



House of Commons  
Procedure Committee

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# Procedure under coronavirus restrictions: call lists and time limits on speeches in debates

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**Seventh Report of Session 2019–21**

*Report, together with formal minutes relating  
to the report*

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## Procedure Committee

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## Summary

The Procedure Committee, as part of its ongoing review of the temporary procedural modifications necessary under coronavirus restrictions, has examined the current arrangements for participating in debates in the Chamber. In practice many of the debates in the Chamber are managed by the three Deputy Speakers, and we benefited greatly from the ability to discuss with them the detailed issues arising from debate management under coronavirus conditions in an evidence session on 12 October.

Our report on the Government's proposals to allow a degree of virtual participation in debates on motions and on legislation was issued on 18 November. A debate on a Government motion to implement its proposals was started on 24 November but ran out of time. We recommend that arrangements are made for the House to debate and come to a decision on the Government's proposals and any amendments to them which may be tabled.

Many of the usual conventions on participation in debate have had to be suspended in the light of the public health restrictions placed on the use of the Chamber. To provide certainty on when those called to participate ought to be present in the Chamber (or on a Zoom call, if participating in scrutiny proceedings), a system of call lists has been introduced. Call lists for each proceeding on a sitting day are published in advance in a single paper which accompanies the daily Order Paper. Lists for oral questions, for urgent questions and statements and for debates are each compiled in a different way: this is not widely understood and has on occasion led to confusion as to the basis on which Members have been placed (or not placed) on a call list for a proceeding.

Every applicant to speak in a debate has his or her name published on the relevant call list. The Chair arrange the names on the call lists for each debate, seeking to ensure a balanced debate in every case with all sides of a question represented as far as possible. Call lists are very often oversubscribed and Members will often not have the opportunity to speak in a debate. The Deputy Speakers have suggested that Members who show restraint in their applications to speak in a debate, and who indicate in advance their reasons for being called, are more likely to be placed higher up on a call list when they do apply. We suggest that Members who withdraw from call lists without good reason and at short notice ought to have this behaviour taken into account in the compilation of future lists. We do not recommend that published call lists for debates should be shortened or have a quota imposed on them.

The Deputy Speakers have proposed that, for the period that call lists are in effect, the current arrangements for time limits on backbench speeches should be modified. At present Members who accept interventions on a time limited speech of any length are entitled to claim one additional minute of speaking time for each of their first two interventions. This means that interventions accepted on speeches, particularly in the later stages of a debate, will drive Members expecting to speak later in the debate beyond the point on the call list where backbenchers may be called. The Deputy Speakers indicate that this causes frustration to Members, especially when interventions are made solely to lengthen a speech.

We do not think that colleagues should be discouraged from accepting legitimate interventions: but we recognise that, in the current situation, greater certainty about when colleagues are to be called in debates, and whether or not they are likely to be called at all, will benefit the House during this exceptional period. We therefore support the Deputy Speakers' proposal that, under current pandemic conditions, speeches in the Chamber which are time limited to five minutes or less should not have 'injury time' added on for interventions.

We acknowledge concerns raised by colleagues about the balance of time between frontbench and backbench speeches in many debates, and intend to undertake systematic monitoring of the issue to inform further consideration.

We were asked to consider whether, given the restrictions on places available in the Chamber, the rules on the use of the undergalleries and side galleries should be changed to allow Members to address the House from them. We recommend that under current conditions Members ought to be permitted to address the House from the undergalleries at the Members' Lobby end of the Chamber, once the necessary adaptations have been made to the Chamber's audio and broadcasting systems. We recognise that speeches in debates from the side galleries would not be feasible due to the difficulties Members without sight of the full Chamber would have in taking, and seeking to make, interventions. While questions could be put to Ministers from the side gallery facing the Treasury Bench, we consider that the cost of extending the audio and broadcast systems to these galleries would not justify their use for Question Time and urgent questions and statements alone. We nevertheless recommend that Members wishing to observe proceedings in the House should be facilitated to use the galleries if they cannot secure a place in the Chamber.

We have not considered in detail the temporary arrangements put in place to facilitate social distancing during Westminster Hall sittings, which were suspended in mid-February and resumed on 5 October. We welcome the restoration of Westminster Hall sittings, and we are ready to consider and advise on the arrangements made by the Chairman of Ways and Means should we be invited to do so.

# 1 Debate in the House under coronavirus restrictions

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## This inquiry

1. The Procedure Committee has conducted a short inquiry examining the effect of the current temporary modifications on House procedure and practice arising from the coronavirus pandemic on the opportunities for participation in debate on motions and on legislation. This forms part of the Committee's continuing monitoring of developments in procedure and practice under current coronavirus restrictions.

2. We issued a call for evidence on 1 October, setting out the principal issues to be examined:

- the effect which current rules on time limits on speeches have on participation in debate;
- the process whereby Members currently apply to participate, and are able to participate, in debate, including seating arrangements in the Chamber, and
- whether the temporary system of call lists adequately facilitates debate management in the current situation.<sup>1</sup>

We received a number of written submissions from Members,<sup>2</sup> and conducted an online survey of Members between 14 and 18 October to which we received 113 responses.<sup>3</sup> We held three sessions of oral evidence and heard from several backbench Members, the Chairman of Ways and Means, Rt Hon Dame Eleanor Laing MP and her two Deputies, Rt Hon Dame Rosie Winterton MP and Mr Nigel Evans MP, and from the Clerk of the House, Dr John Benger, and the Strategic Director of the House's Chamber Business Team, Matthew Hamlyn.<sup>4</sup> We are extremely grateful to all those who provided evidence at short notice to this important inquiry.

## *Government proposals for virtual participation by certain Members*

3. On 16 November, in response to an Urgent Question, the Leader of the House announced a change in Government policy towards virtual participation in debates in the House.<sup>5</sup> We brought forward our consideration of an element of this report in order to be able to give the House our views on the Leader's proposal. Our report was agreed on the afternoon of Wednesday 18 November, shortly before a motion to give effect to the Government's proposal was due to be considered by the House.<sup>6</sup> The Backbench Business Committee allocated time on Thursday 19 November for the Chair to make a statement on the report.<sup>7</sup>

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1 'Procedure Committee investigates coronavirus impact on participation in Commons debates', [1 October 2020](#)

2 All the written evidence published during the Committee's inquiry to date is listed on pages 55 to 57.

3 Responses to the survey are summarised in Annex 3 to this report.

4 All the oral evidence taken during the Committee's inquiry to date is listed on page 54.

5 HC Deb, 16 November 2020, [col. 24ff.](#)

6 Procedure Committee, Sixth Report of Session 2019–21, [Procedure under coronavirus restrictions: virtual participation in debate](#), HC 905. For clarity, certain introductory paragraphs in that report have been repeated in this one.

7 HC Deb, 19 November 2020, [col. 520ff.](#)

4. The Government’s motion was placed on the Order Paper for agreement on a “nod or nothing” basis at the moment of interruption on 18 November.<sup>8</sup> A manuscript amendment to the motion was selected by the Speaker.<sup>9</sup> Since the amendment had been selected, the Deputy Speaker announced that the motion could not be proceeded with.<sup>10</sup> The motion was again placed on the Order Paper for Thursday 19 November; the same amendment was tabled to it, and the motion was not moved. The motion was not set down for consideration on Monday 23 November, but was set down as the last item of business on Tuesday 24 November. In order to facilitate a debate on the motion, Ministers declined to move three motions of which notice had been given and on which several Members had indicated they wished to speak. No call list was prepared for the debate, and no provision was made for the debate to be time-limited: the debate was therefore interrupted at 7pm and the Government declined to name a day for its resumption.<sup>11</sup>

5. We discuss the handling of this matter further below.

### The effect of coronavirus restrictions on participation in debate

6. The first explicit restriction on participation in any House proceeding directly attributable to the incipient pandemic occurred on 18 March 2020, when the Speaker announced that informal steps had been taken to limit the number of Members “crowded together” in the Chamber during Prime Minister’s Questions.<sup>12</sup> On 21 and 22 April the House agreed to a series of orders proposed by the Leader of the House which established so-called ‘hybrid proceedings’ for questions, urgent questions and statements (‘scrutiny proceedings’) and certain defined categories of Government business (termed ‘substantive proceedings’). Participation in hybrid proceedings was authorised by both physical and virtual means, underpinned by a resolution of the House which committed the House to “ensuring that its rules and procedures are adapted to permit as far as possible parity of treatment between Members participating virtually and Members participating in person.”<sup>13</sup>

7. The Speaker was authorised “to make such alterations to the practices of the House regarding the conduct of debate as are appropriate to facilitate the effective conduct of hybrid proceedings.”<sup>14</sup> This entailed, among other alterations, the introduction of ‘call lists’ which set down the order in which Members would be called to participate, whether virtually or physically, in scrutiny proceedings and substantive proceedings. Call lists for hybrid proceedings were typically prepared and issued a sitting day in advance. They provided certainty for Members participating in the Chamber, who were generally encouraged only to come to the Chamber when they expected to be called to participate.

8 “Nod or nothing” motions are typically “minor and uncontroversial motions” which are moved as unopposed business after the moment of interruption (*Erskine May*, 25th edition (2019), [para 17.9](#)).

9 The amendment, tabled in the name of Chris Bryant MP, was published with the House’s business papers for Wednesday 18 November: <https://commonsbusiness.parliament.uk/document/42887/pdf>

10 HC Deb, 18 November 2020, [col. 431](#); see also *Ibid.*, 3 June 2020, [col. 973](#).

11 *Ibid.*, 24 November 2020, [col. 795](#). Notice of an order to resume the adjourned debate was nevertheless placed on the Future Business section of the Order Paper: see, for example, item B36 on the Order Paper for [30 November 2020](#).

12 HC Deb, 18 March 2020, [col. 993](#): from this date business managers began to place an informal limit on the number of Members in the Chamber, to ensure a form of social distancing.

13 Votes and Proceedings, [21 April 2020](#), item 2

14 Votes and Proceedings, [21 April 2020](#), item 3, and [22 April 2020](#), item 9

Call lists also provided certainty for Members participating virtually over Zoom, and for the broadcasters facilitating their participation, who knew in which order, and at roughly what time, the Members chosen to participate virtually would be called by the Chair.

8. The orders providing for hybrid proceedings were renewed once, on 12 May, and expired when the House rose for the Whitsun recess on 20 May.<sup>15</sup> As part of the Government's COVID-19 recovery plan adopted by the Cabinet on 11 May, Parliament was to "set a national example of how business can continue in this new normal", and was expected to move, "in step with public health guidance, to get back to business as part of this next step [in the recovery], including a move towards further physical proceedings in the House of Commons."<sup>16</sup>

9. When the House returned from the Whitsun recess on 2 June it agreed to a Government motion rescinding the resolution providing for parity of treatment and adopted a revised procedural framework proposed by the Leader of the House.<sup>17</sup> The framework takes into account the substantial restrictions on the use of the Chamber and the division lobbies introduced by the Speaker on the advice of Public Health England. The arrangements were initially given effect until 7 July 2020: their effect has since been extended in duration, first to 3 September 2020 and subsequently to 3 November 2020 and to 30 March 2021.<sup>18</sup>

10. Since 2 June, the Speaker (or the Member chairing proceedings in the Chamber) has been authorised to limit the number of Members present in the Chamber at any one time. The number of persons allowed to be present in the Chamber (including the Speaker and House officials) is limited to 50, and the places where Members may and may not sit in the Chamber have been clearly marked out. Members may presently speak from 42 places on Government and Opposition benches: a small number of places are available in the undergalleries beyond the Bar, where Members may observe proceedings but cannot presently be called to contribute to them.

11. The order expressly authorising the Speaker to modify the practice of the House in the conduct of debate as appropriate to facilitate the effective conduct of proceedings was allowed to lapse on 20 May and was not revived on 2 June. On 1 June the Speaker wrote to all Members to announce that he was continuing a number of the practices temporarily adopted for hybrid proceedings, to ensure that presence in the Chamber to participate in proceedings was compatible with the limits on safe spacing:

- **Call lists** would continue to be required for those participating in urgent questions, statements and questions to Ministers. The lists were to serve as an indicator of who should be in the Chamber to be called during a particular proceeding. Those not on a relevant list should not attend in the Chamber for questions, urgent questions and statements, and those called to speak should leave soon after their contribution.

15 Votes and Proceedings, [12 May 2020](#), item 10

16 *Our plan to rebuild: The UK Government's COVID-19 recovery strategy*, [CP 239](#), May 2020, p 29

17 Votes and Proceedings, [2 June 2020](#), item 3. The framework was amended on 4 June to allow virtual participation in scrutiny proceedings only.

18 Orders of [1 July](#), [2 September](#) and [22 October 2020](#).

- **Lists of speakers for debates** would also be required, as a basis for ensuring that Members could be present for their speech, and for the speeches just before and after. Members speaking in a debate should not necessarily expect to be able to be in the Chamber for the opening speeches or the wind-ups.
- **Earlier notice** of requests to participate in scrutiny proceedings and in debate would be required.<sup>19</sup>

12. The House has *de facto* accepted the necessity of these arrangements. They make a number of significant temporary changes in the practice set out in *Erskine May* and in the rules of behaviour and courtesies in the House issued by the Speaker and Deputy Speakers:<sup>20</sup>

- The order in which Members are to be called in the Chamber is now announced in advance, and thus the Speaker does not have discretion over whom to call and when in the course of debate.
- As a consequence, Members wishing to be called to speak do not have to stand at the end of the previous speech to indicate that they wish to be called (“bobbing”).
- Certain requirements to be present as a condition of participation in proceedings have been suspended:
  - Members who have requested to speak in a debate are not required be present for the opening speeches and for most of the debate
  - Members who have spoken in a debate are not required to stay for at least the two subsequent speeches and to return to the Chamber for the winding-up speeches or the conclusion of the debate.

