

Procedure Committee

Oral evidence: Procedure under coronavirus restrictions, HC 300

Wednesday 7 October 2020

Ordered by the House of Commons to be published on 7 October 2020.

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Members present: Karen Bradley (Chair); Kirsty Blackman; Bambos Charalambous; James Gray; Andrew Griffith; Mr Kevan Jones; Nigel Mills; Owen Thompson; Suzanne Webb.

Questions 319 - 337

Witnesses

I: Daisy Cooper MP, Rachael Maskell MP and Dr Philippa Whitford MP.

Written evidence from witnesses:

- [Daisy Cooper MP](#)
- [Rachael Maskell MP](#)
- [Dr Philippa Whitford MP](#)

Examination of witnesses

Witnesses: Daisy Cooper MP, Rachael Maskell MP and Dr Philippa Whitford MP.

Q319 Chair: I thank our witnesses for appearing before us today. As you will know, the Procedure Committee has, since the beginning of March, been conducting an ongoing inquiry into the way in which Parliament and the House of Commons operate in the light of the restrictions imposed on all of us as a result of the coronavirus pandemic. We are carrying out a short inquiry on whether specific improvements could be made to how the Chamber operates in light of the ongoing restrictions. In particular, we are looking at the call lists for debates and the way in which time limits operate, although we know that there will be other issues that Members will wish to discuss. They are the key points that we are focusing on with a view to making some recommendations to the Government before the next recess, which I know has been announced. Hence why it is a very short, sharp piece of work. It does not get in the way of our ongoing piece of work looking at the overall way in which coronavirus impacts our procedures, but it is very specifically looking at those areas.

I will kick off with a question to the three of you. The system of call lists that has been introduced temporarily to manage attendance in the Chamber—I think we all understand why managing the attendance in the Chamber is a challenge at the moment—means that Members know when they are likely to be called in debates, and the Whips can make sure that those who are in the Chamber are those who are down to speak. We are specifically looking at the call list prepared for debates on motions and on legislation.

The first question, which is quite an open one: how well is the system working, in your view? What effect does it have on debate? I will start with Rachael and then move to Philippa and Daisy.

Rachael Maskell: Thank you. I welcome this inquiry by the Committee and thank the Committee for its ongoing work, particularly in looking at having a safe environment in which to debate.

I think the call list works incredibly well. It means that we need to be very prepared in putting in for debate and making sure that we do that within the time limits. I question whether or not we could perhaps extend the time to the end of the working day before the debate, but certainly having a call list and knowing where you are on the list helps in your preparations and planning. At the moment, it is absolutely crucial for knowing when to be in attendance in the Chamber, and you can observe proceedings from other places, whether from the Gallery or your office, to ensure that you follow the debate. But also it helps to plan, so if you are further down on the call list, you are well aware of the capacity of the Chamber to accommodate at this stage. I think it is a very good initiative and it should not be a secret where you sit on the call list. It helps everyone with their planning for the day, their time and the interventions that they want to make.



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Dr Whitford: I think the call lists are essential in the current situation. I don't see another way that you can manage the Chamber when it can accommodate only 50 MPs. People need to know when to be there or you would have a huge crowd in Members' Lobby. But I think that more generally it allows people to plan their time better. When I came to Parliament, having been a busy medical professional, I found the waste of both MPs' time and researchers' time to be quite shocking. People could ask for staff to prepare a brief, and they would prepare a speech. If it was one of the big crucial debates, you might sit for six or eight hours in the Chamber to speak for two minutes at the end or not speak at all. That seemed a very bizarre waste of a lot of brainpower, and that is clearly reduced by a call list. We have such a thing in the House of Lords and in the Scottish Parliament at Holyrood.

It seems to encourage fairer speaking times and a fairer mix of when people are speaking. It was quite striking in previous Parliaments that people were called in order of seniority. In the very repetitive debates that we were having, such as Brexit, probably the first 10 speakers were almost always the same and because of the dominance of men in the past, those first speakers were all men. I think it offers the possibility of a fairer mix and a better management of the debate for the Speaker or Deputy Speaker, but also for MPs and their staff in the long term.

Daisy Cooper: I agree with everything that the two other witnesses have said wholeheartedly, so I won't repeat it.

I would like to add my perspective as an MP with a hidden disability. I won't go into the details too much, but I have Crohn's disease and eight years ago I had lifesaving surgery and two thirds of my gut has been removed. What that means for me personally is that every single day I have to constantly juggle what I eat, how much I eat, when I eat, how much water I drink—all these kind of things—alongside managing my pain management and my diary. On days when I have been able to speak in the Chamber, say just twice—once in the morning on an urgent question or a statement, and once in the afternoon in a debate—it means that if there is not a call list, I am unable to eat anything at all. In the first four months as an MP, before we all had to go into the hybrid system, there were at least three occasions when I thought I might faint in the Chamber because I was not able to eat all day because I couldn't plan my day.

The introduction of call lists has been revolutionary for me. It means I can eat some food during the day, which helps with my concentration, my wellbeing and my levels of energy. I am happy to say that I am in remission, which means I don't have any active disease, but if I did, I would be having to conserve my personal energy. I am sure some of you are familiar with the concept of the spoon theory, which is that you have only a certain number of units of energy per day. Luckily, that doesn't apply to me right now, but certainly if it did, I would be using up all of my



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energy on preparing for interventions and speeches that never came about and I would have no energy left for doing other work.

As far as I am concerned, call lists have been revolutionary for me personally, and I think would be for many other people with long-term illnesses and long-term conditions.

Q320 James Gray: Leaving aside Daisy's extremely important point—I know that allowances could be made for that in all sorts of way—I am slightly concerned that the discussion we are having is not about the Covid arrangements, but about the benefits of call lists in general. That concerns me slightly for this reason. Would the witnesses not agree that the huge importance of a debate—in being in the Chamber to listen to other people and to debate—is not the opportunity to stand up and make a statement. It is a question of it being a debate. The call lists have always existed, of course. The Chairman has a call list; it is just not public. If the call lists were to become established, most MPs would, I know perfectly well, just turn up and make their speech and leave again, thereby fundamentally undermining the whole principle of debate. What do you all think about that?

