



Backbench Business Committee

Transcript of meeting

Tuesday 1 March 2016

Representations made before the Backbench Business Committee on Tuesday 1 March 2016

Members present; Ian Mearns (Chair), Bob Blackman, Peter Bone, Kevin Foster, Mr Philip Hollobone, Gavin Newlands Mr David Nuttall and Jess Phillips.

Jo Cox and Greg Mulholland; Mr David Lammy; Mr James Gray; Diana Johnson and Ms Margaret Ritchie; Carolyn Harris made representations.

Questions 1-33

Jo Cox and Greg Mulholland made representations.

Q1 Chair: Good afternoon and welcome to the Backbench Business Committee. First on the agenda this afternoon is a presentation from Jo Cox on educational attainment in Yorkshire and the Humber.

Jo Cox: I was moved to submit this proposal by the great number of colleagues from across the House who contacted me after the Social Market Foundation published a report recently showing that Yorkshire and Humber has the lowest educational attainment of anywhere in England. Colleagues from Yorkshire and Humber approached me to suggest that we propose a Back-Bench debate, but it soon became apparent that we should be having a national conversation about the growing regional disparities in the academic achievement of our children. It is obviously an issue specific to Yorkshire and Humber, in terms of the children there, but some of the determining factors are nationwide.

The report that I mentioned from the Social Market Foundation highlighted that, for example, although 70% of pupils in London now achieve five A* GCSEs, only 60% of children in Yorkshire and Humber achieve the same level, which is of deep concern to most Members from across Yorkshire and Humber. On top of that, last December the chief inspector of schools Sir Michael Wilshaw talked of a deeply troubling educational divide in England, with huge disparities. The disparities are quite interesting; they are not just north-south, but rural-urban. There is a big conversation that we felt needs to be had in the main Chamber of this House.

Let me just underline the cross-party support that we received. Just from Yorkshire and Humber we had 10 Labour Members, five Conservatives and two Liberal Democrats. We slightly struggled to find Members who are not on the Front Benches to sign up, but every Member whose office we spoke to was interested in the idea of some sort of discussion.

Nick Clegg, the chair of the Social Market Foundation cross-party initiative, which is looking at the causes and effects of inequality in education, has also offered his support for this Back-Bench debate, as have Members from across the country. This is an important discussion that we should have as a whole Chamber. It is timely, and I think it is a nationwide conversation.

Q2 Mr Hollobone: Which is the region with the highest ranking?

Jo Cox: Off the top of my head, I don't know. I think it is London.

Q3 Mr Hollobone: My question is about London and why you are asking for qualifications as good as London's, but your answer is that as far as you are aware London is the highest ranking.

Jo Cox: I will have to check that. One of the things that was very clear in the report is that London has recently rolled out a number of really interesting, innovative policies, such as the London Challenge, which raised the standard of leadership in London schools and seems to have had a significant impact on standards. One thing that Members will want to draw out in the debate is what has been trialled in regions that have been successful and have higher educational attainment. Perhaps we can learn from that in Yorkshire and Humber or spread that learning nationwide.

Q4 Chair: The London Challenge is not that recent, though. It began in the earlier part of the 2000s.

Jo Cox: That's right, but as you know it had a big impact. Why are we not rolling it out or trialling other measures in other bits of the country?

Q5 Chair: I have to say that I have a personal interest in this, because I am a member of the Education Committee. We are doing an inquiry at the moment on what education is for.

Jo Cox: I bow to your knowledge in that regard, Chair.

Q6 Chair: Any further questions? Greg, we have had the presentation.

Greg Mulholland: Just to say that this is very much a cross-party initiative. It is something that has support from all Members across the county/region. It is an opportunity to highlight some of the differences in educational attainment.

Q7 Chair: Anything that brings the likes of Huddersfield, Sheffield, Hull and Leeds together has to be commended.

Jo Cox: It was actually quite easy. Perhaps there is a lesson there, in terms of regional devolution.

