



## Procedure Committee

Oral evidence: [e-Petitions](#), HC 235

Wednesday 15 October 2014

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Members present: Mr Charles Walker (Chair); Jenny Chapman; Nic Dakin; Thomas Docherty; Yvonne Fovargue; Sir Roger Gale; Mr James Gray; Tom Greatrex; Mr David Nuttall.

Questions 52-94

Witnesses: [Mr Graham Allen MP](#), Chair of the Political and Constitutional Reform Committee, and [Natascha Engel MP](#), Chair of the Backbench Business Committee

**Q52 Mr Charles Walker (Chair):** All right, petitioning. I was in the Chamber when you gave your speech in regards to your concerns. Why don't you just remind those Committee members who perhaps have not read your speech or were not there to hear it in person where you are coming from?

**Mr Allen:** The big principle stuff here is about a separation of powers. We do not often talk about political theory in Parliament, but obviously the Procedure Committee, if there is a place, has to be the place to talk about that. If you go back to the origin of that from Montesquieu in the 1700s, he was the first person to really write about the fact that the best defence against tyranny is to have a separation of power, and indeed to have that power with its own identity and its own basis, so therefore its own constituency. The concept of having a judiciary, an Executive and a legislature was born, really.

Then that is taken up by a lot of other political thinkers. He was incredibly influential on people like Thomas Paine and Madison and Hamilton and Washington, all the founding fathers of the United States, which becomes the sort of first really modern constitution. It is based wholly upon a separation of powers, which is to ensure that you have to convince, in their case, more than the Executive, which essentially they were railing against the British monarchy at that time, and that you have to have the legislature, judiciary and the Executive at least

acquiescing, if not won over, to a particular sense of direction that the nation will take politically.

We have a system that is nominally a separation of powers, but in reality is a unitary system, a system that has one track, and essentially if you win the general election, you control the legislature as well as the Executive. You have a majority that will, by and large, always support. There are always sensational exceptions to that, but on a daily basis, the people who set our agenda in the House of Commons are the Government, and the people who want to set our agenda are on the front bench of the Opposition.

I hold very strongly that there is a distinct parliamentary interest, that we are directly elected by the British people, the Government is not, it is indirectly elected, and I have written a little bit about the fact that in essence we have a presidential system, but without an election. We have Bush or Obama, but without the people being consulted on that, and that people often then will conflate the two systems, so that you and I are elected because people want to support either, at the last election, Mr Brown or Mr Cameron rather than Mr Walker or Mr Allen or our opponents. That to me is fundamental. That separation is not evident here and I think we should resist that and we should attempt to ensure at all points that we have an independent Parliament. That is the big picture.

Then it comes to the small picture, which is certainly at the time that debate took place, the idea was the Executive were a little bit bored, a little bit embarrassed about the Downing Street petitions and decided to again conflate the Executive and legislative process and basically lumber Parliament on issues that were essentially dedicated and directed to the Executive. You want to get something changed, you write to No. 10 with your petition, you go knocking door to door on whatever the issue is and you expect some action. But what we are seeing now is No. 10 and the Executive pushing that over to Parliament and even having to use the same people to carry out the function, which is, in my opinion, a separate parliamentary function.

Finally on that question, from my point of view, Parliament should have its own separate independent petitioning system. There is hundreds of years of precedent for this. We, as Members of Parliament, in our little puny way, raise our own petitions and put them to the Floor of the House and we all stand on our hind legs at the Adjournment debate or before the Adjournment debate and can make a petition and can put something to the House when we decide—not that it has been sent our way by Government, but when we decide—and that is really in a sense the other half of what I would want to say, would be about Parliament

itself taking its role seriously and having Members of Parliament acting as independent, elected people rather than what we have at the moment if we accept this proposal, which will be a surrogate and a fall guy for a lot of stuff that is sent the way of the Executive, and which, frankly, we are powerless to change and will just damage our reputation.

It will convert us ultimately into a plebiscitary democracy, rather than building up what I would like to see in this place, which is a genuine, independent but representative democracy, where we take responsibility rather than have newsrooms and others pumping up debates, getting people to push stuff into the House of Commons and just acting like a pawn for central Government.

**Chair:** Natascha, do you want to just say a few opening—

**Natascha Engel:** I do not know how to follow plebiscite democracy, but I will try.

**Chair:** It is on the way.

**Natascha Engel:** I know, I know. I am assuming this is just opening statements or do you want—

**Chair:** No, no, because you are going to just tell us quickly what you think about the petitioning idea and then James Gray is going to ask some questions and Sir Roger is going to come in after James.

