

Procedure Committee

Oral evidence: Voting by proxy in the House of Commons, HC 825

Wednesday 28 March 2018

Ordered by the House of Commons to be published on 28 March 2018.

Members present:

Witnesses Mr Charles Walker (Chair); Bob Blackman; Mr Peter Bone; Bambos Charalambous; Chris Elmore; David Evennett; Helen Goodman; Sir Edward Leigh; David Linden; Melanie Onn; Alison Thewliss; Mr William Wragg.

Questions 127-204

I: Pete Wishart MP SNP Shadow Leader of the House of Commons

II: Valerie Vaz MP, Shadow Leader of the House of Commons

III: Rt Hon Andrea Leadsom MP, Leader of the House of Commons

Examination of Witnesses

Witness: Pete Wishart MP.

Q127 **Chair:** Thank you for coming. You know why you are here. We have had some very good evidence from your colleagues who have a familiarity with the workings of the Scottish Parliament. Before we get into questions, is there any statement you would like to make?

Pete Wishart: Chairman, it is always a pleasure to be back once again in front of the Procedure Committee to get my usual grilling, but I very much welcome this inquiry. I think you know from colleagues you have spoken to that we are very much supportive of the resolution that was passed unanimously with the House. We wish you well in your endeavours to make sure we get an arrangement that makes it work.

Q128 **Chair:** You will secure huge courtesy from this Committee in your role as a Committee Chairman as well. We would expect you to be quite nice to us if we turned up in front of your Committee.

Do you want to say anything briefly in introduction as to why you feel what we are doing is important?

Pete Wishart: Nothing, other than we welcome this, and I think that there does seem to be a good sense across the House that this needs to be addressed and looked at. The resolution of the House and the contributions that were made during the debate set the terrain and parameters for all this.

If it is helpful, Chair, I served on the cross-party Sexual Harassment and Bullying Committee, and one of the things that we were struck by was the culture of the House. Some of this had to be addressed in the several things you are doing through your Committee and the work that we are doing through our group. We are with you in trying to tackle some of these issues because we believe it is very important.

Q129 **Chair:** What is your general feeling about the idea of proxy voting?

Pete Wishart: I think it is a very good idea. It sends out all the right messages about this House taking very seriously issues to do with paternity and ensuring that people have the opportunity to cast their votes. There is an ongoing tension—you and I have been in this House for such a long time—between our duties and responsibilities as Members of Parliament and those that we have as parents. My children are all grown up now so I do not have these particular issues, but I do remember when I had a young son and I was in this House and the tensions that put on us. Anything that can assist Members of Parliament to discharge those responsibilities is a fundamentally good thing.

More than anything else, this House should lead in these types of issues. If we are seen to be a good employer and are seen to make sure that those arrangements are in place, and soundly in place, that sends out a



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very powerful message to other enterprises, industries and businesses right across the rest of this country.

- Q130 **Chair:** The issue that I have focused on, and other members of the Committee have focused on, is that of removing a potential barrier to women considering a vocation in Parliament. What I am concerned about is that Parliament is not a place for mothers. Women say, "I would like to be a mother so I am not going to go into Parliament"—which is a loss to Parliament and a loss to the individual who feels that she cannot go into Parliament. Or once in Parliament, it is a place where it is very difficult to be a mother and they say, "I either will choose not to become a mother or if I do become a mother, I will have one child, not the number that I perhaps wanted".

If we can help remove that barrier I think we will have done a good thing. I have argued that the one thing Parliament has never had a problem doing is attracting men, but we do not have such a great track record with women.

Pete Wishart: Examining issues such as this really helps encourage that. You are right, if you are a young woman from Scotland considering a career in Parliament, you are having to be away from your family for several days in a row and you are looking at the arrangements and worries and concerns that you might have about discharging your responsibilities when you have a young family. Anything that helps to address that can only be a good thing and help encourage a mother considering a career in Parliament.

- Q131 **Mr William Wragg:** Good afternoon. I think the general principle is broadly agreed with, but I am going to put the same question to the three witnesses this afternoon, because I think the devil is in the detail of this. What is your opinion of the need for a Member with a proxy to give explicit direction in advance of each vote?

Pete Wishart: That would be very important. I was very impressed by the submission put forward by the Commons reference group that addresses some of the practical issues around proxy voting. I think the solutions that they came up with do a great deal to address some of these particular practical issues. It is going to be really important that the selection of a proxy is made in consideration of party connections, being able to vote in the same sort of way and a wide range of arrangements.

What we have here, particularly with the reference group, is a real practical way. I know they worked with the Clerks to design a way forward for all this. The relationship between the parent and the proxy would have to be gently negotiated and formalised to ensure that we get the best out of the arrangement.

- Q132 **Mr William Wragg:** Could you see any issue at Committee of the whole House and Report stage when you have so many amendments tabled to a piece of legislation. Would an explicit direction on each of those amendments be necessary between the Member and the proxy,



regardless of what the selection paper said or indeed whether those amendments were moved or not moved?

Pete Wishart: We all know of incidents in the past when a real decision had to be made about how people would be voting in particular ways. I think you are right when you talk about Committee stages of Bills. These are the sorts of things that would have to be negotiated by the Member of Parliament on maternity leave and the proxy. For example, if it was somebody who had very little occasion to disagree with the party Whip, and they gave a clear instruction that, "I will obey whatever the Whip says in regard to this Bill, I support this", that would be a very clear message and I think the proxy would know how to respond.

If there was a disagreement with the party, that would normally be negotiated between the Member of Parliament on leave and the proxy, even in a phone call between Divisions. Or they might just be getting in touch and saying, "You might have a difficulty with some of this, what do you want me to do in this Division?" You respect the decision of the Member of Parliament on leave.

Q133 **Mr Peter Bone:** It is often said that we want Parliament to be like the rest of the country and we should not have special privileges. If that is the case, when someone goes on maternity leave they are not involved, generally speaking, with their work. It would seem to me, therefore, that if you have a pairing system to do with voting that is fine. The Member is not involved and can concentrate on looking after family. It is a different issue when they come back to work. We must make sure that there are proper care facilities here for the children. Obviously, people do not have to be here five days a week, 365 days a year. That is just not how it works.

There are two different issues here, aren't there? There is the maternity bit, which I think is what we are referring to with proxy voting—you take that time off to concentrate on your child. The pairing system at the moment seems to work so why would we necessarily want to create a situation for MPs that is not available to other people?

Pete Wishart: There are two things in this. I am not absolutely certain that the arrangements we currently have in place for pairing work to the degree of satisfaction that you seem to suggest. For example, we do not pair in the Scottish National party so that leaves us at a distinct disadvantage.

Secondly, I would approach this from the other way. What is effectively happening with a Member of Parliament who is on leave is that they are disenfranchised for this sole and exclusive priority of looking after a child, which is invariably going to be a female Member of Parliament. Our job is to design the means to ensure that that Member of Parliament does get the opportunity to represent their constituents and exercise a vote. I think the proxy system that has been considered and was passed by the House sets a really good model about how that could be achieved. What



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we should be looking at and doing is ensuring that every Member of Parliament is enfranchised, that they have the opportunity to represent their constituents, and the proxy system is by far superior to any arrangement through pairing. We would not have the opportunity because we do not pair in the House of Commons.

Q134 Mr Peter Bone: You would accept that it puts us in a different position to most people outside Parliament? You will know this and I will not, but how does it work in the Scottish Parliament? Do they have proxy voting or pairing? How does it work there?

Pete Wishart: The Scottish Parliament is an altogether different institution to what we have here at Westminster. It was designed looking at the best practices from Parliaments right across Europe and the rest of the world. What has been designed is a Parliament with the best interests of family-friendly ethics at its heart. We finish at 5 o'clock so Members of Parliament can get home to their families. There is a set voting time of 5 o'clock and it is all electronic. Everything that has been designed has been properly organised and orchestrated to try to meet the best practice of family-friendly arrangements.

There is a formal pairing arrangement in place—

Q135 Mr Peter Bone: That the Scottish Parliament participate in?

Pete Wishart: Yes, but you also have to acknowledge that the Scottish Parliament is a smaller institution and people have greater access to ensure they can get there. I would think the Scottish Parliament maybe could look at this again.

