



Procedure Committee

Oral evidence: [Private Members' bills](#), HC 684

Wednesday 20 January 2016

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Members present: Mr Charles Walker (Chair); Edward Argar; Bob Blackman; Jenny Chapman; Patrick Grady; Simon Hoare; Sir Edward Leigh; Ian C. Lucas; Mr Alan Mak and Mr David Nuttall

Questions 29-89

Witnesses: **Teresa Pearce MP**, Labour, Erith and Thamesmead, **Mike Wood MP**, Conservative, Dudley South, and **Nick Thomas-Symonds MP**, Labour, Torfaen, gave evidence.

Q29 Chair: Colleagues, thank you very much for coming to help us with our inquiry into private Members' Bills, following on from an inquiry we did in the previous Parliament, when we came up with a fairly thick diet of recommendations, which I'm afraid the Government regarded as rather unpalatable gruel. It is gathering dust on a shelf somewhere, but we are not deterred, and we intend to continue on our quest to improve the private Member's Bill process for all parties. Before we go into our questions, could each of you, in no more than two minutes, starting with Mike, give us your take on that process?

Mike Wood: As a newly elected Member, I think everyone was strongly encouraged as a matter of course to put their name in the book for the ballot. Then there was the pleasant surprise of being drawn relatively high up, followed by the string of phone calls, emails and every other kind of communication from almost every NGO and campaign group, a few private businesses and of course colleagues, until a Bill was confirmed.

I found the process reasonably straightforward, but I accept that I had perhaps rather more support from both the Government and Government Departments than a number of other colleagues, who might have been introducing Bills with a lesser degree of Government backing. For me the process has been reasonably straightforward, but it is still quite a steep learning curve to navigate what needs to be done and at

which point. I am at the point of the Bill hopefully coming back for Report and Third Reading, so I have not even started to think about the Lords half of the equation.

Nick Thomas-Symonds: My private Member's Bill, the Off-patent Drugs Bill, was talked out on 6 November. While I do not for a moment suggest that making law should be easy—certainly there has to be a robust system for private Members' Bills—my particular issue is the means by which the Bill was dealt with, which in my view served to demean the image of Parliament that day, with the resultant media coverage and so on.

The whole notion of filibustering, which is what went on with regard to my Bill, was something I found extraordinarily difficult to explain to my constituents. It was all in order and it was all quite elegantly done, but I found it very difficult to explain to my constituents why a Bill that would have made it far easier to access certain cancer drugs was being talked out with talk of the improvement in the wine list at the Garrick club. Now, I'm sure the wine list at the Garrick club is very fine; I might even sample it one day—who knows? None the less, trying to explain that archaic way of talking out a private Member's Bill was extraordinarily difficult.

The private Member's Bill system is valuable. It is an opportunity to bring about legislation, the introduction of which at least is not under the control of the Executive—that is very important—and it allows parliamentarians to campaign for certain causes in an effective way, so I think it is a precious system. There also have to be checks and balances; there certainly has to be a robust system about law making in that way, just as there are for other laws. But surely there must be a better way of dealing with private Members' Bills than this spectacle of them being filibustered out on a Friday.

Teresa Pearce: I came sixth in the ballot, which was wonderful. There was pressure to decide what to do, but there was an issue that, because of a particular constituent, had been dear to my heart for a long time—first aid being taught compulsorily in secondary schools—and this gave me the opportunity to bring that forward. I always feared that the Bill would be talked out, and it was, but what I found really difficult was that if the Government felt there was no merit in my Bill, I would have valued a discussion with them where they actually said that to me.

The amount of time spent by me, campaigners and the paramedics I worked with, and the amount of taxpayers' money spent on opening Parliament on a Friday for a sitting day and on Members who are not London MPs having to have another overnight stay—all that time, money and good will had no chance. I feared it had no chance, but I did not

know until that day, until it happened, that the Government actually opposed my Bill. It would have been far better had the Government said that to start with, because it could be that they opposed the Bill for good reasons, in which case I could have amended the Bill. I had already taken on board some people's opposition and amended the Bill from my original thoughts to make it more palatable.

I found the whole thing frustrating, and the hardest thing was trying to explain to my constituents why it happened. The public do not hold us in good regard as it is. When it looks to the public like playing games or just wasting time, it diminishes all of us. I found it a frustrating process and pretty much a waste of time to build people's hopes, only to have them dashed.

Q30 Chair: Thank you, Teresa. I am going to ask you a couple of specific questions and then invite Simon and Edward to participate, and other colleagues will catch my eye. Who drafted your Bill for you? Which charity or group?

Teresa Pearce: My own office drafted it. Charities did offer, but trying to deal with the legal departments of charities is not easy and they are not as versed in the ways of Parliament as the Clerks are. We worked closely with the Clerks to say, "This is what we want. How do we get there?" My researchers and I did it ourselves.

Q31 Chair: Which were the largest charities supporting you?

Teresa Pearce: The most support came from St John Ambulance, but the largest charity was the British Heart Foundation.

Q32 Chair: Had they had any discussions with Government about this prior to your involvement?

Teresa Pearce: They had used their usual channels to lobby MPs to see who supported. We had drop-in sessions; we had all the normal things that you have in Parliament to try to see whether there was support among Back Benchers.

Q33 Chair: But they had had no discussions with Government specifically about this over previous months or years.

Teresa Pearce: They had tried, but the nearest they got was to the Minister's PPS—it was a bit of a stonewall, really. Looking at it from my point of view, had they been supportive, I would have been led to believe they were. Whereas it was just a no, nothing coming back.

Q34 Chair: One of my concerns is that a number of NGOs approach Members of Parliament putting forward a recommended change in legislation, but the NGO in question knows full well that it has no chance

of achieving that. In a sense, they are not being honest not only with Members of Parliament, who can look after themselves, but with their supporters. That does not seem to be the case here.

Teresa Pearce: I can honestly say that in my case I was the one saying to those charities, "Don't be too optimistic." If a charity such as the British Heart Foundation comes to a Back-Bench MP, of course that MP is going to say, "Of course I support everything," because we do, but that is not the same as turning up on a Friday, It is different. I was the one trying to minimise their expectations; it was not the other way round.

Q35 Simon Hoare: I don't know if I need to declare an interest as a member of the Garrick who took part in that exchange with Jacob about the wine list. It was actually more to do with the authorship of "Peter Pan".

Nick Thomas-Symonds: You did correct that.

Simon Hoare: It was that rather than the quality of the claret, which I must confess has improved under the Milne donation, but I don't want to filibuster this Committee.

Nick Thomas-Symonds: He was under the misapprehension that it was JM Barrie and I think you corrected him.

Q36 Simon Hoare: You are absolutely right. I have two questions, one to Nick and one to Teresa—and to Mike, actually, because I followed him on a Friday with my Bill. Do you think there would be any merit in saying, "There is a specific amount of time on each sitting day for the top three Bills before the House."? Even though that could still lead to a long speech in order to eat up the time, it would then be up to supporters and opponents to marshal the forces in order to eat up or under-eat that time. That is question one.