**Natascha Engel:** Excellent. I thought this was an interesting paper that was sent through. I am kind of with Graham on the issue of having just a single Parliament-based petition system, because the petition system at the moment, which starts with Government and finishes with Parliament, is confusing for people. The proposal would make it one system: people are petitioning Parliament. I think Government can always keep an eye on what is going on and can always respond to people if they want to send some kind of response to people, but I do not see how a hybrid system is better than a single Parliament system. It may be that this is for practical reasons, which I would like to hear about, but that is really the only thing that I would disagree with, otherwise the way that you have thought about how the Petitions Committee works I thought was really good. That is very much modelled on the Scottish Public Petitions Committee: I like that, and I think also looking at paper petitions and e-petitions together but also having paper petitions dealt with separately, as they are at the moment, is a really important step. I will leave it there.

**Q53 Mr Gray:** I very much agree with you, Graham. I think that this is a hole that the Government have got themselves into. They invented this brilliant idea—it was George Young who did it—but they do not know what to do with petitions and it has all become an embarrassment, confusion, and they have come up with this brilliant notion of linking it to the parliamentary petitioning system to get themselves out of that hole. I think it confuses the public to the nth degree, because they think something is going to happen when they have some problem. I very much agree with you in principle.

What I am still nonetheless rather confused about is this. Let us imagine that we were to continue with two, with the Government e-petitioning system—and that would be up to them what they do with it—and a parliamentary one over here. Just focusing on the parliamentary one, all that would be is the electronic equivalent of the existing centuries old petitioning system. I am still a little unclear about precisely what the parliamentary petitioning system, in your view, will achieve. What will we be saying to the public that they would get if they created an electronic petition?

**Mr Allen:** I think we need to be clear about what a parliamentary petition can achieve, and I think, James, that is the heart of what your question is. I think it is incredibly frustrating as well as arrogant, the way we have to put our petition in the bag and then nothing happens to it. There should be a follow-up, just as if a Member asks an oral question or a written question and it does not have an answer, then I think following that through and the Speaker saying, “We have to sort this out. You have to answer this properly”. The department must give a reasoned explanation to the Member of Parliament.

The Member of Parliament owns the petition at the moment. If it is Mrs Bloggs down the road somewhere in Nottingham who is really annoyed about something, then I cannot always personally do much about that other than raise her concern, so fundamentally raising the issue of redress is what we do. But if there is no final redress, if I cannot grab somebody or there is not a process to make that happen—maybe that has been addressed since the debate, maybe it is all okay, maybe there is an agreement now that departments will take petitions seriously. If it is one person or it may be 100,000 people who have an objection, a proper letter, a proper response that the Member can give to the individual I think would mean that you would have a strong parliamentary petition process. But our role is to seek redress.

It is the Government role, which is why you need a separate petitioning process for the Government, so that people, if they wish, can go

directly to Government, who execute policy, and say, "Why are you not building a £20 million motorway past my front door? I would love that". Ours is to say, "This issue has been raised with us. The person has not had a satisfactory answer. I am raising it for redress, accountability through the legislature". That way, we all know what we are doing, we are doing our job and they are doing theirs—

**Q54 Mr Gray:** In order to achieve that, you would need to formalise it. You need first to be clear to everybody what was going to happen to that petition and what the outcome would be, and secondly, you would have to write into—it could not be into our rules. We would have to write in somebody's rules somewhere that a presumption of a requirement for Government, who would respond—

**Mr Allen:** I think the Speaker of the House would expect that to happen and he would chase it through on our behalf. If absolutely necessary, he would grant us Adjournment debates if things had not done been properly. It is possible to do this. This is an easier way to do it than what the Government are proposing. It is possible to change this process. It is maybe 15 years ago since I led the change of the—probably nobody uses this now, I do not know, but it used to be, "Wherefore unto forthwith will I humbly beg thy Honourable Majesty" and all that.

**Mr Gray:** Oh, I like all that. I think that is great.

**Mr Allen:** You have the choice of doing that now if you want, but equally, if someone who is out there on the street is saying, "Can you please save my local hospital?" you can now write, "We petition the House of Parliament to save the local hospital" without all that stuff. Oh my God, proposing that, the whole of civilisation could have been absolutely destroyed if that went through, but when it happened, nobody cares, but it does make it more convenient for the citizen and for you.

**Q55 Mr Gray:** One last question. Let us assume that we are right and that there should be separation of powers and there should be a parliamentary one and a Government one. I accept that the Government one is not really your responsibility, but nonetheless, if that were the case, what would be the purpose in the Government's e-petitioning system? What would that be for?

**Mr Allen:** Because Government can execute, so if you have sent 100,000 signatures on fair fuel duty or whatever, very directly requesting the Executive answer that, then there is pressure upon them at least to respond. At the moment, there is no pressure from a

parliamentary petition for them to respond. It goes in the bag and goodbye, and we are the people who are elected to hold the Government to account.