Daisy Cooper: There are some debates where I have sat in the Chamber just to listen because I have been interested in them. There are other occasions when it is more convenient to listen to the debate from your office because you can hear on TV. You may not want to take part, but you still listen to it. I think that is important. To be honest, I don't know whether this is because of my perspective as a new MP, but certainly as a new MP, I witnessed a lot less spontaneity than people claim exists. In most cases, even when people are going into the Chamber to make interventions, what I have observed is that people have prepared their interventions already and have already made up their minds. To some degree, I think there is a genuine question—I think it is a good question—about how we foster more debate in the Chamber. I have been alarmed that even when you can have interventions, many of them are already preplanned and preorganised, and that is quite apparent.

I think you are right to ask the question, and I am not entirely sure what the answer is. I think it is important to have people in the Chamber and for people to stay there. The rules around requesting people to come for the start of a debate and the end of a debate, and to listen to other people there, is fine. The bit that I specifically object to is not knowing when I am going to speak, because it means I can't eat all day and I think that is deeply unfair. In addition to that, it means you can't plan your day and use the time efficiently.

Chair: Before I bring in Rachael, Kevan Jones and Andrew Griffith both have their hands up, so it might be worth getting their questions. Then Rachael and Philippa can reflect on those questions as well as James Gray's.

Q321 Mr Jones: The system that is working has been implemented out of



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necessity, but I think there are a couple of issues. One is that people put in for debates and don't get in on the call list. I will give an example of this: on Monday, I had an urgent question on the Horizon scandal around the Post Office. Karl Turner, the MP for Hull—I am not sure which seat it is now—who has done a lot of work on this issue for many years, was not on the call list because he obviously did not get through the ballot. I am not sure that the present system is reflecting those people who have an interest or expertise in an area, who are being denied an opportunity. Karl certainly would have made a very good contribution to that debate.

I have no problem with call lists being made public, and I sympathise with what has just been said, but the problem now is that there is an expectation that if you put in for a debate, you will get called. When I was first elected that was not always the case. Okay, it was not fair. I can remember waiting to do my maiden speech for six hours and didn't get called, but the system we had in place was very fair because if you didn't get called in one debate, you were always at the top of the list for the next debate you put in for. I think that changed slightly under Speaker Bercow. I recognise the fact that certainly on Europe you would call the same people all the time, and I accept that.

The other concern I have is that we are not getting debates now. What we are getting is people coming into the Chamber, reading a statement into the record and then leaving and not taking interventions. An example of this was on Tuesday on the Covert Human Intelligence Sources (Criminal Conduct) Bill, where you had a number of people who came in and made statements—obviously they had not sat through the debate—and wouldn't take interventions, so there was no way of being able to challenge what they said. I accept that what we have to do at the moment is unique because of the circumstances we face, but I wouldn't like us to get into a situation where we have people come in, read things into the record and then that is it, because that is not debate.

The expectation that everyone will be called in a debate is now leading to some ridiculous issues where people are getting two or three minutes, or even less, to read their statement into the record. Even if some of those individuals have no expertise in that area or know anything about it, they just want to be seen to be saying something on the record. That is the only danger, I would say. A more intelligent system is being able to look at the people with interest or expertise in an area, and also some fairness. If people are not called in one debate, keep a record and let them be called early in the next debate.

Andrew Griffith: I have a really quick point. I think it relates mostly to Daisy. Our Whips are fantastic and very family-friendly, and they are very happy at the beginning of a debate to have a quiet conversation about when you will be called. I am concerned. It sounds like that is not the case for the Liberal Democrats. I think our Whips have done a really good job and it does not sound like yours are doing a similarly good job.

Chair: Where you get called on the list is a matter for the Speaker and whether the Speaker decides to tell your Whips as to where you might



be. It is very much at the discretion of the Chair as to whether they tell your Whip where you are on the list. But we can ask those questions of the Deputy Speakers when they give evidence on Monday.

Rachael, do you have any comments in light of Kevan's, Andrew's and James's comments?

Rachael Maskell: I think it is incumbent on all MPs to engage in the whole debate in which they are participating, because having knowledge of what other people have said informs your contribution within a debate. Obviously, that can't be policed if people are not in the Chamber—I understand that—but often people are in the Chamber and they are on their phones and looking at other papers as well. There is the expectation that you will want to participate.

I also think it is really important that MPs have an equal opportunity to represent their constituents. There is no constituency that should have preference over another, and we come here to make those representations. It is absolutely vital that we make it as inclusive as possible for people to be able to participate. If you have a particular constituent issue, there is nothing to preclude you from writing to the Speaker and highlighting that, and you can say that you have a particular interest in a topic that is for debate or questions. For instance, during the flooding period, I raised a concern about participating in a debate on floods because of the situation in York. I think there is opportunity to do that without being exclusive to who participates.

Q322 **Chair:** Thank you. Philippa, do you have any comments in the context of where we are today and whether improvements need to be made to the way call lists operate under the coronavirus pandemic?

Dr Whitford: I am in the group of very high-risk MPs who, frankly, are excluded from debates and legislation completely. I had to attend two weeks ago because I had a private Member's Bill on whistleblowers or else I would have had to pull it after two years' work with the whistleblower group. But I have not been to Westminster. We will come on to other things that I observed in Westminster as a doctor that I found a bit disappointing, but we have over 100 MPs who are, in essence, excluded—full stop.

I totally take Kevan's point. Karl would have been called, people who chair APPGs or have spoken on an issue a lot might be called, and I don't see a real reason why if people have put in, there couldn't be a degree of Speaker discretion before the call list is published. You would still have to put in, which we all had to do anyway, but I wouldn't see a problem with the Speaker going, "There are the leads and then I'm going to pick these other four or five people whom I know have a very particular interest." I don't see that as a big deal to do right now, and then you are saying, "How many other spaces have we got?" I think rather than having a whole lot of MPs getting two or three minutes each, what should be looked at on the call list is what would be a reasonably acceptable time,



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and then to say that there are 40 spaces in a debate that are open to ballot, or 20 or 30.