Q136 Mr Peter Bone: But the SNP does not—

Pete Wishart: We pair in the Scottish Parliament.

Q137 Mr Peter Bone: You do?

Pete Wishart: We pair in the Scottish Parliament. We just do not down here. There are practical reasons why we do not do it at Westminster, but in the Scottish Parliament there are pairing arrangements in place with other parties.

Q138 Bambos Charalambous: If there was a pairing arrangement for the SNP in Westminster would that change your view? I am supportive of proxy voting. I have read the paper, and obviously the SNP is in favour as well. Would it change your attitude if there was a pairing arrangement in Westminster?

Pete Wishart: I was the chief Whip when we abandoned pairing, and that was basically as a response to the conditions and situation we found ourselves in with the huge majority that Tony Blair had in the early 2000s. It was always difficult for the Scottish National party. Under the Labour Government who would we pair with? We were in opposition to a



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Labour Government, but sometimes we voted with the Conservatives and that led to all sorts of practical difficulties.

It is a bit more straightforward with a Conservative Government in place because we tend to vote against Conservative Governments at most opportunities when they are in charge, heaven forbid. There was a number of practical issues and there was also a belief when we were a small group—and even so when we are a larger group—that we operate and organise ourselves in a different way and we have a different role in the House to the main UK parties. Therefore, we took the decision that pairing would not be for us. I do not see why we would have to change our arrangements and our view about all of this just to accommodate a necessity in the House.

Q139 Bob Blackman: Thank you, Pete. I want to explore a bit more about what you would call, I suppose, the limits of what proxy voting would apply. As you quite rightly say, the SNP does not participate in any pairing arrangements so for your MPs, your colleagues, this is even more important because it does not just mean about having a new baby or adopting a child, it could also be cases of serious illness. Do you see any limits to this and, from the party's perspective, do you want to see this expanded beyond the current limits of baby leave to other areas as well?

Pete Wishart: I know that this inquiry you are currently undertaking is restricted to the resolution that was passed by the House, but I believe in the thick end of the wedge when it comes to this. I think I am on record as saying about my particular disappointment with the voting arrangements in this House. We have to queue in stuffy lobbies and locked in corridors so that Conservative Members can have access to Conservative Ministers, which is not an opportunity for the rest of us who are not in the same Lobby.

I have been in the House for 17 years and I would hate to think how many unproductive hours I have spent in hot Lobbies squashed up against god knows how many people I don't want to be squashed up against in a voting Lobby. I would hazard a guess it is approaching somewhere around a month of wasted time. I would be prepared to look at anything that allows us to conduct our business in a more orderly, productive fashion.

I know things like illness are not in your Committee's inquiry and not within the scope of what you are looking at, but I think there are things that could be looked at. That would have to be put to the House and the resolution would have to be agreed by Members.

Q140 Bob Blackman: I also want to look at the limits. If we were limiting ourselves to just looking at those who are on a maternity or paternity basis, would you say, for example, that proxy voting should be limited to Second Reading debates on Government legislation? We have heard about the position on Report or in a Committee of the whole House. What about matters of conscience where the party Whip does not necessarily



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apply? What about House business where the party Whip does not apply? Equally, supposing we are facing a vote to determine whether we go to war. Should someone who is not able to be here, for perfectly reasonable reasons, be exercising a proxy vote to send troops to war, for example? What is your view on the limits that might apply?

Pete Wishart: My personal view is that any decision that is taken within the confines of the Chamber, which is a resolution of the House, regardless of how significant and how dramatic, should be a matter for a proxy Member. My understanding of such a resolution is that it is permissive, not mandatory. I am pretty certain that if it was about taking this country to war colleagues would probably manage to get to the House in order to exercise that vote themselves. Although they may not want to, and they will discharge the proxy. This is allowing the opportunity for a proxy to—

Q141 **Bob Blackman:** Just to cut across, one of your colleagues gave evidence to us about a time when she was not able to travel from Scotland; she physically was not able to get here. Are we saying that that individual or other individuals should have the right to have their vote recorded on that particular issue or not?

Pete Wishart: Absolutely. I was in here for the Iraq vote and had I been female and had maternity issues, if I thought for a minute that my vote could not be recorded, I would have been profoundly disappointed. If there was a proxy available to ensure that would happen, I think that would be satisfactory to anybody.

Again, what the House passed was permissive. It was about allowing the opportunity for a proxy to take place. If people feel there is something so important to them personally that they want to turn up and attend personally that is a matter for them. I am pretty certain that if this proposal was passed people would want to come down for particular votes.

Q142 **Bob Blackman:** One last issue, which I think is rather important here, is how should the Member who is absent make sure that he or she is abreast of the discussions and debates that have taken place in the Chamber? Going back to the decisions on whether to go to war in Syria, I know that Members on both sides were influenced directly by the debate. In those circumstances, should the Member have responsibility to instruct their proxy literally at the last moment before a vote takes place?

Pete Wishart: I don't see anything wrong with that at all. It starts from a presumption that this place operates in some sort of vacuum, where people are not aware of the current political debates. I am pretty certain that, even when someone has a very young child, television, Sky News and Parliament channels are on in the background and people can avail themselves of what the current debate is and what positions are being adopted. I am pretty certain that, even with the strains and the time constraints of bringing up a very young child, there will be opportunities



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to keep up to date. There are things like mobile phones where people can get in touch and say, "This is my view about all this. You are my proxy and this is what I want you to do in the case of such a vote".

To say that everything in political debate exclusively happens in this place and we are cut off from our communities is a false assumption. People will be kept informed about what is developing and progressing with legislation and debates.

Q143 David Linden: I have two questions. They are both tactical questions. First, there have been a number of examples of colleagues who have sadly lost children and the House is looking at parental bereavement leave. Do you think that the proxy system should be extended to that—that in the event of losing a child they should get baby leave?

Pete Wishart: Most definitely. There could be nothing more harrowing, disturbing and personally tragic than the situation that you describe. That should most definitely be included in any exercise of making a proxy vote available to Members of Parliament.

Q144 David Linden: The second and final question I wanted to ask was for mothers in particular. If you are going for scans before the baby is born, do you think that the proxy vote should exist before the baby arrives? If they have a scan in maybe Aberdeen or something like that, should they be able to cast a proxy vote while they are pregnant?

Pete Wishart: We have to look at the pre-delivery stage and acknowledge that there are a number of issues that have to be addressed. In Scotland, for example, we have the problem of getting pregnant women down to the Parliament. We have the issue of some airlines not allowing pregnant women fly so far into pregnancy. If we are going to progress with this, we will need to look at the period leading up to delivery and see what we could do to best assist that Member. A proxy at that point may be a way to address that.

Q145 Chair: The general direction, as I recall, of what was passed in the House was proxy voting in the event of a sustained period of absence. In your view, is that a good idea? It is not specific about the period of absence starting after the point of birth, so there could be some flexibility around that. Is that what you would like to see?

Pete Wishart: Absolutely, yes.

Q146 David Evennett: How public is the pairing in the Scottish Parliament? Is it publicised?

Pete Wishart: It is public.

Q147 David Evennett: Whereas our pairing tends not to be made public here. Is it listed out so that everyone knows?

Pete Wishart: Everybody knows it, yes. I have never understood quite how the pairing arrangements worked, given that we do not take part in



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them. I always used to imagine it being some shadowy operation where the pairer would get together with his or her opposite number and come to some sort of arrangement. I am not entirely certain how that functions and operates, given that we don't take part in it any more.

Just one other thing, if I can, Chair. I know you are looking at the extent of all this and you are looking at the Committee stages of Bills and votes to go to war. I know that SIs and so on have been featured as part of the debate and whether they should be covered by proxy voting, and I do not know if that is something that I would necessarily give a view on at this stage. I would give a view on Select Committees, given that I chair one. In the Scottish Parliament we have a system of substitute members of Select Committees, which I think is a very good idea. Again, this would help deal with the issue; if one of your members, for example, was on maternity leave, a substitute would be able to come in and cover. I hope that you would at least consider how Select Committees can operate under such a system and allow for something in the way of substitutes that would cover that.