**Q56 Chair:** When it does go in the bag, is there not a response from Government?

**Natascha Engel:** It goes to a Select Committee, yes, but there is a real problem with paper petitions. It is much harder to get a paper petition signed and it does disappear into a bag, and so anything that is much more open and transparent, like having a Petitions Committee, is much more engaging. I think that is the really key thing about what the system really ought to be and what it is not at the moment. At the moment, it is very, very passive, so if something goes up and the wording is only checked, not for whether it makes any sense or whether it is even something that is possible, it is just checked so there is no swearing, there is no blasphemy—it is just a very basic minimum. There is no real contact between Parliament— or Government—and the individual who is starting up the petition.

One of the really critical things that the Scottish parliamentary system does is that there is a gateway, there is a person that you speak to. Certainly the people that I have spoken to who have run both the No. 10 e-petitions site and who run the House of Commons Information Office, which is often a first port of call for people—there are not that many e-petitions that it would completely clog up everything—and to have somebody who phones up and says, “How do I go about doing an e-petition?” and then talking through whether an e-petition is the appropriate thing. But this is about how do individuals engage with Parliament so that every single time somebody signs either a paper petition or an e-petition, they should learn something about how this place works and learn about how better to influence what it is that we do.

The problem with the e-petition system as it exists is that it is a sort of a sham, it is a sort of pretence. It even says on the website, “This is an easy way to influence Government policy”. Of course it is not; everybody knows it is not. The only response that people get is a Government response as to what it is that the Government is doing, and again, there is no pretence that this is influencing or shaping the Government’s agenda. The only way that that happens is through media pressure and through pressure inside here, and so I would say that it is absolutely vital that it is Members who lead this and not the Government who lead this, because that does—

**Mr Gray:** Hang on, that is different. Sorry to interrupt very rudely; I am a very rude person.

**Natascha Engel:** I know, James.

**Chair:** James, I know it was your last question, because Sir Roger has to go. Could he come in and then—

**Mr Gray:** Yes.

**Q57 Sir Roger Gale:** I am going to be rude, I am afraid I have to slip away. I just thought I would raise a couple of things. I had huge sympathy with the amendment that Graham Allen took initially. Natascha, you said you had seen—and I take it you therefore have seen—this paper that was based on the Committee meeting of 3 September, which is draft proposals.

**Natascha Engel:** Yes.

**Sir Roger Gale:** You indicated that, broadly speaking, you found quite a lot of favour with that.

**Natascha Engel:** Yes.

**Q58 Sir Roger Gale:** Let me put one question to each of you. To Graham: given the proposal for a Petitions Committee, that would presumably act as the filter and say, “That is for the House, that is for Government”. That sort of halfway meets your separation.

**Mr Allen:** I think that would be a very sensible proposal and I fully support it. That is not at issue for me.

**Q59 Sir Roger Gale:** Okay, that is fine. That has clarified that. Secondly, I have always had a concern: all the discussions we have had about Member of Parliament ownership of the petition, although this says in terms of Member involvement, a member of the public can involve a Member of Parliament, but it does seem to me that it is desirable that there should be a Member of Parliament, and maybe that should be the MP for the lead petitioner who takes charge of the process. It has always worked in the past. I do not know of anybody who has ever complained; that a Member of Parliament may say, “I profoundly disagree with your petition, but that does not mean I do not have a duty to present it, and I will do that honourably and faithfully, because that is what you have asked me to do, even though I disagree with it” and I cannot see there is a problem with that. It does seem to me we ought to retain that ownership.



**Natascha Engel:** There is a very serious issue as well further on in your note, where if the Petitions Committee, as is suggested here, then refers the petition on to the Backbench Business Committee to schedule a debate, we cannot do that unless there is a Member leading it. At the moment we have two e-petitions that have reached way over 100,000 signatures. We cannot get Members to lead on those petitions, therefore there cannot be debates.

**Q60 Chair:** What are the two petitions?

**Natascha Engel:** There is one on nursing and I cannot remember the other one. I will find out. I will let you know—

**Q61 Sir Roger Gale:** But that underscores the point, doesn't it, that you need a Member in charge?

**Natascha Engel:** Absolutely, it absolutely underscores the point. That is right, yes.

**Mr Allen:** First I think you have to have a Member who is responsible and accountable, because this is the House of Commons, it is not an open voting channel for a game show. This is a serious question: you, Sir Roger, and every member of this Committee have to make a decision about that. Like you, I have never, ever refused to present a petition, even if I have disagreed with it. I regard that rather like putting forward a case for a Conservative elector or a Liberal elector or whoever, and I think that is fundamental. Our ownership is absolutely vital in this, otherwise we slip into this plebiscitary thing, we do go around this House, which happens every single day and we have too much of already, and I do not think we should do anything that makes that worse.

There is an issue about the Backbench Business Committee, and I was one of the people, as Natascha knows, who fought very strongly to ensure we did in this Parliament—credit to Sir George Young—set up a Backbench Business Committee, so I think I have good credentials on that. I have spoken to Natascha about it before, so I think we may agree on this: you have to avoid any suspicion that if you get to a certain limit, if you overcome a certain limit, you have a right to a debate. I do not care whether it is a Government petition or a parliamentary petition. There may be an issue I wish to raise and it has been raised by one constituent that is something that I would want to go and plead my case in front of Natascha as the chair of that committee. There may be a petition with 100,000 people that I would



not want to give House room to as a Member of Parliament, using my judgment, and I would not take that forward.

