the ICGS, as well as other things that perhaps only the Modernisation Committee can look at in one or two of those areas, because there is no other Committee that covers them. Anything procedural you should look at first, in my opinion.

Chair: Thank you. That is good to hear, Lucy.

Q14 **Gurinder Singh Josan:** With that list, would the Modernisation Committee look at what issues are more of a priority than others?

Lucy Powell: Yes. That is the idea—to take that holistic view and think about what is doable and important and about how some of those things fit in with each other, and to try to prioritise. Otherwise it is endless, isn't it?

On these issues, I am conscious that our procedures have stood the test of time and are a really important part of our democracy. We do have to



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ensure that they are fit for the 21st century and fit for the kind of Parliament we want to be, but you do not want to pull at a thread when you do not know what is on the end of it.

I am not the type of person to change everything overnight. I do not think that that is the best way to proceed. I am for considered improvements that meet a demand and a need, make us more effective, make the job of a Back Bencher more impactful, certain and purposeful, and reflect all the challenges and current pressures on MPs, which are different from what they were, even a few years ago. People do expect you to be more visible and present in the constituency, doing constituency things as well. Sorry, I am taking too long—I'll be faster.

- Q15 **Gurinder Singh Josan:** To move on to another aspect of the Modernisation Committee, you spoke earlier about engaging with the smaller parties and said that you have had three sessions with them. How are you going to facilitate that engagement? There is an intention for it to be non-partisan and to reach consensus, so how will you find a balance between the views of the smaller parties and those of the bigger parties?

Lucy Powell: That is one of the other things that has changed—not just the role of MPs, but the make-up of the Commons. When a lot of our procedures were considered, we really had two parties—the Government and the Opposition—and obviously we now have many others. It is really important to hear from the smaller parties, and I found those sessions really interesting and enlightening.

Issues around being called in the Chamber are different for the smaller parties because they do not necessarily have the Whips on the Bench to speak to the Speaker and find out what is going on. If you are in a smaller party, you might be the spokesperson across a range of issues, so you have to be in the Chamber a lot more. Because you are speaking a lot, you are going lower and lower down the list, but you are representing a party, so there is that balance. Obviously, geographically, the smaller parties—Plaid, the SNP and the Northern Ireland parties—tend to be further away, so they definitely did not want 9 to 5 in London-type sitting hours. It is really important that we reflect not just on how we as Committees consider their views, but on the fact that some of our procedures now need to reflect that there are many more parties in the House of Commons than there used to be.

Chair: I have a final question on the Modernisation Committee from Sir Christopher.

Lucy Powell: You're questioning yourself, Sir Christopher!

- Q16 **Sir Christopher Chope:** Lucy, thank you very much indeed for coming along and being so open and helpful. One of your first wins, as far as I was concerned, was announcing the recess dates for the whole year. I don't understand why we have not been able to do that in the past.

Lucy Powell: I am looking at next year already.



Q17 Sir Christopher Chope: In the '97 Parliament, we had the Tony Wright Committee, one of whose recommendations was carried forward and is still in place: the Backbench Business Committee. The other recommendation, which was more fundamental—and more troublesome, from the Government's perspective—was a business of the House Committee so that Back-Bench Members could be involved in helping to decide on the allocation of time for business across the House. I wonder whether you have a closed mind towards resurrecting that, particularly in the context of the Terminally Ill Adults (End of Life) Bill, which we discussed last Friday.

There is enormous feeling across the House that that Bill needs and deserves much more scrutiny than it will be able to have in the Back-Bench processes, both in Committee and, more importantly, on Report. The people on the Committee are probably being chosen this afternoon. Given the amount of interest from Members—600 people voted—how can we deal with Report effectively in one day? Shouldn't the Government be giving more time for that process?