Q8 Chair: I wish I could have the same success with Newcastle and Sunderland. Thank you very much indeed. That is the end of your ordeal. We will make a decision about the timing, etc. The one thing I would add is that we have no Chamber time between now and Easter that we are aware of. We don't yet know the timings of any potential dates in the last week, but all the Chamber time that we had has been allocated. We may have a two-hour slot in the Chamber on Thursday 10 March, but we are not completely certain about that. All I would say is that there is some time in Westminster Hall if you want this to happen before Easter. If offered Westminster Hall, would you accept it?

Jo Cox: I think we would have a preference, and I know Martin Vickers would agree, for the main Chamber. We would be willing to wait.

Chair: Okay. Thank you very much indeed.

Mr David Lammy made representations.

Mr Lammy: May I just say that Helen Grant is abroad and Kirsten Oswald sends her apologies?

Q9 Chair: Thank you very much. We have an application from you, David, about diversity in the BBC. Could you quickly talk us through the detail of the application?

Mr Lammy: Members will know that the BBC is paid for by the licence fee, and they will appreciate that a range of concerns are held across the House about that arrangement. We are coming up to charter review. One of the concerns is how the BBC reflects our country as a whole. My particular concern is racial diversity in staffing, particularly the Executive Board, and also in programming. There are particular areas such as politics where, I am afraid, the BBC has fallen short to the extent that there are commercial channels that are actually doing much better. Members may come to this debate to raise other issues in relation to the diversity of the BBC. I know that northern colleagues have raised issues. I think it is timely, as we approach charter review, that there is a serious debate about these issues.

Q10 Chair: Thank you very much. Any comments or questions? As you may have just heard, we have very little Chamber time between now and the Easter recess, so my only question is this: if offered Westminster Hall, would you accept it?

Mr Lammy: This is not a time-specific debate, so I am happy to wait until after recess. There is one period before recess where timing would be difficult, but I can indicate that to the Clerk.

Q11 Chair: At the moment, we have allocated time up until Thursday 10 March. The following week becomes the Budget debate.

Mr Lammy: I think I will wait.

Mr James Gray made representations.

Q12 Chair: Briefly outline the reasons for your application.

Mr Gray: I am seeking a one-and-a-half hour substantive debate in the main Chamber on what might seem at first an abstruse, obscure and rather pointless subject but which has more importance to it than you might think. That is the decision by the House of Lords Administration Committee to do away with the age-old procedure of printing Acts of Parliament on vellum. This is a matter that goes back 1,000 years. The Domesday Book, the Magna Carta and every ancient document that you care to mention were printed on vellum. Acts of Parliament have been printed on vellum up to today.

The matter was raised by the House of Lords in 1999, and by a substantive vote on the Floor of the Commons their decision was overturned, and we have continued with vellum until today. The House of Lords Administration Committee, with no discussion on the Floor of the House of Lords, and in discussion with the House of Commons Administration Committee, on which I serve—although I was not present for the discussion—has decided to abolish printing on vellum without further discussion with the House of Commons. That, of itself, is a constitutional matter. The 1847 Act that reconfirmed the practice of using vellum was agreed by both Lords and Commons. It is an obscure constitutional matter, but I think it should be the Commons that decides, if indeed we are going to do this thing.

With regard to the substance, there are a number of reasons why vellum is very important. First, every worthwhile document that you care to mention in Britain today is printed on vellum. Your university graduation certificates, for example, are on vellum. If you give a certificate to the retiring Lord Mayor, that is printed on vellum. Vellum is used for documents of substance and importance, and it is right that the laws of the land, perhaps the most important documents of all, should also be given that honour. It is part of the tradition of this place.

Secondly, the last remaining vellum manufacturer, William Cowley and sons in Milton Keynes, supplies services to the Bodleian Library, the Fitzwilliam Library and the British Library, manufacturing and repairing books and documents in their care. If they lost the House of Commons or parliamentary contract, it might well undermine their wider business. Incidentally, they employ three or four apprentices. They are a very important little employer up in Milton Keynes. The battle to save them last time around was led by the Labour Members of Parliament who at that time represented Milton Keynes.