In the Scottish Affairs Committee yesterday, for example, one of the SNP Members, of which we only have three on Scottish Affairs, had to cover a debate in the Chamber for two hours so he could not attend the Committee. We lost one of our party representatives on that Committee and had there been a substitute system in place we would have been able to deal with that. That is one other thing that I gently throw in there.

Q148 **Mr Peter Bone:** Mr Wishart raised the issue of shadowy operations when he referred to Whips. I would have thought that what would happen if proxy voting goes forward—you are an exceptionally well disciplined party and I doubt if any of your Members have ever voted against the Whip.

Pete Wishart: I don't know about that.

Mr Peter Bone: I get that impression. What will happen in practice is that, however many proxies there are, if someone did not want to take a proxy your chief Whip would say, "You are going to have a proxy and, by the way, the Whips are going to have it". So the Whips will vote for about 10 people, and they will always vote the party line. Isn't that pressure that will be put on, which is not the pressure when you have a pairing system?

Pete Wishart: It won't surprise you to find that I do not share that cynical view of colleagues across the House on the operation of Whips' offices and that. I would start with the presumption that any proxy arrangement would be made on the basis of knowledge, friendship, co-operation between Members, and negotiation about how the system would work out. I cannot see it.

Q149 **Mr Peter Bone:** Do you not see the point, though? There will be a lot of pressure on Members—especially new, younger Members—to give it to



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the Whips.

Pete Wishart: I am looking at Mr Evennett, who is a veteran of the Whip's office. I could not imagine him for a minute trying to take advantage of any situation such as this. He would deal very collegiately and consensually in order to ensure that any arrangement that was put in place was honoured and respected on the basis on which it had been designed. Is that not right, Mr Evennett?

David Evennett: I could not have put it better myself.

Q150 **Chair:** Thank you very much, Mr Wishart. It was very good of you to be so straightforward and frank in your answers.

Pete Wishart: Thank you once again for having me before your Committee.

Chair: Not at all. We see rather a lot of you, which is nice. Thank you.

Examination of Witnesses

Witness: Valerie Vaz MP.

Q151 **Chair:** The Shadow Leader of the House, Valerie Vaz. Thank you for coming to see us. You are obviously well aware of what we are discussing. Is there anything you would like to say before colleagues ask you some questions?

Valerie Vaz: I just wanted to set out what I thought the problem was and how to tackle it.

I think you, as a Committee, need to separate the principle from the process. You need to decide what the mischief is that you are trying to alleviate and then you need to decide whether—and this is a matter for the Committee—this is going to be just proxies for baby leave or whether it is going to be extended further. If you agree the principle, you need to work out whether there is more discretion under the current rules that the Whips will give to Members of Parliament, and whether this would alleviate that process, which is why I asked what is the mischief that you want to address.

Then I have thought about how you would achieve it. No matter who we think we are, we are here by virtue of our parties and we stand on our manifesto and as members of the Conservative party, members of the Labour party; so we are here as members of our party. We have business managers because they need to manage the business, they need to know who is on the estate, who is off the estate, who is going to be voting. That is why you have to work out what the proxy wants to do.



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I have had the benefit of reading lots of the evidence. If I go on to the process of how I think it would all be alleviated, there is a lot of evidence about people running from one Lobby to another and you have to be a fit young person in order to get the proxy. Another question to throw up is whether it is confined to young people. Could it be extended to mothers and fathers generally, because children do not stop being an issue just when they are babies? In fact, it could get worse.

Q152 **Chair:** We are looking at what was passed on 1 February, so it is very narrow. We are looking at that and we are not getting expansive in our aspiration.

Valerie Vaz: What I thought on the procedure—if I just finish off with what I think would be a very good procedure—is that the smaller parties do not have to worry about pairing arrangements. What do we have now? We have nodding through, where the person has to be on the estate and they are physically incapacitated and they cannot go through the Lobby. We have the pairing arrangements. Some of the evidence from the reference groups has said that Members do not want to be infantilised, so they do not want to have to sit there and ask the Whip, “Could I have a proxy? Could I be free from voting?”. If you agree that principle, you can have a proxy, but my process for doing that is that you have a list that will be kept by the Chief Whip of all those who want to exercise their proxy, the Chief Whip will meet with the Speaker and the senior Clerk and then there is a list of people who want to exercise it.

You do not get into the situation of, “Have I e-mailed my proxy? Has my proxy picked up the e-mail? Is it a last-minute issue?” If the Whip has a list of people who are the proxy, there is one phone call to the Whip and then they know and can manage the issue.

Let me get to the end of it. You get the list agreed with the Speaker and you get the list with the senior Clerk so you know exactly who holds the proxy. Then it is just up to the person who has the proxy to ring up if they need to exercise it. As we have seen in the motion, you do not have to have it and you may not need it all the time. It is under certain circumstances. The Whip will then, before the vote takes place, walk through the Lobby and go past the teller, who does exactly the same as we vote now, which is to cross the name off and have the word “proxy” written beside it, and then we have to all accept that that word is going to be in the *Official Report*.

Q153 **Chair:** I have voted against my Whip on a number of occasions on a number of matters. That is what MPs do. We are not delegates, we are representatives, so I cannot see how that works. I think the Leader of your party in one Parliament voted more than 200 times against his own Whip. I am not entirely sure that this is going to find great favour among colleagues.

Valerie Vaz: It depends on what you want this for. Chair, I think you have hit the nail on the head. Do you want to go around the party



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mechanisms, do you want to go around the business managers, or do you want it for a specific reason—baby leave? There are certain instances when people cannot be here for whatever reason. We do not have maternity and paternity leave because we are not employees, but women are in their constituencies looking after their babies. That is effectively what we are talking about. We are not talking about rebelling against party manifestos; we are not talking about any of that.

I do not know what you do in your party, but certainly a discussion will be had with the Whips at some stage if you do not want to abide by a party manifesto. I do not know whether you had the discussion with your Whip when you voted against your Whip, but certainly—

Chair: I do think this command and control in your party is somewhat stunning. I think we need to get some questions in.

Q154 **Mr William Wragg:** Leaving perhaps what you have just said, because I am sure my colleagues will have questions on that, I am asking the same question of all three witnesses this afternoon. It is regarding—possibly you have answered this in your statement—whether a Member with a proxy would need to give explicit direction in advance upon each vote. Clearly by what you have just said, that would not be the case. Is that right?

Valerie Vaz: I am not saying that I have a fool-proof system. It is just something that occurred to me, having read the evidence, with people with their running shoes on going from one Lobby to another, if you just pick whoever you want to. The principle still stands for me that we are here as members of our party, we have abided by a manifesto and so, therefore, it does matter who you give your proxy to. I think the senior Clerk also gave evidence to say that there was some instance where a vote was cast by someone or not cast by someone, and then you get round the issue: did the person cast it in the right way? How did they cast it? You do not then have to rely on that particular person. If it is another member of another party, you do not have to rely on that. You know it is going to be cast in a certain way.

I do not think we should mix up the issue of baby leave and saying this is about people going beyond the party Whip and breaking a manifesto. It is something completely separate and very specific. It is about being available when you have a baby and whether you are able to cast your vote in any way.

Chair: Valerie, with respect, you are not in power, so your MPs are not voting on Labour's manifesto, they are probably voting on our manifesto or other things that were not in the manifesto. I am not entirely sure how this is helping the Committee's thinking here at the moment. I am sure we will get somewhere.

Q155 **Helen Goodman:** You seem to be trying to draw a distinction between having a proxy because you have just given birth and wanting to rebel against the Whip, as if those are two completely separate things. What if



you are person who has just given birth who wants to rebel against the Whip?

Valerie Vaz: We need to discuss within our party why we are using a proxy vote for baby leave. I certainly do not know if discussions have been had within each of our individual parties as to how we are going to operate a proxy vote. Personally, I think that is going beyond what I thought this was about. This is about mothers when they have babies, or fathers, on baby leave for a specific length of time to enable them to cast their vote because, for a number of reasons, their vote is not recorded when they are on maternity leave.

Q156 **Helen Goodman:** You might be on maternity leave and wish to rebel against your party. Are you saying that we can set up a system that does not take account of that possibility?

