



HOUSE OF COMMONS

Backbench Business Committee

Representations: Backbench Debates

Tuesday 5 December 2017

Ordered by the House of Commons to be published on 5 December 2017.

Watch the meeting

Members present: Ian Mearns (Chair); Bob Blackman; Robert Courts; Patricia Gibson; Jess Phillips; Alex Sobel; William Wragg.

Questions 1-6

Witnesses

[I](#): Rt Hon Harriet Harman QC MP.

Written evidence from witnesses:

- [Add names of witnesses and hyperlink to submissions]

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Harriet Harman made representations.

Q1 **Chair:** Good afternoon and welcome to the Backbench Business Committee. This afternoon we have one application, from Harriet Harman, on baby leave for MPs. Over to you, Harriet.

Ms Harman: Thanks very much for letting me come to see you all. I have been Leader of the House, but I have never been to the Backbench Business Committee. It is a real high spot for me to actually be here.

Robert Courts: This is where it's at.

Ms Harman: It is, and let's hope that it will turn out to be. Fifty-one Back-Bench Members—from the Labour party, the Conservative party, the SNP and the Lib Dems, and we also have support from Caroline Lucas of the Green party, but she cannot sign because she is the leader—have expressed support for the motion to be debated. The idea is that this is very much a matter for the House, because it is about making arrangements for women Members of Parliament who are having babies, and for male Members of Parliament whose partners are having babies. This does not apply to me, I hasten to add—it is about 30-plus years too late for me—but I am still on the case.

Chair: I note that you didn't ask me to sign it either.

Ms Harman: That was because you are too elevated.

Q2 **Chair:** Right. I don't feel that sitting in the Chair, but not to worry. Do you think this would require a votable motion, Harriet?

Ms Harman: Yes.

Q3 **Chair:** We can have a discussion about whether this is an appropriate thing to be debated in the Chamber, but if you were to bring forward a votable motion after appearing here, that may help the case for getting Chamber time.

Ms Harman: Okay. I drafted one. It says, "That this House considers that it would be to the benefit of the functioning of our parliamentary democracy that Members who have had a baby or adopted a child should, for a period of time, be entitled but not required to discharge their responsibilities to vote in this House by proxy."

Q4 **Jess Phillips:** This is not really a question to Harriet, but I feel that I should say a massive congratulations to Darren Jones from the Labour party—

Ms Harman: Definitely.

Jess Phillips: He was not on the Whip last night, because his wife was in labour and he has a new baby, born yesterday. It is exactly for people like him that we are aiming to improve the situation.

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HOUSE OF COMMONS

Ms Harman: It is also for his constituents, because they deserve to have a vote recorded from the hon. Member for that constituency and not, by happenstance, to have a situation where it looks as though their MP has not—

Jess Phillips: Bothered to turn up.

Ms Harman: Exactly. So basically, proxy voting empowers the constituency to have their say, irrespective of what happens to people through the course of their life, such as having babies.

Jess Phillips: You can't plan your baby around Brexit.

Q5 **Bob Blackman:** Can I ask two questions? I am very sympathetic to the cause. Given your previous experience, what actually has to happen? Is it a change to the Standing Orders or the rules of the House? How would it work?

Ms Harman: Basically, the House needs to agree with the motion, and the necessary arrangements can then be made under the auspices of the Speaker. The Speaker cannot just go ahead and do it. He has to have the House's approval. Arguably, the Procedure Committee could have introduced this, but it is better to be done not by a Committee, but by the House as a whole. If the issue is about voting, it is better for the House as a whole to have the chance to have a say on it, and then, the detailed arrangements and all of that go to the Speaker.

Q6 **Bob Blackman:** The other issue is, what about Members who are literally convalescing from operations or serious illnesses? They are clearly able to make a decision but may not be able to attend. At the moment, we have arrangements for nodding through, but they actually have to turn up in an ambulance. If we do this, which I am sympathetic towards, what about Members who are in that critical position? There can be people who have had quite serious illnesses; I am one of them, and I had to be absent from the House for three months while I recovered from an operation. What about people in that situation? Do you see that as a natural corollary?

Ms Harman: The thing about having or adopting a baby is that it is more simple and straightforward. There are fewer shades of grey than with how ill a person is or how long they need to be off—you have either had a baby or you have not, or your partner has had a baby or not, or you have adopted a baby and you have a certificate. The benefit of this is that it does not involve the necessary exercise of discretion that there would be if it was about caring responsibilities, bereavement or illness. I do not know what your experience was, but I know a number of Members who have needed bespoke arrangements one way or another; there is a kind of formula that matches the formula in the world outside that we set the rules for. For maternity pay and leave, we just set the rules. I see this as discrete, without being insensitive to people who are ill or who have other issues.

Patricia Gibson: My question very much overlaps with Bob's. I am

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HOUSE OF COMMONS

supportive of the motion; I want to put that on the record. I am new to the House so I may be misunderstanding some things, but I used to serve on the Procedure Committee with Bob and this is one of the issues that came up. The difficulty then was, how flexible do you be? I think we should be as flexible as we can within reason. For example, there is a Member in my group at the moment whose husband is very, very ill. I would not like to speculate how ill, but I know that he is very ill and she is absent from the House. She is perfectly able to make decisions but just cannot be here. If we are going to make these concessions, if you want to call them that, I think we have to be even more inclusive. I hear what you are saying about wanting to limit this motion to new mothers and that is fine, but if the House is going to modernise that is what I would like to see.

Chair: I have always been a person who supports the idea of crossing bridges when we come to them. It is about getting a bridgehead into this whole idea, and this might be the bridgehead for **Members**.

Patricia Gibson: I accept that. I am just curious about how we pursue this further.

Jess Phillips: I am reticent to have the debate right here because this is about whether we should have the debate. Although I absolutely agree with everything that has been said, what we have here for parental leave is not the same as the law outside this building. What we have for sickness is similar to what is outside: there is discretion on things like sickness, bereavement and care. The picture needs to be improved in the House and outside, but at the moment we do not have the same as what is available to lots of the civil service, for example. We are judged by a different standard. To add to what you were saying, Chair, I think that is a debate in and of itself. I encourage us to have one and to get people to put in for one.

Patricia Gibson: **This** is just a start.

Chair: The other important point is that besides whether **Members**, their spouses or their immediate family are ill, in this situation we have a dependent, very small child—usually—and at this time of year, they are usually “all meanly wrapped in swaddling clothes” as well. From that perspective, parental bonding is important whichever walk of life you are in. That is an important fact that we cannot leave out. Thank you, Harriet. That concludes the public business of the Backbench Business Committee.

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