I totally agree about the issue with interventions, but when we were not leading in some of the key debates that we have had since 2015, when I came here, SNP MPs tended to cluster in the last half an hour or hour of a debate, and you literally saw your chance of being called evaporating as the day went on. One of the issues is also looking at interventions. Some people intervene on a colleague just to give them more time, so maybe the time should be shortened. Maybe it should be 30 seconds for each intervention, or you stop the clock for each intervention, but I agree that when time gets tight and people stop intervening, it starts to get quite dull and laborious. It is just people reading out a preprepared statement.

I think interventions are important, but a fairer mix of people who speak and a fairer allocation is quite important, and that is something call lists should do. I would suggest that if we put in for a debate, the Speaker has a certain number of slots they allocate on discretion and then they assign, in whatever way you are balloting, the remaining spaces to allow everyone whatever you might think is reasonable—six or eight minutes in the debate. I think call lists could be improved, but they bring a good basic principle.

Q323 Chair: Daisy, I wanted to come back to you to see if you had any further comments. Rachael said at the beginning that maybe the time at which you put in for debates could be looked at. Daisy, do you have any other comments about how the call lists for debates might possibly be improved?

Daisy Cooper: I quite liked some of the ideas that Philippa was suggesting there. Allowing interventions is a good thing. Whether you limit interventions so that they are genuinely an intervention and not a speech within a speech is possibly the way to look at it. I am fairly flexible and don't have a strong view about how long time limits or interventions should be, or any of those kinds of things, but I think they should be looked at. The fundamental thing that I want to emphasise is the importance of the call list in the first place.

Q324 Mr Jones: On interventions, Chair, I don't disagree with what Philippa said, but years ago if you had not been in the debate and just turned up—some people do that now and intervene to get on the record, but then leave after the intervention—the Speaker used to intervene and say you couldn't do it. I think part of it is the way in which debates are chaired. If people are doing that to either, as Philippa said, help the individual get more time or to get their name on the record, that always used to be stopped and the Speaker would not allow that. I think the Speaker could perhaps manage that. It is different if it is someone who has sat through the debate and makes a genuine intervention, but it is something the Chair could control if they see people walk in and then walk out once they had made their intervention.



Dr Whitford: Could I say, though, Kevan, that that is just in relation to if we keep call lists in the long term? At the moment MPs have to rotate in and out. The SNP has three seats, so when someone has done their speech they need to get out and allow the next person in. That would be something to look at if you were going to keep them in the long term, but at the moment we have to accept that people are coming in a couple of speeches before them and going out a couple of speeches after.

Mr Jones: These are people, Philippa, who are not on the call list and turn up, make an intervention and then leave. I think that is the difference. I accept what you are saying about the limitations we have at the moment, but if you did that years ago, Speakers used to stop you because it was a way of either helping a friend to get more time or just getting on the record. There is a difference between what I am suggesting and what you say has to happen at the moment because people have to leave. I accept that.

Q325 **Bambos Charalambous:** Philippa, you touched on virtual participation. Since 2 June, virtual participation in the Chamber has been limited to questions, urgent questions and statements, but not to participation in the Chamber in debates on motions and on legislation. How has this affected your ability to participate in the debates? I appreciate that you have already said that you have reasons why you can't physically be in the Chamber.

Dr Whitford: Like other MPs who are vulnerable or shielding themselves, or who have a family member who is shielding, I couldn't attend. But in the actual hybrid Parliament, I took part in debate and in almost every aspect of proceedings, including the fact that we could vote ourselves, which meant that MPs had their own responsibility to vote and therefore had to remain engaged. They needed to be watching the Parliament channel, to know when the vote was coming and what is happening.

I was quite shocked to be excluded. The Medicines and Medical Devices Bill was then coming back. As one of the more senior medics in the House of Commons, I had contributions that I wanted to make, but I was excluded. I was grateful to Alex Norris of the Labour Party for laying new clauses and amendments for me, but having spent 33 years on the front line in the NHS as a surgeon, I felt I could contribute to making that Bill as useful as possible. I found it pretty poor to be excluded from that and I have been excluded from almost all debates. I took part in one petition debate that was organised as if it was a Committee about two months ago. I was then very disappointed then although the second petition debate was held in Westminster Hall on that basis, those Westminster Hall debates also exclude shielding MPs and so on.

We had everything back in May, except Bill Committees, and that was put down to needing to convert more of the Committee rooms. To me, the sensible thing to be doing was improving the hybrid Parliament rather than removing it.



Q326 **Bambos Charalambous:** I will ask the same question to Daisy and Rachael.

Daisy Cooper: I am back in Parliament, so I don't have anything to add to that specific point at the moment. I know that the purpose of today is not about the long term, but in the long term, I would simply ask that you consider those with fluctuating conditions where there are some days and weeks when they are able to be in Parliament and some days and weeks when they are not. That needs to be looked at in the long term.

Rachael Maskell: Thank you for your question. I want to go back to the point that we are representatives of our constituents and they have a right to have their voices heard, and we all should have that equal right. I believe that the current policy is discriminatory against older Members of Parliament and those with underlying health conditions. For that reason alone, I think we need to move to a virtual debating system, and I agree with what Philippa Whitford was saying about participation in debate by watching the voting system. I believe it will increase democracy if we are able to vote remotely—a system that worked perfectly well. I think it is really important that we return to that.

The reason I state that is that many of us have come down and are deeply concerned about the safety measures. I note the Speaker's additional statement yesterday about improving those safety measures, but across the Chamber, and inside and outside the Chamber space, I notice daily people not socially distancing and not covering their faces. I worked in respiratory medicine for 20 years. I know what it is like when somebody becomes ill and the risks are there. There are people who are coming down because they feel they have no other choice in the way that they represent their constituents and are putting themselves at risk. You may not have a risk yourself and, therefore, feel you don't have to cover your face, but actually you are putting somebody else's life in danger. Last week we saw the introduction in the Chamber of a risk due to somebody who turned out to be Covid-positive. It is not just the MPs; it is the staff. I often see the staff completely ignored at the entrance and exit points of the Chamber. Also I see discussions happening at the Chair, and I think we need to find a new way of communicating with the Chair so that we are not putting the Speaker at risk as well.

This is a deadly virus and we cannot step back from that. There is nothing to say that the potency of the disease has got any less and, therefore, we absolutely have to put that first and foremost above everything. To deny people from participating either through their vote or through speaking is denying the function of Parliament. I know representations have been made and continue to be made on this element, but it is absolutely vital that we get a Parliament of equals no matter who your Member of Parliament is. No matter what their experience is and their underlying health situation, we should be about equality in this Parliament and setting that example. Quite frankly, at the moment we are not.