Valerie Vaz: No, but you could say—this is where I said that you need to separate the principle and the process—that if you agree the principle that a person asks for a proxy, then they decide, they are in control, and you have to decide, among all of you, whether that is how you want to run the business of the House. They can decide, “I want my votes cast in a certain way”. I know that when people rebel you have to have that discussion.

Q157 **Helen Goodman:** Sorry, the Whips prefer people to tell them in advance, but I think all the experience we have had on the European legislation over the last two and a half years shows that on both sides of the House people are rebelling without tipping off their Whips. Are you saying that because you are pregnant you lose that flexibility?

Valerie Vaz: Not at all, you can still do that. This is where you have to decide about the principle and the process. You can have the principle of a proxy vote and it is for you as the Committee to decide how you want that to end up. Is that how you want it to end up? You want to go beyond the party. In a hung Parliament do you not want to tell your business managers about what you are going to do and where you are? I do not think that helps the working of Parliament.

Chair: Okay, Helen, because we only have a short time with Valerie, we have to crack on.

Q158 **David Linden:** Is the concept of baby leave conditional on the Whips being involved?

Valerie Vaz: No, absolutely not. I was just reading the papers and the idea came up as to how the process works. I thought it was highly bizarre that people are running from one Lobby to another. You have to pick someone who lives next to you in the same constituency. It is not fool-proof, it is just an idea that I am throwing up. That is why I said you have to separate the principle and the process. I am sure cleverer people are going to come up with a better process, but that was something that came into my head.



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The idea is to enshrine a proxy vote at a certain time in someone's life when they have a young child. I have never been a Whip, but I know there is a certain amount of discretion for women who have young children, or even for men, and we have to be careful we do not lose that. We may have this process in addition to that. The discussion still has to be had.

Q159 David Linden: There is a way of getting around running through Lobbies and getting away from that. You would just abandon walking through doors and use electronic voting. I do not know how the system you have outlined would work in practice for Sylvia Hermon, Caroline Lucas, Kelvin Hopkins or Charlie Elphicke, who are all independents and do not have a Whip to report to.

Valerie Vaz: If that happens, they may not be paired, but the business managers will look at everyone. For example, for Select Committee meetings, when you need to go on a trip the DUP and SNP Members do not necessarily have a pair, but the business managers work out pairing arrangements. The fact is that if you agree that principle it should not be an issue. They decide with the Speaker for all of them, if they are in the situation and they want baby leave. Some of them might be beyond the time of baby leave. They agree as individuals; individual parties will agree their list. So this is a formal list, and the proxy will then decide. Members are not infantilised and having to ask permission. It is agreed by the House, agreed by the Committees, agreed by the parties, and they say, "This is how I want my vote exercised". But there is one formal arrangement rather than phone calls and e-mails and missed phone calls and missed e-mails; one arrangement and the list is kept with the Speaker. If they want to rebel, they ring the senior Clerk.

Q160 Bob Blackman: Valerie, can you explain the position that your party has adopted in relation to any limitations that will be placed on proxy voting? For example, Second Readings, Report stage on the Floor of the House, matters of conscience, Ten-Minute Rule Bills—there are all sorts of votes that take place in this place. Are you saying it should be on party manifestos, party policy or limited to Government business, or should it apply to every single vote? Are you saying that a formalised arrangement would take place and the Member presumably would not necessarily know what subjects were being debated and what was being voted on?

Valerie Vaz: This is the difficulty of the discussion now, that we need to have the discussions in our parties as to how far, which stage or which Reading we need to deal with. All I know is that this situation exists in Australia and New Zealand. There is a classic case now, with the Prime Minister of New Zealand going off on maternity leave and it could be a good point to see whether the proxy system works there. That could inform your Committee. As I said to you, we certainly have not had the discussion in our party about to which stage, which Reading, or matters of conscience, the proxy vote will apply.

Q161 Bob Blackman: I want to be clear because, as a Committee, we are



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going to recommend something, a process, and as far as I am concerned that is going to apply to all parties. It would not be a position where the Labour party, the Conservative party, the SNP could pick and choose. It has to apply equally to all Members, otherwise it will very rapidly come into disrepute. If we recommend something, then you can have your own party discussions; that clearly cannot be the case for us as a Committee.

Valerie Vaz: You need to decide whether further work needs to be done. You need to ask the witnesses, whether you can come to that conclusion at the minute or whether you should say—not that I am telling you what to say—that further discussion has to be had before you make a decision about moving down that road.

Chair: We are just making recommendations for the House to decide. We will put a report before the House some time in May and then the House can accept it, amend it or dismiss it. We do not have any power to force anything on the House.

Q162 **Sir Edward Leigh:** I asked a question about this last week, and I am not with you at all. One of the things that worries me about this is that it increases the power of the Whips because there will be more and more pressure to hand your proxy vote to the Whips because it will be so much simpler. I would like a system by which if you are a Back Bencher you should only be allowed to hand your proxy to another Back Bencher. Otherwise a Back Bencher is effectively becoming a Front Bencher. You add in to the Front Bench. I think it is different in the Opposition, but certainly that would apply, in my view, if you are a Conservative Back Bencher. Obviously you do not agree with that; you think you should just be able to park your proxy with the Whip's office and forget about it?

Valerie Vaz: Three people who have mentioned rebelling are all men. So you might not be going on maternity leave.

Sir Edward Leigh: That is a very sexist remark.

Valerie Vaz: It is a very sexist comment, I have to be careful what I say. I have already got into trouble once. I did not realise you were against that. You want to rebel too, do you?

Helen Goodman: I have rebelled in the past.

Valerie Vaz: That is fair enough, but what you are saying—and I think this is where, with the greatest of respect, you are conflating the two issues. This is very narrow. This is not about MPs rebelling. You are taking the debate slightly further than just a proxy vote. What I would say to you is the same system arises, if you agree with the principle, that is enshrined and then basically within the parties the Whips have to abide by that, or whoever it is in the Whip's office who cast the vote—this is just something that I am thinking about—they have to abide by the way you want to cast your vote.

As I said in my opening remarks, we are here as a result of our parties. I do not have an ego, and I do not presume to think that people elected



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me just because of me. We are here because we were voted in because of our party manifesto and we are here for our parties, so you have to have that discussion. That does not mean that you cannot rebel on things. That is not the case, but you are talking about a situation where you are rebelling, and I am just talking about baby leave, I think.

Q163 Sir Edward Leigh: In New Zealand when you have a proxy vote cast, the letter P is put before the Member's name: P for proxy. I think this is quite important. If your vote is cast for you as a proxy it is important it should be on the public record. The minimum is that there should be the letter P or proxy or something and even better, I think, it should be "Ms Valerie Vaz voting proxy for Jo Swinson" or something so it is absolutely clear on the record. What is your view on it, to make it absolutely clear that it is a proxy vote, that it has been cast by a different person and who that person is?

Valerie Vaz: Partly the procedure of the Whip having the vote, whichever way the person wants to cast it, is that they go through the same process as we go through, which is past the teller who then marks off that person, and I suggested the word "proxy" should be put against it.

Q164 Sir Edward Leigh: Just "proxy"? There will not be a name of who cast the vote?

Valerie Vaz: There does not need to be, unless you go with the other system, which is that anybody can do it. If you have one person casting the vote there is no confusion about who is casting the vote, how they have cast it, that they do it in line with the proxy and "proxy" is written against it.

Sir Edward Leigh: With respect, I disagree with you.

Valerie Vaz: You may do, but you also have to bear it in mind that it is a matter of public record. That is why if we just confine it to baby leave it is about that and not about anything else. There is information about Members that will be out there in the public record, which perhaps now is not there because of the discretion of the Whips. We do not know why people are there or not.

Q165 Sir Edward Leigh: Is it something about having a baby that makes you loyal to the party? I don't know.

Valerie Vaz: I don't know. You seem to have evidence that people who want baby leave are going to rebel. I am saying separate the two.

Q166 Chair: The general evidence is that all Members of Parliament, unless they are very strange, have the capacity within them to rebel at times. I think what the Committee is saying is that they would hate the idea that someone with a new baby who wanted to rebel on something had to have a very difficult conversation with a Whip and was then pressured at that time. Any time would be wrong, but at that time it could be even worse.