The Prime Minister has rejected that idea. I don't know whether you have rejected it outright. If we had a business of the House Committee, I am pretty certain it would say, "Come on, Government. This is an issue for the whole of Parliament." You have already referred to the esteem in which the House was held as a result of that debate last week. People would say, "What are we going to do to ensure that this really important piece of legislation is properly scrutinised and is not subject to arbitrary cut-offs?" I just wonder whether you can help us on that, please.

Lucy Powell: I think there are two points in one there. Let me take the business Committee idea. Obviously, we have business questions every week—they come around bloomin' quickly, I have to say—and they are now quite lengthy sessions. Everyone gets in, and it lasts an hour or an hour and a quarter—it is me on my own answering questions about the business of the House—so people do have that opportunity. Now is the moment, through this Committee working with the Modernisation Committee, to think about the allocation of time in the House in general terms. I think that that is something that the whole House should be part of.

On the specifics of that Bill—I have said some of these things on the Floor of the House—I actually think that lots of the questions that have been put to me about the Bill are more general questions about legislation. I have said to quite a lot of colleagues over the last few weeks, "If only we all gave that much attention and consideration to other really quite major pieces of legislation!" They are often subject to less time on Second Reading, less time in Committee and less time on Report and Third Reading. They certainly attract far, far less attention and interest from colleagues across the House. This has been a good exercise for people, especially new MPs, in understanding our legislative process full stop, rather than just the private Member's Bill process.



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As I said of the Bill on the Floor of the House, it is a fairly rare occurrence that the Government set aside collective responsibility and do not take a view on a private Member's Bill. You were around; you are the famed person, whether you were wheeled out or whether you were self-propelled, who was able to use the perhaps not great procedures of private Members' Bills. When a Government really does not want to take a position, but they did not want something to go through, they can just run it out of time. I would personally rather that we said that the Government should either set aside collective responsibility on private Member's Bills or take a view on them, rather than use those kind of opaque tactics.

The Bill had five and a bit hours on Second Reading, because it was first on the list. It will now be in Committee for as long as it wants to be in Committee. Nobody else can push it out of Committee. The first day that the Bill can come back for remaining stages and Third Reading is the eighth sitting Friday, which is 25 April. That is the earliest, so in theory it could be in Committee for three months. It is going to take oral evidence, which is really good. I think it was the Wright review—it was one of those reviews—that introduced the taking of oral evidence at the start of Bills, but it did not include that for private Members' Bills. I think it is good that it is going to do that.

I do not think so-called "giving it Government time" is the right solution. It is a private Member's Bill on which the Government have set aside collective responsibility. Government time would likely be less time in this case, because what people are really talking about is Committee of the whole House or something, which would be a lot, lot, lot less time than what it is actually going to get. And do not forget that our rules are quite clear about the make-up of the Committee: it has to reflect not only the make-up of the parties of the House—the usual proportions that this Committee or other Committees have—but the views of the House on the Bill itself. That is a formula; it is nothing you can get out of. I do not know what the ratio of 330 to 275 is, but that ratio has to be reflected in the Bill.

I actually think that our processes can work. Private Members' Bills can have games played with them and that kind of thing. I think that that is something the previous Committee looked at in a report on private Members' Bills, which I would strongly advise you to dust off and have a look at.

Q18 Sir Christopher Chope: I have a quick supplementary. Are the Government adamant that one day on Report is sufficient for this end of life Bill? Obviously after that one day on Report, if the proceedings are not concluded, it is most unlikely that there will be a further opportunity within the time allocated for private Members' Bills to consider it further.

Lucy Powell: It could potentially have further time, but as I say, I think what we all saw on Friday was that the House wants to take a view. The House does not want to be denied the moment of actually taking a view and things progressing. The worst-case scenario would be the world looking in and, for procedural reasons, we do not take a view. There are



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lots of other ways in which that issue can be debated on the Floor of the House in the meantime, if the House wishes to do so. For example, a further Backbench Business debate could allow the Committee to hear and consider further views on the Floor of the House.