The second is to Teresa. I had a Bill that was not a Whips' handout, but I decided to spend quite a lot of time with the Minister to talk about it, to see how we could progress the issue. Although I appreciate that maybe PPSs or Ministers were not knocking on your door, at any point did you make any overtures to the Minister or officials to have a formal meeting to discuss the guts of the Bill and how it might be brought forward under a different mechanism, or might be considered in a different forum at a different time?

Nick Thomas-Symonds: To answer the first question, yes, I do think there would be merit in that. If there were to be a set time, the person who is second on the list would not be in the same position that I was in that day—concerned whether you are ever actually going to get the debate. That would be an improvement in the system.

Hopefully, what it would also do is render filibustering fairly pointless because you know that the time is going to elapse in any event. The point I am making, which I really do re-emphasise, is that I am not saying that it should not be easy to change the law of the land. The point is that we have to have a mechanism that is clear and understandable to the public and that does not lend itself to these archaic practices of it being defeated in what I think is perceived by the public to be a very unfair way.

Teresa Pearce: I completely agree. I had tried to speak to the Minister, and I had offered a meeting where I would go through the draft Bill to see if things were particular sticking points, but that was not taken up. I was not offered a meeting, and I have to say that that was the Minister and the shadow Minister. Ultimately, I got to speak to the shadow Minister and got the position from them, but I never actually got to the Minister.¹

Q37 Chair: It is quite extraordinary that as a colleague of a Minister, you were not granted a meeting. How many times did you try?

Teresa Pearce: Once I did— At an event, I met the Minister's PPS and we had a conversation then. I asked verbally if we could have a meeting and he said he would consider it, but nothing happened, so then I put it in writing, and nothing happened.

Q38 Chair: So you didn't get a response at all.

Teresa Pearce: No.

Q39 Chair: Not a decline?

Teresa Pearce: No.

Q40 Edward Argar: Two quick questions to all of you, who all have slightly different perspectives on the context of how your Bills came about. This picks up on Charles's point—Mike is in a slightly different category for this one. The stats that we have looked at show that virtually no private Members' Bills, unless they are endorsed by the Government of the day, have a chance of becoming law. and I think Teresa touched on this in her answer. Do you feel that MPs and charities, who, for understandable and legitimate reasons, promote different Bills and who will know this, are sufficiently clear in setting expectations with their supporters, constituents and others that what you will get is a debate on the Floor of the House, but that the chances of the law being changed are virtually nil?

¹**Note by the witness:** I did raise the question of my Bill at PMQs on 9 September, however it was clear that the Prime Minister misunderstood my Question. Once the Bill was published I sent a copy to him, explaining, but received no response.

Teresa Pearce: I don't think they are clear in that. On the day of my Bill, I had people in the Gallery who had had their life saved by a stranger who had been taught CPR or whatever—people who are really emotionally involved in this—and I had to keep saying to them, "There is a really, really slim chance that this will get through. We are raising the issue, and that's the important thing. We are having the debate." But the charities—people are nice to charities, so when charities talk to people, people are nice back. They are not going to be horrible and say, "No, actually I think you're wasting my time." They are used to people being very positive towards them and they look at that positivity as a tick and a yes, and it isn't. As we know here, things aren't that easy. I agree that it shouldn't be easy to pass laws, but either only the Government can bring a law in, or we have another option—and if the option really doesn't work, then we don't have another option.

Q41 Edward Argar: On a slightly different tack, I want to pick up on something that Simon suggested about a set amount of time for each Bill, so you get three in a day and work through them. I dare say that the counterpoint that will be made is, "But the existing rules allow a closure motion to be moved on a Bill to move it on?" In your experience—we have a mixture of tenures and experience in the House sitting in front of us—do you think it is actually realistic that that procedure could ever work, save on something like, for example, the assisted dying Bill, because given the nature of parliamentary business, it is very rare for there to be 100 Members in the House? So actually, it doesn't work today in the way that it would have worked when it was originally conceived as one of the Standing Orders and rules, because the nature of parliamentary attendance is very different.

Nick Thomas-Symonds: I agree with that, actually. We have had examples in the 20th century: interestingly, my predecessor but one for the constituency I represent, Leo Abse, brought about a series of social changes via the private Members' Bill route, but, for example, in the mid-1960s, it was with the support of Roy Jenkins, the Home Secretary of the day—so with Government support, obviously.

I agree: there is the closure motion route if you get 100 Members who have sufficient interest. Many of us were here on, I think, 11 September for the assisted dying debate, when there were clearly in excess of 100 Members that day who were interested in the subject. However, for the kind of private Members' Bills that are generally brought forward, it is extraordinarily difficult to do that. I think there are maybe 13 sitting Fridays, and across those 13, many MPs will very understandably want to be in their constituencies for the commitments that they have. I think it is very difficult, therefore, for Back Benchers to marshal the troops, as it were, to get enough for the closure motion in those circumstances—

particularly today. I agree entirely that that may well not quite have been the case when the rule was conceived.

Mike Wood: I think it is important that we do not lose sight of the fact that there is a value in some of the “soft defence”—whether we call it filibustering or something else—that means that is not easy to change the law of the land. That does not necessarily need to make a Bill or proposal die. Particularly as we are recognising that most Fridays, the Chamber is not packed, it does disproportionately favour those who are there or who can get there easily, particularly central London Members, and there are party political implications to that, too.

If you are looking at the time limits, we could perhaps have a reverse of the current closure motion, so that a fixed number could prolong a debate where there was sustained debate. Or, rather than have an up or down vote on the Friday morning, the alternative could be, if they have not managed to reach a conclusion, to have either an equivalent of a deferred Division or perhaps to look at how else private Members’ business could be scheduled during the week, when there might be more representative turnout in the House of Commons. Those are options that should be looked at.

Chair: There’s a man who read our previous report—excellent.

Teresa Pearce: My Bill related to England only, so it made the pool of people that I could get the 100 from even smaller.

Q42 Bob Blackman: Teresa, I think the debate on Second Reading of your Bill was a shade under four hours—something like that. On the day, there were two urgent questions. What was the impact of the urgent questions on the debate and your chances of getting the debate concluded?

Teresa Pearce: To be honest, the result probably would have been the same, but it did not help. The fact that there were urgent questions meant that the amount of time I had was shorter, so the people who are very good at talking for a long time had to talk for less time to talk it out. It just made talking it out easier and my task harder. Even if the urgent questions had not been there, I think my Bill probably would have had the same fate, because it was clear that that was what was intended.

Q43 Bob Blackman: There were quite a range of speakers in your debate, covering a wide range of topics. Do you think that there should be any control, say, of the number of speakers who should be permitted on Second Reading? Alternatively, some of the other things that we considered included having time limits or something like that. Do you think that such things would have an impact?