Q327 **Bambos Charalambous:** From what you have said, I take it that you are all in support of a reintroduction of virtual participation in debates and on motions. What effect will virtual participation have on debates, on motions and on legislation? Do you think that virtual participation will adversely affect debates? I know that Kevan has partly touched on that, but what do you think?

Dr Whitford: I took part in a Glasgow University debate for their freshers week and they used the chat function in Zoom—thinking about interventions for those engaging virtually—to highlight that someone wanted to make an intervention. There could be a Clerk or someone observing in the Chamber who sees that an MP is asking for an intervention and lets the virtual speaker know. There are ways around a lot of this. I was back in the NHS for four months during the first wave. The NHS had to completely redesign itself and it is looking at, “What are the things we are going to keep?” I think Parliament has to do the same. The idea that we must go back to every single thing we did before and learn nothing from this is wrong.

I don’t know if we are coming to the issue of the safety in the Chamber. It may be under a different questioner and I will have comments about that when we get to it. I think we could develop the hybrid Parliament further and I would have no difficulty even if having access to it was quite strict: you had to be in a lockdown area, be isolating or produce a medical certificate. I don’t care, but there should be some recognition of that. If you were looking at it long term, having been dragged up and down from Scotland to London in a wheelchair for six weeks last autumn, with a leg that was purple and looked like a tree trunk, because I had no choice, this would enable people with illnesses, disability, injury or a terminally ill partner to engage. We only have proxies under Covid at the moment and normally around childbirth. My colleague who had a brain haemorrhage does not have a proxy and is currently excluded. These kinds of things are bizarre. Parliament should be looking at what is available in the 21st century and using that to its advantage.

Daisy Cooper: It strikes me that there is a hierarchy of priorities here. The first priority should be that MPs feel safe. They should be safe and they should feel safe. If debate is affected because we are keeping people safe, so be it. The next stage is that if debate is affected, can technology be used to overcome that in one way or another? Philippa has just given one example. The idea that I find completely unacceptable is that you would put MPs back into an unsafe environment simply to recapture some of the spontaneity that you might get in a debate. I think that needs to be absolutely ruled out as a principle. You start with the first principle, which is keep people safe and make sure people feel safe, and then if debate is affected, which we know it is, we have a technological solution.

I have found it incredibly frustrating. When we were initially brought back, the argument was that we had to be in what felt like an unsafe



environment without any of the provisions that are now in place in order to get back debate. That should never be allowed.

Rachael Maskell: I completely echo the remarks already made. Technology is an incredible thing. We walk around with it all day and it controls our lives, doesn't it? There is no reason that cannot be engaged more to ensure that we have participation and a safe environment. By not exploring those options, how long are we going to keep a system that was created centuries ago? I am not saying throw the baby out with the bathwater, but I think there is a real opportunity now to embrace the modern technology in the modern age to ensure that we create an environment. Again, I put on record the importance of ensuring that we are at the forefront of equality and making sure that we are a Parliament that sets the world standard—if we are the mother of Parliaments—on how you engage people with underlying health conditions, disabilities and other equality issues. If that is a driving principle—I trust it will be, and I know the Chair of the Committee is committed to the equality agenda—I think we should really advance our Parliament, but also set new standards for us all to understand and adhere to.

Bambos Charalambous: Thank you all.

Q328 **Owen Thompson:** To follow on from that, starting with Rachael, some Members have pointed out the difficulties caused for Members with disabilities for some of the Chamber conventions and courtesies such as bobbing, and obviously that has been suspended during the current period. Do you think it is welcome that some of these conventions have been suspended? I will follow on after I hear the views of the three witnesses.

Rachael Maskell: I think we have to look at how people can participate in the age that we are in. For those who can't stand up, why should that be a convention? Maybe sitting down a long time could be an issue for other people. Conducting an inquiry looking at access to participation would be a really positive step forward because we want to be inclusive of everybody. Understanding the breadth of underlying health conditions, whether visible or not visible, is really important and it is essential that we do that. I believe there is legislation to highlight that we should. I think that would be a really positive step forward.

Dr Whitford: As someone who has rheumatoid arthritis, I find a problem with both sitting a long time and bobbing—bobbing was not possible; Speaker Bercow made allowances for that and I had to hold up my Order Paper. The problem is if you have a busy urgent question or debate, you can't actually be seen. Rheumatoid hits all of your joints and I would end up with a really painful shoulder from holding up my Order Paper for 45 minutes or something, trying to get called. Some of these methods come back almost to the call list: you have put in that you want to speak in the debate or that you want to take part in the urgent question. I have always felt that it is a rather bizarre way to let it be known that you are trying. You have to double bob, so you are the bobbing when the Minister



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speaks, and then you are bobbing again when someone else is asking. If it is a long UQ, it can be quite a lot.

I echo what Rachael said. We all pay lip service to having Parliament look like society, but the number of disabled MPs is tiny. One in five people are disabled, but a lot of them would look at our hours and the physical demands of Westminster—of travelling there, of moving around, and of what is expected of you in the Chamber—and would just rule themselves out. Like the NHS, we should be salting learning from this period to say, “What of this would actually improve our long-term experience and what we offer?” particularly on inclusion and representation.

Daisy Cooper: There are two or three points on this. On a personal level, bobbing has only been a problem for me when it has been combined with other conventions at the same time. When there is no call list and you have to do bobbing, for me it is the combination of not being able to eat all day, plus feeling lightheaded, and then having to stand up and down rapidly—very quickly—in a very warm Chamber. That doesn’t produce good results, so on a couple of occasions, I have just sat down and decided to stop bobbing. It is the combination of bobbing with all the other conventions, so I don’t think it is possible to take them individually. You have to look collectively at all of the conventions you have to follow at any one time.

The second thing is that there is a distinction for some conventions about those that need to change so that Parliament can become accessible for everybody, and those that can remain in place and may be there for a good reason but where reasonable adjustments can be made. There is a distinction between those two. I think that bobbing means that Parliament becomes incredibly inaccessible for lots of people and I would like to see it end. One of the things I am very aware of is that because I don’t have much of my gut left, I get very thirsty and I am drinking water all the time. I think everybody needs to have a bottle of water in the Chamber, but certainly I need to have one and a reasonable adjustment has been made.