Thirdly, the decision undermines the traditions of this place. It is a tradition. Schoolchildren who come here like to hear that laws are printed on vellum, and I think there is no need to remove it. Incidentally, the only reason why the House of Lords had to remove it was, they said, because it would cost money. There is some discussion to be had about how much, if anything, it will cost Parliament, not least because paper would require environmentally sensitive archive facilities to preserve it, so somewhere down the road there will be a requirement to build a proper archival storage place for paper. Therefore, I suspect that the switch to paper would actually cost Parliament quite a substantial amount. In all events, the Government, in the form of Matt Hancock, the Minister for the Cabinet Office, has indicated that if necessary, the Government would pay any money required to cover the costs, so it would not actually cost Parliament anyhow.

The motion on which I am seeking a debate has a total of 44 signatures from every party in the Commons. There is very strong support from both the Labour and Conservative parties, but also from the minority parties. We also have an early-day motion. I spent five years on the Procedure

Committee, so I should have known this, but you cannot have an EDM at the same time as a Backbench Business Committee motion. I had not quite realised that, but anyhow, there is an EDM with a very large number of signatures—I think it is 50 or 70—from all parts of the House.

It is both topical and urgent, simply because the House of Lords have now taken the decision. They have given notice to the printers to stop printing, and indeed to decommission the slightly specialist machinery for printing on vellum. Therefore, we must bring the matter to the House's attention and seek to reverse their lordships' decision quickly. We cannot leave it too long, or the mechanism will have gone out of use and we will not be able to restart it. I seek a debate on a substantive motion in the hope that if the House of Commons will agree the motion, the House of Lords, as they did in 1999, will take note of what we have said.

Q13 Mr Bone: Mr Gray, you make a very good case, but I have been following this a little bit, and I read recently that it was now not going to happen—that you had won the argument, and that the decision had been reversed. Is that not right?

Mr Gray: No, not quite. There has been some media coverage of Matt Hancock's announcement that the Government would pay any costs and that they want to see the tradition maintained. That was interpreted as being done and dusted, but the reality of this place, with its wonderful procedures, is that the Administration Committee in the Lords are the people who will decide and the Administration Committee in the Commons are the people at our end who decided too.

The Government, of course, have no part to play in that. It is not a Government matter; it is a parliamentary matter. Although we very much welcome the Government's commitment to reversing the decision, they have no actual constitutional way to do so, which is why, with the Government's encouragement, I have asked the Backbench Business Committee. The Clerks have been very much involved in advising me on this matter. They have said that procedurally, this is the correct way to reverse the Lords' decision. If we can get the Commons to agree to this, one imagines the House of Lords will have to listen to it. The Government's intervention is helpful, but not decisive.

Mr Bone: Thank you for that, because we would not put on a debate where the decision had recently been determined already. That clarifies it.

Q14 Jess Phillips: I don't really know anything about this, so just to clarify, it is the Lords who make this decision, and that is the tradition on such things?

Mr Gray: There is a degree of debate among historians as to what happens. Just to bore you slightly—

Q15 Jess Phillips: Go on, it's not boring.

Mr Gray: In 1849, there was a substantive motion of both Houses to continue the ancient tradition of using vellum. That was a decision of both Houses, so it could only be reversed by a decision of both Houses. In 1999, that was acknowledged when the House of Lords Administration Committee last came up with this idea. It went to the House of Commons Administration Committee, which passed it down to the Floor of the House for a substantive debate. The House of Commons voted against it; they voted to keep vellum. The House of Lords acknowledged that that was therefore the decision, and vellum remained. Both in 1849 and 1999, the Lords acknowledged that this must be a joint decision between the Lords and the Commons.

The Clerks' advice to the Lords and, indeed, to the Administration Committee has changed slightly in the interim. They are currently saying that it is a matter for the Lords to decide, but frankly, I think it is one of those rather shady areas of parliamentary procedure. Even if it is the Lords' right to decide, I think a substantive motion by the Commons would at least make them think carefully. It would be a pretty odd situation if the Commons voted to keep vellum for the recording of our Acts of Parliament but the Lords unilaterally, despite our decision, voted against it. I suspect that we would not do that.

Jess Phillips: You've answered the question, in that it is not a tradition that the Lords get to decide this—just in case you were arguing for the keeping of a tradition by the over-rolling of another tradition. I personally think a lot of the traditions are silly, but I understand that lots of people don't.