There are opportunities for the whole House to consider that Bill further, and obviously there will be that further day at the end of April. I imagine it will be a reasonably-sized and very balanced Committee taking oral evidence and then considering it line by line. As you know—I am sure you will take advantage of this—any Member of the House can table amendments, as long as they have someone on the Committee to propose them and put them forward. I would imagine that it will be subject to quite a lot of debate. As we have said, from a Government point of view, now that it has passed Second Reading, we will work with the Bill's promoter to make sure that the Bill is operable, workable and can be implemented, should the House wish it to be.

Chair: Thank you, Leader of the House, for a very thorough answer on that particular private Member's Bill.

Lucy Powell: It is just that it gets raised a lot, so it is worth getting it all out there.

Chair: Absolutely. We have some questions on proxy voting which, as you are aware, we have launched an inquiry on as well.

Q19 **Bambos Charalambous:** Lucy, you have alluded to this in your previous answers. The arrangements for proxy voting were introduced for serious long-term illness and injury as a pilot scheme in October '22, and they remained in force until the end of the last Parliament. They have now been reinstated on a temporary basis. Our predecessor Committee recommended that they be made permanent. What issues do the Government think remain with the current operation of the scheme?

Lucy Powell: We did not want to make it permanent at this point, because we hoped that your Committee would consider the details further, such as its operation, scope and other things, before we then made any kind of scheme permanent. We have a few different schemes, but there are two main ones for proxy votes. First, there is the baby leave scheme, which includes baby loss and miscarriage, as well as complications in pregnancy, fertility treatment and other issues. With that scheme, anybody who asks for a proxy can have one automatically for seven months, or longer if they want to extend it, and they can bring that forward if they want to. It does not require any paperwork, and rightly so. At that point in time, you do not want to have to go and get a doctor's letter or any of those things. That is sort of automatic.

Secondly, there is the ill health proxy, and there have been some issues with that proxy scheme in the past. Some people have found it very hard to access because it is more subjective. Is their illness serious enough, because it does say "serious"? Have they been able to get the right paperwork and so on? There is some subjectivity to it. There is also an



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issue with what it actually means. For the baby loss scheme and everything else, people do not want to be on the estate and they want a proxy vote.

There have been some question marks around people being on an ill health proxy but then also participating on the estate, and doing things in the Chamber as well. There might be times when that is reasonable because somebody who is recovering from a stroke, or something similar, could perhaps have a slow return to work. I would like your Committee to really explore that in depth. I do not have a strong view on it, and I will take your recommendations on it.

Q20 Bambos Charalambous: On the first issue about baby loss and maternity leave—that was the first iteration and it seems to be working. The serious illness or injury one—that is a bit more problematic. Do you think it is the standing orders, or is it the operation of the scheme?

Lucy Powell: It is possibly a bit of both. Hopefully, that is what you are really diving into. The language of the scheme says “serious illness”, and whether something is serious enough can be a subjective opinion. Then, perhaps there is something in relation to operation. However, in general, I am not a “thin end of the wedge” sort of person—I am quite liberal on proxies. That is my own view. I think if, for whatever reason, people cannot be on the estate for long periods or are transitioning to coming back into work, what is wrong with them having a proxy? I think it is a more transparent way of doing things and it means their vote still counts. I do not have a strong view about it. I am just really looking forward to you doing the work on it.

Q21 Bambos Charalambous: You talked about people who have an illness but are still on the estate. In the past, we used to have the nodding-through process, whereby if you agreed with the other Whips that the person was on the estate but not well enough to—

Lucy Powell: We still have that, actually, and it is still used. It might just be about how someone is on that particular day. It is for you to consider, but the proxy vote system is perhaps more long-term—when you are not going to be around for a period of time and you want a proxy. We do have nodding through, which might be used for a few days here and there for other reasons, and the pairing and slipping schemes as well. Am I allowed to say this in the Committee? We do not want people taking the mick. That could have been the slight perception. I do not know that that has happened. You look into it, and I will take on board everything you say.