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That is the reputational risk of what you are suggesting. The Whips at the best of times are not regarded favourably by the public and this could put them in an even worse odour.

Valerie Vaz: Could I answer that very quickly? This is where I said that if you agree the principle, if you do not want to tell your Whips then you tell the senior Clerk.

Chair: You have made that point and, to be fair, I should have picked up on that.

Q167 **Melanie Onn:** I would like to make two points. The broad development of a proposal that we have been tussling with over the last few weeks, following on from the evidence, is that a system broadly would work in a way that an individual Member may choose, if they wish to have a proxy, who their proxy is and that they would be responsible for the dialogue and communication operating between them. There would be notice given of who that proxy was through official channels, whether that was the House or the Whips, so that there was some kind of reconciliation and understanding of who was undertaking that responsibility. Do you think that is sufficient? Does that seem simple enough to do the job that we have been asked to look at?

Valerie Vaz: We have just had one debate and it was a unanimous debate in the sense that a motion was passed, which is why you are very helpfully looking at it. I think there needs to be a further discussion but, as I say, I do not know whether that should be done within the parties to get a party line before you do that or you get further evidence.

Melanie Onn: The proposal will come back to the House and then there will be discussion at that point.

Valerie Vaz: Right, and your question is?

Q168 **Melanie Onn:** If that were to be the proposal, do you think that that is sufficient to meet the needs of the request that was put to us through the motion of the House originally?

Valerie Vaz: It is not a matter for me to say what the House is going to decide and whether that is sufficient or not.

Q169 **Melanie Onn:** No, but do you think that ticks all your boxes? If there were to be a procedure, would that be the one?

Valerie Vaz: The procedure that I outlined is just the one I thought of when I read the evidence. It is a matter for you to decide what your procedure—

Q170 **Melanie Onn:** Do you think the one I outlined is a good one or not?

Valerie Vaz: Yes, it is.

Q171 **Melanie Onn:** The proxy voting system is in addition to the whipping system and the flexibilities built within the whipping system, and taking a



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proxy is entirely a matter for the individual, so it is a choice. There is an ability to either have a proxy or not have a proxy at the individual's choice or there is the continuation of a whipping system that would exist alongside of that. Do you think that is an acceptable premise?

Valerie Vaz: It has to be because what you are saying is that you are just looking at proxy voting within the narrow circumstance, aren't you? You are not looking wider than that, are you? It is just for a certain length of time and for certain circumstances.

Q172 **Chair:** Valerie, this is quite a difficult session. One of the difficulties with tooth sucking is that we are well aware that both Whips offices are very nervous about this process and there is a lot of tooth sucking about it but, as you rightly pointed out, the House was unanimous on 1 February in pushing this through. It is a bit late now for the Whips to try to mount a rearguard action and shape it in the way that they would prefer it to work. Our irritation is not with you. You are a surrogate for our irritation with various Whips' offices at the moment about the way they have handled themselves throughout this process.

Valerie Vaz: I am pretty upset about that, Chair, because you have had the Whips before you and it would have been nice if you had taken your anger out on them rather than me. I am just here to help you.

Chair: We are not angry with you. I hope nobody has been that angry, it is just—

Valerie Vaz: I have never been a Whip and they are not mounting a rearguard action. It is just something that I have seen. It is a principle of the House that we are here to hold the Government to account as the Opposition, and that is our job.

Chair: The Leader of the House is here, so thank you very much. We have rebellion in the ranks.

Q173 **Mr Peter Bone:** First of all, thank you for coming and your frankness has been revealing. I am learning more about Opposition Whips and I just think my Whips—

Valerie Vaz: I am not speaking for the Opposition Whips.

Mr Peter Bone: I cannot let this go unchallenged. We are not elected as a Labour Member of Parliament or a Conservative Member of Parliament. We are a Member of Parliament and the duty of every Member of Parliament is to scrutinise the Government. It seems to me most Members would agree that you put your country first, your constituency second and your party third. If that is the case, the danger of this proxy voting—and you have spelt it out brilliantly for the Committee—is that it will become a tool of the Whips. We will not necessarily have to give the Whips the proxy, but there will be pressure on Members to do that. You kindly sort of indicated how certainly the Labour party would like it to work. That is the danger with this system. I do not see why we are trying to change something that will give Parliament less scrutiny and the Whips



more power.

You mentioned manifestos. I often voted for my Conservative manifesto when we were in coalition Government, but it was against Government policy because my Government had dropped what was in our manifesto. So that does not wash either. Why are we trying to fix something that is not broken and giving more power to the Whips?

Valerie Vaz: I am not suggesting power. It was just a mechanism of one person being nominated so that you do not have the farce of people running from one thing to another, picking up e-mails, missing e-mails, not knowing whether people have voted or not. I agree with you, we are here to represent our constituents. I absolutely agree with you. But we are still elected as Labour MPs and Tory MPs and SNP MPs. How we exercise our voting is slightly different but, as I say, I think you are conflating two issues. You are conflating rebellion with giving something to the Whips. Call it someone else. That was just my way of getting clarity rather than putting on your running shoes going from one place to another.

Chair: Thank you so much for coming to see us. I hope it was not too much of an ordeal. You are a robust character and more than capable of besting the Procedure Committee.

Examination of Witnesses

Witness: Rt Hon Andrea Leadsom MP

Q174 **Chair:** Good afternoon, Leader. How are you?

Andrea Leadsom: Good afternoon. Very well, yes.

Chair: It is lovely to see you again.

Andrea Leadsom: All the better for being here.

Chair: Yes, we are having—

Andrea Leadsom: That is a good start.

Q175 **Chair:** I would much rather have someone be insincerely polite than sincerely rude, I have to say. Thank you very much for that. Leader, do you have any opening statement?

Andrea Leadsom: Yes. I would like to say that I very much welcome the work of the Committee in looking at this issue. I wrote to you, Chair, last November following some representations made to me cross-house about this issue, and it is certainly something I am absolutely 100% behind. All my time in Parliament, I have been promoting the importance of early attachment between parents and their babies. It is a total passion of mine. It is one of the reasons I am in politics, so the opportunity to enable new parents to form that secure bond with their babies is absolutely not in question in my mind. We have to do that.



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However, the one issue is: should new parents be able to bond with their baby or their adopted child? Absolutely, that is my view. Secondly, how do we achieve it? That is a more complicated issue, and that is why it was really important that the Procedure Committee look at that and take views from across the House. I am delighted that you are having this inquiry and grateful to be asked. Thank you.

Chair: Leader, can I slightly play the devil's advocate here, because we did grill the shadow Leader? The truth of the matter is that the House has decided how it wants it dealt with and that is through proxy voting. It was not as if the House said, "Go away and have a think about it". The motion that was agreed to specifically says proxy voting. We are somewhat limited in how far off-piste we can go on that matter because we are following the wishes of the House.

There were no dissenting voices in that debate, not from some of the voices you expect might be dissenting. I am not going to name names. That is where we are at.

Q176 **Mr William Wragg:** Good afternoon. I am going to ask a question that really gets to the devil in the detail and ask for your direct opinion on it, because the general principle is absolutely fine. Would you say that a Member with a proxy would need to give explicit direction in advance upon each vote?

Andrea Leadsom: Theoretically for intellectual purity the answer would have to be yes, but the reality of how the House works, as members will appreciate only too well, is that quite often where there are, for example, very complex amendments a Member might just choose to vote with the party because they support the general thrust of the Bill and they do not have the time when a vote is called, unexpectedly for example, to go and weigh up the pros and cons of every small amendment.

The reality of the practice is that Members often do vote with their party. My purist answer is, yes, I think the individual would have to give an instruction each time, but whether that might be an instruction for that day or that week or that Bill is something that is genuinely open for discussion.

Mr William Wragg: You have hit the nail on the head about the number of amendments that are placed at Committee and Report stages and then the question of the selection paper and, indeed, whether those amendments are moved or not moved. You could go even further as to whether a proxy could be asked to not give leave for an amendment to be withdrawn and trigger a Division that way. There are nth number of details, but I think you assess it correctly. Thank you.