Q16 Chair: Can I just clarify this advice about having an EDM and a motion to the Backbench Business Committee? It is the first I have heard that they would be mutually exclusive.

Mr Gray: It is just that earlier today, when I took a carefully worded EDM into the Table Office, they said, "Well, we will certainly table it. However, if you are successful with your Backbench Business Committee motion, the EDM would then fall." That is for the simple reason—I suppose this is correct—that theoretically, an EDM is a request for a debate and therefore, if you have actually got a debate through the Committee, that supersedes the EDM, which I suppose is a perfectly logical point; I just hadn't thought of it.

Q17 Chair: That would be the case only if the motions were identical.

Mr Gray: I would need to take more advice on that. It is an interesting point. They are not identical; they are different. I will discuss that further with the Table Office Clerks. Obviously, I would prefer the EDM to continue, even if you are kind enough to grant us a debate, but whether that will be allowed by the Clerks, I am not sure.

Q18 Chair: As I understand it, having had quick help from my immediate left, it is only in circumstances where the wording of both motions is absolutely identical. Otherwise, they would be regarded as separate.

Mr Gray: I will go straight down after this and seek to persuade them.

Chair: Thank you very much indeed.

Diana Johnson and Ms Margaret Ritchie made representations.

Ms Ritchie: We come to the Backbench Business Committee seeking a cross-party debate and time in the Chamber on issue of the contaminated blood scandal. There have been other debates, including short Adjournment debates, but we, and I think Members right across the House, recognise that the scandal was one of the biggest treatment disasters in the history of the national health service. It devastated thousands of lives, and for many of those affected it had a profound impact not only on their medical and health wellbeing, but on their income standards and that of their family. After they passed on, there was nothing in terms of future funding arrangements for their spouses and for their wider family circle.

The all-party group has had a very detailed inquiry. It made recommendations. We would like Government to take heed of those recommendations on compensation, on a proper payment structure and on the NICE guidelines recognising, acknowledging and making provision for proper medical treatments for people so affected. Currently, there is an ongoing consultation from the Government, but we feel that that falls short. I can think of one particular area—that of discretionary payments—and this is a request from across the House.

Q19 Chair: Diana, anything to add?

Diana Johnson: One of the issues for me is that I chair the all-party group and we have asked—as an all-party group that has more than 80 members across the House and in the Lords—for a meeting with the Minister to discuss some of the concerns that constituents are coming to us with. Unfortunately, the Minister is not willing to meet the all-party group. So we seek this debate in order to contribute during the consultation period and to put to the Minister some of the points that we think it is quite important for her to hear.

May I also just point out that the very first debate that your Committee granted at the start of the last Parliament was on this very issue, and it has been an ongoing issue for many years? We want to get it resolved as quickly as possible and we think that a debate would be very helpful in achieving that.

Ms Ritchie: And a debate would help to shape a full and final settlement, in terms of the medical treatments and in terms of compensation and moneys.

Q20 Mr Bone: It is a hugely important issue, it affects virtually every constituency in the country and it is a terrible problem. The only thing that I would suggest is that, to a certain extent, your substantive motion is a little bit woolly. Margaret, when you spoke you said there were specific things that you needed the Government to do. I think that one of them is probably making unlicensed drugs available. Would it not be more effective if you listed those things in your motion, so that if the House passed it the will of the House was that the Government should do, say, these 10 things?

Ms Ritchie: We would be quite happy to accede to that request, as long as we received an assurance that there was a concession to a debate at some stage within the next couple of months.

Q21 Mr Nuttall: Thank you very much indeed for that presentation. May I just ask you a little bit more about the number of Members who would take part in the debate? You have asked for three hours and we tend to recommend that there should be 15 speakers. The application that I have before me has nine speakers. I think you said that there were 80 members of the group—

Ms Ritchie: It has over 80 members.

Q22 Mr Nuttall: And I am sure that there will be others, but at the moment I just wonder—we would probably not proceed. Without wanting to prejudge what other members of this Committee might think, it is a little light from our technical point of view on names. I just wondered whether you had in your possession the names of other Back Benchers who were willing to take part in the debate.