Q22 Bambos Charalambous: I remember a time when Tulip Siddiq, I think, had recently given birth. She was unwell and she had to be wheeled in to vote in a wheelchair. I think it was on a Brexit vote.

Lucy Powell: I remember it well. That is one of the reasons why I took the decision, having talked to Cat about it and after hearing a Chair of the Committee point of view, I took the decision to plug some of the gaps in the baby leave proxy. People may have serious complications that are not miscarriages but they are still pregnant and they are unable to be on the



estate, or they may have difficult fertility treatment, for example, which may take place in their constituency and away from home, making it difficult for them to be here. I wanted to extend that for those people. If there are other examples that are not covered, I am open to you letting me know about that.

However, as I say, I am in the forthcoming end of the debate on these things. In the past, there has always been a bit of a view that this is a “thin end of the wedge” problem and if we start giving people proxies, there will be nobody here. I do not particularly share that view.

Bambos Charalambous: I am sure, with the Chair’s indulgence, it is something that we will look into.

Lucy Powell: With gusto, I am sure.

Chair: With gusto from this Committee. Graeme Downie, do you have any questions on proxy voting?

Q23 **Graeme Downie:** Thank you, Lucy, for coming along today. My question is related to some of the items that you have just brought up. The new proxy arrangements for complications relating to pregnancy and extended absence for fertility treatment were brought in immediately as permanent, rather than on a pilot basis. Can you outline why the Government decided to take that approach?

Lucy Powell: It was a gap in that particular scheme, which was directly affecting and had directly affected some colleagues. I felt that the gap needed closing and, rather than establish a pilot or another temporary measure, I wanted to make them equivalent immediately so that people could take advantage of that where they needed to.

Q24 **Graeme Downie:** If I may, I will take you back to your point about complications relating to pregnancy. For someone with an incredibly difficult condition such as hyperemesis, it can often result in quite a changeable condition. One day is good and the next is bad, or it changes over a period of months or indeed throughout pregnancy. Do you feel that the regulations at the moment would allow for someone with hyperemesis to make sure they were here when they could be, but not be here when they could not, without feeling like they were constantly putting a proxy in and taking it away again? I imagine it would make someone feel under quite a lot of pressure to do that constantly.

Lucy Powell: Is that a condition in pregnancy?

Graeme Downie: Yes, sorry—I should have explained. It is a condition where you can feel very sick either for a short period of pregnancy or indeed throughout an entire pregnancy. It can lead to someone being bedbound for a number of months. Sometimes they need hospital treatment, and there are a whole variety of related conditions. It is also incredibly hard to diagnose, so it is very difficult for a woman to be told, “You have hyperemesis.” Quite often, they are told, “You have bad morning sickness.”



Lucy Powell: The good thing about the scheme is that you literally just email the Public Bill Office and say, "I am poorly with pregnancy. I need a proxy," and it is given to you. You do not have to provide any details for it, explain what it is or even know that it has a name. You are given a proxy, no questions asked. You can have that proxy for up to seven months, or you can bring it forward. Although the broad understanding with a proxy is that you would not therefore be around and participating in the Chamber, you are not precluded from doing that. It just means that somebody else has your vote for you, for as long that demands.

For somebody who is struggling and very ill with pregnancy, who is perhaps feeling under pressure to be here and does not want to get slipped all the time and all that kind of thing, I would probably advise that they just take a proxy and concentrate on growing the baby and doing other stuff that does not require them to have to go through the voting Lobby. They can do casework, table questions, write to Ministers and all the other things you can do without necessarily having to be here to vote.

Q25 **Graeme Downie:** Related to that is the role of the partner. If someone has a complication related to pregnancy such as that, or any of the other range of complications that might require a partner to be present, if the MP is the partner, would they be considered for a proxy in those circumstances?

Lucy Powell: At the moment, it does not extend to that. That might be less ongoing. The point with proxies really is more that you can get it for a decent chunk of time—parental leave or whatever. We have slipping and other ways in which people are able not to be here to vote, if it were a day here and there.