Q177 **David Evennett:** There are a lot of issues that we have been discussing on this. One is whether the public should know if someone has a proxy. How do you think that would work? Also, how do you think it would be in the constituencies?



Andrea Leadsom: Having taken part in the debate from the Front Bench, I heard the representations and it was quite clear to me that the experience of some colleagues right across the House has been really appalling. They have been accused of not doing any work, of being absent, of being on fully paid leave of absence without permission, of failing to support their constituents, all manner of things that, of course, in the normal workplace would be unthinkable. But Members of Parliament are not employed in the normal sense of the word and they are elected as individuals. The theoretical point behind this is that it is not possible to sub-delegate; you cannot just say, "You be MP for the day".

Theoretically, it is not possible and if one accepts intellectually that it is that individual who is elected and who owns the job, it is very important that whatever process we put in place is transparent. It is simply not fair that a Member who, for reasons of nursing a young infant, cannot be here is accused of failing to do the job properly. Whatever solution we had, it would have to follow through to all of the places where people get their information—theyworkforyou.com, the Parliament websites and so on, and indeed from the Member's own website—so it was quite clear why that individual either proxy voted or was not present. That, of course, then throws up issues of confidentiality. Particularly if, for example, one were adopting—I should add that the early bonding process is every bit as important for the adoption to be a success—you might not want the world to know that you have adopted a child. It may be that there are very good reasons for the safety of that child that you do not want the world to know you have adopted a child. There are issues of confidentiality, but nevertheless there are also issues of fairness to the individual that mean that we do need to make sure that is covered.

What I can tell the Committee is that I have been working on this in parallel, in the knowledge that you have your inquiry, and I have been speaking to the Hansard Society about what more can be done to try to ensure that transparency. Ruth Fox has very kindly said she will take this up with some of those other reporting websites to see what can be done to ensure that, where an individual had a child, for example, it could be demonstrated either that they were voting by proxy or indeed not voting at all. All of these things are really important in coming to a decent conclusion.

Q178 **David Linden:** Thank you very much for coming before the Committee. There are two practical questions that I have been asking other Members and both previous witnesses. The first is on the issue of bereavement. There are, of course, Members of the House who have suffered the bereavement of a child. Do you envisage that proxy voting for the purposes of baby leave should be extended to Members who lose a child?

Andrea Leadsom: That is an incredibly difficult issue. I have obviously seen the evidence previously given. The issue of the loss of a child, either through miscarriage or stillbirth, is something that is before the House now in a Private Member's Bill. It is terrible. Whenever such a thing



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happens, it is terrible. However, there is an issue about the viability of babies and there is discussion in Parliament at the moment about whether a birth should be registered and a coroner's inquest held and so on. It is very difficult at this point for the Procedure Committee, or indeed for me, to judge the rights and the wrongs of that. On the other hand, there is a risk of scope creep into other areas such as very serious illness or accident, which do not necessarily involve the loss of a child but could nevertheless be very critical and tragic for the individual concerned.

I think that the remit for this Committee, quite rightly, is issues around baby leave, which does presume that there is a baby. I do not want to exclude any other consideration, but I do think it goes into a quite difficult area that rightly is in front of Parliament now and might possibly be something for the Committee to look at later, once it has been settled as a national matter. Procedures in Parliament should not seek to get ahead of where the nation is with the legal system.

Q179 David Linden: I was not trying to fully account for all that. I have been serving on that Bill Committee, so that is why it is on my mind.

The other issue I want to ask about is Scottish Members. Most of us travel by plane, so some of our female colleagues, if they are pregnant and by the time they get to 32 or 34 weeks simply cannot fly. I am also mindful of the fact that some women are required to attend hospital for scans before the birth. Is that something you think should be extended to proxy voting as part of the baby leave process?

Andrea Leadsom: These are issues of detail that are incredibly important. I suppose if I was going to jump on these issues I would say anything that risked the health and wellbeing of parent and baby would be in scope. Flying in late pregnancy is something that I am very well aware of. However, doctors' appointments and so on, normally speaking, one would expect to be able to facilitate around voting time. That would be my general, common-sense approach, but I would not be hard and fast about that.

Q180 Sir Edward Leigh: I do think it is terribly important that if a proxy vote is cast, it is clear on the record that it is a proxy vote. In the New Zealand Parliament, if a proxy vote is cast the letter P is put next to it. I would go further and would say, on the record, "Mrs J Smith, proxy cast by Ms P Jones", something like that. Are you happy with the idea that it should be on the record that it is a proxy vote?

Andrea Leadsom: Absolutely, yes. Transparency is absolutely key.

Q181 Sir Edward Leigh: We had a long discussion with the previous witness about the Whips. My own view is that the danger of this is that if you give your proxy vote permanently to the Whip's office, basically a Government Back Bencher is being converted, for six months, into a Government Minister and I am worried about that in terms of adding to Government power. Do you have any concerns about that? Would you look askance at any proposal that if you are a Government Back Bencher you should give



your proxy vote to another Back Bencher?

Andrea Leadsom: I share your concerns about a proxy vote routinely being able to be applied only via a Whip. That is not a good idea because, theoretically, as a Back-Bencher it is my proxy vote and I should be able to vote with or against the Government on any part of any legislation, regardless of who I am, even if I am a Government Minister. As you will know yourself, Sir Edward, plenty of Ministers have resigned and voted against Government. The proxy vote must be a genuine vote. It cannot simply be a delegated vote to somebody else. If it were simply given to a Whip, or indeed the Chief Whip, the risk is that you end up in a position where you are asking the Chief Whip to vote against a Government Whip, which would be—

Sir Edward Leigh: That would serve him.

Andrea Leadsom: Peter would probably seek to have a baby just in order to—but anyway—just to see how that could work.

Q182 **Helen Goodman:** I have a short question. Do you think it should be clearly time limited? If you do, have you thought about the time limit?

Andrea Leadsom: As in for the first period of the baby's existence? I certainly do think it should be time limited, but equally I think there should be flexibility. That is completely contradictory; I appreciate that. However, if a baby is born and there are grave disabilities or it has a life-threatening illness from which it can recover, or if mum or dad suffer significantly from postnatal depression or whatever, just looking at this from a practical point of view and from the perspective of the baby, I would say that there ought to be a general assumption that it is this number of months, but if there were extenuating circumstances then, by agreement, it could be extended. The question is who it would be by agreement with. I suspect that may need to be either through the usual channels or through something like a committee that was established for the purpose of reviewing this type of leave.

Q183 **Bob Blackman:** Andrea, can I clarify something? You wrote to the Committee, to our Chairman, on 30 November and things have moved on since then. Do you still stand by that letter or is there anything in your view that you would now change, particularly having heard the debate?

Andrea Leadsom: Yes, I stand by my letter, but there is one thing that I do want bring into the discussion. Genuinely my only interest in this is enabling new parents to spend time bonding with their babies. I have no other angle on this and nobody has told me what to say or what to think. On the one hand, I can see that proxy voting is a solution, if we can find a transparent and fair procedure. On the other hand, some kind of formalised pairing has the advantage for the parent of not having to worry about it. For a brand new parent, whether everything is going swimmingly and you are out for dinner every night—I would like to meet the parent for whom that was the reality—or whether your baby has health issues and maybe is in an incubator and you are to and from the



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hospital, the very concept that you are now thinking about the finer detail of amendment 2.3 on something or other is slightly nonsensical.

I am trying to come at this from the practical point of view of somebody who genuinely believes in doing what is right for the parent and the baby at this critical time in the baby's life and for the parental bonding with that baby. I urge the Committee to take into account all things practical as well as all things parliamentary—what would work better for the parent. It may well be that it would be different for different parents. For some the prospect of being effectively away from here entirely would be disastrous and for others it would be a welcome relief. Could the Committee consider options to be available to individuals as opposed to a black-and-white, take-it-or-leave-it solution? I would say that the reality for parents is that until you have the baby you do not know how you are going to feel and what you feel able to cope with.

Q184 Bob Blackman: One of the issues that has been raised is that placing Members who have babies, whether the mother or the father of the baby, in a proxy arrangement at the same time as votes take place where people are paired—they may be ill, they may be on Select Committee visits, they may be on all sorts of parliamentary business; their votes are not recorded but there is a formal pairing system that is applied—is placing those people in a more exposed position, some would say, because they would be clearly marked as voting by proxy because of their circumstances. Given our press and the way that they can be quite intrusive, do you think it might be a problem for the future if we introduce such a system?