It is important that there is broad consultation. I had two requests when I made my submission to this Committee. One is that a forum is set up for disabled MPs so that they can have conversations about reasonable adjustments that are needed. The second is that there is a named individual in Parliament to whom we can go with requests for reasonable adjustments. I didn’t have a clue who to ask, and it was only when I was told by a Doorkeeper that I was not allowed to take my bottle into the Chamber—I felt quite panicked, to be honest, because dehydration can lead to other complications for me—that I was then told, “You could ask the Speaker and he might be all right with it.” But the idea that I have to ask for a favour for something that I need as a reasonable adjustment, and in law should be entitled to, put me on the back foot.



Those are two or three comments about how you look at conventions as a whole and how you make the distinction between those that require broader accessibility and those where you might just need reasonable adjustments and the process for allowing people to request.

Q329 Owen Thompson: I have a follow-up to that, and I will start with you, Daisy. From what you said, I think I know the answer to the first part, but do you think some of these conventions should be done away with altogether? If that happened, what effect do you think it would have on the quality of debate?

Chair: Before you do that, James Gray raised his hand. If James could make his point, you can address both those points.

James Gray: Of course there are all kinds of arrangements that can be made for people with disabilities, and there always have been. There have been people with wheelchairs in the past, for example, and all kinds of arrangements can be made. That is quite a separate matter. It is not a question of having call lists. You can't have a call list on an urgent question or a statement—for two reasons. One is because it is urgent and, therefore, you could not do it on a call list, sending it in on the previous day. The second is because if you do a call list, you let the Minister off a hook. You are saying to the Minister, "Here are the people who are going to ask the questions," and it is very easy for them to swot up on what that particular person is interested in. Funnily enough, the Leader of the House was talking about this very matter with me last night with regard to business questions on Thursdays. It is a piece of cake for him now, because you know who is going to ask questions.

The whole question of making allowances for people with disabilities, which is extremely important to me—must do that, always have done that—is quite a different question as to whether you should have a call list for UQs or statements.

Rachael Maskell: I will pick up on the point about the use of water in the Chamber. I think is a public health issue as well, with people being able to go to the loo or drink water. You really shouldn't be asking about those kinds of things. This is a workplace and we have to be able to abide by those things.

With regard to conventions, we have to start in a different place, and I think it is really important to start looking at accessibility. If I can pick up on the point about exceptions, the whole point about taking a social model looking at access is that there are not exceptions; everything is inclusive for everyone. We don't have individuals who are drawing themselves out as being different from anybody else. We need to take down the barriers that society creates, not put exceptions in place for individuals, so I disagree with the point made.

On the call list and being able to know in advance, in the past I know that the previous Speaker used to call everybody who put in for an urgent question. I guess a Minister could expect contributions from anything up



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to the number of people who would normally attend an urgent question. The reality is having a call list there means that everybody knows when they are going to be taken in an urgent question. I don't think it precludes or lets the Minister off the hook, or indeed means that they can second guess the actual question that an individual is going to put to them. I don't think that having call lists, as we do now, for urgent questions precludes anything or reduces scrutiny, which is clearly the function of Parliament.

Daisy Cooper: I am not an enemy of tradition and I think it is important that this doesn't become a kind of tradition versus modernising argument. There are other places for that. There are bits of tradition around Parliament that quite frankly don't really bother me. What I am bothered about is having a modern workplace that I can operate in as somebody who has a hidden disability. As Rachael just said, it needs to be a workplace that is inclusive for everybody, and there are conventions in the Chamber that make it not inclusive for everybody. To that extent, where they exist, I think they should be got rid of.

On the question of call lists for urgent questions and things, as a new MP I have had only nine or 10 months of experiencing this, but I haven't witnessed any difference in pre-lockdown to post-lockdown about letting Ministers off the hook. In 90% of the cases where I have asked a question it is because I actually want the answer. It is not because I am trying to do political point scoring. There is always the case that some of us will want to do that, but in 90% of the cases—at least, I would say—I want to have a decent answer from the Government. If them having advance notice that I am going to ask a particular question helps me to get a better answer, great, but that has not been my experience in the last few months.

Dr Whitford: Mr Gray, we have call lists for urgent questions and statements at the moment. We are using call lists for all parliamentary questions, urgent questions and statements right now, so they are not precluded. I would agree with you if there is a concern that there is too much notice to the Minister. I am sure that as people are booking it on the Members Hub, that time could be shortened—it could be made later in the day. Often, we have got to something like 2.30 or 3.30 or even 12.30 the day before, so it could easily be the rise of the House and so on. I don't see that as an insurmountable issue.

I agree that even with the standing for debates, there are disabled Members in the House who still appear to be expected to stand, or maybe they choose to do so because they don't want to differentiate themselves from other people. But it is important, if we are ever going to get greater disability representation in Parliament or people who have deteriorating conditions, like MS or other waxing and waning conditions, that we have a little bit of flexibility without you feeling that you have to stand out like a sore thumb.



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I think all of these at the moment are with the current situation. We can't have a crowded, throbbing Chamber anyway. We can't have 600 people in for PMQs or a busy session. We are not going to have the atmosphere that we had a year ago, so there is no point in being nostalgic for the atmosphere of the Brexit debates last autumn because it simply is not possible. There will not be more than 50 people in the Chamber now, so it will not be as loud and perhaps rowdy.

Then we want to look at what we keep in the long term. I think the convention of using the third person is a good one. That takes the personalisation and heat out of a debate, and I don't see how that inhibits anyone. When you are a new MP, it takes you a couple of months to get into the habit of using the third person, but I think it reduces the personal attack that would exist if you were constantly saying "you" instead of "he". I don't see how that limits anyone with disability. Obviously, it would be up to someone to bring forward if it does, but I think it is important to take the physical ones into account.

Chair: I will bring in Andrew Griffith who is going to cover the way the Chamber actually operates with the restrictions we have in it.