Teresa Pearce: I would be resistant to limiting the number, because who chooses? It does not seem fair. If people have made the effort to get there, they may have something to say that is relevant and it may only take 30 seconds. I have to say that I am unclear about the time limit position, because I am not sure whether it is already within the rules of what the Speaker and Deputy Speakers can do. I know that they can suggest time limits and sometimes they can impose them in general debates during the week, but I am not sure what the situation is. My understanding is that possibly the Speaker can make that ruling at the moment.

Bob Blackman: Okay, thank you.

Q44 Ian C. Lucas: Nick, was your Bill the same as the one presented in the previous Parliament by Jonathan Evans?

Nick Thomas-Symonds: It was a very similar Bill.

Ian C. Lucas: Was it the same, or was it very similar?

Nick Thomas-Symonds: I cannot remember, to be frank, whether it was word-for-word the same. I did make some slight changes.

Q45 Ian C. Lucas: That previous Bill was obviously resisted in some way by the coalition Government. Did you have discussions with this Government about your Bill?

Nick Thomas-Symonds: I had a discussion with the Minister for Life Sciences—I have had further discussions since—and he expressed a number of concerns about the Bill, so I was aware that the Government shared some of its aims, but had concerns about the mechanism. I was certainly aware of that. I always offered and still offer to be constructive about that, to see if there is a way to find common ground. Unfortunately, my Bill was second on the list that day, and just after 2 o'clock the Minister—not the Minister for Life Sciences, but another Minister—announced at the beginning of his speech that he was going to talk until 2.30 pm and so talk out the Bill. However the Government wished to defeat the Bill, that was not a particularly elegant way to do it.

Q46 Ian C. Lucas: But it was honest, which is unusual in this context

Nick Thomas-Symonds: I don't dispute that. The one thing that the Minister did not do is simply talk. He did actually say at the beginning of the speech that he intended to do that. That is true.

Q47 Ian C. Lucas: Mike, essentially your Bill was a handout Bill. We had handout Bills when Labour was in power as well. It was essentially a Government Bill, wasn't it?

Mike Wood: Yes.

Q48 Ian C. Lucas: Do you think private Members' Bills should be used by the Government to implement Government legislation?

Mike Wood: I don't think I am giving away secrets to say that it was not the first Bill they suggested. The first couple of suggestions they made did not greatly appeal—I could not see the constituency link. Riot compensation is an issue with a direct constituency link and, in fact, a personal family connection. To be honest, had my PCC come to me with that proposal, I would very happily have taken it forward.

Q49 Patrick Grady: Nick and Teresa, if there had been a Division on your Bills, what do you think would have happened? Teresa, it seems that there was not a formal attempt to claim closure, although you had had quite a considerable debate despite the fact that it was interrupted. Was that because you didn't think you had the numbers?

Teresa Pearce: Yes, I didn't have the numbers. One of the reasons that I did not was because on previous Fridays a similar thing had happened and people had lost faith that anything would be able to get through. Each time it happens, it is harder to get someone because they think it is a waste of their time. People need to be in their constituencies. I would not have had the numbers. I might have got relatively close but it would not have been the number.

Q50 Patrick Grady: Out of interest, out of the people who were there, if there had been a Division—

Teresa Pearce: If it had just been a majority vote, I would have had the majority, but it was not sufficient to win. It was not 100.

Nick Thomas-Symonds: Had there been a vote, I am very confident that it would have been won. There was support across the House for my Bill—from Conservatives, the SNP, a number of Labour colleagues and Plaid Cymru. I did attempt to close it, but the Deputy Speaker would not accept the closure motion. On my Bill, the House in general was united. I cannot remember many discordant notes.

Q51 Patrick Grady: I remember there were two or three attempts to close. I made a point of order and I think the Deputy Speaker thought that I was trying to make a closure, but I wasn't. I had to tell *Hansard* to ensure that it was clear that I was not challenging her authority. I just wanted to say that there were 13 SNP Members there. That is a bit of an issue as well. Even if you get the charities to mobilise and you get 100 people there, it is still in the gift of the Chair—for whatever reason that they do not have to vocalise—to decide whether to accept a claim of closure in the first place.

Nick Thomas-Symonds: The confusion about my Bill from constituents I spoke to is that they could not understand how such a positive debate in the House with so many speakers from different sides speaking positively could not end in a vote. That was the big thing that I found very difficult to explain.

Q52 Patrick Grady: Could you briefly say a little more about the background of the Bill and the support you got from NGOs or charities?

Nick Thomas-Symonds: The Bill started in the previous Session, as Ian pointed out. Jonathan Evans, the former Member for Cardiff North brought forward the original concept of the Off-patent Drugs Bill. Quite simply, the issue is that although the drugs can be prescribed at the moment, they are not done so consistently across the medical sector. There are some sectors, such as paediatrics, where the prescribing happens but it does not happen consistently across sectors or across the country. It would happen, for example, in a specialist cancer centre quite consistently, but not necessarily by other prescribers. That is the problem that the Bill was seeking to address and the mechanism was to put a duty on the Secretary of State to seek licences for drugs and new indications—that was the mechanism that the Government did not like.

What I did was to garner very significant support for it across the medical sector from a tremendous number of medical research charities, things like the BMA and a number of the royal colleges. There was a huge breadth of support for it out there in the medical profession. Also, within the House, one of Patrick's colleagues, the Member for Central Ayrshire, who is a former breast cancer surgeon, also spoke strongly in favour of the Bill on the day, based on her practical experience. So there was this extraordinary breadth of support both outside and inside the House, but then it met this block that simply was not surmountable, really.

Q53 Jenny Chapman: Something that the Clerks said when they came to give evidence really struck me. They said, quite bluntly, that all and only Government Bills go through. I just wish that every new Member was told this when they got elected. It is pretty clear that whatever we do with the Friday, in terms of closure, time limits and votes, is not really going to get us very far, because the Government can then kill a Bill off in many other ways—through Committee and allocation of time and all of that. So a Government, should they wish to, can always kill a Bill in one way or another.

What do you think would be the right way to kill off a Bill? I know Charles gave us guidance about not just saying what we think, but I think the way we are doing it now is dreadful—a deceit. We are lying to our

constituents. So if we are not going to do it through one of those fancy footwork days on a Friday, what is the right way of doing it?

Nick Thomas-Symonds: I personally think a vote is the right way, and I think it is to get to a vote on something. Jenny, you are entirely right. I was acutely aware when I was drawn, so I hoped my private Member's Bill would be part of a broader campaign, really. I wanted it to be something that somewhere down the line might get a result or a change, but history always suggested that unless you had the backing of the Government, whether tacit or overt, ultimately it would go into the sand as a private Member's Bill. But I do think that even if you take that into account and accept the Executive dominance of the legislature, there are still cleaner, more efficient ways to deal with private Members' Bills than the talking-out method.