Andrea Leadsom: Off the top of my head, it is not something I have considered but, no, I tend to think that everybody gets the need for parents to take time with their babies. Obviously, there will be some unreasonable people who think MPs should not have a life, but I believe most reasonable people would say it is important, it is valuable to society, and it is valuable to MPs' own experiences that they get the chance to bond with their babies and that they are not raising children who never get to see their parents and so do not have a good relationship with their parents. I do think most reasonably-minded people would think baby leave was a different matter from being on a Select Committee visit or some other parliamentary priority.

Q185 Bob Blackman: Do you think the scope of a proxy should be limited to, say, Second Reading debates, or the Report stage of Government Bills, or should they exist for matters of conscience, Ten-Minute Rule Bills, voting on Private Members' Bills on Fridays? Where should the proxy end, particularly given that not all Members participate in a lot of these particular votes?

Andrea Leadsom: Again, from a practical point of view, I would veer towards legislation. I know you could effectively take the scope into Select Committees, Public Bill Committees; you could go all over the place where not everybody is involved in those. I would say if you are



looking at legislation, that is Government legislation, and potentially legislation that is likely to be enacted. There are some Private Members' Bills that are very likely to be enacted and there are other that are not. As we know, few Ten-Minute Rule Bills are enacted. Where legislation has a reasonable chance of becoming law would probably be where I would draw the line, in fairness to the individual who is having to delve into these matters and form a view, as well as to Parliament where their vote should be able to count.

Q186 Mr Peter Bone: Leader, I think you are the first of our witnesses who has touched on the fundamental issue, which is allowing the mother to bond with the child. In the outside world, you go on maternity leave and you have nothing to do with work. You do not go into work; you do not tell them how to vote on something. If we are going to be like the outside world, and we are always told we should not have special privileges, which is right, why do we not accept that point, let the mother bond, not have to worry about how she is going to vote on various things, or whether she is going to vote on a Private Member's Bill, and continue with the existing system of pairing? It effectively has the result that the Whips want because they cancel out votes on either side, whereas if we go to proxies, all we are really doing is putting more pressure on the mother, giving more power to the Whips. I don't see what problem we are solving. It is no different from somebody who has broken their back, is lying at home and cannot vote. We are creating two tiers of MPs. We do not seem to be solving a problem. We seem to be putting more pressure on the mother for no apparent reason.

Andrea Leadsom: Unusually, I am afraid I have to completely disagree with you. Having a baby is in every sense different from breaking your back or having a car crash in that you are not ill; what you are doing is bringing a new life into the world and you are trying to form a bond with it and it is all-consuming. Secondly, when the baby is fast asleep or you are going out for a nice walk with the pushchair or whatever, you are perfectly able to go and visit your constituents; you could even do a surgery with the baby, if the baby is asleep. You can certainly write letters, sign letters to constituents and so on. It is not the same as if you are lying in intensive care, just having had a car crash or open-heart surgery.

It is qualitatively different in how much it prevents you from doing, but equally it is absolutely all-consuming, which is why I reflected a few minutes ago that, having thought about it in greater detail, my preference would be that parents were given a choice. Those who have a sick baby or post-natal depression, or any issue like that, may not be in a position to be able to cope with the idea of proxy voting. There are those who are having a fantastic time and loving this bonding opportunity but do not want to be putting their parliamentary duties behind them because they want to stay engaged and they are interested and in the right place mentally to be able to do that, which is an ideal scenario—it does not happen for everyone, but it would happen for many people. It should be



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open to them to have the choice, with the focus being on what is right for the infant. That is why I believe flexibility is potentially key at the heart of this.

Q187 Mr Peter Bone: Mr Chairman, would the Leader not agree that that would give an awful amount of power to the Whips and put pressure on the individual? The idea that you are going to tell the Chief Whip, "Oh, by the way, I am not going to give you a proxy" is beyond belief. All this is doing is giving power to unelected people in the sense that the Whips are not elected in this House, they have no standing in this House, to implement something for one individual Member of Parliament. We fought so long to give more powers of scrutiny to this House, to give it back to some Whip, walking through the Division Lobby, casting 10 votes, is extraordinary.

Andrea Leadsom: I share your concern about who gets the proxy. I have been very clear about that. I am concerned about the fact that the individual needs to retain the absolute independence to vote with their conscience and on behalf of their constituents. Even if they did choose to vote with the Government on every single vote, they should still retain the right to not have to do that. Therefore, if the proxy was only ever given via the Whip, it would put the Whip in a difficult position, if you decided to vote against the Government in one vote and they had to implement that for you. There are concerns over that. However, equally I believe that if one were not to go to a proxy-voting solution and instead used pairing, it would have to be formalised. I know that during the debate issues were raised about the Scottish Nationalists, who do not traditionally pair, the Green party, some of the smaller parties, DUP and Plaid Cymru, that do not necessarily have pairing arrangements. There would need to be some sort of formalised agreement that would enable parliamentary voting to remain even, as it is now. I can see either of those solutions potentially working, but my pitch would be for the parent to be able to choose.

The other thing I would have to say is that I do not think we are only talking about mothers here. We are talking about parents. That is equally very important.

Q188 Chair: It is, but the point we have raised with other witnesses is that Parliament has never had any problem attracting men. A large part of the debate on 1 February was about how we could remove barriers for women getting into Parliament. I do believe that some women might think, "Parliament is not for me because I have children" or, "Parliament is not for me because I would have to sacrifice having children" or, when they get here, they think, "Well, I have a child, but it was so difficult I won't have another one" and that is very difficult for women. While I accept we have to be mindful of fathers, we have never had a problem getting fathers into this place, but we have had a real problem attracting mothers and people who might want to be mothers, and those people are women.



Andrea Leadsom: I go back to what I said at the start. This is about what is right for the baby, and babies need parents and, therefore, it is unconscionable to effectively say they will just have to make do without a dad if we are not accepting that they have to make do without a mum. I would certainly not be arguing for fathers to need to take lengthy parental leave in the same way that in the country men are entitled to a certain amount of parental leave. That is good for them; it is good for their marriage; it is good for their partner; it is good for the baby. This Parliament needs to be a 21st century Parliament. We are finding younger Members coming into this place. I am aware of a few colleagues who are expecting, as dads, and they would absolutely love to have some kind of ability to spend time supporting their partners. It is just how it is. If we want to be real about a decent Parliament that represents the society in which we live, we need to accommodate the way that people need to raise children.

Q189 **Chair:** How much leave do fathers get now?

Andrea Leadsom: They get two weeks, unless they are taking shared parental leave. What we are doing now is taking greater steps to enable parents to choose who takes the parental leave, or whether they want to share it, but that is a workplace issue.

Q190 **Chair:** As you said, we do not want to get ahead of what is out there, but also I do think we need to recognise that, as difficult as it is for some of us to accept at times, we are Members of Parliament. That comes with an entirely different level of responsibility, I am afraid, to almost any other job because ultimately, at the extreme, we do send young men and women to war, for example. Sometimes it is not as straightforward as we would like it to be. We have solemn duties to perform here.

Q191 **Helen Goodman:** We had some discussion about the SI Committee in the EU (Withdrawal) Bill. The Government agreed to an amendment to the Bill and you have been thinking about changes to the Standing Orders in line with that. You are probably aware that this has arisen on other Bills. I do not know whether the Foreign Office has discussed this with you in the context of the Sanctions and Anti-Money Laundering Bill. In the case of the Sanctions and Anti-Money Laundering Bill, it is rather different from the EU (Withdrawal) Bill because it is permanent, it is not time limited and it would not be appropriate to have a sifting committee. When you impose sanctions you need to do it quickly sometimes, so you need to do the negative procedure. We cannot have Parliament spending 40 days discussing whether or not to do it because by then all the money will have been siphoned away and sanctions will not work. However, there has been a big argument about the use of Henry VIII powers in that Bill and the Government themselves, in the consideration of the introduction of the Magnitsky amendment, are looking at the role of parliamentary Committees. In my opinion, it would be a good idea to have a Committee that considered all the delegated legislation that fell under that Bill so that instead of calling ad hoc SI committees, one SI Committee dealt with the stuff as it arose and also performed any review



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functions.