13. These modifications in practice have now been in effect for two-thirds of the days on which the House has sat during this Parliament.<sup>21</sup> As the Chairman of Ways and Means pointed out to us, “anyone who was elected for the first time last December has not seen the House working [...] as it ought to do.”<sup>22</sup>

### **The scope of this report**

14. In this report we examine the consequences of these temporary changes on the way debates are managed from the Chair and the ways in which Members seek to participate in debate. We have not examined the temporary changes in practice for questions to Ministers, urgent questions and statements, except to illustrate the overall changes necessary as a consequence of coronavirus restrictions.

15. A good deal of the evidence we have received from colleagues as part of this inquiry has supported the temporary changes in practice for participation in debate. Many of the respondents to our survey expressed support for the temporary system of call lists, and the

19 [Letter from the Speaker to all Members](#) dated 1 June 2020

20 *Erskine May*, 25th edition (2019), [para 21.8](#); [Rules of behaviour and courtesies in the House of Commons](#), November 2018 (reissued December 2019)

21 95 out of the 142 sitting days between the State Opening on 19 December 2019 and the date this Report was made to the House.

22 [Q356](#) [Dame Eleanor Laing]

colleagues from whom we took oral evidence overwhelmingly supported their permanent introduction, as well as the continued relaxation of the House's rules on presence in the Chamber as a condition of participation in debate.

**16. There are many aspects of current temporary practices introduced in the Chamber which benefit Members individually and which several Members would like to see introduced on a permanent basis. As and when pandemic conditions ease and the current restrictions are relaxed, we will undertake a general review of the House's practices in the light of recent experience.**

### ***Resumption of sittings in Westminster Hall***

17. On 23 September the House agreed that sittings in Westminster Hall, suspended since 20 March, should be reinstated with effect from 5 October 2020. On 2 October the Chairman of Ways and Means, under whose authority sittings in Westminster Hall take place, issued guidance to Members on arrangements for participation in Westminster Hall sittings. The changes to practice in Westminster Hall required under coronavirus restrictions differ in a number of respects from the changes to practice required in the Chamber.

18. We have not examined in detail the temporary changes in Westminster Hall practice as part of this short inquiry. We make some initial observations later in this report, and would be happy to give more detailed consideration to the changes in due course should the Chairman of Ways and Means invite us to do so.

## 2 Call lists and their operation

19. The long-standing practice of the House in the organisation of its debates is that “[t]he occupant of the Chair [...] does not announce in advance the order in which Members will be called.” This practice has been suspended since 22 April 2020, the date on which the first call list was published.<sup>23</sup>

20. Call lists are prepared for each separate proceeding for which they are required on each sitting day. The call lists for each day are compiled into a single paper, which is published on the House’s business papers website and made available in hard copy via Vote Office counters.<sup>24</sup> References to the call list paper are incorporated into the daily Order Paper.

21. The call list paper may be updated as call lists for the various proceedings on the day are finalised and issued: for instance, the deadline for applications to contribute on urgent questions and statements taking place during a Monday sitting is at 11.30 am that day, and the relevant call lists are typically issued by 2.00 pm the same day.

### The requirement for call lists

22. The present temporary requirement for call lists to support proceedings in the Chamber under current conditions was not challenged by any of our witnesses. The Clerk of the House, Dr John Benger, told us that call lists

are essential at the moment because we have to limit the numbers of individuals in the Chamber at any one time and to have a degree of predictability and certainty about that. That is to fulfil our obligations under public health guidance.<sup>25</sup>

The Chairman of Ways and Means, Rt Hon. Dame Eleanor Laing MP, confirmed that under current restrictions call lists were necessary to operate proceedings with very few Members present.<sup>26</sup>

23. The Principal Clerk, Table Office (Colin Lee) has indicated that “it would not be possible to manage attendance [in the Chamber] fairly without a list available in advance of those needing to be present to participate in a particular proceeding.”<sup>27</sup> Call lists are also required to manage virtual participation in scrutiny proceedings, so that Members can be connected over Zoom in good time and can be cued in smoothly to make their contribution.

### Restrictions on access to the Chamber

24. The present restrictions on the use of the Chamber are understandable under current conditions. They nevertheless run counter to a principle which is fundamental to the House’s procedure and practice: that every Member has the right of access to the Chamber

23 The call list for proceedings on 22 April 2020 is published at <https://publications.parliament.uk/pa/cm5801/cmagenda/calllist200422v01.html>

24 Call lists for each day’s proceedings are now published on [commonsbusiness.parliament.uk](https://commonsbusiness.parliament.uk)

25 [Q383](#)

26 [Q356](#)

27 House of Commons Service ([CVR0086](#))

while the House is sitting, in order to follow proceedings, to seek to be called to speak or to ask supplementary questions, to seek to intervene in debate, to voice support or objection to questions put from the Chair and to object to further proceedings on business where consensus has not been secured.<sup>28</sup> Restricting a Member's access to the Chamber is, in normal times, a severe disciplinary sanction.<sup>29</sup>

**25. The restrictions imposed on access to the Chamber under current conditions are understandable and a proportionate means of implementing public health guidance. They nevertheless run counter to the House's practice and affect the operation of a fundamental procedural principle: that every Member has an equal right to be present in the Chamber. We expect the House authorities and business managers to bear this in mind in the decisions they make about the conduct of House business, and to facilitate the right of all Members to be present in the Chamber as soon as public health considerations allow.**

### Preparation of call lists

26. While call lists for each are published in a single document, the process for compilation of each list varies according to the category of proceeding. There are three types of call list:

- **Oral questions to Ministers:** a list of Members selected by ballot to ask oral questions of Ministers at the daily Question Time
- **Urgent questions and Ministerial statements:** lists of Members selected to ask supplementary questions on any urgent questions granted by the Speaker or to speak in response to a Ministerial statement
- **Debates:** a list of Members selected to participate in debate on a motion or on a stage of legislation

Staff of the Chamber Business Team are involved in the preparation of the first two types of call list, both of which relate to scrutiny proceedings at the start of the day's business. The Principal Clerk, Table Office has provided a detailed memorandum on the principles and processes underlying the establishment of call lists in these categories.<sup>30</sup>

### *Questions to Ministers (physical and virtual participation)*

27. The process for establishing call lists for oral questions to Ministers and to Members answering on behalf of other bodies is designed to replicate, as far as possible, the random selection of questioners and the balance of questioners across the Chamber, between front and backbench questioners and between parties which under normal circumstances are achieved by the Table Office 'shuffle' and the practice of the Speaker in calling supplementary questions from those 'bobbing' in the Chamber.

28 For an example of an attempt to divide the House on a question put from the Chair, see HC Deb, 15 September 2020, [col. 279](#).

29 Standing Order No. 43: the Chair is empowered to direct Members conducting themselves in a grossly disorderly manner to withdraw from the precincts of the House for the remainder of the sitting day, thereby preventing any further physical participation in proceedings in the Chamber

30 House of Commons Service ([CVR0086](#))

28. Questions are balloted randomly in advance through the Table Office ‘shuffle’.<sup>31</sup> To achieve the party balance which in normal times would be provided by the Speaker calling supplementary questions in the Chamber, a ration for the party balance to be achieved in the shuffle has been established.<sup>32</sup>

29. The names of Members successful in the shuffle are sent to Departments and provided to the Speaker’s Office. Departments propose groupings of similar questions to the Speaker’s Office. The Speaker’s Office arranges the balloted names on the call list, grouped as appropriate, together with the names of Opposition frontbench questioners and of the chair of the relevant select committee. The final call list is then issued.

### ***Urgent Questions and Ministerial statements (physical and virtual participation)***

30. Applications to speak on Ministerial statements and Ministerial responses to Urgent Questions, are made through MemberHub by the relevant deadlines (11.30 am on Mondays for UQs and statements later that day; 1.30 pm on the previous day for UQs and Statements on Tuesdays, Wednesdays and Thursdays).

31. A shuffle is run for each event, and the names of successful Members are provided to the Speaker’s Office.<sup>33</sup> The Speaker’s Office sets the number of successful Members for each event and is responsible for the final order of names on each call list.

32. The timetable for production of these call lists has been substantially compressed, to give as much time as possible between the announcement of a Minister’s intention to make a statement, or the Speaker’s grant of an urgent question, and the deadline for submitting names through MemberHub.<sup>34</sup>

### ***Debates on motions and on legislation (physical participation only)***

33. Notice of debates on motions and on stages of legislation for each sitting week is generally given by the Leader of the House in response to the Business Question on the preceding sitting Thursday. Call lists are opened for each debate listed in the statement. Backbench applications to speak in such debates are sent directly to the Speaker’s Office, typically by email: the deadline for applications is generally set at 1.00 pm on the preceding weekday.<sup>35</sup>

34. The Speaker’s Office arranges each name received on the call list for publication, together with the names of the frontbench speakers who will open and (where appropriate) close each debate. For debates on certain legislative stages (Committee of the whole House and report stage), the Public Bill Office indicates to the Speaker’s Office the name of the proposer of the lead amendment, new clause or new schedule in each grouping.<sup>36</sup>

31 Formerly, the name of each Member tabling a question for oral answer was published in the Question Book in the order in which it was drawn in the shuffle. In 1990 the House authorised the introduction of quotas of oral questions to be printed for each question time, set according to the length of the appropriate slot.

32 House of Commons Service (CVR0086), paras 9 and 10 and Table 1

33 Q362 [Rt Hon. Dame Rosie Winterton MP]

34 House of Commons Service (CVR0086), para 19

35 Thus the deadline for applications to speak in a debate on a Monday is 1.00 pm on the preceding Friday, whether or not that day is a sitting day.

36 Q385 [Dr John Benger]

35. Unlike the two types of call lists for scrutiny proceedings described above, all names received by the Speaker's Office are published on the call list which is issued for each debate.<sup>37</sup>

### *General observations*

36. A common theme through much of the evidence we have received from colleagues is that the difference in character between the three types of call list, and the difference in their method of production, is not always fully appreciated. Since the lists are compiled into a single business paper, this is perhaps understandable. In our view, **the operation of the call list system would be better appreciated by colleagues if more information were readily available to describe the preparation of each type of list.**

37. *To aid general understanding of the call list system, we recommend that a short note be included at the head of each list published in the daily call list paper, indicating the type of list it is and the basis on which it has been prepared.*

38. **Many colleagues have indicated that they would benefit from earlier publication of call lists for debates, particularly for debates on a Monday. We recommend that the Speaker's Office examine how best to ensure that call lists for debate are published as early as possible following the closure of the list to applications.**

### **Issues arising from the use of call lists**

39. We have received representations from colleagues on a number of issues related to the preparation and operation of call lists in general. In this inquiry we have focused on the particular issues raised by the use of call lists to manage debate on motions and on legislation, which we discuss further below.

### *Call lists in scrutiny proceedings*

40. We have taken note of the separate issues raised by the necessary use of pre-published call lists for scrutiny proceedings. In particular we note the concerns raised about the apparent advantage the present system gives to Ministers answering questions at the despatch box. Since the name of each Member to be called to ask a supplementary question at Question Time is now published several days in advance, an element of spontaneity, which many argue is essential to the function of Question Time, has been lost. Ministers are able to prepare in advance for potentially challenging supplementary questions, and Members cannot at present be called spontaneously to raise questions of importance to their constituents.<sup>38</sup>

41. There is no ready solution to this issue under current conditions: allowing spontaneous supplementary questions to be called in the Chamber would encourage Members to attend in numbers well in excess of its current safe capacity. Proposals have been made to increase the capacity of the Chamber for Members contributing to scrutiny proceedings. We discuss these further in chapter 4 below.

37 [Qq361–362](#) [Rt Hon. Dame Eleanor Laing MP]

38 [Q286](#) [Steve Brine MP]; [Q349](#) [Mr Nigel Evans MP]

### Applying to speak in debates

42. The restriction on numbers in the Chamber has significantly changed the process whereby Members seek to contribute to a debate. Under normal conditions a Member would seek to catch the Chair's eye by 'bobbing' in the Chamber: Members with a particular interest in a subject to be debated would write to the Speaker in advance to indicate a wish to be called. This practice has allowed the Chair to divide up the available time as equitably as possible between various parties or strands of opinion in a debate, and has enabled a reckoning to be made as to whether a time limit on speeches ought to be imposed.<sup>39</sup>

43. Under the present restrictions on attendance in the Chamber, 'bobbing' is not possible for debates where call lists have been issued: each application to speak has to be made in advance. Members who wish to contribute to debates are invited to email the Speaker's Office with a request to be included on the call list. It appears that the requirement to register an interest in speaking in advance, by email has resulted in the task often being delegated to Members' staff and treated in a similar way to registering over MemberHub to participate in an urgent question or a Ministerial statement.<sup>40</sup>

44. Dame Eleanor thought that more care and discernment ought to be taken over individual applications to speak.<sup>41</sup> She indicated that Members were more likely to be placed highly on a call list if they had taken the trouble to write to the Speaker to explain why they had a particular reason to speak in the debate in question, either when registering for the debate or subsequently.<sup>42</sup>

45. Steve Brine MP suggested that advance applications to be called in the Chamber, submitted digitally, were not aiding the quality of debate:

[I]nstead of [...] those who are in the Chamber wanting to be there, needing to be there and having a good constituency reason to be there, or a particular interest because they have former ministerial experience in that area, [the present system] rewards those who have been quick [to ] click. [...]

[T]he quality of debate is around who has been quick to click, not who is meant to be in there. I do not think it is serving Parliament very well.<sup>43</sup>

### Oversubscription

46. The Chairman of Ways and Means told us that under present conditions debates were now heavily oversubscribed, with very many Members applying to speak in even the shortest debates. In the last Parliament the Speaker might receive ten or fifteen prior requests to be called during a ninety-minute debate: Dame Eleanor suggested that it was now common to have 60 or more applications to speak in a debate of that length.<sup>44</sup>

39 *Erskine May* (25th edition, 2019), [para 21.8](#)

40 [Q371](#) [Rt Hon. Dame Eleanor Laing MP]

41 [Q355](#)

42 [Qq372–373](#). The benefits of writing in to indicate a particular interest in the debate were recognised by other witnesses: for example [Q321](#) [Rachael Maskell MP].