Mike Wood: But I think it is important to recognise the difference between saying, "Only Government Bills will possibly progress," and, "If Government is actively opposed to a Bill, it won't progress." I think it is the latter that is the case. When in a previous life I was working in public affairs, we had a number of Bills that membership organisations were putting forward that were most certainly not Government Bills, but they did progress to legislation.

Q54 Jenny Chapman: Which ones were they? That contradicts other evidence that we have had.

Mike Wood: The microgeneration strategy. Alan Whitehead and, I think, Mark Lazarowicz—this is from memory, going back several years—took forward Bills that were certainly not instigated by the then Government, but the then Government did not actively oppose them, which meant that they were able to be successful, having been very high up the ballot.

I think Nick makes an important point that even if we change the rules in terms of talking out, the reality is that, in a parliamentary system where pretty much by definition the Government can rely on a majority of the Members of the House of Commons, it is still going to be very difficult for any private Members' Bills that have the active and strong opposition of the Government to progress.

Q55 Jenny Chapman: I am not arguing with that; I just want to know what the right way is for the Government either to demonstrate that opposition or to show that the Bill does not have the approval of the House. Nick suggested a vote, but what do you think would be the right way?

Mike Wood: I think earlier I suggested moving to discussion on a day when there is a more representative turnout in the House of Commons—mid-week days or even the equivalent of a deferred Division.

Chair: Mike, the Committee is fairly uniform in its view that Bills will be killed off, but I think most people here and even the public accept that if a Bill is killed off by a vote, that is the way it works. They understand that. What they do not understand is gaming and talking out. They think that that is rather dishonest.

Q56 Sir Edward Leigh: May I comment on that, or ask a question? I think this is really a problem with expectations rather than procedures, because we all know that not a single controversial Bill has got through in 50 years unless the Government have given it time. When I came in the top six and did a private Member's Bill on footpaths, I took care to get the rambblers to agree, along with the CLA, the NFU, the Labour party and the Conservative party, so we all know what happens in reality.

The problem with all this is that if you move it to a Wednesday, you're right: all the Government will do is ensure that the Bills are voted down. Members of Parliament will be kept here after 7 o'clock; the payroll will be invoked; and your Bills will all be voted down. I don't know whether you think that is any better, but at least you have a fighting chance on a Friday. I know that the likes of Philip Davies and David Nuttall are talking you out, but at least they are Back Benchers, and of course you could conceivably get 100 people in, as happened on the Hunting Bill, the abortion Bill, the referendum Bill and so on. It is really the same question as Jenny was asking. Given that the Government are never going to allow through a Bill they do not like—by the way, I am astonished the Minister did not meet you. That is incredible—really bad form. Given that the Government are going to do that—do you see my point? The public may understand it more, but the end result is going to be the same, isn't it? If the Government do not like the Bill, they are just going to wheel in the payroll and vote it down. That is the reality, isn't it?

Teresa Pearce: The point is that we understand that, but the public don't. It needs to be more transparent, because the public do not know what we do. They do not know what you are doing and we are doing here now. They think that because we are not in the Chamber, we are not working. There is a big misunderstanding about what MPs do, and something as archaic as this makes that more so, because it looks like we are enjoying ourselves playing games on a Friday afternoon, and none of us were enjoying ourselves. If, when a draft Bill was published, the Government had to make a statement as to whether they supported it, that might be more transparent.

Sir Edward Leigh: That is a good idea.

Teresa Pearce: I think that last time it was Andrew George's private Member's Bill that got through the Commons—got through that bit—but then the Government found another way to kill it by not moving the money motion.

Chair: One of the most unattractive things is when a Minister stands at the Dispatch Box—I have seen this happen—and says how much they personally welcome a Bill, knowing full well the Whips have organised certain individuals on the Back Benches to kill it. That is particularly distasteful.

Q57 Mr Nuttall: Do the members of the panel think that there should be any difference in terms of the procedures and the time for debate between a Government Bill and a private Member's Bill?

Teresa Pearce: A Government Bill is different, because they have been democratically elected by the whole country on a manifesto. A private Member's Bill is different, but the point I was trying to make earlier is that either there is a role for private Members' Bills or there isn't, but to pretend there is a role when really there isn't—because unless the Government support them, they won't get through—is just wasting everyone's time.

Nick Thomas-Symonds: Yes, there should be a difference; I agree with you. In terms of whether that involves the amount of time spent, for example—

Q58 Mr Nuttall: But you don't think it should be less time for a private Member's Bill than a Government Bill?

Nick Thomas-Symonds: Yes, I do. In terms of the two things, I agree with what Teresa said. Just let me be clear with you, David—and to exonerate you, by the way, you did not talk out my Bill, as may have been suggested. The Government clearly have a mandate from the electorate, so the Government have the domination of parliamentary time. They also have the right to bring forward the Bills that they flagged in their manifesto and so on. The point is that at the moment the difference between the two is too stark. The problem is with the means of defeat. How do a Government lose a Bill on the Floor of the House? They lose it because it gets voted down. That very rarely happens, as we know, to any Government, whether majority or minority. The issue with a private Member's Bill is the means of defeat. The filibustering, or however we wish to describe it, just looks archaic and unclear to the public. That is the point I am making.

Mike Wood: We also have to accept that the vast majority of private Members' Bills never get anywhere near an opening debate, whether we are looking at presentation Bills or ten-minute rule Bills, which, in the

public's mind, are exactly the same as any other private Member's Bill. I am sure all Members will get similar correspondence to the emails I have received asking me to support a Bill that is due in the House of Commons in two months' time, when you know very well that it is the eighth item on the agenda and that there is not the slightest chance that it will be debated, let alone voted on.

Chair: Our previous Committee did make recommendations to sort that problem out, and I am sure that that will form part of our next report as well.

Q59 Mr Nuttall: If I understand the panel correctly, no one thinks that a private Member's Bill is entitled to an easier passage than a Government Bill.

Teresa Pearce: No.

Nick Thomas-Symonds: No.

Mike Wood: No.

Q60 Mr Nuttall: On that basis, given that a Government Bill is usually allocated a full day's debate on Second Reading, do you agree that it would be fair and reasonable to expect a private Member's Bill to be debated over a full day?

Nick Thomas-Symonds: I would not necessarily equate the two, David. I understand the point you are making, but I don't think you necessarily have to have an absolutely full day. Simon's point, at the start of the evidence session, about an allocation of time—however long that might be—would strike a balance. If you are second on the list, as I was on that Friday, you at least have a guarantee that you are going to get a hearing, and the filibustering then becomes unnecessary. That would represent an improvement.

While you might have six hours protected on a Government Bill, for example, I don't necessarily think that you need that guarantee with a private Member's Bill—I don't think that that is necessary. I would also argue that most Government Bills—especially the larger elements of the Government's programme—will be omnibus Bills, whereas some private Member's Bills will be very narrow and very niche, so they would not necessarily need the same treatment. It is just the clarity, the perception of fairness and the procedure that concern me.

Mr Nuttall: I am conscious of the time, Chair.

