



House of Commons
Procedure Committee

**Fifth Special Report
of Session 2019–21:
Back to the future?
Procedure after
coronavirus restrictions:
Government Response
to the Committee's
Eighth Report**

**Fifth Special Report of Session
2019–21**

*Ordered by the House of Commons
to be printed 28 April 2021*

Procedure Committee

The Procedure Committee is appointed by the House of Commons to consider the practice and procedure of the House in the conduct of public business, and to make recommendations.

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Committee reports are published on the [Committee's website](#) and in print by Order of the House.

Committee staff

The current staff of the Committee are Zoë Backhouse (Second Clerk), Paul Connolly (Media Relations Manager), Jim Lawford (Committee Operations Officer), Hannah Olbison (Senior Media Relations Officer) and Richard Ward (Clerk).

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Fifth Special Report of Session 2019–21

The Procedure Committee published its Eighth Report of Session 2019–21, [Back to the future? Procedure after coronavirus restrictions](#) (HC 1282), on 14 March 2021. The Government response to the report was received on 26 April 2021 and is appended below.

Appendix: Government Response to the Eighth Report of Session 2019–21

The Government is grateful to the Procedure Committee for its report *Back to the future? Procedure after coronavirus restrictions* and its thoughtful consideration throughout the course of the pandemic. Since March 2020, the House has taken significant mitigating actions to ensure Parliament can continue to serve the UK public during these challenging times. The House of Commons Commission has now approved a roadmap for the Commons to return MPs and staff gradually to Parliament, in line with the Government roadmap and the temporary Orders that allow virtual participation in proceedings have been extended to 21 June 2021. The Government firmly believes constituents are best served when MPs represent them in person in Westminster, to the fullest extent possible and hopes this response provides reassurance that we are committed to work together with the House authorities to achieve this as soon as it is safe to do so.

The response to recommendations posed to the Government is set out below.

1. ***We call on the Government to commit to protect substantive motions on House business with a Business of the House motion which reserves time for debate and decision.*** (Paragraph 8)

The Government notes this recommendation. Time was provided, via a Business of the House motion, to debate and approve an extension to the temporary orders that allow virtual participation in the Chamber and Westminster Hall and a continuation of proxy voting measures as part of the wider debate on the national restrictions on Thursday 25 March 2021.

The Government has been clear that it has kept its approach to participation during the pandemic under review and, where necessary, responded as the situation changes. Significant mitigating actions have been taken to allow Members to take part in proceedings virtually, including a wide-scale roll-out of proxy voting and remote participation. Whilst it has not always been possible to provide time for debate in the Chamber, all procedural changes brought forward by the Government have required the approval of the House and the Government has worked closely with the House authorities in bringing these forward for a decision.

Procedural change can have a huge effect on how the Government delivers its legislative agenda for the public and may have wider constitutional implications, which is why the Government takes a position on procedural matters, as has always been the case. The Government always seeks to provide sufficient notice of motions but, as we have seen

across all national restrictions, responding to the virus has often meant acting with speed as the situation developed. However, at all times, the House has had the opportunity to come to its own decision on procedural matters.

2. *In accordance with the Government’s plans for a cautious and steady easing of lockdown restrictions, we call for the temporary orders to be extended to the beginning of stage 4 (currently 21 June).* (Paragraph 25)

On Thursday 25 March the House agreed to a motion to extend the temporary orders until 21 June, in line with the Government’s roadmap.

3. *We recommend that the House reverts to all aspects of its pre-pandemic practice and procedure.* (Paragraph 26)

It remains the Government’s firm view that Parliament best serves the public when MPs are present in Westminster to the fullest extent possible. We consider the vast majority of changes to be temporary and intended to be in place only whilst full physical meeting is not possible during the pandemic. As the Leader of the House has been clear throughout, “the measures were agreed by consensus on the basis that they were temporary. If people want to keep some of these measures permanently, they must make the case for them and bring them in at some later date, but we must restore the status quo ante first, because that was the basis on which people agreed to the changes, and they would feel cheated—and rightly so—if anything else were done.”¹ The current arrangement allowing remote participation to all Members, with no eligibility criteria, is in place until 21 June 2021 and the Government will continue to keep this under review.

Whilst the Government commends the work of the House authorities to put in place these changes over the last year, the quality of debate and scrutiny has undoubtedly suffered. Since the introduction of virtual proceedings, scrutiny of Government has been less effective with fewer opportunities for interventions; debates have been reduced to a succession of pre-prepared speeches read out one after the other; MPs have had fewer opportunities for collegiate cooperation to hold government to account; there are risks with technology meaning that members have sometimes been cut off mid speech or the House suspended; there has been less spontaneity and flexibility and backbenchers have had reduced access to ministers.

The changes made during the pandemic have been necessitated by the circumstances but this should not be used as an opportunity to make long term changes to our proceedings without consensus that any change would be beneficial to the operation of proceedings in Parliament.

4. *We recommend that the House Service is given an explicit mandate from the Commission to extend the scope of its development of hybrid proceedings and the resources necessary to separate it from the day-to-day demands of running the Chamber. This does not presuppose further extension in either scope or duration of hybrid proceedings, but would serve to de-risk aspects of hybrid sittings and enable ancillary benefits (for example within the House’s business continuity plans or as part of preparations for Restoration and Renewal) to be realised.* (Paragraph 32)

1 HC Deb 11 March 2021, cols [1008–9](#)

The Government is acutely aware that the pressures of implementing each procedural and operational change has fallen on a relatively small group of highly skilled and capable House staff and is grateful to all the House staff and civil servants who have contributed to ensuring Parliament could continue to operate throughout the pandemic. The Government agrees that it would be sensible to learn lessons from the past year, a resilient fallback option for Parliament to sit remotely if necessary should be assessed carefully.

With regard to Restoration and Renewal, the Government is committed to protecting the interests of taxpayers, costs must be kept down and the works delivered on budget and on time. That is why when the Government introduced the legislation to establish the Sponsor Body and Delivery Authority it included a range of critical financial checks and the requirement that the Sponsor Body have regard to achieving value for money across all phases of the Restoration and Renewal programme. As the Chancellor has made very clear, there are huge efforts we need to make to ensure the budget is balanced and it is clear that the terms of debate around Restoration and Renewal have moved on significantly since the Act was passed. The Sponsor Body and Delivery Authority should think carefully about how we learn lessons from the pandemic, including whether the option of hybrid proceedings for one or both Houses during any period of decant could be a possible solution.

5. We are not convinced that, with an effective card reader voting system in place, the conduct of EVEL votes should be any more difficult than with tellers. Consistent with the Leader's assurances above on returning to the status quo ante we urge the Government to reinstate the EVEL Standing Orders as soon as possible. We will consider this issue further and whether any changes to the procedures are desirable during our inquiry into the procedure of the House of Commons and the territorial constitution. (Paragraph 36)

English Votes for English Laws has been suspended since April 2020 as double majority voting is not compatible with the pandemic voting procedures. As with all aspects of the pandemic arrangements, we will continue to keep this suspension under review and we are following the Committee's inquiry into the procedure of the House of Commons and the territorial constitution with interest.