43 [Q289](#)

44 [Q358](#)

47. Members present at Westminster no longer have to commit to spending time in the Chamber in order to be called in a debate: but they cannot speak in a debate unless they are registered on a call list. It appears that some Members therefore apply to speak in as many debates as possible in the hope that they might be placed high enough on at least one list to be called to speak.<sup>45</sup> Party business managers may also encourage Members to apply to speak, either to give the best opportunity for their party's case to be put to the House, or to reduce the opportunity for alternative points of view to be presented. While this objective could easily be achieved in the past by encouraging Members to come to the Chamber, the only way to pursue it now is to press Members to apply to speak in advance.<sup>46</sup>

48. Among the factors taken into account when determining the arrangement of names on call lists are the number of times a Member has already spoken in debates in the present Session and the number of times Members have been present in the Chamber to speak but have not been reached.<sup>47</sup> Dame Rosie Winterton MP, First Deputy Chairman of Ways and Means, indicated that indiscriminate applications to speak were likely to be counterproductive:

[The situation] does require individual colleagues to understand. People can get very indignant and say, "Why am I bottom of the list when this is so dear to my heart?" You say, "Because you have spoken three times more than anybody else who has put in for this debate and it is important that people are given an equal chance to speak". You do have to understand [...] that it is common sense that you need to save yourself up a bit for when you really do want an opportunity on the one thing that you really want to speak on. You will get it if you have been a bit clever about not putting in for everything all the time.<sup>48</sup>

Mr Nigel Evans MP, Second Deputy Chairman of Ways and Means, suggested that Members ought to be showing some self-restraint in their applications to speak:

A lot of responsibility [...] rest[s] with the Member. If they are putting in to speak in every debate, they should not be surprised if they are sometimes pushed further down a list.<sup>49</sup>

### ***Call lists and the House's order of business***

49. The publication of call lists in advance of a debate can assist Members in gauging the potential duration of items of business, and thereby working out when debates will start and end. If listed to speak, Members can use call lists to ascertain when they are likely to be required in the Chamber in order to be called. Given the current restrictions on the use of the Chamber, it is important that the House's business papers—of which call lists form a part—give as accurate a picture as possible of the business before the House and when and whether it is likely to be reached. Members' applications to speak are now published in advance of a debate: in planning their working day, it is reasonable for colleagues to rely on applications to speak having been made in good faith.

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45 [Aaron Bell MP \(CVR0114\)](#)

46 [Qq341–343](#); [Q290](#) [Steve Brine MP]

47 [Q358](#); [Q378](#)

48 [Q367](#)

49 *Ibid.*

50. The Government has a responsibility in this regard, not least to indicate in advance when it expects debate to arise on Government motions, in order that a call list may be opened. Bringing on a debate in circumstances where a call list has not been published creates potential challenges for the observance of social distancing protocols in the Chamber.

51. On Thursday 19 November the Government gave advance notice of five items of Government business to be taken on the floor of the House on Tuesday 24 November.<sup>50</sup> Call lists were opened for each of these items. On the afternoon of Monday 23 November, and after the relevant call lists for the following day had been closed, the Government Chief Whip arranged for orders of the day and notices of motion corresponding to the business announced in advance to be placed on the Order Paper for Tuesday 24 November.<sup>51</sup> Notice was given of a further motion: the Leader's motion on virtual participation in debate, which had not made progress on 18 November and which had not been moved the following day. No indication was given that the Government planned to initiate a debate on the motion, and consequently no call list was opened.

52. The final call list for the following day's business was issued at 10.27 pm. 40 backbenchers had applied to speak, several in more than one debate. Four of the five debates were time-limited,<sup>52</sup> and several of them were oversubscribed. Had each such debate run its full length from the start of the House's main business at 2.24 pm on 24 November, the opening speech in the fifth debate would have been called no earlier than 6.39 pm.<sup>53</sup> It is therefore unlikely that debate would have arisen on the motion concerning virtual participation in debate. No advance indication was given of the Government's intention to arrange the House's business so as to provide for a debate on the motion, and Members had no opportunity to apply in advance to be considered to speak in the debate.

53. In the event, the Government decided, without any advance notice to the House, not to move three of the five intervening motions.<sup>54</sup> The motion on virtual participation was moved formally at 4.54 pm: the Leader chose not to speak to the motion (thereby passing up the opportunity to take interventions and provide elucidation on the motion's purpose). In the absence of a call list, the Deputy Speaker applied the normal conventions governing eligibility to speak, with some leeway for Members who had not been in the Chamber for the start of the debate.<sup>55</sup> In her remarks, the Chair of this Committee referred to the "unexpected and surprising" way in which the debate had been brought forward by the Government.<sup>56</sup>

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50 Consideration of Lords Amendments to the Private International Law (Implementation of Agreements) Bill, followed by a motion to approve the draft Prohibition on Quantitative Restrictions (EU Exit) Regulations 2020, followed by motion to approve a money resolution relating to the Prisons (Substance Testing) Bill, followed by a motion relating to the appointment of members to the Independent Expert Panel, followed by a motion relating to the Committee on Standards 11th report of Session 2019–21. HC Deb, 19 November 2020, [col. 472](#).

51 The final call list for questions, urgent questions and debates on Tuesday 24 November was issued at 10.27 pm on Monday 23 November: [commonsbusiness.parliament.uk/document/42793/html](https://commonsbusiness.parliament.uk/document/42793/html)

52 Consideration of Lords Amendments to the Private International Law (Implementation of Agreements) Bill: 1 hour (under the programme order moved by a Minister at the start of public business). Motion to approve a draft statutory instrument: 90 minutes (Standing Order No. 16(1)). Motion to approve a money resolution relating to a Bill: 45 minutes (Standing Order No. 52(1)(b)). Motion relating to the appointment of members to the Independent Expert Panel: 1 hour (Standing Order No 150C(9)).

53 In practice the first speaker would have been called later than this because of the current practice of short suspensions between each item of business to allow Members to leave and to ender the Chamber in safety.

54 HC Deb, 24 November 2020, [col. 758](#)

55 *Ibid*, [col. 762](#).

56 *Ibid*, [col. 781](#).

54. Challenged on the Government’s management of its business, the Leader subsequently asserted that “it was extremely likely that we would get, under all normal circumstances, to the debate on virtual appearances in debates”: his expectation was that “we would have had between three quarters of an hour and an hour for it, had the previous debates gone in the normally expected way.”<sup>57</sup> That assertion is at variance with the inference which might reasonably have been drawn from the Order Paper and the published call lists. It may of course be the case that the Leader was privy to information about the likely course of proceedings in the Chamber—including the potential length of frontbench speeches and the readiness of Members named on call lists to contribute to the relevant debates—which was not available to the House in general.<sup>58</sup>

55. Under normal circumstances, Members with an interest in the progress of any motion on the Order Paper can, in the absence of any other information about its progress, go to the Chamber and await developments. That option is not presently available to backbench Members, who are encouraged not to come to the Chamber unless named on a call list and expecting to participate in a debate. Similarly, where business is brought on at short notice, Members with proxy votes in operation are not always readily able to issue voting instructions to their proxies: there is therefore a risk that votes in snap divisions on House business may inadvertently be cast against Members’ wishes.

**56. We regret that a Government motion to facilitate a form of virtual participation in debate was brought forward for decision by the House in a precipitate fashion and with scant regard to the current conditions which govern the operation of the Chamber and of divisions. The issue is self-evidently House business, and of importance to this Committee and to many other Members—several of whom are not able to participate in debates under current restrictions. We trust that this apparent disregard for the operation of the House under current conditions will not be repeated.**

*57. We recommend that the Government bring forward a motion for a Business of the House order to govern the conduct of a resumed debate on the question proposed on 24 November. The motion should provide for the selection of at least one amendment to the main question, and for the questions on any selected amendments, and then the main question, to be put at a predictable hour.*

### **Length of call lists for debates**

58. The published call lists for debates list every Member whose application to speak in the debate has been received by the Speaker’s Office by the deadline (typically 1.00 pm on the preceding weekday). Unlike the call lists for oral questions, urgent questions and statements, no quota is imposed. As we note above, the call lists can on occasion be very long because debates are heavily oversubscribed.

59. We discussed with the Deputy Speakers whether a quota should be applied to call lists for debate, to make them more manageable and to give a more realistic reflection of the number of Members likely to be called. The Deputy Speakers did not think it necessary to shorten the call lists artificially. Scrutiny proceedings typically run for a predetermined

57 HC Deb, 26 November 2020, [col. 991](#)

58 The Deputy Speaker announced that 15 of the 17 backbenchers who had applied to speak in the debate on the statutory instrument concerning Exiting the European Union had withdrawn from the call list for that debate: HC Deb, 24 November 2020, [col. 757](#)

period of time and entail brief contributions from Members, whereas many debates on motions and on legislation, and many contributions to those debates, are of highly variable length. They therefore thought it necessary to keep an exhaustive list of all who had applied to speak, to ensure that debate was not curtailed artificially early because of speakers dropping out: experience showed that this often happened once time limits on speeches were announced and Members on the call list could estimate their chances of being called.<sup>59</sup>

60. Dame Eleanor described the position thus:

[Speakers] at the end [of the call list] are surplus, but we don't say to them, "You cannot speak," because it might happen that there is some time at the end of the debate. It might be that we put on a time limit of, say, six minutes, and then 10 people speak for four minutes each and you suddenly have an extra 20 minutes, so those people who are the reserves at the end of the list come in. By and large, that has been working reasonably well. Believe it or not, you do find sometimes that people do not speak up to the level of the time limit and that there is spare time.<sup>60</sup>

Mr Evans indicated that Members dropping out of call lists without notice caused problems for the Chair:

With [...] call lists, increasingly we have noticed that some people, even though they are on the call list, are not coming into the Chamber and not telling the Speaker's Office that they are not turning up. That makes it way more difficult for us to work out what the time limit [on speeches in the debate] should be.<sup>61</sup>

61. Publication of the full list of Members who have applied to participate in a debate ostensibly indicates the level of interest in contributing to that debate: systematic comparison of call lists may indicate Members who appear to be making indiscriminate applications. A published call list indicating that the debate is heavily oversubscribed may encourage frontbenchers and backbenchers alike to tailor their remarks to enable more colleagues to contribute. Therefore, **we do not think it is necessary to impose quotas on call lists for debates.**

62. **Where a Member's name has been published on a call list and he or she is no longer able to participate in the debate, it is a courtesy to the Chair, and to other Members expecting to speak, for the Speaker's Office to be informed as soon as possible so that appropriate adjustments can be made. In our view, the Chair would be justified in treating persistent withdrawals from call lists, especially without notice or explanation, as a discourtesy to the Chair and to the House, to be taken into account when compiling future lists. Withdrawals which, in the Chair's view, are part of a strategy to mislead Members as to the progress of the House's business ought to be treated particularly severely.**

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59 [Q349](#); [Q343](#)

60 [Q349](#)

61 [Q338](#)

### Ordering the call list for debates

63. The House’s practice has been to allow the Speaker (and by extension, the occupant of the chair) complete discretion over whom to call in debate, and in what order. The long-established practice has been for backbench Members generally “to be called alternately from either side of the House (or, when the subject of debate is not a matter of party politics, from those adjudged to be supporters or opponents of the question).”<sup>62</sup> Some of the responses received to our survey of Members indicated a dissatisfaction with the practice of calling Members with greater experience at the start of debates.<sup>63</sup>

64. *Erskine May* indicates that “in practice, the Chair will often accord some priority to [Privy Counsellors] or to Members with other relevant positions or experience including, for example, the Chair of a relevant select committee.”<sup>64</sup> Dame Eleanor confirmed that the ordering of backbench names on the call list for each debate took into account the experience and position in the House of those applying to speak:

There are times when there is a debate on the Second Reading of a Bill or on a specific subject, and it is very obvious that of the 60 people who put in to speak, the first 20 are those who are on the Select Committee dealing with that subject, who have a particular constituency interest, or who have been a Cabinet Minister dealing with that subject.

There are all sorts of reasons why they have a very legitimate reason to speak on that subject but, at the end, you might have 20 people who just put in every day to speak on everything and, quite frankly, no.<sup>65</sup>

65. While constructing a call list was not an exact science, Dame Eleanor rejected the proposition that equal time limits ought to be applied from the start of a debate:

[I]t certainly would not always be the case that we should give everybody three minutes from the beginning to accommodate everyone who has stuck their name in that day. [...] [W]hat we would often find in [that] sort of situation [...] is that by the end of the day, we would have put a limit on and 12 people will draw out of the debate because they did not really want to speak, and they only put their names in because the Whips asked them to do so.<sup>66</sup>

As she put it, it is the responsibility of the Chair “to try to make sure that everybody from every point of view has a chance [to contribute].”<sup>67</sup> She stressed the importance the Chair placed on balancing contributions from across the House:

It is all about balance. We work very hard to get a balance. We never ever say, “Oh, it does not matter.” We never ever say, “Oh, too bad.” We always

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62 *Erskine May*, 25th edition (2019), [para 21.8](#)

63 See Annex 3

64 *Erskine May*, 25th edition (2019), [para 21.8](#)

65 [Q343](#)

66 *Ibid.*

67 [Q338](#)

try to get the balance right because this is [...] the heart of democracy. If we do not get that balance right, democracy isn't working right, and we do everything we can to get [it] right.<sup>68</sup>

### *Flexibility in ordering*

66. Some concerns have been raised about the relative inflexibility of published call lists and the apparent difficulty of changing the published order of speakers to accommodate other responsibilities Members have in the House. Mrs Maria Miller MP pointed out the difficulties caused when the start time of a debate was changed because of the length of time taken to complete previous items of business.<sup>69</sup>

67. While call lists generally indicate the strict order in which Members are to be called, Mr Evans told us that some flexibility was allowed: Members can exchange places on a list, although the Chair does not expect to take any part in brokering such exchanges.<sup>70</sup>

68. Members on a call list who also attempt to put their views on the record by intervening early on in a debate can affect the likelihood of colleagues placed lower on the list being called to speak. Where the Chair has judged that such interventions are gaming the system, the Members concerned have been penalised by being moved lower down the list.<sup>71</sup>

### *Our view*

69. The Speaker and his deputies are chosen by the House to exercise a number of key functions on the House's behalf, using their experience and judgment in the interests of the House as a whole. One of the areas in which they are called upon to exercise this judgment on each sitting day is the ordering of Members to be called during debate, so as to ensure that the House has the benefit of a range of views and experience. The temporary requirement to publish call lists has brought this function into sharper focus.