Chair: I am happy to give Mr Davies a couple more minutes than he would otherwise get. I feel rather guilty that we are constraining him to

only 23 minutes. Do any other colleagues have questions to put to our excellent panel?

Q61 Mr Nuttall: I have others I can raise. This is specifically to Teresa. With your Bill, did you consider having explanatory notes?

Teresa Pearce: To be honest, I didn't think it needed them—it was quite a simple Bill. It was longer than I hoped it would be, because it had to deal with academies, as well as other state schools. But maybe you raise a good point.

Q62 Mr Nuttall: Your opening speech was 19 or 20 minutes long, depending on which of the pieces of evidence before me I believe—I recorded it at 19 minutes, but the Clerks think it was 20 minutes. Either way, it was 19 or 20 minutes long, with no explanatory notes, and that was it.

Teresa Pearce: I personally did not find the legislation that complicated, but if some Members did, providing explanatory notes might be a good suggestion.

Q63 Chair: Winston Churchill commented that if a man—I suspect women would be encompassed in this too—could not give a speech about something in 20 minutes, he should go away and write a book about it.

Teresa Pearce: Maybe I will do that next.

Chair: I think 19 minutes is more than long enough to explain what you are trying to achieve.

Teresa Pearce: With any piece of legislation, you have to draw it up and go through all the caveats, so it is always longer than you expected.

Q64 Mr Nuttall: Incidentally, just to remind Members, this was the Bill that required the Secretary of State to conduct a public consultation about its anticipated content and delivery. Normally one would expect such a consultation to have taken place before the Bill was brought forward.

Teresa Pearce: That is something I have considered since. Maybe we should have pre-legislative scrutiny over private Members' Bills, rather than wait till they get to the Floor of the House. But you did make it very clear on the day that you thought it was a bad Bill, so I see that nothing I said dissuaded you.

Chair: Thank you very much, panel. It is now ten past three and I am going to be ruthless in my timekeeping. I was not so ruthless half an hour ago as I arrived late to my own Committee, which is not a good thing to do if you are chairing it. Thank you very much, Nick, Mike and Teresa. That was fantastic. If you want to put anything more in writing, please

do. So, without further ado, we shall invite Mr Philip Davies to come before us for one of his irregular appearances in front of this Committee.

Examination of Witness

Witness: **Phillip Davies MP**, Conservative, Shipley, gave evidence.

Q65 Chair: Mr Davies, what happens when an unstoppable force meets an immovable object, and I am the unstoppable force and you are the immovable object? In physics it cannot actually happen, so somebody in this battle to the death between Holmes and Moriarty is going to go down. Who is it going to be? Are you going to succeed in maintaining private Members' Bills as they are currently constructed, or is this Committee going to carry the day with what many of us feel would be much needed reforms?

Philip Davies: Obviously, I hope I am successful, but my track record in success at whatever legislation comes before the House is not great. I am sure you have far more friends in Parliament than I have, Mr Walker.

Chair: You are being very, very coy.

Q66 Mr Mak: Two questions. You are obviously very well known as someone who speaks frequently on a Friday, often with the intention of trying to talk out a Bill. When you do that, how do you see your role in the Chamber? Is it as a legislator or do you feel you are performing some other democratic function? Secondly, there was an article in *The Times*, as you may be aware, where you and other colleagues who fulfil a similar function were described as almost taking on unilaterally the role of arbitrators as to which Bills would proceed and which would not. What is your response to that?

Philip Davies: My role is no more powerful than anybody else's. Every MP has the opportunity if they so wish to come on a Friday and influence the outcome of what happens on a Friday. The fact that the vast majority of MPs choose not to do that is a matter for them. I happen to choose to come along and contribute to the debates. Because so few MPs turn up to contribute, it means that I have more influence than I otherwise would if more MPs did come. But I cannot be held responsible for that. I come along simply with the purpose of trying to achieve the outcome that I want to see.

If there is a Bill that I think is very good, I support it. I supported Nick Thomas-Symonds' Bill by not speaking at all, because if you want to support a private Member's Bill, the best way of supporting it is not to say anything. It sometimes surprises me how many people waste so much time on a Friday by saying how much they support a Bill, and before you know it, two and a half hours are up. They might want to

reflect on their strategy a bit better. So I support a Bill by not speaking at all and stop a bad Bill from going forward by running out of time. Like any effective MP should, I will use whatever procedures are in place to try and bring about the outcome that I think is best for the country and for my constituents. I certainly do not make any apology. If I am accused of being effective, I will plead guilty to being effective and I will take that as a compliment rather than as an insult.

Chair: But the dissenting voice is always more powerful on a Friday than those voices in support. You could have 90 in support, desperate to support the Bill, and one voice—your voice—could derail that. So I think you are in a very powerful position.

Q67 Jenny Chapman: I think you are a class act, and I am an admirer of you in the Chamber. I understand the motivation.

Philip Davies: I sense there's a but coming here.

Jenny Chapman: No, there isn't. You are a Government Back Bencher with a noble motive to stop tosh getting on the statute book. I completely understand that. Because the system is the way it is, the means by which you are forced to achieve that is to do what you do so well on a Friday. If you were not doing it and we were in power, Ian might well be doing that job. That is the truth of it. However, do you think there might be other means for the Government to kill off Bills? You will have heard the discussion before you got to give evidence. What is your view on other means that may be less alienating for our constituents by which the Government can be forced to show their hand or can stop tosh getting on the statute book?

Philip Davies: I think I should point out at the start that I am not here to do the Government's bidding for them. Anyone who knows anything about me at all will know that if the Government specifically asked me to help them talk out a Bill, I would tell them to do their own dirty work.

Q68 Jenny Chapman: They don't need to ask you, do they?

Philip Davies: What I am saying is that I will try to block a Bill that I think is bad irrespective of whether the Government think it is bad.

Q69 Chair: Mr Davies, that's not quite what you said in the last evidence session in the previous Parliament. I seem to recall that you said that you might occasionally have a friendly word with the Whips.

Philip Davies: Of course, I always have friendly words with the Whips. Even if I am disagreeing with them, I have a friendly word with them, but that doesn't mean that we agree with each other. My point is that I will decide whether it is a Bill that I support. The Whips don't decide for

me whether it is a good Bill. It is impossible for me to talk out a Bill single-handedly. I can't keep a debate going single-handedly for five hours, so if there is a Bill that I think should be blocked and stopped, I inevitably have to seek like-minded colleagues who want to stop it. That may sometimes be the Government or it may not. Maybe those who support a Bill should seek support in the same way that I seek support from my side.

In terms of the other means, the premise of what you said—what you said was very kind, and I appreciate that—was right in that I don't set the rules; I merely use them. If the rules change, so be it. It will mean that everyone will change and do things according to the new rules, and I would change accordingly. If everything was forced to go to a vote, I don't think there would be any change and the result would be the same. Sir Edward Leigh made that point before. It is quite right that it would just be voted down instead of talked out. There would be no difference in result. If you don't mind me saying so, the only downside of that is that if I knew that something was going to go to a vote and I had already satisfied myself that the Government were going to vote against it, there would be no point in me contributing to the debate.