Q26 **Graeme Downie:** It is just about making those procedures as simple as possible for both the person affected and the partner as well.

Lucy Powell: It is, but again, if this Committee identifies gaps in that, then please let me know.

Q27 **Graeme Downie:** Finally, ahead of the introduction of those arrangements, was any consideration given to comparable statutory entitlements available to the public, so that MPs are not getting ways to not be at work, as maybe others in society might see it. That would be a helpful thing for us to consider as well.

Lucy Powell: There is a key thing that I always point out. We are never not at work. Being an MP is not a job. It is a way of life; it is a duty. We are office holders. We are nearly always working. I got elected when I was pregnant with my youngest, and I think I came back to Parliament when he was three months old. Day two after having Tom, I had an HR issue in the constituency office, and I had to go into the constituency office to deal with it because there was nobody else who could. I took a two-day-old baby with me. We are never not working; the nature of the voting is that we just have to be here to indicate our physical presence at that point in time.



In most other workplaces, people who are suffering complications with pregnancy, for example, or having ongoing difficult fertility treatment, would be accommodated in their workplace, so that they could perhaps work on different tasks, in different ways or in a different location, take some time off, and that kind of thing. We have a peculiar aspect, especially with our voting being one of the indicators of whether we are working. Whether that is an indicator of whether we are working—to be discussed. There is the physical presence needed for us to do that, which is probably unusual for most other workplaces. Not that I think we could describe this as a workplace anyway—but that is a whole other debate.

Q28 Michael Wheeler: To pick up some questions on a technical point—you would expect nothing less from this Committee, I suppose—the new proxy voting arrangements for absences related to fertility treatment sit in sub-paragraph (c) of Standing Order No. 39A(2), rather than as part of the arrangements for serious long-term illness or injury in sub-paragraph (d) or as an entirely new and separate sub-paragraph. Do you think that sub-paragraph (c) is the right place for them to sit?

Lucy Powell: I do, because the issue is that IVF treatment, or complications in pregnancy, have in the past been deemed not to be serious illnesses. That is why I thought that that was a much better place for those things to be, so that they were not subjective or did not have a subjective opinion applied to them.

Q29 Michael Wheeler: Are you satisfied that Members' ability to self-certify their eligibility for a proxy vote has been applied appropriately across all the different circumstances covered by the scheme?

Lucy Powell: That particular bit of the scheme? Obviously the medical proxies are not self-certified in that sense; you require quite a lot for the paperwork, and then consideration is given to allowing them. That is governed by the Speaker's Office—it is not that Mr Speaker is being subjective; he tries to do that within the rules and terms of the scheme. If someone is saying that they are having complications in pregnancy or that they have had a baby when they have not really, I would be very surprised.

Q30 Michael Wheeler: Thank you. I have one more, sorry: moving wider, are there any other situations not currently eligible for a proxy vote to which you think the scheme should be extended?

Lucy Powell: Possibly. I would only know those if people like you looked into them and raised them with me, or other colleagues did—please, stress-test that for me, if you would not mind.

Michael Wheeler: We are happy to do that.

Q31 Graeme Downie: In the letter you sent to the Committee on 19 November, you set out some of the changes that you wanted to be made to the proxy voting guidance. I have a couple of points that we would like to clarify.



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Lucy Powell: Now I have to find that letter—I have it here somewhere, but remind me.

- Q32 **Graeme Downie:** Has the role of the Speaker in determining the length of the proxy vote in each of the circumstances allowed for under the scheme changed? If so, what is the reasoning behind the change?

Lucy Powell: Under the medical proxy, I do not know whether the time allowed has changed over time. As I said, there have been some issues with that in the past, which is why your predecessor Committee was going to have a good look at it—to be fair, being transparent, open and, to my mind, erring on the side of granting, of people having a proxy and being forthcoming, and of the scheme being a scheme that is enabling people, not deterring them. I think that is where we should probably head with it.