**Q62 Chair:** I think that is recognised—

**Mr Allen:** I hope so.

**Chair:** —by some of the people who have given evidence, on the basis that there is a danger you will have well-funded lobbyists from all walks of political life slavering at the mouth—

**Mr Allen:** Exactly.

**Chair:** —at the opportunities this presents, where a number of those people who gave evidence made it clear that the example that you are citing could be equally deserving: a small organisation, a single person with a burning issue is just as entitled to representation in this place as a well-funded organisation.

**Mr Allen:** Chair, my concern is not right now, it is not with Mr Walker in the Chair and Ms Engel chairing the Backbench Business Committee. There may be other more pliant people, there may be different styles of government who, if they own your petition process, start to put pressure on you and say, “Look at that, it is Mr Walker again, Ms Engel again. We would like Parliament to discuss this and we have over 200,000 signatures” to do something or other that many would like. You are building a system for the future here, not merely because we have benign people that we know and like around the table.

**Q63 Chair:** I think the system will not be ideal—you know the resolution that was passed by the House—but I think we have oversight as the House if we have a Petitions Committee with an elected Chairman from our number and a Committee that comprises Members of Parliament. As the former Leader of the House said, “I am in favour of some form of Petitions Committee to act on behalf of the House, developing engagement with the public on petitions, and in the longer term to liaise with Government on e-petitions and the system”, so I think a Petitions Committee is fundamental. I know the two of you have reservations—

**Mr Allen:** No, we have not.

**Natascha Engel:** No, no, no. I support absolutely wholeheartedly—

**Q64 Chair:**—about the overall direction of travel, but do you believe that the Petitions Committee is fundamental to the success of this?

**Natascha Engel:** Yes, absolutely, and I think this is my only point: as long as the petitions, whether it is paper or e-petitions, are regarded as a form of public engagement rather than a way for the public to force us to do something, then that is really successful. That should be its be all and end all.

**Chair:** All right. James, sorry, I cut you off.

**Q65 Mr Gray:** I think there is a confusion. Why should it be that any member of the public engages with the institution, which is Parliament, which is what they would be doing if there were to be a parliamentary e-petition system? The institution that is Parliament is the organisation that pays for the electricity and runs the rooms and things. Surely the method that the member of the public uses to engage with the body politic is through the Member of Parliament, not with Parliament.

**Natascha Engel:** That is one way of engaging with Parliament and it is a very important way, but increasingly in this Parliament, I think there is a very big distinction between what is Backbench and what is Executive—the Executive being the Frontbenchers of both the Government and the Opposition. Take, for example, Select Committees, which are committees of the House—they are not committees of Government—and they look at all parts of Government. Parliament holds the Government to account, so they have very, very distinct functions and so this petitioning system would be part of the holding the Government to account function rather than the Government function. I think that is a very clear distinction here.

**Q66 Mr Gray:** But not joined with the Government, and not with a lack of clarity as to who is supposed to be doing it.

**Natascha Engel:** That is right. That is why it is really important it is just a parliamentary system.

**Q67 Mr Gray:** But what you are establishing here is a new organisation. You are not talking about the Executive, which is completely separate, you are not talking about Members of Parliament joined together in the body politic. You are talking about a new and third organisation, which is Parliament as the institution, which will be the recipient of these petitions. That is where the confusion arises.

**Natascha Engel:** I would see it the same as a Select Committee.

**Mr Gray:** No, a Select Committee is—

**Natascha Engel:** The new Petitions Committee will be like a Select Committee.

**Q68 Mr Gray:** Not at all, because a Select Committee consists of Members of Parliament. A Select Committee does not exist unless Members of Parliament are on it.

**Natascha Engel:** I am assuming that your Petitions Committee has Members of Parliament on it and not people from outside.

**Q69 Chair:** Yes, absolutely. The Petitions Committee, as we envisage it on this Committee, has an elected Chairman and elected Members—the numbers to be decided, obviously.

**Natascha Engel:** But it would be in effect a Select Committee. The Backbench Business Committee is a Select Committee—but isn't.

**Q70 Chair:** Yes, like the Procedure Committee is a Select Committee. Unless the Backbench Business Committee would like to have a sub-committee for petitions.

**Mr Allen:** Or the Procedure Committee.

**Q71 Chair:** Or the Procedure Committee. Is that viable, do you think, if there were a petitions sub-committee coming out of an existing committee of the House? Is that a viable solution?

**Natascha Engel:** It is, yes. It is a workable solution, absolutely.

**Q72 Chair:** Where would it reside then?

**Natascha Engel:** I do not think with the Backbench Business Committee. It is complete chance that we were given this, because they did not know where else to put it, and it fits not at all, it fits least well on the Backbench Business Committee than anywhere else.