Q70 Jenny Chapman: And we would all miss out.

Philip Davies: I am sure there would be cheers around the country at the fact that I was not boring everybody rigid with a speech, but the serious point is that all we would therefore probably hear is one side of the argument in the debate. Somebody would come with a motherhood and apple pie Bill, as happens at the moment, and everyone would be falling over themselves to say how much they support it, because they think that they might gain three extra votes in their constituency by saying that they support a worthy sentiment, but nobody would actually give the counterview. Why would they? They're not going to make any difference to the end result—it's going to get blocked—and it takes up a lot of time, so you just wouldn't bother.

The debate would actually be worse, because you would only hear one side of the story. If only one side of the story was heard and nobody had even considered another point of view or another opinion, the public may be even more baffled that a Bill hadn't got through when the opinions were all the same. People would ask, "How on earth does a Bill that nobody ever spoke against not get through?" I am not entirely sure that the public would be so better served by that, because you wouldn't hear any other opinions.

Q71 Jenny Chapman: If I can just interject, why would you only hear one side of the story? You are assuming that only the presenter of the Bill would get to—

Philip Davies: If the purpose of me contributing to the debate is to try to stop Bills that I think are bad, this is the mechanism that I have to use, under the rules, in order to block these Bills. If there was another mechanism of blocking them that didn't involve me speaking in the debate, the chances are that I would use that mechanism and therefore nobody would hear another point of view. You would only hear one side. When we have a debate, whether people like the outcome or not, at least people get to hear that there is a different opinion on a particular Bill.

Q72 Bob Blackman: Having been on the receiving end of one or two of your excellent speeches, I appreciate what you do and understand the process completely. You do it extremely well and extremely effectively.

One of the concerns that we've been looking at is that the only private Members' Bills that seem to get through are those that are tacitly—or not even tacitly, but commensurately—supported by the Government. So have you actually talked out any Bills that are clearly Government-supported?

Philip Davies: I don't know; quite possibly, because the thing with private Members' Bills on a Friday is that if you move it to another day, every Bill that goes through will inevitably be a Government Bill. The great thing about Fridays is that if you can muster 100 people here, the Government will not muster 100 people here. The Government may have 40—they may have enough to win a vote on a normal turnout—but if you get 100 people here, you will defeat the Government on a vote, because they will not have 100 people here. That's the great thing about a Friday.

Now, it may well be that there have been Bills that the Government have supported where they didn't have 100 people here and I have managed to block them. The Government eventually compromised on one Bill, which was the scrap metal Bill and which I was on the verge of blocking until they compromised on a particular thing that was important to me. Otherwise, that would have been blocked and they knew it, and that's why they eventually came to me to seek a compromise to enable it to go through.

So yes, you can have leverage. A Back Bencher has leverage on a Friday that on another day of the week they would never, ever get. So it's not just the promoter of the Bill who's the Back Bencher who has leverage on a Friday; it's also the other Back Benchers contributing to the debate who have leverage on a Friday. If you moved it to another day, no Back Bencher would have any leverage whatsoever.

Q73 Bob Blackman: At the moment, obviously there's a trigger point at which a closure can be reached, which is 100 MPs. Do you think that if we got to conclusions on votes, but a minimum of 100 MPs had to support a Bill if there was a Division for it to get a Second Reading, that would be a reasonable alternative approach?

Philip Davies: Without thinking it through, if the trigger is that there has to be a vote on a Bill and if 100 people don't support the Bill it falls, then that would be a reasonable criterion. But you see, it wouldn't make any difference in effect, because that's what happens at the moment. That's my point.

Q74 Bob Blackman: The reason I say that is that clearly one of the reasons why you speak for a long time to kill a Bill is to prevent it from getting to a vote and getting a Second Reading. Now, people in your position who would speak about Bills may take a contrary view and say, "Okay, we'll have a vote on this and if you can demonstrate real popular support among MPs, then you can get it to Committee. If you can't demonstrate popular support for a Bill, then the Bill will fall anyway."

Philip Davies: But that's what happens now, largely. I mean, if 100 people turn up to support a Bill, it will go through.

Q75 Bob Blackman: Only if they can get a closure motion.

Philip Davies: Yes, but any Bill that comes up first on the day will get a closure motion. I mean, Nick Thomas-Symonds had a problem getting a closure motion because his Bill was second on the day and the Government Whips successfully managed to make the first debate last so long that they knew there would be no time for a closure motion. That was what happened on that particular day. But with any Bill that comes up first, if 100 people are here to support a closure motion they will get it; the Speaker will give a closure, and they will get it through. So, I see what you're saying, but in practice it won't actually make a fat lot of difference.

If 100 people are here, it goes through, and I think that's a perfectly good check and balance. It means that there is a mechanism for me and other people to block a Bill that doesn't have much support but is a worthy sentiment, and there is also another mechanism. I mean, it's only 100 out of 650 required, and if a Bill can't get 100 people mustered to support it, why should it go through anyway out of 650? The current system has a perfect check and balance to it.

Q76 Ian C. Lucas: If there is a vote on a private Member's Bill and if the Government wanted to oppose that Bill, they would have to say so through their Minister, so there would be a debate. Opposition would be

expressed in the Chamber through the Minister if there was to be a vote on an issue. So what you said earlier isn't right, is it?

Philip Davies: Well, no, because the thing is as well that at the moment on a Friday there is no necessity for that to happen either, because if the Government judge that there are fewer than 40 people here, then they just don't vote. So, on that point, the Government do not even have to get their hands dirty, anyway, because they can just rely on the fact that there are not 40 people here for a quorum. If there are not enough people here, it does not go through for that reason.

Q77 Ian C. Lucas: What we are suggesting is that there should be votes on a Bill, so that the position is clear and Government are held to account for their own position and are open about their own position.

Philip Davies: Yes, but when there is a vote, there is no obligation for people to vote. If the Government judge that there are fewer than 40 people here, they just won't vote, and therefore the Bill will fall, because the House is not quorate. The only way your system would work is if you move the day of the vote, so that it was on a day when everybody was here. All I am saying is that that is all well and good, but you would certainly make sure that every single Bill became a Government Bill. That might be what you wish to achieve, and that is fair enough, but a Back Bencher would have absolutely no chance at all of getting something through.

Q78 Ian C. Lucas: What we want to achieve is clarity that the Government, if they are obstructing a Bill, are seen to be obstructing a Bill. Now, you are straightforward, Philip; no one would say anything other than that. Don't you think that the Government should be straightforward as well? That is what this is about.

Philip Davies: I am in favour of everybody being straightforward, but I am afraid that that is not the case.

Q79 Ian C. Lucas: It isn't at the moment, and that is why we are trying to change the system.