- Q33 **Graeme Downie:** I think you covered this in an earlier answer to me, but to clarify it for the record: is it that all proxy votes are now automatically issued for seven months and then you can ask to extend them, or can you ask for three?

Lucy Powell: It is automatic for seven, under the baby leave and baby loss provision—the paragraph that Michael has just mentioned. You can bring that forward if you want to, whenever you are ready to say, “I don’t need a proxy any longer.” But everybody would get it automatically for seven months, with no questions asked, and they can extend it beyond that if they should need to do so.

Chair: We have a few questions about written parliamentary questions. Tracy, would you like to start us off? Tracy has an SI Committee to get to; one of the procedural issues we have is that Tracy has to be on an SI Committee at half-past 4, so I am bringing her in earlier than she was expecting.

Tracy Gilbert: Thank you, Chair—I was just packing up to leave.

Lucy Powell: You can’t be missing from an SI Committee.

- Q34 **Tracy Gilbert:** Absolutely. Our predecessor Committee looked at some numbers around written questions and the time it takes to answer them. The number tabled on a daily basis can vary; it can be very different from Session to Session. Do you think there is adequate time to answer them in a proper and coherent way? What would you need to do to support that and look at it a bit further? How, in your role, can you assist Ministers and Departments to deliver that work?

Lucy Powell: Timely and appropriately forthcoming answers to written parliamentary questions are incredibly important. Parliament should expect that, and Ministers and Departments should be doing it. I have written to all the Cabinet Ministers and other Ministers and have spoken to special advisers and others about how it is the expectation of the Government that Ministers and Departments will answer PQs in a timely fashion, but a fashion that gives the fullest information available.



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The role that this Committee performs in keeping track of that, with league tables and by really looking at the performance of different Departments, is critical for the Government. I have used the last Committee's report: I sent it round to all Cabinet colleagues for them to see where their Department sat in those league tables, and in the relevant cases I asked them to take action to improve. I really hope that this Committee will continue that work, because it is vital. Without the work of this Committee on WPQs, I would not be able to challenge Ministers and others for not getting it right.

Q35 Tracy Gilbert: In terms of the quality of the responses, how do you see your role in supporting Departments and Ministers? There will be a lot of new staff, particularly with the new intake. Is there a training programme or a way we can make sure that the quality is as good within the timescales?

Lucy Powell: We have seen a real spike in written questions being tabled, since there are so many new MPs. We absolutely need to make sure that questions are answered well and in a timely way and that Departments really are forthcoming with the information that they are providing. In return, what I would say to colleagues is that they should perhaps use them a bit more wisely and not in such a repetitive way.

There are lots of ways to raise issues with Ministers. It depends on what kind of answer or outcome you want. You can raise issues by writing directly to Ministers, you can raise them in oral questions or following statements, or you can raise them by initiating Westminster Hall or Adjournment debates—all sorts of things. Sometimes a written PQ is not actually the way to raise the issue. Written PQs are for when you want a Department to provide some factual information that is not otherwise available, rather than necessarily for raising a particular case, a complicated policy situation or something like that, but they sometimes get used for that as well.

Training is available. I get asked about this quite a lot in business questions, when people have not received the right answers or when something has gone wrong. Where things have gone wrong, I encourage colleagues to raise the matter with me; I will certainly raise it with Departments as well.

Chair: I think Frank has some more questions on written questions.

Lucy Powell: Good luck with your SI, Tracy! Be scrutinising.

Tracy Gilbert: I will: I've got my glasses ready.

Q36 Frank McNally: I want to drill down a little further on the answer to Tracy. As you have highlighted, part of your role as Leader of the House includes taking up Members' requests in the areas of parliamentary written questions and written correspondence with Departments. I am keen to get a sense of whether Members contact you regularly about such issues, especially given that we have a range of new MPs. Do you think that they understand how to do that?