**Mr Allen:** Also, there should not be a link or a pressure upon the Backbench Business Committee that because we have a load of signatures, you are really under an obligation and then Government piles in and says, "It is not up to us."

**Q73 Chair:** Did you say the Procedure Committee, Graham, should consider doing it?

**Mr Allen:** It is one possibility. It seems to fit, because you do not allocate any time on the Floor of the House. The bit of time we have

managed to secure for Parliament in its own Parliament is really precious, and if you threaten it by attaching to it something—

**Natascha Engel:** I think the Procedure Committee would be ideal.

**Mr Allen:** —that could say, “We are so powerful, there are so many of us that we deserve a debate”, and then it is you, the Chair, stopping us from having that debate. Actually, it is Government stopping us having a debate by not giving the time to the Members of the House to do it.

**Natascha Engel:** I think one of the really serious problems that you will come up against is about money and setting up a new Committee. Lots of people will speak against that, but you also have to realise that a Petitions Committee will be very different from what it is that you do, and there are lots of Members in the House who have a particular interest in this kind of thing. Unless you can get a new Committee as a sub-committee of this, then you might be excluding people who would otherwise really want to do it.

**Q74 Chair:** If we were a company that was listed, the Stock Exchange would now suspend trading in our shares on the basis of what you have just said.

**Mr Allen:** Also because you have insider traders, you have Frontbenchers and Whips on your Committee, which is meant to stand up in Parliament.

**Chair:** Yes, and I love them dearly.

**Natascha Engel:** On that note—

**Chair:** We call him the Prince of Darkness, Darth Vader’s love child. Thomas Docherty, come on in.

**Q75 Thomas Docherty:** Why don’t you think, Natascha, that it should sit at the Backbench Business Committee if ultimately one of its goals or outcomes rightfully is to award time for debate?

**Mr Allen:** No, it is not.

**Q76 Thomas Docherty:** Hang on. There are, frankly, two outcomes that people will get: they get a Government response at a threshold to be determined, and they can get, at a certain threshold, a debate in the House of Commons.

**Mr Allen:** No, no.

**Natascha Engel:** That is at the moment.

**Mr Allen:** No, they cannot.

**Natascha Engel:** That is at the moment.

**Q77 Thomas Docherty:** In the past, you have had one, but at the moment it has—

**Natascha Engel:** This is why the way that the Scottish Public Petitions Committee, which you really ought to go and see—well, you probably know it intimately, does it—

**Chair:** I do not want to go back there.

**Natascha Engel:** I did not mention it.

**Mr Allen:** I am taking my Committee to Scotland tomorrow. Please be careful what you say.

**Natascha Engel:** What is interesting about what they do is that—and this is something that we have found on the Committee as well—each and every petition is very different and its purposes are very different. This is the problem with having this bizarre system that is so passive—it does not address the petitioner's individual wants and needs. Sometimes it may be that the petitioner should just have gone to see their MP, and the person at the other end of the phone can say, "Look, you are much better off doing this, and here is the address, here is the phone number" and they go and see their MP, or it might be that let us say there is a petition and it goes all the way to a Petitions Committee.

The petitions do not all go in front of the Petitions Committee. The Committee looks at the petition. Sometimes they call the petitioners in, because what they want is sort of 15 minutes in the limelight and presenting to Parliament what their big issue is. That sometimes is enough all by itself and that does what the petitioner wants. Sometimes, there are issues that need to be debated, and in that case, they can then get referred to the Backbench Business Committee, but only if they have a Backbencher attached to them.

Now, the reason why we have resisted having e-petitions, is that our Committee's only purpose is to serve Backbenchers and to be a forum for Backbenchers to bring forward their ideas. It is nothing else, and that it is all it is. What we now have is to be a forum for Backbenchers, but also to look at what members of the public are signing petitions on. It is nothing to do with the Backbench Business Committee. That is something separate, but I would still say whether you have a sub-

committee of this Committee or you have a fresh Committee, this is such a unique thing that we would be setting up, if this is what you decide to do, that I would say there are people who have a specific interest in public engagement. There are lots of individuals who have a particular interest in petitioning and the petitioning of Parliament, all these different things, and it may be much better just to make the case and say, "We all think this is a really good idea, this is a good piece of public engagement and we are willing to spend Parliament's money on it".

