



PROCEDURE COMMITTEE

Minutes of the meeting held via Microsoft Teams on Friday 22 May 2020

Present:

L. Ashton of Hyde	L. McFall of Alcluith (Chair)
L. Bew	L. Mancroft
L. Eames	L. Morris of Aberavon
B. Evans of Bowes Park	L. Newby
L. Foulkes of Cumnock	B. Smith of Basildon
L. Fowler	L. Stoneham of Droxford
L. Geddes	B. Thomas of Winchester
B. Harris of Richmond	V. Ullswater
L. Judge	B. Warwick of Undercliffe
L. McAvoyn	

with the Clerk of the Parliaments.

No apologies were received.

I. Demonstration of remote voting app and consideration of paper on remote voting

The Chair introduced the paper (PC/19-21/28). Staff from PDS Software Engineering gave the Committee a demonstration of the remote voting system which had recently been introduced into the House of Commons.

In the question and answer session following the demonstration, it was confirmed that members would need to use their parliamentary network password to access PeerHub (the interface that would allow them to vote) and that the Lords system would allow members to vote either “Content” or “Not Content.” A number of questions were asked around the level of network or Wifi connectivity which would be needed. Remote voting will be possible over a 3G connection – although this will be slower than voting using WiFi.

The Committee confirmed it was content to follow the design of the Commons remote voting system. The Committee noted that the aim was for the system to go live in the week commencing 15 June and accepted the risk inherent in the tight timetable that some members might not be fully confident in using the system by then.

The Committee agreed that final sign off of the remote voting system should rest with the Procedure Committee.

The Committee discussed whether there should be a back-up telephone line for members who were struggling to vote using the remote system. Whilst acknowledging that some



members might have difficulty when remote voting is first launched, there was a consensus that members should not be able to vote by phone as a default option (save on the grounds of disability). The Committee *agreed* that there should not be back-up phone lines as in the House of Commons for those who are struggling with the app.

The Committee discussed whether to copy the Commons approach and ask members to give notice to the House that they intend or might wish to call for a remote division on a particular item of business. In discussion the Committee noted that procedures in a hybrid house should mirror the usual procedures of the House as far as possible.

The Committee *agreed* that a member should not have to give notice to the House that they intend or might wish to call for a remote division on a particular item of business, though members should be encouraged to assist the Woolsack or Chair by giving warning of intention to contest a decision.

The Committee *agreed* that it was content with the Usual Channels' proposal that during virtual or hybrid proceedings, voting should only be possible remotely through the app, save on grounds of disability.

The Committee noted that whether a member who voted remotely would thereby be eligible to receive the attendance allowance was a matter for the Commission.

2. Proposals for hybrid sittings

The Chair introduced the paper (PC/19-21/29). He drew the Committee's attention to paragraph 3 which said that the paper did not address the question of whether virtual or physical only proceedings should continue in addition to hybrid proceedings. The Lord Speaker proposed that the House should keep open the possibility of virtual-only proceedings in addition to hybrid proceedings. In discussion, the Leader of the House said that the Commission had agreed the House should move to hybrid sittings as part of a phased return to normality. The Leader of the Opposition spoke about physical-only proceedings and pointed out that some members would be unable to take part in these following PHE advice during the coronavirus pandemic. She said she did not however want to stop the Government getting its business considered and would therefore welcome further discussions on this issue in due course.

The Chairman summarised the discussion by saying that the House would move to hybrid proceedings. He reminded the Committee that virtual-only proceedings could take place in the future if the Committee wished to recommend this to the House in a report.

The Committee agreed that members attending virtually and physically should both count towards the quorum of 30 for divisions on bills and subordinate legislation in hybrid proceedings.

The Committee agreed that there should be parity between virtual and physical participants in hybrid proceedings, for example in the prohibition of interventions. The Leader of the Opposition suggested that the Committee might want to revisit this issue in the future once it was seen how hybrid proceedings were working in practice.



The Committee discussed whether the only members allowed on the Floor of the House should be those on speakers lists or assigned a specific role as a Speaker, Chair or Whip. In discussion it was suggested that there could be more flexibility to allow members to observe items of business which had a small number of participants. The general feeling was that there should be a clear instruction on this to minimise the chance of staff being put in a difficult situation. It was *agreed* that the only members allowed on the Floor of the House during hybrid proceedings should be those on speakers lists or assigned a specific role as a Speaker, Chair or Whip.

The Committee *agreed* that the restrictions applicable to Virtual Committee on bills, in particular marshalling of amendments 3 working days in advance and no late tabling; binding groupings, lists of participants and initial lists of speakers on each group; calling of members by the Chair; members bidding to be called to speak after the Minister's initial response – whether in the Chamber or not; leave to withdraw not to be withheld; and members being encouraged to assist the Chair by giving warning of intention to contest a decision - should apply to any hybrid amending stages of bills.

It was further agreed that in any hybrid amending stages of bills:

- A member should not be allowed to speak again “to explain himself in some material point of their speech”. (See Companion 8.136)
- “Short questions of elucidation” should be discouraged. (See Companion 8.137)
- Leave should not be withheld to move formally en bloc amendments already debated, unless a member has signalled in advance their wish to oppose an amendment.

The Committee *agreed* to continue in hybrid proceedings with the altered time limits currently in use for virtual proceedings.

3. **Any Other Business**

Lord Foulkes of Cumnock proposed that, as the time allowed for PNQs in Virtual Proceedings had been increased to 15 minutes, the number of speakers on the final Speakers' List should be increased. After discussion, it was *agreed* that there should be a maximum of 12 speakers on the final Speakers' List for PNQs taken in Virtual Proceedings.

The Committee agreed to meet again on Wednesday 3 June at 4pm using MS Teams.

Chloe Mawson
Clerk of the Procedure Committee