Diana Johnson: We could certainly get you a fuller list if that is what you require. I have to say to you that when this issue has been debated in the House and in Westminster Hall, it has been

over-subscribed. We have never had a problem with having very few speakers because, as Peter said, the issue covers so many constituencies around the country and this group of people are in touch with their MPs, so I would imagine that we would be in exactly the same position and that we would be over-subscribed if this debate was granted.

Ms Ritchie: And it is an issue that has already received quite a bit of publicity via the weekly articles in *The Mail on Sunday*, so it is quite well articulated in the wider media, and that articulation comes very much from the people suffering.

Q23 Mr Nuttall: I noticed that 28 MPs attended the last meeting of the all-party group, which probably indicates some level of support. When was it last debated, incidentally?

Chair: I think that you said that it was early on in the last Parliament.

Diana Johnson: That was the first debate that your Committee granted, but we have had debates on it since then. I think that the last one was in Westminster Hall. We were waiting for the Government to come up with their consultation, which they issued in January, and we were then waiting really to see what they were offering. This consultation has caused a lot of concern and that is why we want to have a debate while the consultation is open. Also, we want to have an opportunity to raise some issues directly with the Minister, because she will not meet us.

Q24 Chair: From our perspective, Margaret and Diana, if you can add half a dozen names to that list, it would be extremely useful.

Diana Johnson: I'm told that we were at 14 names this morning.

Q25 Chair: In that case, if you can add another two names that would be fantastic.

Ms Ritchie: The various statements in the Chamber have highlighted the level of interest. They normally last about an hour and quite a number of Members have spoken about their particular constituency issues.

Q26 Chair: I have no doubt that the subject matter would generate interest for a debate, but from my perspective, in terms of dotting i's and crossing t's, if you could add those extra names, that would be really useful.

Ms Ritchie: And we have to come back to you with the names.

Chair: You don't have to physically come back. Just submit them to the Clerk. That would be really good.

Carolyn Harris made representations.

Q27 Chair: We have an application from Carolyn about fires in domestic premises caused by electricity.

Carolyn Harris: Thank you, and a happy St David's day to you all.

Over £90 million is spent every year on counterfeit electrical goods or those that intellectually steal the components of bigger brands, such as hair straighteners, mobile phones, phone chargers—anything that has a plug on it. These counterfeit goods are brought into the country predominantly from China. Last year, I think 21,000 items of faulty electrical goods were picked up at Dover port. All those items are potentially life-threatening as they can cause house fires. If such articles were sold through conventional electrical stores, they would be on recall lists. For example, there is a lot of stuff out there at the moment about Indesit tumble-dryers. This stuff is sold online, including on Facebook and Twitter. There is no recourse back to the seller for either the individual or the authorities in terms of prosecutions, so I am asking for a debate in any available Chamber of the House to discuss these important safety issues.

Q28 Bob Blackman: Which Department would you envisage answering this debate?

Carolyn Harris: BIS.

Q29 Bob Blackman: On what basis?

Carolyn Harris: Because we need legislation to ensure that there is an opportunity for prosecutions.

Q30 Bob Blackman: So it wouldn't be trading standards that would enforce it.

Carolyn Harris: Trading standards are really struggling to enforce this because of the cutbacks. I envisage that it would be with BIS.

Q31 Mr Hollobone: I was going to ask a similar question, because I actually think what is causing the Committee a problem is the title of your debate, which I don't think is actually what you want debated. I think you want to debate the importation of faulty electrical goods.

Carolyn Harris: That sounds better to me.

Mr Hollobone: And that would qualify for BIS.

Carolyn Harris: That sounds good to me. Thank you.

Q32 Mr Nuttall: Have you applied through the usual channels to the Table Office? Bearing in mind that you have asked for a 90-minute debate in Westminster Hall—

Carolyn Harris: I have applied for an Adjournment debate every week, but I have not been lucky enough to get drawn.

Q33 Mr Nuttall: Have you applied for a debate in Westminster Hall?

Carolyn Harris: Yes, I have. I have applied for debates everywhere. I can't win a raffle, David, so I didn't expect to win.

Chair: You'll have to buy more tickets, Carolyn. Thank you very much.