**Mr Allen:** There should be no link whatsoever between parliamentary time, particularly of the sliver of time that MPs have compared to the Neanderthal 800 pound gorilla of the Executive, which monopolises most of the time in the House. That sliver we have should not in any shape or form be connected to a petition, because you will inevitably get a view where people say, "Look, it has gone to a sub-committee of the Backbench Business Committee. They have time to allocate. There is a lot of us. Why don't we have our petition?" There are arguments around that and we should have them, but if you start to link the automatic ability to have a debate in the House of Commons to bypass every single Member around this table of any party, and say if you are *The Sun* and your newsroom really wants to push and can get several hundred thousand people to fill out a little voucher—

**Chair:** Yes, we are alive to that.

**Mr Allen:** It was raised by Thomas, so I need to raise the fact that the Committee needs to be really careful. If it links petitions to time, then that would be a bad thing. If it ever considers it, I would beg for you to link it to Government time rather than our precious backbench time and you will see that it will not even touch the ground.

**Q78 Mr Gray:** You make a very sensible point, but the logic of your position would be we should not be playing with this nonsense at all: petitions should, as they are at the moment, go through Members of Parliament.

**Mr Allen:** Yes.

**Mr Gray:** We should not have a parliamentary petition system and this parliamentary Petitions Committee risks misleading people even more. They will think they are going to a frightfully important committee and they are not.

**Q79 Chair:** As Chairman, I want to say that we can have this philosophical theoretical conversation about whether we should be doing

it or not, but there was a resolution passed by the House to do it, so we have to get on with it and make the best of it. We are sort of having the argument again that we had then and I think we have to now try to find a construct in which we can make this work, James. I am sorry if you feel that I am cutting your legs off from underneath you.

**Mr Gray:** I just had not spotted the fact there had been an order passed to that effect. It should not have been. I would have spoken against it and voted against it. I must have.

**Chair:** You probably did, I suspect. There was not a vote, no. Wasn't there an order passed?

**Mr Allen:** There was not an order passed that—

**Chair:** What was it? We had a resolution of the House.

**Mr Allen:** So many thousand people get an automatic—

**Chair:** No, no.

**Natascha Engel:** No.

**Chair:** No, that was not, but—

**Mr Allen:** We might as well go home if that is the case.

**Q80 Chair:** No, no, no, that was not part of it. I think where James was coming from—and I am sorry, we should not be having this discussion among ourselves—was on the basis that this should not be happening at all. The House has decided that it should happen and we have to make it work.

**Natascha Engel:** You are bringing forward proposals, yes.

**Chair:** Yes, we have to make it work.

**Mr Allen:** That is fine, that is fine.

**Natascha Engel:** Just on that though, on a practical level, I think the model that you have created, I would not put too much store by the fact that Government wants to have a hybrid system. Are we broadcasting?

**Chair:** Yes.



**Natascha Engel:** Okay. In that case, I will not tell you what I was going to say.

**Chair:** Well, no—

**Natascha Engel:** No, no, it is just that we have a new Leader of the House and the former Leader of the House was quite wedded to the idea of having a hybrid Government and parliamentary system, but it is for you to put forward your own proposals. I think they are more workable, they are more streamlined, they are easier to understand, the infrastructure is there in Parliament to deal with it. If you have a gateway, you have a Petitions Committee, I think you can have a very clean and easy system that both engages people and is very transparent about how we work. If you have a hybrid system with Government, then I think you take that clarity away, but what you have are the bare bones of a really good workable—

**Q81 Chair:** What was the motion that was passed?

**Natascha Engel:** The motion was just that it was—

**Chair:** The motion in the House was for a collaborative system, wasn't it?

**Mr Gray:** What did we end up with?

**Mr Allen:** It is the bit about English MPs for English petitions. It is that one.

**Chair:** Here we are.

**Mr Gray:** It says, "this House supports the establishment...of a collaborative e-petitions system which enables members of the public to petition the House of Commons".

**Q82 Chair:** That is the motion that the House has passed. However, things evolve in this place, and again what I am attracted to is the idea that there are concerns around e-petitioning. I am concerned, to be perfectly honest, about diminishing the role of Members of Parliament and I do not want to see that happen, I want to build the role of Members of Parliament. But again, the thing that I feel most confident about is having oversight of this so-called joint system, largely by Members of Parliament, and hopefully by those on this Committee, it sounds like, potentially.

**Natascha Engel:** In terms of the technological infrastructure, I think any system will just take that over wholesale, and I think Government has always been quite amenable to that. If you have a Petitions

Committee that then informs Government when there is something that is relevant to them. A lot of the stuff will not be relevant to them, and then you will have your collaborative system, and the Petitions Committee itself becomes a sort of a clearing house for what it is that the action point of the petition should be.

**Mr Allen:** You are then part of the Liaison Committee superstructure, which will allow you to have a debate on the Floor if there are persistent Departments who do not answer petitioners and do not answer the House in particular. You will have that authority, that power, and I am sure the Speaker would take a very dim view if departments did not come forward with a proper answer, so you would get Adjournment debates, you would get preference of questions.