70. The House sits for 32 hours in a typical sitting week: if every Member eligible to speak were to have an equal period of time allotted, each would be entitled to speak for just under three minutes.<sup>72</sup> It is clearly not possible for every Member to expect to be called in each debate for which she or he has applied to speak, in addition to the opportunities to contribute provided by the random shuffles for oral questions and the process for compiling call lists for urgent questions and statements.

**71. The ordering of names of a published call list is the responsibility of the Speaker and his deputies, who are elected to their positions by the whole House and who take their duties in this regard very seriously. They are best placed to determine the mood of the House and its requirements, and to manage the flow of debate in the House accordingly. We see no need to recommend any explicit change in current practice arising from the temporary use of call lists.**

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68 [Q362](#)

69 Rt Hon. Maria Miller MP ([CVR0117](#))

70 [Q338](#)

71 *Ibid.*

72 [Q415](#): the Clerk of the House quoted a figure of 2.9 minutes.

**72. Colleagues who would formerly have sought to ‘catch the Chair’s eye’ in the Chamber are at present required to apply in advance to be considered to speak. We remind colleagues that it assists the Chair, and the House in general, if an application to speak is accompanied by reasons why the application should be considered.**

### 3 Time limits on speeches in debate

73. The empowerment of the Chair to limit, where necessary, the time for which each Member may speak in a debate has led to significant changes in the character of debates in the House over the last three decades. We have not repeated the work which our predecessors undertook in 2018 on the subject of time limits on speeches.<sup>73</sup> We confine ourselves here to evaluating a particular aspect of debate management raised with us by the Chairman of Ways and Means.

#### The use of time limits to manage debate

74. The power to impose time limits on backbench speeches contained in Standing Order No. 47(1) is now often used by the Chair to allow as many Members as possible to participate in a debate. Nigel Evans summed up the change in the House's expectations over the past three decades:

[...] 28 years ago, when I was first elected, a three-minute speech would have been an insult to a Member of Parliament. Now people are pining for a time limit to be put in early [...] so that they can get in.<sup>74</sup>

Our predecessors set out the gradual change in the regime governing time limits on speeches, from the first standing order provision in 1988, via the introduction of 'injury time' for interventions in 2008, up to to the most recent revision in 2007, which gave the Chair greater flexibility to respond to developing circumstances by varying the time limit imposed as a debate progressed.<sup>75</sup>

75. On the evidence provided by the respondents to our online survey of Members conducted in mid-October, the majority of Members appear to support the use of time limits on speeches: 77 per cent of the 113 Members who responded to the survey expressed support and 16 per cent were opposed.<sup>76</sup> Not all the support was unqualified: some respondents were keen to have time limits on speeches applied earlier in debates, and some would like the existing powers of the Chair used to limit the time taken in frontbench speeches.

76. A number of respondents were also critical of the effect which short time limits seemed to have on the quality of speeches, arguing that the routine reduction of the time limit to two or three minutes encouraged members to prepare speeches which were little more than statements read into the record. Dr Philippa Whitford observed that "when time gets tight [...] debate seems to get quite dull and laborious. It is just people reading out a pre-prepared statement."<sup>77</sup>

77. There can be instances when the imposition of short time limits works to the benefit of the House by allowing as many Members as possible to place issues of local concern on the record. Dame Rosie Winterton described an instance where the Deputy Speakers had taken a decision to impose strict time limits very early in a particular debate:

73 Procedure Committee, Seventh Report of Session 2017–19, [Time limits on speeches in the Chamber](#), HC 1157

74 [Q362](#)

75 Procedure Committee, [Time limits on speeches in the Chamber](#) (HC (2017–19) 1157), paras 4–9

76 The survey results are set out in full in Annex 3.

77 [Q322](#)

[On 7 October] there were so many people down for a 90-minute debate and they were extremely glad when we said right at the beginning, “Three minutes each.” This was about health restrictions in the north-west and we just wanted everybody to be able to get in because of their constituents and they wanted to say, “I only had two minutes but at least I put my point of view.” At one point there, I said, “We have three minutes on but, to be honest, if you are two and a half minutes we will get everybody in”. We got everybody in, but people would have hated it if we had not been able to put our foot down about things.<sup>78</sup>

78. In the course of our work on this issue we have received a substantial quantity of evidence from colleagues on the quality of debate in the Chamber in general. We have chosen not to report here on all the issues raised, especially as our work at present is confined to addressing the specific impact of coronavirus restrictions on Chamber debates. We will return to the general issue when we review procedure and practice in the House following the easing of coronavirus restrictions.

### Time taken by frontbench and backbench speeches

79. The publication of call lists has led some colleagues who are routinely listed low on a list to turn a more critical eye on the use of time by those listed higher up. Several respondents to our survey called for time limits to be imposed on frontbench speeches as well as backbench ones, so that backbench contributions were not routinely crowded out by over-lengthy opening contributions.

80. Our predecessors noted the provision in Standing Order No. 47 which provides for the Chair to impose a time limit of twenty minutes on speeches made by Ministers and representatives of the two largest opposition parties in a debate.<sup>79</sup> Frontbenchers who accept interventions under this regime are entitled to a minute of ‘injury time’ per intervention, up to a total of fifteen minutes per speech. The provision has not been applied to any frontbench speech to date, though informal guidance has on occasion been offered to frontbenchers.<sup>80</sup>

81. The Chairman of Ways and Means summed up the collective view of the present occupants of the Chair on the matter:

It remains our preference to [seek to limit the time taken in frontbench speeches] on an informal basis. We will continue to make it known to frontbenchers that we have the power to impose time limits if necessary. We also have the option of announcing backbench time limits before frontbenchers have started speaking to make clear the time constraints of the debate.<sup>81</sup>

78 [Q363](#). The debate on 7 October was on a motion to approve the Health Protection (Coronavirus, Restrictions) (North of England and North East and North West of England etc.) (Amendment) Regulations 2020 (S.I., 2020, No. 1074): HC Deb, 7 October 2020, [cols 965–991](#).

79 Standing Order [No. 47\(3\)](#)

80 Procedure Committee, [Time limits on speeches in the Chamber](#) (HC (2017–19) 1157), para 25

81 Rt Hon. Dame Eleanor Laing MP ([CVR0116](#))

She observed that there were difficulties in applying the standing order provisions as currently drafted:

Under Standing Order No. 47 the occupant of the Chair must apply the same time limit to all frontbench speeches [...]. There are many contexts where applying an identical time limit to all frontbenchers is simply not appropriate and where the time periods specified would be either too long or not long enough. It is also worth noting that [...] Members respect informal time limits if they are so encouraged from the Chair.<sup>82</sup>

82. In their 2018 report our predecessors encouraged the then occupants of the Chair “to continue to make known to the front benches those occasions when a debate is known to be heavily subscribed, in the expectation that they will adjust their remarks accordingly.”<sup>83</sup> During the present period of coronavirus restrictions, when call lists are necessarily published in advance, it is now apparent to all when a debate may be heavily oversubscribed. We were encouraged to learn that the Speaker and his deputies agree that the matter will continue to be raised from the Chair when necessary.<sup>84</sup>

83. *We encourage Ministers and other frontbench speakers to have regard to the length of published call lists for debates when preparing for their opening and closing remarks, and to tailor those remarks as appropriate to enable the Chair to call as many backbench colleagues as possible.*

84. **In order to assist the House in finding a means to strike a fair balance between time taken in frontbench and backbench speeches, we will undertake an analysis of the time taken by frontbench and backbench speeches in time-limited debates, under coronavirus restrictions and subsequently, and will report our findings to the House.**

### Time limits and the publication of call lists

85. Dame Rosie told us that while the publication of call lists made the application of time limits easier for Members to understand, the publication of a list of speakers did put more pressure on the Chair to apply time limits in a way which would benefit Members waiting to speak:

[B]ecause the call lists are published and, therefore, Members can see how many people there are in a debate, I think they do understand what we are up against when we are trying to get as many people in as possible to speak.<sup>85</sup>

We can calculate quite carefully, but when you are down to [short time] limits, [an intervention on a speech] can easily push somebody from the bottom of the debate who would have got in.<sup>86</sup>

86. We noted above that Members placed low on a call list will sometimes try to make their points earlier in a debate, through interventions which may be lengthy and not necessarily relevant to the speech intervened upon. A number of respondents to our

82 *Ibid.*

83 Procedure Committee, *Time limits on speeches in the Chamber* (HC (2017–19) 1157), para 27

84 Rt Hon. Dame Eleanor Laing MP ([CVR0116](#))

85 [Q339](#)

86 [Q363](#)

survey commented unfavourably on the practice.<sup>87</sup> It is understood to be deprecated by the Speaker and has resulted in the demotion of the Member concerned down the call list.<sup>88</sup>

87. Another practice, generally deprecated by the Deputy Speakers and attracting negative comments from survey respondents, was the ‘gaming’ of the present arrangements for interventions on time-limited speeches.<sup>89</sup> Under Standing Order No. 47(5), Members who accept interventions on speeches which are time-limited are entitled to have a minute added to their speaking time for each of the first two interventions they accept, plus the time taken for each such intervention. The provision is intended to encourage the speaker to accept interventions on a time-limited speech and to give sufficient time for a response in each case.

88. When the provision is applied in a time-limited debate which is oversubscribed, time limits on speeches later in the debate are at risk of being reduced and Members on the call list who might have expected to speak at the end of the debate find that their opportunity to speak is at risk. When the intervention has been made merely to give a colleague additional speaking time, As Dame Rosie put it:

I do not think we want to stop people intervening and the to and fro of debate, but when you have instances where somebody will say, “I am intervening on you so you get an extra minute,” you can just see the resentment in other parts of the Chamber when people are going, “Okay, that’s my speech gone out the window.” They could have sat there all afternoon waiting to make a speech and feel that somebody has just been a bit selfish.<sup>90</sup>

89. Several respondents to our survey were of a similar view: responses variously indicated that the ‘injury time’ provision was being abused and that the grant of additional time for interventions threatened to drive out further substantive speeches.<sup>91</sup> A number of respondents nevertheless expressed support for some form of injury time provision in time-limited speeches in order to encourage Members to accept interventions on short speeches and to preserve an element of spontaneity in proceedings.

90. Steve Brine MP told us that he understood why colleagues constrained to making a very short speech might want to accept bogus interventions:

I have heard Members [...] say to colleagues, “Can you intervene on me and give me an extra minute?” because the time limit has gone down so small. When it is two minutes, you cannot begin to formulate an argument. The point about injury time is that it is not just indulgence. This is meant to be a debating chamber, and taking interventions from the other side and listening to the speeches that have happened before you, and taking interventions from your own side, allows you to pivot and make your speech.<sup>92</sup>

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87 See Annex 3

88 [Q338](#) [Mr Nigel Evans MP]

89 See Annex 3

90 [Q363](#)

91 See Annex 3

92 [Q298](#)

He set out the merits of addressing the Chamber spontaneously:

Of course sometimes I have read out bits [of a speech] that I want to get absolutely right from the back benches, but a series of bullet points that allows you to develop a speech, take an intervention and pivot off it, makes for a much more dynamic House of Commons. We are not a horseshoe Chamber in a ghastly glass building where people read speeches into the record, otherwise you could just e-mail them to Hansard and be done with it.<sup>93</sup>

91. Dame Eleanor Laing concurred with this view of how debate in the Chamber should ideally operate:

People are standing up in the House reading their speech and they cannot take an intervention because then they will not get to the end of it. That is not how a speech in the House of Commons ought to work. A speech in the House of Commons ought to be made with a few notes on a small bit of paper and the speaker should be able to engage in the debate.<sup>94</sup>

### **Proposals for change**

92. Dame Eleanor told us that all occupants of the Chair—the Speaker and his deputies—shared a concern that the present regime for time limits on speeches was affecting the quality of debate and making debates more difficult to manage:

[T]he system whereby if you take an intervention, the clock stops for the intervention and then you get an extra minute makes it impossible to manage a debate and to be fair to everybody if we are at the stage where the time limit is five minutes or under.

It does not matter if the time limit is seven or eight minutes. Then you have a lot more flexibility, and adding to speeches of seven or eight minutes at the beginning of a long debate is fine [...].<sup>95</sup>

She proposed a modification to the present regime, to apply for as long as coronavirus restrictions are in place and call lists are required. Under these proposals, no injury time would be added for interventions on speeches when the announced time limit was at five minutes or less.

93. The Deputy Speakers would like to retain the flexibility to reduce time limits to below five minutes if necessary. Dame Rosie thought that the House would support the imposition of time limits of below five minutes if it enabled more Members to contribute to an oversubscribed debate:

People do like to think that there is discretion for the Speaker, or whoever is in the Chair, to say, “There is a three minute limit,” because they know

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93 *Ibid.*

94 [Q363](#)

95 *Ibid.*

that that will allow more people in. Now that we have these very long lists of people wanting to contribute, [my instinct is that] Members would be unwilling to have that discretion taken away from the Chairs.<sup>96</sup>

Dame Eleanor considered that the removal of injury time would be unlikely to inhibit Members from accepting interventions:

[I]n five minutes you can take a couple of interventions and still finish your speech. In three minutes, if you are just making a quick point, you can also let in one of your friends and still do it in three minutes.<sup>97</sup>

### *Our view*

94. The temporary introduction of call lists has brought a degree of certainty to the working lives of many colleagues. During the period of temporary restrictions, colleagues are better able to assess whether they are likely to be called in debate and at what point in the sitting day they ought to plan to attend the Chamber to contribute. Members low down on a call list, while undoubtedly disappointed, are similarly better able to plan their working day away from the Chamber.