Q330 Andrew Griffith: I am not quite sure to whom this is asked, so all please feel free to give a view. Do you think, given how stilted it is and the difficulty with things like call lists, that there would be merit in having more parts of the Chamber that Members could speak from, for example?

Daisy Cooper: Sure, why not? I don't know if there are huge additional areas that could be used, but if there is more space that can be used, that seems like a good thing, rather than us having to go to a Nightingale Parliament or anything like that. There is space at the back, I think, that is normally not used and that certainly could be used.

I have two frustrations. In the Chamber my frustration has been when MPs have tried to brush past and climb over each other, breathing on each other in the process. That has been rather frustrating, plus people nip out to do phone calls and then come back in again and they are constantly going backwards and forwards. That can be quite frustrating in the circumstances. Making some of that space at the back available would be great. I don't know whether there are plans to make the space upstairs available, but if there is more space available to get us to distance, yes, why not? That sounds like a good idea. I guess it is a technical thing.

My bigger question, which I know is beyond the remit of your question, is what happens outside the Chamber. There have been several times in Parliament where because what is happening in the Chamber is televised, MPs tend to be on best behaviour, but the second they walk through a door at either end, there tends to be bunching together of people, slappings on the back, people not wearing masks, maybe not using the hand sanitisers, and people huddling together in corners to have private discussions. These things should not be happening in Parliament.



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Andrew Griffith: I think the Chair will confirm that as much as we have raised many of these, they are not within the scope of this Committee. Every time I raise anything about the physical infrastructure, I am told it is off-piste for this Committee, so we have to stick to the narrow and arcane area of proceedings, unfortunately.

Daisy Cooper: Understood.

Rachael Maskell: Thank you for your question. If there is more space that can be utilised, let's utilise that space, but it needs to be used safely. I certainly concur that MPs should not be crossing one another. People could move along the row and I think that should be strictly policed because we do not know who could be ill. We have had somebody in the Chamber who was carrying the infection and of course that could pass on to others. We need to respect everybody else's space. We do not want to reduce the 2-metre rule. The 2 metres is a minimum not a maximum that we should be looking at, so I think that is important. But on whether the Gallery can be used, let's explore that if that helps to engage more people in our democratic processes.

I want to pick up on the latter point that was made about entry and exit from the Chamber, which I think is an important part of being able to participate in proceedings. There is crowding that is occurring, particularly behind the Speaker's Chair, and that is not safe. I know certainly with voting it is absolutely impossible. I wait to the very last minute before I go to vote. My office is literally above the Chamber, so I have the advantage of being able to do that, but it is completely unsafe and I fear, if somebody had the infection here, how it could spread. Unfortunately, I have also witnessed, whether during votes or even during procedures, the way that social distance is not observed within the Chamber. I particularly note about the Speaker's Chair area, but also colleagues are going up to one another, whispering, having little conversations at the back of the Chamber. Some of this is on camera; some of it isn't. Quite frankly, if we are telling a nation to keep themselves safe and to follow strict guidance, we have to model it here. It is incredibly disappointing consistently seeing the rules set for the nation being broken in Parliament. There has to be one rule for everyone.

Dr Whitford: There has been the case of someone with proven Covid in the Chamber but we know that there are many people who will be carrying Covid when they are pre-symptomatic. You become infectious a couple of days before you get symptoms, and there are people who will be carrying it and spreading it with no symptoms whatsoever, so every single person, whether staff or MP, should be behaving as if they are carrying it with regards to the people around them. I have observed it remotely and then seen it when I was down, and I was quite shocked at things that were happening outside the Chamber, particularly in voting queues, with people not socially distancing. I have been mocked because I wore a mask and face covering. Staff have told me that if they are



saying, "It is one way," or, "Can you move along?" people were rude to them.

On Daisy's point about people brushing past in the Chamber itself, I think it was a mistake to block the alternate rows. What you want to do is to block the Bench, whether it is a plank or a chain or a rope or something that rules out the Bench, but keeps the actual passageway of the rows we are using open so that people could go beyond them. If you go past the Front Bench and the Clerks and the Speaker, you are literally brushing against people's legs, and similarly if you are going in and out of the Benches. I would block halfway along the Benches that we are sitting in so that people have to go round and in, not just push past three MPs to get to the fourth seat. We are talking about 2 metres, yet someone is actually touching you and that happens a lot on the Front Bench, and a lot close to the Speaker, but it is also if you are sitting in a seated speaking row. That is quite bizarre and it looks quite bizarre on the television, and that could be solved quite easily.

Bringing in the under Galleries could be used. If the upper Galleries were being used, you would need to think about having a screen because if anyone was speaking loudly up there, the droplet diffusion would be across the entire Chamber. These kinds of safety issues would need to be taken into account. I notice the Speaker has asked people to wear face coverings outside the Chamber. Many Parliaments have MPs wearing them inside the Chamber until they are speaking. I would suggest they should at least be wearing them until they are seated and then they could take them off for the rest of the debate. But the way the Chamber is laid out at the moment is forcing physical contact, and I think that would not be difficult to improve.

Chair: Andrew, do you have any follow-up?

Andrew Griffith: No. I think let's just leave it there because we are straying quite a lot off topic.

Q331 **Chair:** Philippa, I think it is interesting what you say about the use of the Benches that are blocked off and whether they could be used for people to move around the Chamber. That is an interesting idea. Can I press you? There has been a number of Members who have suggested we use the side Galleries, the under Gallery, and also the Public Gallery because that is behind a screen. There are clearly issues with the broadcast abilities in those areas, but do any of you have any particular points you would like to raise? These are the kinds of things that we can make recommendations on.

Dr Whitford: I think the Public Gallery behind the screen may feel a bit more detached. Regardless, you would have to be setting up microphone pick-ups for the internal Galleries. With the lower Galleries, there is no real reason other than convention that if people are beyond the Bar they are not included, so that would certainly give you another few seats on each side. I know that Andrew feels that this discussion has strayed off,



but thinking about where people sit and how people get to where they sit is just as important. At the moment people are physically touching each other to get to their seats. I think you can maximise it, but you want people to feel that they are part of the Chamber, so I think the side Galleries at the top—it would be the under Galleries first, then the side Galleries at the top, and then probably the one behind the big screen would feel the most detached, but equally it would allow you to expand capacity and we may have to look at that.