**Natascha Engel:** But collaboration could just be you getting Government to do some of the work.

**Chair:** Yes, it could be.

**Q83 Mr Nuttall:** Can I just explore a little bit more: it seems to me, as I say, we can have the debate about whether it is a good idea or not to have e-petitions. We are there and it is going to happen. All we are really looking at is the mechanics of how we go about it and it seems to me that one of the problems with the existing system is the lack of explanation to the public as to what they can reasonably expect from that. It is about managing expectations really, and I just wondered about what your views were as to what we can do from the outset with the members of the public who engage with the system and say, "I want to petition because I have this problem" to be realistic with them, to say, "Okay, good" but—and sorry to use the word "but" early on in the system, but I think we have to—about honesty really on the website and I was just wondering what your views were.

**Natascha Engel:** I think if you have a system whereby you do have a gateway where there is a human being at the other end of the phone, a clerk who kind of takes you through what the options are and explores what it is that you as a petitioner are trying to achieve, then at that point, your expectations are managed. At the moment, when it reaches 100,000 signatures, the perception is that once it goes, "Bing, 100,000" there is a debate, a vote and a change in the law immediately and of course that does not happen.

**Q84 Chair:** David, can I just say in response to that answer, we all have private offices. They are overwhelmed by constituents calling in. We have a Petitions Office staffed by clerks. The scope of the work could be enormous, people calling up and going through in detail. How big is this?

**Mr Allen:** I think if you had your gatekeeper system, those who operate the political system would soon figure it all out. If someone was guiding them, there would be certain things where you would say, "I am sorry, the zebra crossing on your high street, have you spoken to your local council?" "Oh, is that the best way?" "Yes, it is." "Oh, I thought it was that nice MP." "No, it is the council." There would be other stuff, if I may say, more importantly, where people would direct the petitioner to the Government directly and say, "You should be petitioning Government on the No. 10 website" or the Government website, whatever you want to call it. Where you want your MP to hold Government to account, "Yes, what is it you wanted to say?" I think people first would get the message, and secondly, we need to be really clear who does what here, otherwise we will all do it, all parties will pile it on to the House of Commons and then start pointing the finger at you and they will be blaming you for stuff that they should be dealing with on their website, I can tell you.

**Natascha Engel:** Can I just say the House of Commons Information Office—is that what it is called?—has now gone into Outreach. Wherever it used to be, it has now gone under a different department in Parliament. I have had quite long conversations with them about whether they would be able to cope with exactly what you are talking about. That is as long as a piece of string, but they are already the gateway, so anybody who wants to know anything, if they phone that central number, those people are already used to signposting, so it may not even be a clerk. I think it would be useful to have a clerk there, but it would not necessarily be one.

When we spoke to Scotland, if you multiplied it by the extra number of population in the rest of the UK, again it was not a massive number, because a lot of people phone up and it is not appropriate to have an e-petition and they are then just signposted elsewhere. If there is an e-petition already out that is similar to what it is that they are trying to achieve, they are signposted over there. I do not think it is a massive job, and I do not think it is not doable.

**Q85 Mr Nuttall:** I am trying to just look for the number of e-petitions that there have been that were established. I know not many get to 100,000, but I understood there were tens of thousands of them had been established. Do you how many there are? It is thousands, isn't it?

**Chair:** About 15,000 a year.

**Natascha Engel:** So you would get 15,000 phone calls a year. Is that a lot?

**Chair:** It depends what you are discussing. I think 15,000 is probably quite a lot of phone calls and potentially it will not all be 15,000, but having this discussion, I suppose you think of dangers. The danger is *The Sun* says, "Don't just add your name. Call up this number and tell them you want a debate".

**Q86 Mr Nuttall:** Anyway, if you go back to the point that I was originally going to make, is there any mileage in sticking with, if you like, the online system, but linking it directly to the MP for the constituency from where they are based? You put your postcode in here, which is as they do it already, it is already a facility on the website—it is dead easy to do—you put your postcode in, so your MP is this. Your petition will be tied to this MP, so if you want information about it or how to go about it then you are linked.

**Natascha Engel:** I think if you start doing that, you start getting very complicated. Your previous Committee did a report on e-petitions, and where it really fell down was the linking up every single signatory with every single MP, which would have been another—

**Mr Nuttall:** No, I am talking about the lead—

**Natascha Engel:** No, no, sure, but I just think the human being at the other end of the phone giving advice over years minimises the number of people who call in, because the whole idea is that you educate people about what it is that Parliament can do and what Parliament cannot do.

**Mr Allen:** If you have any automatic link to an MP, there is then an expectation that MPs are going to do something about it. I think all of us have had the 38 Degrees experience. I think they often get things right in terms of the issues they talk about, but I have to tell you, we have had them in front of my committee and there are many colleagues who feel that their methodology is not as good as it could be, and—I am picking my words carefully—when you get—

**Mr Nuttall:** Counter-productive.

**Mr Allen:** Possibly: 200 identical emails about a particular issue, you may feel that there is a better way of doing it. One person coming to see you at your surgery, for example, might count for more than 200 people just bunging through the standard. Now, if you have an additional expectation for your petition, then a lot of people are prepared to say, "I made the mistake of phoning one of these people and had a conversation. I have learnt my lesson. I am expected to do this on every occasion. You have not replied to my email". This is like

five hours later, so I think you have to be a bit more careful about building in things on an automatic basis, because the expectation level will grow, and you fail to meet it and you will be—

**Q87 Mr Nuttall:** Natascha, on your system you think there would no longer be an ability for a constituent to start their own e-petition up without speaking to somebody?