95. The operation of the present regime of time limits on speeches introduces an unhelpful element of uncertainty to the relative predictability of the published call list. Having prepared remarks on the basis that they may be called to speak, colleagues are understandably disappointed when speakers above them on the list accept interventions and thereby receive additional speaking time, affecting the likelihood that speakers lower down the list will be reached.

96. The solution proposed by the Deputy Speakers is therefore attractive. Removing ‘injury time’ for interventions taken on speeches limited to five minutes or fewer allows a more accurate calculation to be made of the speakers likely to be called in the remainder of a debate. This aids the Chair and is of benefit to Members.

97. We are alert to concerns that the removal of ‘injury time’ in some way constitutes a disincentive to accept interventions. We strongly support the debating culture of the Chamber and the lively exchanges which arise when colleagues are prepared to accept and respond to interventions. We note that a great many respondents to our survey of Members considered that ‘injury time’ ought to be retained for speeches of five minutes or fewer.

98. We nevertheless consider that there is a balance to be struck between certainty and spontaneity. In our view, this balance can best be achieved by seeking to establish five minutes as the norm for most backbench contributions to debate. The occupants of the Chair are best able to judge how a debate should be managed, given the ordering of colleagues on call lists and the number of colleagues seeking to contribute. A general expectation that a speech ought to be made within five minutes, allowing time for interventions as necessary, would provide certainty for Chairs and colleagues alike. We note the Leader of the House’s view that “five minutes is the minimum amount of time Members find useful to make substantive contributions to debates.”<sup>98</sup>

96 *Ibid.*

97 [Q364](#)

98 Letter from the Leader of the House to the Chair of the Committee, dated 22 November 2020: see Annex 2.

99. We accept that there will still be a balance to be struck between managing a considered and informative debate and ensuring participation from as many Members as can be accommodated. It is therefore inevitable that shorter time limits on speeches will have to be imposed towards the end of a debate. We nevertheless expect that, under the temporary arrangements we propose, consistently more generous time limits can be imposed earlier on in a debate and the necessary ‘taper’ in time limits from the five minute norm can be imposed rather later than is the case at present.

***100. We recommend that, for the duration of the present restrictions on the use of the Chamber, Standing Order No. 47 be modified in its effect so as to provide that no ‘injury time’ be added to backbench speeches where a time limit of five minutes or fewer has been announced from the Chair.<sup>99</sup>***

**101. Once the present restrictions on the use of the Chamber have ended and the temporary modifications to Standing Orders and House procedure and practice have ceased in their effect, we will review the operation of this and other temporary changes and assess whether they should be recommended for permanent implementation.**

### *Implementation*

102. The House has entrusted the management of its debates to the occupants of the Chair, and has given them the specific power to impose time limits on speeches. The Speaker and his deputies are entitled, with the benefit of their experience in the Chair, to form a view on temporary modifications to the rules on time limits to facilitate the chairing of debates under current restrictions. In our view they are entitled to have their proposal submitted to the House for debate and decision.

103. To facilitate the process set out above, the Chair wrote to the Leader of the House in late October to indicate that we were minded to support the proposals made to us by the Chairman of Ways and Means on behalf of all occupants of the Chair. The Leader, while acknowledging that speech lengths and call lists during debates were a matter for the Speaker and Deputy Speakers, indicated to us that he did not intend to bring the matter before the House for debate and decision, though he had discussed the matter with the Chairman of Ways and Means and was keeping his position under review.<sup>100</sup>

104. We are surprised to find the Leader declining to facilitate the House’s consideration of a proposal made by the Chairman of Ways and Means, with the support of the Speaker and of her two deputies, which directly affects their ability to manage debates. In this report we have given our view on the proposal, but we have not sought to substitute our judgment for that of the occupants of the Chair: we recognise that this is a matter to be put before the House.

***105. We recommend that the House consider whether it wishes to put into effect the proposals made by the Chairman of Ways and Means. We further recommend that the Leader facilitate this by bringing forward a motion for a modification to Standing Order No. 47(1) at the earliest opportunity. In providing for the debate, the Leader should allow for the possibility that Members may wish to table amendments for consideration and decision by the House.***

99 A draft motion for the temporary modification of the Standing Order is set out at Annex 1.

100 The correspondence with the Leader is reproduced at Annex 2.

## 4 Changes in the use of Chamber galleries

106. We discussed with the Clerk of the House whether it would be possible to increase the number of places in the Chamber from which Members are able to address the House.

### *Use of the undergalleries beyond the Bar of the House*

107. Seating for Members is available beyond the Bar of the House, in the undergalleries beneath the Public Gallery. At present Members may not speak from these galleries.<sup>101</sup>

108. The Clerk of the House told us that work was in progress to adapt the audio-visual facilities in the Chamber so that the contributions of Members from these places could be broadcast: the work was to be completed during November. Once completed, it would provide eight more places from which Members could speak.<sup>102</sup>

109. At present these galleries are typically used by Members listed to contribute in a debate: they can listen to the debate and will move into places above the Bar as they come free. Allowing Members to speak from these galleries would in general reduce the ‘churn’ of Members moving from bench to bench during debates. Business managers on occasion use the galleries to ensure that participants in debate are in position in good time: a change of use would displace this activity elsewhere, for instance into the division lobbies or Members’ Lobby.

**110. *We recommend that the practice of the House whereby Members may not speak from the undergalleries be modified to allow them to address the Chamber from these seats, for the duration of the present restrictions on the use of the Chamber. As with all such modifications, it ought to cease once the restrictions are lifted, without prejudice to eventual reinstatement following an overall review.***

### *Use of the side galleries*

111. Seating in the side galleries above the Government and Opposition benches in the Chamber is at present largely reserved for Members. *Erskine May* notes that

A Member may in theory speak from these galleries but in practice it would be impracticable for technical reasons to record or televise such an intervention and the Speaker has indicated he would not do so.<sup>103</sup>

The current Speaker has ruled against the use of the side galleries for speeches in debate, since Members speaking from the benches immediately below would not be able to see a Member trying to intervene from the side gallery above, and *vice versa*.<sup>104</sup>

112. The Clerk of the House indicated that the galleries could be brought into use during scrutiny proceedings, increasing the number of places from which Members could ask questions and contribute on statements by a further 12. This would require additional

101 *Erskine May*, 25th edition (2019), [para 6.50](#)

102 [Q351](#)

103 *Erskine May*, 25th edition (2019), [para 6.50](#) (esp. note 5)

104 see also [Q398](#)

work, including further audiovisual cabling and the installation of additional Perspex screens.<sup>105</sup> Adaptations to sound equipment and camera ranges would incur further expense.<sup>106</sup>

113. Facilitating additional places in the Chamber from which Members can speak under current conditions is in principle desirable. Nevertheless, as the Clerk pointed out, the additional capacity proposed is only likely to be used where the proceedings are of very significant interest to all Members. In practice this will only arise, for instance, following a statement from the Prime Minister or the Chancellor of the Exchequer. We do not think that in the normal course of events there will be significant demand for Members to speak from the side galleries in preference to the places available in the Chamber.

*114. We appreciate the work undertaken by the House Service and the broadcasters to scope and prepare for a potential increase in the capacity of the Chamber for scrutiny proceedings. We do not think that the likely use of this additional capacity will justify the additional work required. In our view such resources are better used in improving facilities for virtual participation in the Chamber, as we recommend above.*

*115. We nevertheless recommend that Members be facilitated to use the side galleries to observe proceedings in the House where they cannot be accommodated in the body of the Chamber or in the undergalleries.*

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105 [Q396](#)

106 [Q397](#)

## 5 Debates in Westminster Hall

116. On 19 March the House made an order suspending sittings of the House in Westminster Hall until further notice.<sup>107</sup> On 23 September the House ordered that Westminster Hall sittings should resume on 5 October, and empowered the Chair in Westminster Hall to limit the number of Members attending sittings in the Grand Committee Room for as long as the power of the Speaker to limit attendance in the Chamber remains in effect.<sup>108</sup> During this period the Chairman of Ways and Means has issued guidance governing practice in Westminster Hall sittings.

### *Conditions governing attendance*

117. Members can only participate physically in Westminster Hall debates. There is no physical infrastructure to allow virtual participation.

118. For 60-minute and 90-minute debates, only Members who are on the call list, and the parliamentary private secretary assisting the Minister responding to the debate, are permitted to attend. Members are not permitted to attend only to intervene in these debates, even if there are seats available from which to observe the debate.

119. For 30-minute debates no call list is produced and Members may attend to listen to the debate and to intervene: if a Member wishes to make a speech in the debate, permission must be sought in advance from the Member in charge and the Minister responding to the debate, and the Speaker's Office must be notified.

120. A maximum of fifteen seats are available in the horseshoe in the Grand Committee Room: four reserved for frontbenchers and the parliamentary private secretary (PPS) to the Minister responding to the debate, and eleven from which Members (including the Member in charge of the debate) can speak. Five additional seats are available in the public gallery: where names on a call list for a debate exceed 15, the Members listed on the lower part of the list are expected to occupy the gallery seats at the start of the debate and move to seats at the horseshoe as they become available.

### *Use of call lists*

121. As in the Chamber, the 90- and 60-minute debates in Westminster Hall operate on a call list system. To be added to the call list for a debate, Members must email the Speaker's Office by 1pm on the previous Friday for debates on a Monday, and by 1pm on the previous day for debates on a Tuesday, Wednesday and Thursday. Call lists are published at around 12.30 pm on a Monday for debates that day and 6.30 pm the previous day for debates on a Tuesday, Wednesday and Thursday. In practice, since all Members expected to speak in a debate are required to be present and seated at the start of the debate, and only 15 seats are available for backbench participants, the Chairman of Ways and Means has to limit the length of the call list for these debates.

107 Votes and Proceedings, [19 March 2020](#), item 10

108 Votes and Proceedings, [23 September 2020](#), item 15

122. Members are called in the order they appear on the call list: the Chair is not expected to vary the order of speakers. With the exception of the PPS to the Minister responding to the debate, Members who are not listed on the call list may not be present in the Grand Committee Room, whether it is to listen to the debate or to intervene: this rule applies even when the debate is undersubscribed or there are unoccupied seats in the room.

123. No call list is produced for the two 30-minute debates held at 11am and 4pm on each Tuesday and Wednesday. Members may attend these debates in order to intervene: as we note above, the usual requirements apply to Members wishing to speak in the debate after the Member in charge has spoken.

**124. We commend the work undertaken by the Chairman of Ways and Means and the House authorities in making arrangements for the House to resume its sittings in Westminster Hall. The restoration of this forum for debating issues of concern to Members and the general public is very welcome.**

**125. We note the specific arrangements which have been made for the conduct of business in Westminster Hall during the pandemic under the authority of the Chairman of Ways and Means. We anticipate that the Chairman will be keeping these arrangements under regular review, in consultation with the Speaker and those members of the Panel of Chairs who chair debates in Westminster Hall.**

126. We observe that greater flexibility might be allowed to Chairs in Westminster Hall in determining the order in which speakers are called. Under the arrangements made by the Chairman of Ways and Means, the call list is restricted to the numbers allowed to attend, and all Members listed are expected to be present for the start of the debate in which they wish to participate. The necessity of following the call list order rigidly is less evident than it is for debates in the Chamber. In practice, it appears that a number of those on the call list for Westminster Hall debates do not attend. This means that the debate is often stilted, as two or three speakers from one side or the other are called in succession and the opposite view is less well heard, or, depending on the application of time limits, perhaps not heard at all. *We consider that during Westminster Hall sittings under pandemic conditions it would be reasonable to give the Chair discretion to amend the order in which speakers are called to take account of withdrawals from the call list.*

127. We have no other comment to make on the temporary Westminster Hall arrangements as introduced, but would be happy to advise on them if invited to do so.