As I said earlier, we can't get back to the everyone packed in like sardines that we had on 11 March for the Budget. That simply is not possible to do. We are not going to have that atmosphere, so there is no point in judging everything by that. It is how to increase participation.

Rachael Maskell: I certainly concur. I don't think I have much I can add beyond what has already been said.

Chair: Daisy, do you have anything to add?

Daisy Cooper: Nothing to add.

Q332 **Suzanne Webb:** How well do you think the current arrangements for time limits on speeches is working? In your view, should time limits be used to allow as many colleagues as possible to participate in debates? This is all about the fact that when you go into a debate the Speaker sets the time limit on it when he thinks that time is running away, and quite a lot of us are left not being able to speak during a debate because the call list is quite long. It is focused on the debate and the length of time people are supposed to be able to speak or allowed to speak.

Dr Whitford: Shall I start, because I was talking about that earlier? I would really just repeat what I said then. I think the call list could be improved to have, as Kevan was talking about, some Speaker discretion about people who have done a lot of work on a certain topic and are known to have, and then thinking what is a reasonable time rather than having an enormous call list. That takes you back to what it was like when we didn't have call lists. You would sit there for four, six or even, in some of the critical debates, eight hours, and then not get to speak at all, yet people at the beginning were able to speak for 45 minutes. If you can't say it in 15 minutes, you probably can't say it in 45. My observation is that the timing is more even and that time limits are used earlier than they tended to be in debates before lockdown, but I think it could be improved.

Rachael Maskell: I will start with an anecdote. There was a debate in June about participation in Parliament and the Leader of the House spoke for 36 minutes of the 90-minute debate. Many of us had a contribution we really wanted to make about the workings of Parliament and we were not able to participate in that debate, yet we had just been called back to Westminster for the very reason that the only way to participate in debate was to be in the Chamber. I think limitations should be brought.



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Clearly people want to make interventions on Front-Bench speakers and to scrutinise the case that is being made, and I think that is absolutely right, but after those Front-Bench speakers, I think we should all be equal in the representations that we make and, therefore, the time limit should be set at that point. If there are not many speakers in a debate, there can be more flexibility around that, but we need to be able to put things on the record. We know how private Member's Bills have been handled in this place with regard to not having time limits. That, again, does not bring about reasonable debate, nor does it enable legislation to move through the process in Parliament and receive appropriate scrutiny. I think this is a really important matter to be addressed.

On participation, I think we have to be realistic that, with the number of MPs there are, not every MP can participate in every single debate and we have to make our selections wisely on that. I think the way that it has worked—if you are a regular contributor, you will not be as high up the list to give other people more opportunity—is fair. At the same time I think we need to bring limitations in for Front-Bench interventions, particularly at this time. There are some very important things that I am sure the vast majority of Members want to raise, whether on the economy or managing the virus. I think we need to find ways of having more parliamentary time to enable more people to participate in these matters because we have concerns we need answers to, which we need to raise to find reason from Government. I think paying attention to some of the core issues that are responding to the crisis we are in, and if in future there are crises we need to address, time should be allotted to enable us to do that further. If that means more priority on sessions to address those crises, it is an important consideration in setting the business.

Daisy Cooper: I think time limits are helpful but, depending on the type of debate, the Speaker should have some discretion, as long as there is transparency around how that discretion works. What I have observed in my first nine or 10 months is that there are very different types of debates. In a debate on domestic abuse, for example, you might have some very powerful testimonies and I would hate for some of the Members of Parliament who have very powerful testimonies or experience on a subject to be cut short because there is not enough time for them. That feeds into the suggestion that some individuals may want to indicate to the Speaker that they particularly want to speak in a debate for a specific reason.

In another kind of debate—thinking about one of the debates on Huawei, or it might have been an urgent question—it was not at all clear where dividing lines were within political parties or between political parties. I thought the most important thing was to get a good number of contributions and the number of contributions was probably more important than the depth, because it was not clear what different individuals' views were.



Of course there is another example of a debate, as has been mentioned, around participation in Parliament where, quite frankly, there were about 20 interventions that were designed to waste time and stop people making serious contributions. That was deeply frustrating and I was very cross leaving Parliament that day.

There are very different types of debates and people speak for very different reasons in different kinds of debates. I think time limits are important as a general principle, but I do not think we need to stick to them as a hard and fast rule. There can be some discretion, but with some transparency from the Speaker about whether that discretion is being given because a certain number of Members have indicated that they want to speak to particular issues. That would be helpful so that people understand why that is happening.

Q333 Suzanne Webb: I will come in on the number of interventions and people speaking. We should not forget that there has been a significant increase in the intake on some different Benches that you sit on and that is naturally going to happen. You say that there were these 20 interventions. I think they were probably 20 interventions where 20 good MPs felt they had a valid point that they needed to make. I think we have to put context to that as well.

Also, the point earlier was that people are just coming, sitting there and speaking from the Benches for the sake of speaking. Again, there is a significant number of new MPs who want to go out there and talk about subjects—new subjects—and learn about them. I think we have to allow that to happen and not criticise them for not being necessarily subject-matter experts. When I have listened to some of them, I think they have been very wholesome speeches and I have commended that they have done that as well. I do not think we should criticise people who are willing to go out there and participate in debate. We should encourage debate. I thought that was what this conversation was about—the call lists making sure we have sufficient time to be able to do that and we have sufficient time to debate a topic.

Dr Whitford: The debate that Rachael talked about was one that excluded people like myself. We were excluded from that debate and from the vote, which seemed to me quite bizarre, because it would have been likely that most of the MPs who are now excluded from Parliament would, of course, have voted for the hybrid Parliament to remain. I think it could be improved. There is no point in saying, “Let’s have 60 MPs all speaking for two minutes each.” There can be some planning in the call lists and how they are used. Particularly you need to keep some slack for interventions, so I think there should be some flexibility in how call lists are put together.

Chair: Thank you. I will bring in James Gray for the last set of questions. I appreciate that we have kept you here for perhaps longer than we had expected, but these have been very helpful contributions and you have given us great evidence. James is going to deal with the specific issue of



interventions.