**Natascha Engel:** Yes, absolutely.

**Q88 Mr Nuttall:** I think that is quite a major difference from what we have at the moment.

**Natascha Engel:** But it also makes it not so passive and thereby not so passive aggressive. I think that is really important—if you have a voice at the other end of the phone saying, “What is it that you are trying to achieve with this?” it makes the person who is putting the petition down think about what it is that they want out of this, rather than going, “Right, I have done it. Over to you”.

**Q89 Mr Nuttall:** Because again, many of those, if it is 15,000 or whatever number of it is, a vast number—I think over half of them—only have one signature so they are just one person.

**Natascha Engel:** Yes, that is right.

**Mr Allen:** It is a letter, by any other means.

**Natascha Engel:** Yes, that does not get answered.

**Chair:** If all 15,000 called up, that would be 60 phone calls a day.

**Q90 Mr Gray:** The other 15,000 who hear about this would decide it was a good idea and you are talking hundreds of phone calls a day, and also of course they ring several times.

**Natascha Engel:** They do not in Scotland. That is not their experience in Scotland and they find it perfectly manageable.

**Mr Gray:** Because it is a wee titchy country; this is a great big country.

**Natascha Engel:** No, but—

**Q91 Chair:** Working out the logistics of this is important, because it can grow very quickly.

**Natascha Engel:** It is important, yes.

**Chair:** Colleagues, are there any other questions anybody would like to ask? Jenny, would you like to ask a question?

**Jenny Chapman:** No.

**Chair:** You look quizzical.

**Jenny Chapman:** Do I?

**Chair:** Yes.

**Jenny Chapman:** No, I am not at all. I am happy with the responses we have had.

**Chair:** Excellent.

**Natascha Engel:** Sorry, just one thing on those 15,000. It is very easy to start an e-petition. People are more reluctant to pick up a phone to talk to somebody if they talk through it with them, so you are putting in quite a large hurdle, I think.

**Chair:** Thomas? No. Anybody else? James?

**Natascha Engel:** Is it possible to run a pilot?

**Jenny Chapman:** A pilot is a really good idea. Pilots would be good with these things.

**Natascha Engel:** They are, yes.

**Q92 Chair:** We cannot run it in this Parliament. You have to run a pilot in the first year or the first 18 months of the next Parliament.

**Natascha Engel:** But could we put forward a plan as soon as we get back to set something up for a year?

**Q93 Chair:** I think going forward it would have to be a pilot, because I think there are so many variables in this one, and one can have no understanding of cause and consequence until one has run it for a period of time, so I think that is a good idea.

**Natascha Engel:** Can I just make another suggestion? One of the things that we found—I cannot describe to you how, it sounds silly—but it was devastating when e-petitions were suddenly announced and we

were landed with them when they reached 100,000 signatures, because we were a new committee and we were still finding our feet and it really did not fit with what we were trying to kind of establish and it was all brand-new. One of the things that we found, certainly at the beginning, was that because these expectations had not been managed, when things did not happen people were absolutely furious and it was worse than if they had never signed an e-petition at all. I think there is a lot of anger out there because of the way that we have done e-petitions.

George Young and Angela and everyone denies this by saying, "We have had hundreds of millions of people signing e-petitions, therefore they must all be happy". That is not the case. A lot of them are very angry, so if you do pilot it and if you do do anything, it might be possible to have an online consultation with people and talk to them about their experiences. I do not think it would take a lot to do it, but it might be a way of getting people back in again and saying, "Look, we take what you have said, but we want to have another go. Please help us make this better."

**Q94 Chair:** Bluntly, if the Government want this to look anything like a success—and we cannot take the Government out of it, because they control the purse strings and the House of Commons has their own budget—they are going to have to recognise some money needs to be spent on this to make sure that it is properly resourced. If it is not properly resourced, this will be an absolute disaster, as you identify. It will create deep, deep grievances and bad feeling. We have taken evidence from academics—and academics do not always have the answer—who recognise that concern. They say, "Properly done, this could be of great advantage to Members of Parliament and the House of Commons. If done badly, it could be of great disadvantage", so your concerns are heard loud and clear.

James, anything else?

**Mr Gray:** No.

**Chair:** Thank you very much. That was enlightening, quite fiery at times, so have a successful rest of the day and we shall now consider the evidence that we have heard.

**Natascha Engel:** Thank you very much.

**Mr Allen:** Thank you, Chair. Thank you, colleagues.

**Chair:** Thank you.