***128. There is no evidence at present that the interaction between the use of call lists and the imposition of time limits in Westminster Hall debates is causing the same difficulties for the Chair as in the Chamber. We therefore do not recommend that the modifications to Standing Order No. 47 which we recommend in respect of the main Chamber be applied to proceedings in Westminster Hall.***

# Conclusions and recommendations

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## Debate in the House under coronavirus restrictions

1. There are many aspects of current temporary practices introduced in the Chamber which benefit Members individually and which several Members would like to see introduced on a permanent basis. As and when pandemic conditions ease and the current restrictions are relaxed, we will undertake a general review of the House's practices in the light of recent experience. (Paragraph 16)

## Call lists and their operation

2. The restrictions imposed on access to the Chamber under current conditions are understandable and a proportionate means of implementing public health guidance. They nevertheless run counter to the House's practice and affect the operation of a fundamental procedural principle: that every Member has an equal right to be present in the Chamber. We expect the House authorities and business managers to bear this in mind in the decisions they make about the conduct of House business, and to facilitate the right of all Members to be present in the Chamber as soon as public health considerations allow. (Paragraph 25)
3. The operation of the call list system would be better appreciated by colleagues if more information were readily available to describe the preparation of each type of list. (Paragraph 36)
4. *To aid general understanding of the call list system, we recommend that a short note be included at the head of each list published in the daily call list paper, indicating the type of list it is and the basis on which it has been prepared.* (Paragraph 37)
5. Many colleagues have indicated that they would benefit from earlier publication of call lists for debates, particularly for debates on a Monday. *We recommend that the Speaker's Office examine how best to ensure that call lists for debate are published as early as possible following the closure of the list to applications.* (Paragraph 38)
6. We regret that a Government motion to facilitate a form of virtual participation in debate was brought forward for decision by the House in a precipitate fashion and with scant regard to the current conditions which govern the operation of the Chamber and of divisions. The issue is self-evidently House business, and of importance to this Committee and to many other Members—several of whom are not able to participate in debates under current restrictions. We trust that this apparent disregard for the operation of the House under current conditions will not be repeated. (Paragraph 56)
7. *We recommend that the Government bring forward a motion for a Business of the House order to govern the conduct of a resumed debate on the question proposed on 24 November. The motion should provide for the selection of at least one amendment to the main question, and for the questions on any selected amendments, and then the main question, to be put at a predictable hour.* (Paragraph 57)
8. We do not think it is necessary to impose quotas on call lists for debates. (Paragraph 61)

9. Where a Member's name has been published on a call list and he or she is no longer able to participate in the debate, it is a courtesy to the Chair, and to other Members expecting to speak, for the Speaker's Office to be informed as soon as possible so that appropriate adjustments can be made. In our view, the Chair would be justified in treating persistent withdrawals from call lists, especially without notice or explanation, as a discourtesy to the Chair and to the House, to be taken into account when compiling future lists. Withdrawals which, in the Chair's view, are part of a strategy to mislead Members as to the progress of the House's business ought to be treated particularly severely. (Paragraph 62)
10. The ordering of names of a published call list is the responsibility of the Speaker and his deputies, who are elected to their positions by the whole House and who take their duties in this regard very seriously. They are best placed to determine the mood of the House and its requirements, and to manage the flow of debate in the House accordingly. We see no need to recommend any explicit change in current practice arising from the temporary use of call lists. (Paragraph 71)
11. Colleagues who would formerly have sought to 'catch the Chair's eye' in the Chamber are at present required to apply in advance to be considered to speak. We remind colleagues that it assists the Chair, and the House in general, if an application to speak is accompanied by reasons why the application should be considered. (Paragraph 72)

### Time limits on speeches in debate

12. *We encourage Ministers and other frontbench speakers to have regard to the length of published call lists for debates when preparing for their opening and closing remarks, and to tailor those remarks as appropriate to enable the Chair to call as many backbench colleagues as possible.* (Paragraph 83)
13. In order to assist the House in finding a means to strike a fair balance between time taken in frontbench and backbench speeches, we will undertake an analysis of the time taken by frontbench and backbench speeches in time-limited debates, under coronavirus restrictions and subsequently, and will report our findings to the House. (Paragraph 84)
14. *We recommend that, for the duration of the present restrictions on the use of the Chamber, Standing Order No. 47 be modified in its effect so as to provide that no 'injury time' be added to backbench speeches where a time limit of five minutes or fewer has been announced from the Chair.* (Paragraph 100)
15. Once the present restrictions on the use of the Chamber have ended and the temporary modifications to Standing Orders and House procedure and practice have ceased in their effect, we will review the operation of this and other temporary changes and assess whether they should be recommended for permanent implementation. (Paragraph 101)
16. *We recommend that the House consider whether it wishes to put into effect the proposals made by the Chairman of Ways and Means. We further recommend that the Leader facilitate this by bringing forward a motion for a modification to Standing*

*Order No. 47(1) at the earliest opportunity. In providing for the debate, the Leader should allow for the possibility that Members may wish to table amendments for consideration and decision by the House. (Paragraph 105)*

### Changes in the use of Chamber galleries

17. *We recommend that the practice of the House whereby Members may not speak from the undergalleries be modified to allow them to address the Chamber from these seats, for the duration of the present restrictions on the use of the Chamber. As with all such modifications, it ought to cease once the restrictions are lifted, without prejudice to eventual reinstatement following an overall review. (Paragraph 110)*
18. *We appreciate the work undertaken by the House Service and the broadcasters to scope and prepare for a potential increase in the capacity of the Chamber for scrutiny proceedings. We do not think that the likely use of this additional capacity will justify the additional work required. In our view such resources are better used in improving facilities for virtual participation in the Chamber, as we recommend above. (Paragraph 114)*
19. *We nevertheless recommend that Members be facilitated to use the side galleries to observe proceedings in the House where they cannot be accommodated in the body of the Chamber or in the undergalleries. (Paragraph 115)*

### Debates in Westminster Hall

20. *We commend the work undertaken by the Chairman of Ways and Means and the House authorities in making arrangements for the House to resume its sittings in Westminster Hall. The restoration of this forum for debating issues of concern to Members and the general public is very welcome. (Paragraph 124)*
21. *We note the specific arrangements which have been made for the conduct of business in Westminster Hall during the pandemic under the authority of the Chairman of Ways and Means. We anticipate that the Chairman will be keeping these arrangements under regular review, in consultation with the Speaker and those members of the Panel of Chairs who chair debates in Westminster Hall. (Paragraph 125)*
22. *We consider that during Westminster Hall sittings under pandemic conditions it would be reasonable to give the Chair discretion to amend the order in which speakers are called to take account of withdrawals from the call list. (Paragraph 126)*
23. *There is no evidence at present that the interaction between the use of call lists and the imposition of time limits in Westminster Hall debates is causing the same difficulties for the Chair as in the Chamber. We therefore do not recommend that the modifications to Standing Order No. 47 which we recommend in respect of the main Chamber be applied to proceedings in Westminster Hall. (Paragraph 128)*

## Annex 1: Proposed temporary revision to Standing Orders

### *Draft motion for a temporary modification to Standing Order No. 47 (Time limits on speeches)*

That the Order of 2 June (Proceedings during the pandemic (No. 2)) be amended as follows:—

After paragraph (3) insert:

“( ) In Standing Order No. 47 (Time limits on speeches):

(a) in paragraph (5), before “under paragraph 1” insert “ of more than five minutes”;

(b) after paragraph (5) add:

“(6) The provisions of paragraphs (1) and (2) of this order shall have effect at any sitting in Westminster Hall, and in relation to any speech in Westminster Hall to which those provisions apply the occupant of the chair shall add to any period specified under paragraph (1) of this order—

(a) one minute if one intervention is accepted, plus the time taken by that intervention;

(b) two minutes if two or more interventions are accepted, plus the time taken by the first two such interventions.””

#### Comparison of existing text and proposed temporary modification

| Existing text   | Proposed modification   |
|---|---|
| (1) The Speaker may announce that he intends to call Members to speak in a debate, or at certain times during that debate, for no longer than any period he may specify, and he may at any time make subsequent announcements varying the terms of an announcement under this paragraph.  | (1) The Speaker may announce that he intends to call Members to speak in a debate, or at certain times during that debate, for no longer than any period he may specify, and he may at any time make subsequent announcements varying the terms of an announcement under this paragraph.  |
| (2) Whenever the Speaker has made an announcement under paragraph (1), he may, subject to paragraph (5), direct any Member (other than a Minister of the Crown, a Member speaking on behalf of the Leader of the Opposition, or not more than one Member nominated by the leader of the second largest opposition party) who has spoken for that period to resume his seat forthwith. | (2) Whenever the Speaker has made an announcement under paragraph (1), he may, subject to paragraph (5), direct any Member (other than a Minister of the Crown, a Member speaking on behalf of the Leader of the Opposition, or not more than one Member nominated by the leader of the second largest opposition party) who has spoken for that period to resume his seat forthwith. |

| Existing text  | Proposed modification  |
|--|--|
| <p>(3) The Speaker may announce, at or before the commencement of any debate (other than a topical debate) in respect of which he has made or intends to make an announcement under paragraph (1) of this order, that speeches by a Minister of the Crown, Members speaking on behalf of the Leader of the Opposition, and not more than one Member nominated by the leader of the second largest opposition party shall be limited to twenty minutes and he may direct any such Member who has spoken for that period to resume his seat forthwith.</p> | <p>(3) The Speaker may announce, at or before the commencement of any debate (other than a topical debate) in respect of which he has made or intends to make an announcement under paragraph (1) of this order, that speeches by a Minister of the Crown, Members speaking on behalf of the Leader of the Opposition, and not more than one Member nominated by the leader of the second largest opposition party shall be limited to twenty minutes and he may direct any such Member who has spoken for that period to resume his seat forthwith.</p> |
| <p>(4) The Speaker may announce, at or before the commencement of a topical debate in respect of which he has made or intends to make an announcement under paragraph (1) of this order, that speeches by a Minister of the Crown and any Member speaking on behalf of the Leader of the Opposition shall be limited to ten minutes and he may direct any such Member who has spoken for that period to resume his seat forthwith.</p>   | <p>(4) The Speaker may announce, at or before the commencement of a topical debate in respect of which he has made or intends to make an announcement under paragraph (1) of this order, that speeches by a Minister of the Crown and any Member speaking on behalf of the Leader of the Opposition shall be limited to ten minutes and he may direct any such Member who has spoken for that period to resume his seat forthwith.</p>   |
| <p>(5) In relation to any speech, the Speaker shall add to any period specified—</p> <p>(a) under paragraph (1) of this order—</p> <p>(i) one minute if one intervention is accepted, plus the time taken by that intervention;</p> <p>(ii) two minutes if two or more interventions are accepted, plus the time taken by the first two such interventions;</p> <p>(b) under paragraph (3) or (4) of this order, one minute for each intervention accepted up to a maximum of fifteen minutes.</p>   | <p>(5) In relation to any speech, the Speaker shall add to any period specified—</p> <p>(a) of more than five minutes under paragraph (1) of this order—</p> <p>(i) one minute if one intervention is accepted, plus the time taken by that intervention;</p> <p>(ii) two minutes if two or more interventions are accepted, plus the time taken by the first two such interventions;</p> <p>b) under paragraph (3) or (4) of this order, one minute for each intervention accepted up to a maximum of fifteen minutes.</p>                              |

| Existing text | Proposed modification  |
|---------------|--|
|               | <p>(6) The provisions of paragraphs (1) and (2) of this order shall have effect at any sitting in Westminster Hall, and in relation to any speech in Westminster Hall to which those provisions apply the occupant of the chair shall add to any period specified under paragraph (1) of this order—</p> <p>(a) one minute if one intervention is accepted, plus the time taken by that intervention;</p> <p>(b) two minutes if two or more interventions are accepted, plus the time taken by the first two such interventions.</p> |

## Annex 2: Correspondence with the Leader of the House

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### *Letter from the Chair of the Committee to the Leader of the House, dated 21 October 2020*

The Procedure Committee has been conducting a short inquiry into how the present conditions in the Chamber have affected the House's practices around participation in debate. The Committee is considering the evidence received, and I expect it will be in a position to report to the House on the matters it has investigated during the week after the late October adjournment.

The Committee has agreed that I should write to you before agreement of its report to give an indication of a recommendation the Committee is minded to make, so that you are in a position to consider potential implementation of the recommendation in advance.

You will have noted the oral evidence given by the Chairman of Ways and Means and her two Deputies on Monday 12 October, and the written evidence which she submitted to our inquiry. In both oral and written evidence the Chairmen have argued strongly that the current provisions for adding 'injury time' to time-limited speeches for the first two interventions accepted have an adverse effect on their ability to manage the flow of debate in cases where the time limit imposed is five minutes or less.

In the Committee's view, the temporary practice of publishing the order of speakers in each debate in advance on a call list changes the conditions under which debate is managed by the Chair. Applying time limits to speeches in debate enables an estimate to be made about the backbench Members who will be called: but the 'injury time' provisions, when applied to short speeches at the end of a debate, create unhelpful uncertainty.

While it would not be desirable to discourage interventions on speeches, the Committee tends to agree with the Chairman of Ways and Means' view that greater certainty over the maximum length of speeches at the end of a debate would be helpful in terms of debate management under current conditions.

The Committee is therefore minded to recommend in its report that Standing Order No. 47 be amended, for a temporary period to last no longer than the current restrictions on attendance in the Chamber are in effect, to provide that where a time limit of five minutes or less on backbench speeches in a debate in the Chamber is announced, no additional time should be added in respect of any intervention taken.

It is envisaged that five minutes will thereby become the usual time limit to be applied at the end of a debate: this limit is not so low as to discourage colleagues from accepting interventions on speeches without compensation.

As with all changes to House procedure and practice adopted as a consequence of the pandemic, this modification is expected to be temporary. Once coronavirus restrictions and the consequent changes to procedure and practice have ended, the Committee will examine, on a case by case basis, whether any of the changes made ought to be introduced permanently.

I am copying this letter to Mr Speaker and to the Chairman of Ways and Means.

*Letter from the Leader of the House to the Chair of the Committee, dated 22 November 2020*

Thank you for your recent letter regarding the current provisions for adding ‘injury time’ to time limited speeches.

I am concerned about the impact this could have on the flow of debates and members’ willingness to accept interventions. I have met the Chairman of Ways and Means to discuss this matter further. Whilst it is not my intention to bring forward this change immediately, we have agreed to keep this matter under review.

More generally, speech lengths and call lists during debates are of course a matter for the Speaker and Deputy Speakers but it is my view that five minutes is the minimum amount of time members find useful to make substantive contributions to debates.

I am copying this letter to Mr Speaker and to the Chairman of Ways and Means.

## Annex 3: Online survey of Members conducted between 14 and 18 October 2020

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### A. Text of survey

#### **Procedure Committee survey of participation in debate under coronavirus restrictions**

The Procedure Committee is conducting this survey as part of a short sub-inquiry into how present coronavirus restrictions are affecting participation in debate on motions and on legislation in the Chamber.

The survey is open for responses until 6.00 pm on Sunday 18 October.

The Committee is examining the effect which current rules on time limits on speeches have on participation in debate, the process whereby Members apply to participate in debate, and the operation of the temporary system of call lists.

The Committee would like to take the view of as many Members as possible into account, alongside the oral and written evidence received to date.

Please note that the Committee will be conducting an overall review of the temporary changes to House procedure and practice in due course: a more comprehensive survey will be undertaken as part of that review.

This survey can only be accessed from a device logged into the Parliamentary network. On submitting this survey, your name and email address will be disclosed to the Clerk of the Procedure Committee. If you have concerns about the use of the data from this survey, please contact the Clerk of the Committee.

Procedure Committee staff will treat responses in the strictest confidence: identifying information will be removed from all survey information provided to members of the Committee.