- Q334 **James Gray:** At the moment, as you know, if there is an intervention in a time-limited speech, you get an extra minute for the first one and an extra two minutes if there are two. Do you think that is a reasonable thing to do, or does it encourage people to get their friends to intervene, thereby extending their speeches? Every minute extra that they get means a minute less for somebody else. Is there not an argument in favour of saying, "If you have a five-minute limit on a speech that is all you get, and it is up to you whether you take the intervention or not"? What do you think?

Rachael Maskell: We have seen the system work well and we have seen it being abused, I think we can say, so it is a very real issue. I think if an intervention is being made, the clock should stop during that intervention. Of course, an intervention should be short and should not be a speech—clearly often it is. The clock can start again because it is up to the person who is on their feet how they manage the response to the intervention. It is their choice to take that intervention—whether they just want to pay a courtesy, or if they want to explore what has been put to them or even dismiss it—so I think it is stopping the clock and then starting it again.

The other day I was in the debate on the Overseas Operations (Service Personnel and Veterans) Bill and wanted to make a contribution. The number of interventions that were about extending, in part, people's time because they had more they wanted to say—not for everyone, I have to say—and from some people who just bobbed in the Chamber and wanted to say something, which happened a lot in that debate, meant that when I was next to be called, I was not called. It can be incredibly frustrating when that occurs. Having a principle of stopping the clock means people will be disciplined in their response and how they organise the way they debate for the period of time they are allocated.

Dr Whitford: I touched on this earlier. I would not like to see an intervention eating up your time if there is a time limit, because I think people then simply would not take interventions. Interventions are what creates debate; you can challenge a point or be challenged at the moment you have made the point. However, I feel that two times one minute is very generous, and I think people use it often to extend a colleague's speech. It is exactly as you have said: it stops someone at the end of the debate from speaking. If it was eating into your speech, you would tend not to take interventions, particularly not from people on the other side of the Chamber who might then speak for a long time deliberately to use up your speaking time. I think that would kill debate. I think it is stopping the clock or a much shorter time back. I don't really see why you need to gain time back, so I think that stopping the clock would be a fair enough compromise.



Daisy Cooper: I think we have all seen examples where interventions are constructive and have genuinely created debate, and then there are other examples where perhaps that has not always been the case.

I take the point from Suzanne that we do not want to get into attacking any particular individuals and everybody probably feels they have a good contribution to make. However, I think there should be a principle around what interventions are there to do. My understanding was that interventions should be short, they should probably also be new in what they are offering, or they should probe a particular point with additional evidence or examples. In my experience, there are many examples where people from both sides of the House have made those new, short and constructive interventions, but there have also been examples of where interventions have not been new—they have been repeated—and lots of people have crammed into the Chamber to make the same point over and over again to use up time. There probably needs to be some guidance about ensuring that Members' interventions are short and are new. If the interventions are not short and new, there needs to be some guidelines or discipline around that.

Q335 **James Gray:** That is an interesting point, but there is, of course, a restriction about being short. When I was a Chair, I would very often interrupt people and say, "You must be brief." That is their right. What a Chair cannot say is what the content of the intervention is. The intervention may be stupid, it may be repetitive, it may be boring or it may be irrelevant, but that is entirely up to the Member of Parliament making it, and there is no mechanism that I can think of by which you would change that.

Daisy Cooper: Maybe that is the case and maybe these are my reflections, but when you have had four, five, six or seven MPs making the same point, I would not have thought it would be beyond the Chair to say, "We have heard this point and we will hopefully get some other points." Maybe that is not the role of the Speaker, but it is an observation that I have made.

As I say, I think interventions generally can be a very useful thing, but there is a question about when they can become so excessive that they mean that towards the end of a debate, very good contributions often get cut short.

Q336 **James Gray:** There is a point there that I would be interested in your views on. On some very big issues, very often there are multiple interventions on Front Benchers. I have seen hundreds of interventions on a Front-Bench opening speech. That, of course, means that the Front-Bench speech becomes very long and cuts back on others. What do you think about that? Is there value in limiting the interventions on a Front-Bench speech? The Chair can do it informally, but should we bring in some new convention that says a Front Bencher should take fewer or something?



Dr Whitford: I wonder if the call list helps with that. I think a lot of people intervene on Front Benchers to get their main point in because they have no idea if they are going to be called in the debate. If you know you are going to be called, because you are on the call list, you can keep your powder dry unless it is a genuine intervention on a Front-Bench claim, whichever side of the Chamber.

Q337 **James Gray:** Can I offer the counterview on that? Of course a call list means that if you are number 30 and upwards, you are never sure you will be called to speak and, therefore, you are incentivised to intervene on the Front Benchers.

Dr Whitford: That is why if the call lists were planned more realistically around a decent speech time and a decent use of the debate time, rather than having 20 extra MPs, people would get, "The call lists work. If you are on the call list you will have the chance to speak, so do not go intervening on everybody else in case you do not get called." It is having the trust in the call list, which does not exist if you have put an extra 20 or 30 names on it.

Rachael Maskell: I think if time guidance is given on opening speeches—we have experienced parliamentarians who are opening debate on both sides of the House. Within that there should be an expectation that interventions are taken, and for that to be put into their speech so that it focuses on the key points that need to be made. One of the reasons why people particularly intervene on the opening speeches when they also will be on a call list is because when we get to the summing up of the debate, important points that have been made during the debate are never picked up on and, as a result, people want a response to the pertinent points that they need to take back as answers. I think there can be an improvement at both ends of the debate in order to perhaps limit the number of interventions, or to change the way that people intervene during those periods.

James Gray: My instinct, listening to the three witnesses, is that the automatic two minutes for two interventions is excessive "injury time" and may well have the opposite effect to the one we are seeking. The Committee will no doubt be discussing these matters, but for my money, it sounds to me as if we ought to have a really close look at that.

Chair: I am seeing nods around the room.

James Gray: Thank you, Chairman. I am content.

Chair: Thank you very much. I think we have gone through our list of questions that we wanted to cover and you have been very helpful in giving extensive answers to our questions. If there is anything else that you think about in the course of the next few days, please contact us and let us know if you have anything further you would like to add. It has been really helpful. It will inform the recommendations that we will make some time early the week after next so that we can get something on the record before we go into recess. Thank you all for your time, I appreciate



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it. I know it has been a long session, but it has been really helpful, so thank you very much.