I can see from the look on your face that no one has mentioned this to you and you have not had time to think about it so I am not going to ask you to comment on it as an idea, but I am going to ask you if you would think about it, please.

Andrea Leadsom: Of course. I am always really happy to hear suggestions and ideas, and yes, you are right, I am not aware of this proposal. You are also right, however, that the particular nature of the Sanctions and Anti-Money Laundering Bill means that quick decisions are needed. I will certainly take it away and think about it.

Helen Goodman: Okay. I will send you the letter I have sent to the Chairman.

Q192 **Mr Peter Bone:** On Private Members' Bills, you did say, I think it was last November, that we were going to get additional days—quite rightly because we are in a two-year, not a one-year parliamentary Session—probably another 13 days. As you have turned over a paper, are you about to announce to me what those 13 days are?

Andrea Leadsom: I am not.

Q193 **Mr Peter Bone:** When might you be turning over a piece of paper and telling Parliament when we are going to have the 13 extra days?

Andrea Leadsom: Standing Orders set out the number of days in a Session. History shows that the Government will give extra days, but of course that is subject to the progress of business and there is a huge amount of business that needs to be done. You are shaking your head, but it is subject to the progress of business. The dates will be announced, but they will not be announced until we are completely clear which Fridays are available for those Sessions.

Q194 **Mr Peter Bone:** The bit I was shaking my head about was not the fact that you need more legislative time—I am sure that may well be true—it is the fact that there is no convention that that was a reason for stopping having the number of Private Members' days that we should have, so if you are in a two-year period it is 26, not 13. The previous Prime Minister went along with that convention. There is no convention, just invented, that because the Government have pressure on legislation, you do away with Private Members' Bills or you do away with Back-Bench business days. That is wrong. It is laid down in Standing Orders—

Andrea Leadsom: Absolutely.

Mr Peter Bone: —and, if you then go for a two-year Session, the convention and understanding, in fairness to Parliament, is that you will increase the number of days proportionately. You have undertaken to do that.

Andrea Leadsom: That is right.



Q195 **Mr Peter Bone:** We are progressing along. It would be helpful for Members to know what days are likely to be Private Members' days. Even if you tabled them as what we hope them to be and you had to change them later on, that would help a bit.

Andrea Leadsom: I will take that away and think about it but, equally, you are absolutely right, the Standing Orders do set out the number of days and Government absolutely do commit to those and to announcing them in accordance with Standing Orders. The convention to give further days is not something that has a by-a-certain-date attached to it, as you well know. It is something that really does need to take the progress of business into account.

Q196 **Mr Peter Bone:** I agree. That is entirely right. Would I be fair to say that we will get these Private Members' days, but you are just not in a position yet to say when they are?

Andrea Leadsom: Yes.

Q197 **Mr Peter Bone:** On the second point about Private Members' days, there seems to be some delay in money resolutions coming for Private Members' Bills to get Second Readings. It is very difficult to get a Second Reading for a Private Member's Bill; I think only six or eight have so far. Why does that convention seem to be failing at the moment? It used to be that the Government would announce a money resolution like day following night; it just happens. Is there some hold-up?

Andrea Leadsom: There is not some hold-up, no. It is a case that the Government will come forward as the opportunity arises. There are a number of Private Members' Bills that the Government support and are very keen to see go through and we will announce those money resolutions as soon as we can.

Q198 **Mr Peter Bone:** My money resolution has been given. I have seen it signed off by Mel Stride and it is there, but it has not managed to get its way on to the Order Paper. I understand that there is one way the Government could help Private Members' Bills. At the moment, only one Private Member's Bill can be in Committee at one time, unless the Government give permission for more. As there is an unusual delay, are Government minded to allow more than one Bill to be in Committee at any one time?

Andrea Leadsom: That is not a decision that has been taken.

Q199 **Mr William Wragg:** On that point about PMBs, I was part of the Bill Committee for Steve McCabe's PMB. We sat this morning, which was for the third time of postponement, and we were unable to proceed with the consideration of the amendments and so on because a money resolution had not been granted. That is a PMB that enjoys the support of the Government. Will you ensure that those channels are working properly?



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Andrea Leadsom: I will make sure that those channels are working properly. There isn't a specific hold-up. I can absolutely assure the Committee of that.

Q200 **David Linden:** I will be brief, because I am following up. Do the Government plan to make changes to English votes for English laws or the double majority?

Andrea Leadsom: No, not at present.

Q201 **David Linden:** No? Will the Government take part in any Opposition Day debate votes in the period of this Parliament?

Andrea Leadsom: Those are looked at on a case-by-case basis. As we set out very clearly, where the Government decide not to vote and then a motion of the House is passed, a statement will be provided within 12 weeks to address what the Government are doing to tackle the recommendation and requests of the House. That is a decision that we took early on in this Parliament but, nevertheless, we look at each Opposition Day motion on its own merits.

Q202 **David Linden:** I have a huge amount of respect for you personally, but I fundamentally disagree with the assertion that we have a packed legislative agenda when, increasingly, this seems to be some sort of zombie parliament. A two-day general debate on Europe, general debates on the economy: I think the idea of the Government struggling to find time when the place seems to collapse every week in terms of business is nonsensical, frankly.

Andrea Leadsom: I just do not agree with that. I get representations every Thursday at Business questions, "Can we talk about Russia? Can we talk about Europe? When are we going to be able to do this?" We are trying to accommodate. This is an unusual Parliament and, more than ever, we are trying to accommodate all views in terms of legislation. We have had some bad weather, which meant we brought forward some debates on behalf of the Backbench Business Committee, which had had to cancel them. We are trying to give time and you cannot have it all ways. On the one hand, I am berated every Thursday for not providing for debates on subjects and then when we give them, people berate us for not allowing time for legislation. It is tricky; it is tightrope time.

Chair: It is. That is politics.

Andrea Leadsom: Exactly.

Q203 **Bob Blackman:** Mr Wragg and I both serve on the Backbench Business Committee, as you are aware, and we had a brief discussion yesterday, because, as you quite rightly say, Back-Bench business has been lost; one of the reasons why it has been lost is that the Speaker has granted SO 24 debates. While I have every sympathy for the grant of SO 24 debates, I wonder if you would consider a proposal to change Standing Orders to move such debates to the end of day so that the business that



is duly published is not disrupted. The Members who choose to bring an SO 24 application and wish to participate in the debate can do so because, after all, there is no vote at the end of that, but they can get their details on the record without disrupting the business that has been clearly advertised. We have had people travelling to Parliament to listen to debates, only to see them done away with because time has run out. Would you be sympathetic to that view?

Andrea Leadsom: I particularly recall the RBS debate that had to be pulled. People had travelled to Parliament, and I know there was some disappointment. Obviously, SO 24s are a matter for the Chair, but if the Backbench Business Committee wanted to write to me with a recommendation I would certainly look at it favourably and see if there was something we could do about that, because I do agree. Yesterday some Government legislation was lost, Back-Bench business has been lost and so on, so I am sympathetic to that.

Bob Blackman: We have agreed that the Chair will be writing to you on exactly this point, hopefully before Easter, but obviously that depends.

Andrea Leadsom: Okay.

Q204 **Mr Peter Bone:** Mr Chairman, the loss of Government business yesterday was one of the reasons why SO 24s are a powerful tool for Back Benchers. It is to say to Government, "Hang on a minute, this is an emergency debate of real significance. We are not dealing with something" and in a way it is a punishment to the Government for that, so I am not entirely sure I want to make that easier for the Government. I understand the reason Bob said, and it makes a lot of sense in that context, but it removes the punishment factor from SO 24s.

Andrea Leadsom: Yes. I think what Bob is talking about is the Back-Bench business that has been lost, but nevertheless I take your point. I think his point was about members of the public who have come here to hear a debate, often from quite a long way away.

Mr Peter Bone: Please announce the date for all those under SO 24.

Chair: Leader, thank you very much.

Andrea Leadsom: Thank you. Thanks for having me.