Q1. In what nation of the UK or region of England is your constituency?

Q2. In which year were you first elected to the House?

Q3. Are you attending the House in person at present?

[if answer to Q3 is 'no'] Q4: Why are you not attending?

- I am acting on shielding advice [I am clinically extremely vulnerable to COVID-19]
- I am acting on other medical advice [I have been advised not to travel to Westminster]
- I have caring responsibilities which mean I cannot travel to Westminster
- Other [please indicate]

Q5. What is your view on the use of pre-published call lists for debates on motions and on legislation? [check all that apply]

- A call list gives me certainty about when I will be called in a debate
- Call lists are necessary at present, but should not be used for longer than is required
- Call lists reduce spontaneity in debate
- Call lists encourage Members to apply for too many debates
- I don't want to express a view
- Other [please indicate]

Q6. What is your view on the use of time limits on speeches in debates, under current conditions?

- Desirable: I might not otherwise be called
- Undesirable: time limits restrict debate
- I don't want to express a view
- Other [please indicate]

Q7. Under current conditions, should speeches limited to 5 minutes or less continue to have 'injury time' added for interventions?

Q8. Are there any other relevant issues you would like the Committee to consider?

## B. Survey respondents

113 responses were received from Members.

Table 1: Members responding, by party and Parliament of first election

|                  | Conservative | Labour    | SNP       | Other    | Total      |
|------------------|--------------|-----------|-----------|----------|------------|
| 1987 and earlier | 3            | –         | –         | –        | 3          |
| 1992             | 2            | 2         | –         | –        | 4          |
| 1997             | 2            | 4         | –         | –        | 6          |
| 2001             | 2            | 1         | –         | –        | 3          |
| 2005             | 3            | 5         | –         | –        | 8          |
| 2010             | 8            | 12        | –         | 2        | 22         |
| 2015             | 4            | 11        | 10        | 1        | 26         |
| 2017             | 2            | 6         | –         | –        | 8          |
| 2019             | 25           | 2         | 4         | 2        | 33         |
| <b>Total</b>     | <b>51</b>    | <b>43</b> | <b>14</b> | <b>5</b> | <b>113</b> |

Table 2: Members responding, by party and nation/region of England of constituency

|                          | Conservative | Labour    | SNP       | Other    | Total      |
|--------------------------|--------------|-----------|-----------|----------|------------|
| East Midlands            | 7            | –         | –         | –        | 7          |
| East of England          | 5            | 1         | –         | –        | 6          |
| London                   | 3            | 10        | –         | 2        | 15         |
| North East               | –            | 7         | –         | –        | 7          |
| North West               | 5            | 14        | –         | –        | 19         |
| Northern Ireland         | –            | –         | –         | 1        | 1          |
| Scotland                 | 1            | –         | 14        | –        | 15         |
| South East               | 15           | –         | –         | 1        | 16         |
| South West               | 3            | 2         | –         | –        | 5          |
| Wales                    | 5            | 3         | –         | 1        | 9          |
| West Midlands            | 5            | 3         | –         | –        | 8          |
| Yorkshire and the Humber | 2            | 3         | –         | –        | 5          |
| <b>Total</b>             | <b>51</b>    | <b>43</b> | <b>14</b> | <b>5</b> | <b>113</b> |

## C. Responses to survey questions

### 1. Attendance at Westminster

Table 3: 'Are you attending the House in person at present?'

|                                 |                         |
|---------------------------------|-------------------------|
| Attending                       | 88 (78% of respondents) |
| Not attending                   | 25 (22% of respondents) |
| —Acting on shielding advice     | 4                       |
| —Acting on other medical advice | 12                      |
| —Caring responsibilities        | 4                       |
| —Other reason                   | 5                       |

### 2. Use of call lists

Table 4: 'What is your view on the use of pre-published call lists for debates on motions and on legislation?'

|   |                         |
|---|-------------------------|
| A call list gives me certainty about when I will be called in a debate                  | 86 (76% of respondents) |
| Call lists are necessary at present, but should not be used for longer than is required | 34 (31%)                |
| Call lists reduce spontaneity in debate   | 49 (43%)                |
| Call lists encourage Members to apply for too many debates                              | 20 (18%)                |
| Other [please indicate]   | 22                      |

NOTE: respondents were invited to select all the responses they agreed with

*Additional comments submitted:*

- “Call lists are a good idea. When we can return to full occupancy of the chamber there’s no reason to think they will reduce spontaneity in debate. I think they should continue”
- “Call lists are helpful, but should be produced earlier than they are currently”
- “Call lists are too long and don’t guarantee I will be called even if on them”
- “Call lists reduce my ability to raise matters important to my constituents”
- “Call lists destroy the quality of the speakers in a debate which the Speaker would usually ‘curate’ based upon relevant experience”
- “Call lists discourage attendance in the Chamber (OK for now, but not long term) which means contributions are far less fluid and spontaneous. Members should be in the Chamber listening and engaging in a debate, not just turning up for their spot and leaving”
- “I am never high on a call list and often get squeezed out”
- “I can’t speak in debates but call lists are helpful for UQs and Statements”
- “I have missed out on many debates due to call lists”
- “I like them. I think [the system] enables MPs to make more efficient use of our time. I would like us to continue with them even when we return to ‘normal’”
- “They prevent interventions on important issues by ‘bobbing’”
- “They make it far too easy for Ministers”
- “They prevent members walking into the Chamber *ad hoc*”
- “While there needs to be some spontaneity in Parliament, sitting in the Chamber all day hoping one might be called to participate in a debate is bad use of time. I believe call lists for debates are a good idea, but less so for Question Time when the Chamber should be full.”

### 3. Time limits on speeches

Table 5: ‘What is your view on the use of time limits on speeches in debates, under current conditions?’

|   |                         |
|---|-------------------------|
| <b>Desirable: I might not otherwise be called</b> | 81 (72% of respondents) |
| <b>Undesirable: time limits restrict debate</b>   | 19 (17%)                |
| <b>Other</b>                                      | 24 (21%)                |

NOTE: respondents were invited to select all the responses they agreed with

#### *Additional comments submitted:*

- “A balance is required. I would expect time limits to be applied even without call lists in order to ensure as many members as possible can contribute”
- “Prioritisation of who gets to speak higher up the list should be reviewed. Longevity shouldn’t be an issue, nor “seniority”. We are all individual members and have as much right as any other to have our say on issues”
- “I am fine with time limits but they should be the same for everyone and the time available should be shared out among everyone on the call list”
- “I support time limits but frontbenchers should be subject to them as well”
- “The limits are too short; it would be better to have fewer speakers with more time, and encourage MPs to spread their applications to speak”
- “I’d like tighter time limits applied to frontbench speeches too”
- “They must be more consistent and fairly applied amongst colleagues; this has not always been the case”
- “Time limits are only fair, but should be restricted from start rather than mid-way”
- “The Speaker should seek to enforce the no reading rule and expand the time allowed for speeches. Currently the time limit routinely starts at 4 minutes and then reduces. There is no time for spontaneous debate, just the reading of pre-prepared scripts”
- “The Speaker should have discretion over the timing of speeches and be able to make comments, as now, on the desirability of interventions”
- “There should be a minimum of 5 minutes for all backbench speeches even if that means that colleagues are not able to speak”
- “Time limits are desirable in terms of maximising the number of participants but I feel very strongly that time limits should not be less than five minutes simply to allow all members who have applied to speak to contribute. Speeches of two or three minutes with interventions prohibited effectively mean a series of pre-written speeches read into the record rather than a debate”

- “They are unfairly distributed and too short—4 minutes should be the shortest required if you want to get any significant points across. A shorter call list and time limits applied to the front benches would allow this”
- “Time limits should not be below 5 minutes”
- “Very short time limits (such as three minutes) not only prevent the development of an argument but deter interventions earlier because it looks like you are trying to get an extra two minutes for yourself and stop others having any time to get in. It leaves the courtesies unclear, promotes the selfish getting in at the expense of others and prevents the spontaneity of allowing interventions adding to the interactivity of debates”
- “We need to bring time limits from the beginning so more people can speak. I have not been able to speak 3 times in a row as I have been placed in the 40s. So I would prefer to know that I am going to speak and for how long for before the debate”

#### 4. Interventions on time-limited speeches

**Table 6: ‘Under current conditions, should speeches limited to 5 minutes or less continue to have ‘injury time’ added for interventions?’**

|            |                         |
|------------|-------------------------|
| <b>Yes</b> | 58 (51% of respondents) |
| <b>No</b>  | 31 (27% of respondents) |

#### *Additional comments submitted:*

- “A 5 minute minimum with no extra time for interventions”
- “5 minutes seems a reasonable amount of time for MOST contributions with a little time added on for interventions”
- “All speeches in the House should be limited to 10 minutes at all times (including outside COVID): currently 5 minutes plus injury time is fair”
- “It depends on the debate and how many names are on the order paper [call list], but I think the call list should be limited so that unrealistic expectations are not set”
- “I don’t think a decent speech can be made in less than 5 minutes but adding two minutes on is exploited by those who don’t care about depriving others of even a short speech”
- “I don’t think injury time for interventions is helpful as it drops those at the bottom of the call list off by no fault of their own”
- “I suggest yes, for a maximum of 1 intervention. I think this should be the case even when we return to ‘normal’”
- The practice just encourages interventions to ‘cheat’ the system”

- “‘Injury time’ can prevent another substantive speech”
- “There is too much gaming of this which reduces opportunities for others to speak”
- “If you’re listed further down, you might [thereby] miss the chance to be called. Interventions don’t always add to debate.”
- “Although frustrating, on some occasions, when a member is delivering a powerful speech or feels strongly about an issue which affects his/her constituency, allowing an extra couple of minutes is understandable and warranted.”
- “No; or maximum 1 x 1 minute addition, and let clock continue running for further interventions”
- “The chair could use discretion so persistent intervenors are moved further down call list and or have time removed from their own speeches”
- When chairs of select committees, former SoS are speaking the 5 min limit should not be applied.
- “Whilst this is being ‘gamed’ at the moment I would be loath to disincentivise interventions”
- “Yes - although Members are abusing the privilege”
- “Yes - but members need to exercise more discipline.”
- “Yes—spontaneity is important and this is one way to help ensure that speakers are not disincentivised from taking interventions”
- “Yes—this allows colleagues lower down the call list an opportunity to get their views on the record [through intervening]”
- “Yes for the first intervention: no thereafter (too easy to orchestrate!)”
- “Yes—or speakers might not take interventions at all which would inhibit debate. There should be less injury time for interventions”
- “Yes, but most interventions don’t require a whole additional minute - 30 seconds would be enough”
- “Yes, otherwise no one will take interventions”
- “Yes. Reasonable interventions are essential for debate”

## 5. Selected additional views submitted

- “I would like us to return to a hybrid parliament to allow ALL members irrespective of their circumstances to take part in all debates, questions, Committees, lay down petitions, contribute to Bills and vote. Are we really saying that the House of Commons is the only parliament that cannot adjust their procedures or develop the necessary software to help all members cope with these unprecedented circumstances we find ourselves in? Safety of members and staff is paramount—as is our democracy which is in grave danger of being sidelined.”
- “Call lists are absolutely transformational to improving efficiency and productivity in a Member’s day and should be made a permanent feature. The hours wasted in bobbing during departmental questions and debates and then not being called, not to mention the prep time, is incredibly inefficient and frustrating when there are so many calls on our time and we are already working extremely long hours.”
- “As a London MP who lives at home and travels into Westminster, as things stand, with almost all other meetings taking place eventually, if I know for certain I will not be called in departmental questions or a debate the following day, I will generally work from home and travel into Parliament later (or perhaps not at all if there are no votes). This means less travel during peak hours which is good for supporting Covid-secure commuting and also helps with childcare arrangements in the morning”
- “Ensure those who have a particular specialism (eg previous Ministerial role) get to speak on those issues that are subject to debate rather than fall off the end of a ballot.”
- “Expand virtual participation so that MPs working from home are able to participate in debates in the Chamber and Westminster Hall”
- “We should return to virtual voting. This current system is unsafe and sets a very bad example as well as putting staff at risk. Even with masks. It’s not necessary when we have a functioning and tested model of virtual voting—much more secure than real life voting in elections!—and one which is in use in the House of Lords.”
- “I’d also like us to consider wider virtual participation in other debates, particularly Bills and Bill committees. As Select Committees including virtual participation it makes no sense to me that Bill committees can’t. This would not pass my own risk assessment of my own constituency office and contradicts Government advice.”
- “Given that Parliamentary time is limited I feel aggrieved that for example MPs representing constituencies not affected by Covid local lockdown regulations are allowed to take up valuable speaking slots in debates relating to specific regions or areas.”

- “While I appreciate there are practical and technical issues I would like to see all MPs including those isolating able to participate virtually in debates as they can in questions and statements.”
- “Hybrid proceedings have added a very welcome degree of structure to an otherwise chaotic workplace - I would like the Committee to consider how as much of this structure as possible may be kept.”
- “I am not sure why call lists are released so late in the day - we know we can only speak if on it but we don’t want to prepare something if we aren’t, so releasing them late at night is unnecessary; if you have a busy day the following day you have little to no time to prepare something when you could have used the evening. This is especially true for debates on Mondays when call lists could be released on Friday rather than Monday lunchtime, thereby allowing us the weekend.”
- “I do not agree with Members being put well down the call list if they have spoken more than others on the list. This is fundamentally unfair as some members are not getting to speak in repeated debates—Members should not be penalised for being active. There should be a random draw for the call list.”
- “I hope an exception to the call lists could be made for the Business Statement, which I think should be returned to the old system.”
- “I am attending in person very occasionally. However I can only do so if I can make arrangements for the caring responsibilities I have to [a relative] due to coronavirus. Those who normally do so are in high risk groups and whilst the virus is a threat, I will be responsible. So I am able to visit the House approximately once every 4–6 weeks. This means at all other times I cannot participate in debates. I feel very strongly I should be allowed to do so virtually.”
- “I strongly support the reintroduction of online voting. We are all asking our constituents not to take any unnecessary risks in relation to coronavirus spread and the voting arrangements undermine this entirely, put staff and members at increased risk, take long periods of time away from other work at a time when we are all very busy with enquiries from constituents. I like voting in person, and would like to return to this as soon as it is safe to do so but the current arrangements are not safe or necessary.”
- “I think it is grossly unfair that Members who cannot attend the House due to the pandemic can only take part on restricted areas of business. I feel the Leader of the House should be allowing members to participate remotely and vote remotely on all items of business to ensure there is fairness for all. We should not be forced to come to Westminster during a pandemic in order to contribute to debates and the passage of legislation.”
- “The Committee should look at wider issues affecting virtual participation. In particular, why adjournment debates cannot include virtual participation and why MPs cannot be called to present a petition virtually (clearly just the words outlining the petition, not the actual document.”