Lucy Powell: More experienced MPs have certainly contacted me since the election about those issues quite a bit: in business questions on the Floor of the House, in the Tea Room, by emailing me, by writing to me or indeed PQ-ing me about PQs, which has happened. I have held a number of sessions for new Members on how to make the most of Parliament and make an impact in Parliament, and I talk to them about written parliamentary questions and correspondence.

I think correspondence has got slower from some Departments in recent months. That is not necessarily a ministerial thing; I think it is about the Departments. We now have a Minister in the Cabinet Office with overall responsibility for keeping track of ministerial correspondence, which is a good new development. Please spread the word among colleagues: if they are really struggling to get responses and replies from Departments, they can raise that with me.

Q37 **Frank McNally:** I am grateful for that. I would be keen to get a sense of your expectation, and that of the Minister in the Cabinet Office, not only on the timeliness but on the quality of the responses that are being received, because that can sometimes vary. Ultimately, for the Member who is engaging in that communication, but also for the Minister responding and for Parliament more broadly, there can be a reputational impact for constituents if there is a sense that the response is not quite of the standard that we would expect. I am keen to get a sense from you about your role in ensuring that those high expectations are met.

Lucy Powell: Absolutely. I have very high expectations—that is the first thing to say—and they are not just my expectations, but those of the Prime Minister and others. I have heard the Prime Minister reiterating those points to colleagues.

To be clear, the “Guide to Parliamentary Work”, which goes to all Ministers, says that “in responding to questions, ministers should follow the principles of the Ministerial Code, making the utmost effort to give accurate and helpful answers”. That is the bar by which people should be judged. We can give people a little bit of slack—there are new Ministers, new ways of working and a lot of new MPs—but really we should be upholding that, and that is the standard that I hold people to. I write to colleagues regularly about these things and will continue to do so.

Q38 **Frank McNally:** That is very helpful, because it brings me on to my final questions. Which Departments that you have had contact with, if any, do you perceive to have been particularly poor at responding to individual Members? Can I get a sense from you of whether any discussions have taken place since July?

Lucy Powell: Yes, they have. Over the summer, I sent all Cabinet Ministers your predecessor Committee’s last report on the performance of certain Departments on PQs and correspondence, reiterating that their job is to respond in a timely and accurate manner and in a good way. If you have seen that, you will have seen which Departments are particularly poorly performing.



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It is not just about volume. From memory, the Health Department was particularly poor and the Home Department was particularly good, although I would imagine that it gets a lot more constituency casework-type letters from MPs than the Health Department does. There is real room for improvement there. I look forward to your next league table, which I will share, and to doing a bit of naming and shaming.

There have also been some incidents raised with me on the Floor of the House and in private. In one case, somebody who had tabled a written parliamentary question received an answer that said that the Department could not give them that information. A day or two later, a freedom-of-information request was then answered with all the information that had been asked for. In fact, it was worse: the answer to the PQ said, "There will soon be a freedom-of-information request that will tell you this answer." I have reminded colleagues that answers to written parliamentary questions are where they should give the full answer first, not freedom-of-information requests.

Q39 Sir Christopher Chope: That was going to be my very point. Can you reiterate that Members of Parliament should not have to make freedom-of-information requests, and that the Government should give written parliamentary answers priority over freedom-of-information requests?

Lucy Powell: I agree 100%, and I have made that clear to the person, or the Department, that did not do that. Any other such cases that I receive—I think there has been more than one, actually—we will take up very strongly. We have also done a bit more training on that for the parliamentary teams, to reiterate the point that written parliamentary questions come first.

Chair: We can reassure you that this Committee will continue to take a very keen interest in written parliamentary questions and will keep you updated with fresh league tables throughout the Parliament.

Lucy Powell: It will make interesting reading.

Chair: As there are no further questions, I will draw this session to a close. Thank you, colleagues, for your questions; thank you, Leader of the House, for your time this afternoon and for your thorough answers.