Philip Davies: It is not just the Government who are not straightforward about it, I might add. There are—if you don't mind my saying so; I am not giving a popular message here—lots of MPs generally who are not straightforward either, and they will happily give people the impression that they support some worthy sentiment, knowing full well that it is a load of old cobblers. They rely on straightforward old me to go and take all the flak for blocking it, and then they go around saying, "Isn't it terrible what he did?" They will come to me and say, "I agree that that was a load of old nonsense. Well

done for doing that.” It is not just the Government here. MPs are just as guilty as the Government.

Q80 Ian C. Lucas: Before you get too carried away, I think you are straightforward. I think you are wrong a lot of the time, as well. I would never delegate to you, Philip, with the best will in the world, the decision on whether a Bill was bad or not. For example, you say you speak against bad Bills. What was bad about Teresa Pearce’s Bill?

Philip Davies: I actually spoke to all of the schools in my constituency about that Bill, and they were all of the same mind as me. I reflected their opinion, which was that first aid education should not be a compulsory part of the national curriculum. Now, I am all for first aid being taught in schools, and in many schools it is. I am all for kids learning first aid at Scouts, Cubs, the Duke of Edinburgh’s award and all the rest of it, but I am not in favour of it being a compulsory part of the national curriculum. That is basically my view: that it should be left for schools to decide for themselves. That is a clear, principled objection to making it a compulsory part of the national curriculum, and that is why I wanted to block the Bill. I might add that the schools that I spoke to in my constituency did not want it to be a compulsory part of the national curriculum either. I have no idea what the schools in your constituency thought. They may have had a different view.

Q81 Ian C. Lucas: That was a succinct summation of your opinion. It took 52 minutes on that morning. Do you think that that brought Parliament into disrepute?

Philip Davies: No.

Q82 Sir Edward Leigh: I think the only advantage of the present system is that at least on Fridays Back Benchers have a negative power. They do not have a positive power. They can stop something happening, but they cannot make something happen. There has been far too much focus on you in all this, if you don’t mind my saying so; it is not your fault. The fact is that if you were not here, you would simply be invented. I was here during the era of Eric Forth, who was your predecessor. After you, there will be somebody else. Before Eric Forth, there was Michael Brown. When I arrived, the Government wheeled in three or four ambitious young Back Benchers who did the same job as you.

What worries me is that if we move it to a Tuesday or Thursday—I can understand your point, Ian, that at least it would be transparent: the Government will vote Bills down—there will just be another little debate, virtually nobody will take any interest and the Government will vote it down. Loads of people will be required to stay here all evening on a Tuesday or Wednesday, and whether they will really enjoy that, I do not

know. Unless anybody can provide a better solution, I am not sure what alternative there is.

Is there any way that we could keep the present system, where you talk and all the rest of it, but at the end of it, force the Government to come in and vote a Bill down—make all these Ministers come in on a Friday and vote? There is some merit in that, isn't there? Perhaps you do not think so.

Philip Davies: The more involvement you give the Government in this, the less chance that Back Benchers will have any influence over what happens. If you go down that route, and it is a perfectly respectable view to hold, in my opinion you may as well just abolish private Members' Bills and be done with it. If you want it to be transparent and to show that actually the Government's in charge, well that's an argument for abolishing private Members' Bills altogether. I still actually like the idea that there is an opportunity on a Friday, 13 weeks of the year, for Back Benchers to make a difference to what happens.

Ian C. Lucas indicated dissent.

Philip Davies: Well they can. It is no good having me here, claiming that I've blocked Bill after Bill after Bill, and then in the same breath saying that Back Benchers, which I am—the ultimate Back Bencher—have no power. Either I've got power to influence things or Back Benchers don't, but you can't have it both ways.

Ian C. Lucas: They can't legislate.

Q83 Chair: It is an interesting suggestion you make, because it is possible than when our Report is brought forward and it is tabled for debate someone may table an amendment that private Members' Bills should be scrapped in their entirety—that they no longer serve any identifiable useful purpose. It will then be for the House to decide. You know, Philip, as an experienced politician, we cannot decide anything for the House. We will put forward some proposals and people will decide whether our proposals are acceptable or not, or may amend those proposals, but I think the idea that private Members' Bills hold some position in Parliament that means they are untouchable, either from reform or from being got rid of, would be mistaken.

Philip Davies: Could I make a suggestion along those lines? What you might want to consider is that you keep the private Member's Bill slots, but in effect they become a longer version of ten-minute rule slots; so you do not come with something that is ultimately going to be a successful Bill, but you have a great platform to raise an issue, which you hope one day a Government may legislate on in another Bill. You don't actually pretend at the end of it that there is going to be some

legislation, but Back Benchers have a platform to raise issues that can be then considered for future reference. I think that might be a more honest way of achieving, and being honest about, what a private Member's Bill day can achieve.

Q84 Edward Argar: You are, Phil, as ever, as erudite as you are eloquent, although we may not agree on everything. A couple of reflections: how many times in your recollection, over the past Parliament—2010-2015—do you recall on a Friday there being 100-plus Members in for private Members' business?

Philip Davies: Not many. I honestly don't know. Obviously there were a lot here for the—

Edward Argar: Assisted dying.

Philip Davies: Well, the European Union (Referendum) Bill twice, I think, in the last Parliament. Over 300 MPs turned up for that; and obviously there was assisted dying in this Parliament. Occasionally there are 100; occasionally there will be—but very occasionally.

Q85 Edward Argar: I don't know—the Clerks may be able to tell us—when the Standing Orders setting the closure motion at 100 were first introduced. What would be your reflection on the suggestion that, given what you have just said, and given that the patterns of life and the role of Members of Parliament have changed even in the past five years, let alone the past 10, 20 or 30, that limit—that number—should be reviewed, in view of the changes to attendance and the changes to the way MPs treat the House, in a sense, in their attendance?

Philip Davies: I don't think we should pander to people who don't want to be here when they are supposed to be here. Look, it's 13 Fridays a year. There are 52 Fridays in a year. It means that MPs can be in their constituencies for 39 other Fridays in a year. We also have very extensive recesses, I might add, when you can be in the constituency every day of the week. The idea that an MP cannot spare 13 Fridays a year to be in Parliament is, I'm afraid, not something that I recognise. I would say I am as hard-working a constituency MP as anybody, and I just do it on other days. I have 13 days, when Parliament is sitting, when I think my constituents should be able to expect me to be doing my duty in Parliament.

It is up to an MP to choose. They can be here for an EU referendum Bill if they so choose. They can be here for an assisted dying Bill. The point is, if the MP thinks the Bill is so important, they can be here. If they decide that the Bill isn't actually that important, that's a matter for them; but it's no good them saying, "It's a really important Bill, but by the way I

couldn't be bothered to turn up for it." I'm afraid that doesn't wash with me.