- “I would like the Committee to consider Members in the same position as myself. We are all facing extremely challenging times due to this dreadful pandemic however working remotely does not allow participation in many debates. This means that the voice of my constituents is not being effectively heard. This cannot be right. This is undoubtedly discriminatory.”
- “I would suggest that thought be given to restricting time for speeches in popular debates from the beginning so more people can speak rather than some speaking much longer and then others further down the list will have a better idea whether they will get to speak rather than waiting for hours and then not being called”.
- “Members on a call list should not be permitted to intervene earlier in the debate”
- “Members should not mix and match, appearing in person one day and virtually the next—they should not be allowed to participate virtually from a Portcullis House office”
- “Ministers routinely take far too long to speak. I would prefer longer backbench speeches than the three minutes that is becoming normal (Not less than 5 minutes) with more people on the list unable to speak than the current arrangements. None of this is easy but the idea that the House is simply a place for as many people as possible to parade a soundbite or two, whilst having little actual debate is not good. I think there is uncertainty amongst Members about the required courtesies in these changed circumstances. I have routinely refrained from intervening if I am on the list to speak (despite often really wanting to intervene) but not everyone takes this view and (Generally on the Govt side) we can see the old trick of getting colleagues to intervene to get an extra two minutes. Whilst this is in order it is selfish behaviour because it prevents others speaking who are lower down the list and when the speech is only three minutes, these interventions often mean those behaving in this way get longer to speak than those attempting to be polite.”
- “Please could we have more people in the Chamber? Using every row but in a zig zag approach would get more in and still be distanced”
- “Returning to a virtual or hybrid chamber is the only way to make sure all constituents are fully represented by their MPs. The system worked—we should be leading by example and keeping all MPs safe, not limiting the number of people who can participate.”
- “Sitting hours are too short which is resulting in compressed debates leading to call lists and time limits. Members are not present for the winding ups even when there is capacity in the chamber (true on both sides but particularly obvious on the opposition benches as they are physically empty all the time). Too many Government payroll Members asking ‘hand outs’ from the whips during UQs and statements reducing backbench scrutiny time.”
- “Speeches are shortened to the point where MPs are merely reading out press releases. Short time limits have stopped meaningful debate”

- “The ballot system is very poor. It does not allow you to raise legitimate constituency issues which are often topical and time sensitive”
- “The call list and relaxation on the convention that Members should be present in the chamber until they are called are both hugely positive developments in my view and should be retained if/when full attendance is once again possible. I would also fully endorse a return to remote voting and full digital participation to ensure that no member or their constituents will be disenfranchised in the present environment.”
- “The call list should come out earlier if possible. I have spent many weekends writing speeches and then found out on Monday that I was not called. Many debates could be drawn more days in advance”
- “I would rather have shorter speeches in some debates—eg 2 minutes—to all have a chance to speak, rather than keeping 4 minutes and some people not speaking”
- “The current insistence on physical attendance to take part in debates restricts the ability of Members who are not able to travel to exercise their democratic right to take part in proceedings.”
- “The issue with the way in which call lists work mean you are often applying for statements on “Covid” on the off chance it will be relevant to your constituency without really knowing. Twice there have been statements which have heavily been relevant to my constituency but I have been unsuccessful getting on the Call List, but conversely I have been on the Call List when it’s been less relevant for me to be there. I would like to see some flexibility for local MPs to get places at short notice when there is a constituency-link”
- “The lack of ability to pop into the Chamber and listen to debate or intervene in any meaningful way is limiting debate”
- “The notice period to apply to speak on motions is particularly problematic, especially Business of the House motions. If one area could have call lists removed could it be this area”
- “The two-tier system we have now is unacceptable - if MPs aren’t able to attend the House and can’t participate in debates, it discriminates against their constituents. We should also all return to online voting. Frankly, I do not feel safe in the queue to vote”
- “There is a worrying inconsistency about the order in which one appears on the list. I was twice “just missed” in recent days, whereas other colleagues got in on both occasions. Also, it seems that applying for fewer debates does not increase the chance of being called. There is not enough transparency about the process”
- “Virtual participation is extremely limited. It would be beneficial to allow for virtual participation in legislative debates, general debates, backbench business debates and Westminster Hall debates.”

- “Voting should go back on-line! With only those required to be in the Chamber or Committee Room being in the Palace. It is IMPOSSIBLE to ensure adequate social distancing as MPs emerge from voting lobbies, even when they are moving forward as requested by the staff. Given that the virus is transmitted by aerosol in indoor spaces, the more that we (the 500+ not self-isolating) gather in the tight spaces that are the corridors around the Chamber, the more that MPs and staff are at risk. Wearing a mask and avoiding talking at close contact with others does not provide me with adequate protection or confidence. I don’t know if PHE or the H&SE have actually witnessed these corridors after votes, but they really should. And of course there is the added issues that we travel from and return back to communities and families all over the country, so we are spreaders of infection. The Leader of the House always responds to questions about on-line voting by saying “we should be seen to do our jobs”, and indicates the Chamber. But when we are voting we are not seen by the public. On two days this week and others previously, I have come in only to vote as all the rest of my appointments are on-line or in the constituency. (I am not prepared to either be paired as that looks as though I’ve abstained, nor to self-isolate as I have no official need to, and want to be able to participate in debates). Furthermore; as more of the UK moves towards lock-down there is a case for enabling MPs to speak in debates as well. Losing the ability to intervene (is that really a given?) under current conditions is a small price to pay for keeping us, our staff, our families and our travelling companions safe.”
- “We cannot have proper debates or UQ sessions under this system”
- “We need to return to a system whereby if you get through a ballot, you will definitely be “in play”. Too many OPQ ballots end up in not being on a call list at all—which with the inability to bob for supplementaries can write off entire weeks of being able to raise anything at all. We need to return to pre-lockdown practices”
- “The Speaker devised a very good hybrid system that enabled all members to speak and vote for themselves. [The Leader] decided to deprive a significant number of members of their right to speak in debates and to vote for themselves. That is pedantic and discriminatory. When the vote was taken to determine whether or not the hybrid chamber should continue those not present in the House were denied the right to vote. Why?”
- “I piloted an on-line standing committee session and that worked admirably (The Chairman of Ways and Means attended as an observer). This was not followed through with. Why?”
- “We are in the pandemic for the long haul and I believe that the Leader of the House must put an un-whipped question [on virtual participation] again to a vote of all Members.”

# Formal minutes

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**Wednesday 2 December 2020**

Karen Bradley, in the Chair

|                       |               |
|-----------------------|---------------|
| Aaron Bell            | James Gray    |
| Kirsty Blackman       | Nigel Mills   |
| Bambos Charalambous   | Douglas Ross  |
| Sir Christopher Chope | Owen Thompson |
| Chris Elmore          |               |

The Committee deliberated.

Draft Report (*Procedure under coronavirus restrictions: call lists and time limits on speeches in debates*), proposed by the Chair, brought up and read.

*Ordered*, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 128 read and agreed to.

Annexes 1 to 3 agreed to.

Summary agreed to.

*Resolved*, That the Report be the Seventh Report of the Committee to the House.

*Ordered*, That the Chair make the Report to the House.

*Ordered*, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

[Adjourned till Monday 7 December at 3.45 pm.]

## Witnesses

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The following witnesses gave evidence. Transcripts can be viewed on the [inquiry publications page](#) of the Committee's website.

### Monday 01 June 2020

**Dr John Benger**, Clerk of the House of Commons; **Mark Hutton**, Clerk of the Journals, House of Commons [Q1–57](#)

### Monday 08 June 2020

**Rt Hon Jacob Rees-Mogg MP**, Lord President of the Council and Leader of the House of Commons [Q58–119](#)

### Wednesday 01 July 2020

**Rt Hon Jacob Rees-Mogg MP**, Lord President of the Council and Leader of the House of Commons [Q120–177](#)

**Dr John Benger**, Clerk of the House of Commons; **Matthew Hamlyn**, Strategic Director, Chamber Business Team, House of Commons Service [Q178–224](#)

### Wednesday 08 July 2020

**Dr Ruth Fox**, Director, Hansard Society; **Professor Meg Russell**, Director, Constitution Unit, University College London; **Dr Hannah White**, Deputy Director, Institute for Government [Q225–247](#)

### Wednesday 15 July 2020

**Tommy Sheppard MP**, Shadow Leader of the House of Commons, Scottish National Party Parliamentary Group [Q248–261](#)

**Rt Hon Valerie Vaz MP**, Shadow Leader of the House of Commons [Q262–278](#)

### Monday 05 October 2020

**Steve Brine MP**; **Hywel Williams MP** [Q279–318](#)

### Wednesday 07 October 2020

**Daisy Cooper MP**; **Rachael Maskell MP**; **Dr Philippa Whitford MP** [Q319–337](#)

### Monday 12 October 2020

**Stephen Farry MP**; **Claire Hanna MP**; **Barbara Keeley MP** [Q338–354](#)

**Rt Hon Dame Eleanor Laing MP**, Chairman of Ways and Means, House of Commons; **Rt Hon Dame Rosie Winterton MP**, First Deputy Chairman of Ways and Means, House of Commons; **Mr Nigel Evans MP**, Second Deputy Chairman of Ways and Means, House of Commons [Q355–382](#)

**Dr John Benger**, Clerk of the House of Commons; **Matthew Hamlyn**, Strategic Director, Chamber Business Team, House of Commons [Q383–418](#)

## Published written evidence

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The following written evidence was received and can be viewed on the [inquiry publications page](#) of the Committee's website.

CVR numbers are generated by the evidence processing system and so may not be complete.

- 1 Adams, David ([CVR0065](#))
- 2 Amess MP, Sir David ([CVR0094](#))
- 3 Anderson, C. Adair ([CVR0080](#))
- 4 Baldwin MP, Harriett ([CVR0004](#))
- 5 Bell MP, Aaron ([CVR0114](#))
- 6 Benger, Dr John, Clerk of the House of Commons ([CVR0085](#))
- 7 Black MP, Mhairi ([CVR0020](#))
- 8 Brennan MP, Mr Kevin ([CVR0023](#))
- 9 Cadbury MP, Ruth ([CVR0030](#))
- 10 Callaghan MP, Amy ([CVR0021](#))
- 11 Carson, Rowland ([CVR0055](#))
- 12 Champion MP, Sarah ([CVR0031](#))
- 13 Champion MP, Sarah (supplementary) ([CVR0100](#))
- 14 Childs, Professor Sarah ([CVR0026](#))
- 15 Committee on Standards in Public Life ([CVR0012](#))
- 16 Cooper MP, Daisy ([CVR0077](#))
- 17 Cooper MP, Rosie ([CVR0106](#))
- 18 Crawley MP, Angela ([CVR0003](#))
- 19 Cumberpatch, Dr Chris ([CVR0042](#))
- 20 Davies, Daniel ([CVR0034](#))
- 21 Davies MP, Geraint ([CVR0027](#))
- 22 Day MP, Martyn ([CVR0017](#))
- 23 Docksey, Miss Lesley ([CVR0051](#))
- 24 Doogan MP, Dave ([CVR0015](#))
- 25 Double MP, Steve ([CVR0097](#))
- 26 Downey, Mr Jim ([CVR0078](#))
- 27 Electoral Reform Society ([CVR0093](#))
- 28 Evans, Paul ([CVR0001](#))
- 29 Fair Vote UK ([CVR0092](#))
- 30 Farry MP, Dr Stephen ([CVR0084](#))
- 31 Fawcett, Ms Valerie ([CVR0068](#))
- 32 Folkard, Mrs L ([CVR0059](#))
- 33 Foxcroft MP, Ms Vicky ([CVR0105](#))

- 34 Gillespie, Mr Robert ([CVR0036](#))
- 35 Grant MP, Peter ([CVR0019](#))
- 36 Griffin, Eva ([CVR0049](#))
- 37 Gwynne MP, Andrew ([CVR0110](#))
- 38 Hall Yandoli, Dr Alyson ([CVR0052](#))
- 39 Hall, Dr Nicola ([CVR0053](#))
- 40 Hamlyn, Matthew, House of Commons Service ([CVR0115](#))
- 41 Hansard Society ([CVR0083](#))
- 42 HM Government ([CVR0090](#))
- 43 Hodgson MP, Mrs Sharon ([CVR0096](#))
- 44 Hyde, Mr ([CVR0043](#))
- 45 Johnson MP, Dame Diana ([CVR0111](#))
- 46 Keeley MP, Barbara, ([CVR0103](#))
- 47 Laing MP, Rt Hon Dame Eleanor, Chairman of Ways Means ([CVR0112](#))
- 48 Laing MP, Rt Hon Dame Eleanor, Chairman of Ways Means (supplementary) ([CVR0116](#))
- 49 Liberal Democrat Parliamentary Party ([CVR0013](#))
- 50 Lucas MP, Caroline ([CVR0011](#))
- 51 Luckraft, Dr. David Alan ([CVR0054](#))
- 52 MacNeil MP, Angus Brendan ([CVR0010](#))
- 53 Manovitch, Dr David ([CVR0058](#))
- 54 Marsden, Graham ([CVR0045](#))
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