Q86 Edward Argar: A final quick one: I'd be grateful for your reflections, Phil, on the point that I put to our three colleagues earlier—I think you were in the Committee Room at the time. Do you feel, with your experience both of the House and of private Members' Bills, that we as MPs and some of the organisations promoting Bills do not do enough to set realistic expectations among those who support them among the public, as to the procedure and the real chances and what will be achieved by introducing a Bill—that in many cases it won't become legislation? It will be a good airing of the issue, but we and others do not do enough to be clear about what the process means and the realistic chances of the Bill becoming law.

Philip Davies: Yes, there is an element of that. There is not enough honesty. Actually, people who want to get Bills through could develop a better strategy for getting a Bill through or promoting their agenda, rather than just going down in flames. There are better methods, but I also think that MPs on the whole are not courageous enough about challenging a Bill that has a worthy sentiment behind it but, in practical terms, is not very sensible legislation. MPs agree too easily to support a worthy sentiment and do not want to be seen to be opposing a worthy sentiment, because they know what happens if they do that: they will get thrown at them all the custard pies that I get thrown at me. They see all those custard pies and think, "I don't want any of those, so I'll go along with it," and maybe they hope that some other fool will talk it out—like me. If MPs were a bit more honest about the merits of a Bill, that would be quite helpful.

Chair: Before we go on, I thought I would give a news bulletin. The Speaker claimed the power in February 1881 to move a closure, and the House granted it in Standing Orders in March 1887. That is interesting—for the Procedure Committee, anyway.

Q87 Patrick Grady: On the thing about having 100 people, as you said, that was not the case for Nick Thomas-Symonds. There were 15 of us who travelled down from Scotland, because it was a Bill that affected the whole of the UK. There might have been more—we never found out how many folk were there, because there was no vote; the Speaker would not allow the closure. Perhaps if there had been a smarter operation and a closure moved on the previous debate, there would have been time.

My real question is about pre-legislative scrutiny. There was a wee bit of chat beforehand about that. How much more sympathetic to a Bill would you or anyone else who has made an effort to talk out Bills or vociferously oppose them be if the Bill were more carefully crafted, if it had

demonstrated a range of cross-party support to get on to the Floor of the House in the first place and if there had been public consultation beforehand?

Philip Davies: Yes, I think that would be a good idea. To be perfectly honest—some people round this table will vouch for this—I offer Members my own personal pre-legislative scrutiny on private Members' Bills, and I make suggestions as to how they might get their agenda moved forward, even if it is not something I totally agree with.

I say this in all honesty: if any MP asks to see me about their private Member's Bill, I will see them and give them advice as to how they can best move their agenda forward, whether through that Bill or not. I do not start out to be unhelpful, but if people do not seek my opinion beforehand, that is their choice. Anything that will iron out some of the practical issues with Bills that start with a worthy sentiment but are impractical would help them to be better Bills—absolutely.

Chair: We are going to wind this up in a minute. I am going to bring Simon in. David, do you want to have a go?

Mr Nuttall: I think we have covered most of it.

Q88 Simon Hoare: I have said this on the Floor of the House and am happy to repeat it now. Philip is absolutely right. When it came to my Bill, you did exactly that. I came to see you and said, "I'm in this place. The Government are not in support of it."

Ian C. Lucas: Did you take him to the Garrick?

Simon Hoare: I did not take him to the Garrick, although I probably should at some point. Thank you, Ian—I shall send you the bill.

Your advice, Philip, was the right advice to take, and it has paid dividends because we are hopefully promoting the principle of the Bill, but by a different mechanism than running at the wall, getting a sore head and then—mixing my metaphors—going down in a great shower of sparks and saying, "Aren't the Government frightful? This idea was marvellous."

I started from a particular view, but the underlying point you were making is apposite: politicians often find it very hard to say no to things that are publicly popular. We are living in the political age of Twitter, where people demand that you attend this and vote this way, that way or the other. Occasionally, we all need to have a little bit more spine and say, "I hear what you say, but I don't agree with you for these particular reasons. I think this proposal is bad because X." What you have said has certainly given me food for thought, as a new Member, about the use of sitting Fridays and better management of the expectation of constituents.

As you say, there are only 13 in a year. We have a lot of other time to do constituency stuff. I am now running for president of the Philip Davies fan club.

Philip Davies: People don't understand the procedures, which is where the problem is. They are not reported, or whatever it might be. What often is a big problem is that people don't understand the merits, or otherwise, of the Bills we are considering—that is the problem. They might think a Bill is all motherhood and apple pie, but if they only realised the downsides of the Bill. The Hospital Parking Charges (Exemption for Carers) Bill is a prime example. It was billed as free hospital parking for carers, which is how everybody thinks of it, and that is how it was reported in the papers. But nobody reported the fact that it would have benefited only one in six carers, and the other five out of six carers might well have had to pay more for their hospital parking. If the papers had reported the actual truth of the Bill, the reaction to it might have been somewhat different. It is not the procedures that are badly understood by the public; it is often the actual Bill itself.

Chair: Is everybody happy? Would you like to ask a question, Patrick?

Patrick Grady: I did.

Chair: Do you want to ask another question? Is everybody content?

Q89 Mr Nuttall: It might be worth mentioning that, of course, some Bills go through the private Member's Bill procedure without a Second Reading debate. What does our witness think about that lack of democracy and debate? Sometimes, if no one shouts "Object," a Bill can go into Committee without having a Second Reading debate. Maybe that wouldn't happen if procedures were changed.

Philip Davies: Yes, I think that is a good point. This is partly on the worthy sentiment thing: if a Bill has a worthy title and a worthy sentiment, it can be nodded through without anybody objecting to it. They daren't object because they do not want to get a load of abuse for having shouted "object." It is dangerous to give Bills a Second Reading without any debate. That is a very bad thing to do, even if it might be a good Bill. It is all right saying, "Well, these things can be decided in Committee," but an amendment might not be selected in Committee or there might not be full time for a debate. In a Third Reading debate you can only talk about what is actually in the Bill; you cannot talk about any other issues related to it. Second Reading is often the best opportunity to set out a wide-ranging view as to what might be right or wrong with the legislation as a whole, in context with other things and all the rest of it.

It is dangerous to have Bills that go through with no debate or very little debate on Second Reading. The thing I worry about is that people seem to come to Parliament with the idea, "I have a worthy sentiment here, and therefore the Bill is entitled to go through with barely any scrutiny." And if anybody does try to scrutinise that Bill, everyone is up in arms about it. I do not understand why, just because it is a worthy sentiment, they think it should therefore be nodded through and rushed through without proper scrutiny. I am afraid that too many people seem to think that they are entitled to have their Bills nodded through because they have a worthy sentiment behind them.

Chair: Thank you, Mr Davies. I am sorry that we can only give you 33 minutes, but thank you for taking plenty of interventions. You have the rare skill of blending being a first class pain in the neck and being a very likable person. You know that I am extremely fond of you, however much I want to nail you on this. Anyway, Philip, thanks very much for coming.

Philip Davies: Thank you for inviting me.

Chair: Thank you for being so open and honest in your evidence.