

## Written evidence submitted by the Clerk of the House of Commons (CTR 06)

Produced in consultation with the Editor of the Official Report and the Principal Clerk of the Table Office.

### Summary:

- All Members can currently correct the record through ‘silent’ corrections (paragraph 7), points of order and verbal corrections in related proceedings (paragraph 22).
- In addition, Ministers can correct the record by means of the formal corrections procedure or, if the changes they seek are more substantial, by issuing a Written Ministerial Statement (paragraph 10).
- The House Service cannot adjudicate when there are disputes between Members about whether a statement requires a correction. Therefore, my comments relate to voluntary corrections sought by the Member who was speaking (paragraph 3).
- There are options for expanding the scope of the current formal corrections process. For example, it could be made available to Members other than Ministers. However, it is not obvious that the resources required to facilitate this would make it a proportionate step (paragraphs 21-23).
- It would be technically possible to better link and signpost between corrections made by means of points of order and the original text being corrected; however, this work would have to be fully costed before a decision could be taken on implementation (paragraphs 25-26).
- Improving Hansard’s search function offers the possibility of more easily grouping together all a Member’s contributions on a particular subject, making it easier to see corrections and their originating text. This would have benefits beyond the corrections process alone but would be a significant piece of work. Again, it would need to be scoped and costed and the necessary resources identified before a decision could be taken on implementation (paragraph 27).

### Background

1. Ministers are held to account by Parliament for the Government’s activities and are regularly required to provide information to the House when answering questions and taking part in debates. The Ministerial Code<sup>1</sup> and the House’s resolution on Ministerial accountability<sup>2</sup> state that Ministers are responsible for ensuring that information provided through Parliamentary proceedings is accurate, but it is understood that occasionally mistakes will be made and that the record will benefit from being corrected. In such circumstances, Ministers are expected to correct the record at the earliest opportunity.
2. Hansard produces a comprehensive account of what is said in the House. It is not a verbatim transcript but rather a substantially verbatim report with repetitions and unnecessary words removed and obvious mistakes corrected. It does not omit, or insert, content that would alter the meaning of what has been said.
3. This memorandum focuses specifically on voluntary corrections to the record. Political arguments can be highly subjective, and it is not the role of the Speaker or House officials to assess the accuracy of Members’ contributions. If a Member feels that one of their colleagues has been inaccurate, there are various ways they can draw attention to the issue, for example:
  - by challenging them in debate
  - via written or oral questions (if Ministerial accuracy is being contested)
  - by writing to the Member concerned and asking them to correct the record

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<sup>1</sup> [Ministerial Code, Cabinet Office, May 2022](#) (accessed July 2022).

<sup>2</sup> Erskine May ([Paragraph 11.40](#))

- by raising a point of order
4. If a Member feels that another Member has seriously misled the House and that this constitutes substantial interference with or threat of obstruction to the performance of the respective functions of the House, its Members or its officers, they can write to the Speaker and ask him to treat the matter as a potential contempt.

### **Present arrangements**

5. There are several means through which Members may seek to correct or clarify the record of what is said in Parliamentary proceedings. The choice as to which mechanism is chosen is determined by whether the Member seeking to correct the record is a Minister, the significance of the correction, and the forum in which the record requiring amendment was produced.

### *Defining corrections*

6. There is an important distinction to be drawn between silent corrections, corrections subject to the formal corrections process, and clarifications of meaning made through written ministerial statements.
7. There are three types of minor corrections undertaken pre- or post-publication that could be considered ‘silent’ or editorial.
  - The first is where Hansard has made a minor mistake and is often corrected through internal proofreading processes without consulting the relevant Member. No record of such a correction is kept.
  - The second is where Hansard has completed its processes but has deviated from what a Member said and attention is drawn, usually by the Member concerned, to that fact. Such a mistake is easy to verify through Chamber recordings. Again, no record of the change is kept.
  - The third is an alteration to a factual point that is insignificant or terminological. Depending on context, where a Member misstates a number, the difference may be deemed to be insignificant, for example £371,500 rather than £371,000. The judgement as to whether a change is significant is made by the Hansard Managing Editors. There is no appeal process if a request for a change by a Member is deemed to be significant by the Hansard Managing Editors. Again, no record of such a change is kept.<sup>3</sup>

8. There are further routes by which Ministers (and others who answer parliamentary questions) can correct the record. In 2007 the Procedure Committee found the then mechanisms for Ministerial corrections to be convoluted and unsatisfactory. The report recommended:

*Since the mistakes are recorded in the Official Report (Hansard), the corrections should appear there too. There should also be clearer links between the error and the correction.*

*We therefore recommend that there should be a dedicated section of Hansard in which all corrections should appear. This ‘corrections page’ should be published whenever a correction is made. It should be separately identified in the table of contents and have its own column numbering.*

*We recommend that it should be used for corrections to errors made by Ministers in any proceedings in the Chamber (e.g. including answers to written and oral questions, statements*

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<sup>3</sup> The United States Congress maintains a record of all corrections defined as silent in this document, an example of which can be seen [here](#).

*and debates), in Westminster Hall and, in some circumstances, in general committees. It should also be used by other Members who answer on behalf of certain bodies (such as the House of Commons Commission and the Church Commissioners).<sup>4</sup>*

9. The House endorsed the Committee's proposal on 19 June 2007<sup>5</sup> and the new system was brought into operation on 6 November 2007 at the beginning of the 2007-08 Parliamentary Session. The first Ministerial Correction was made on 21 November 2007 by the Parliamentary Under-Secretary of State for Communities and Local Government to a response to a written answer given on 25 October 2007.<sup>6</sup>

10. Erskine May explains the principle underlying the current process:

[...]

*When factual mistakes are discovered in an answer to a question, Ministers may submit written ministerial corrections for publication in the House papers and online. Such corrections are required to be free-standing and should not be used to provide new information, however closely related to the original proceeding. Nor should they be used to rehearse the arguments which may have given rise to the original erroneous answer. When Ministers wish to make a correction in terms which would not comply with the criteria relating to written ministerial corrections, they may do so by means of a written statement (see para 19.21). The Speaker has reminded the House that the Government's own Ministerial Code requires Ministers to correct any inadvertent errors at the earliest opportunity. (Erskine May (Paragraph 22.23))<sup>7</sup>*

### *Practical process*

11. The process for making a ministerial correction to the record in the Chamber, Westminster Hall or in a General Committee<sup>8</sup> is currently as below:
- a. The Department must contact the Hansard Managing Editors indicating the date and column of the error and the correction sought. The proposed correction needs to be agreed by the Managing Editors, who can advise the Department on what would come within the terms set out in the Procedure Committee report and suggest alternative wordings that meet these criteria if appropriate.<sup>9</sup> In general, these exchanges will be along the lines of advising that corrections should be a straight substitution of words and/or figures and should not recast the original remarks.
  - b. In addition to contacting the Managing Editors, the Department must write to the Member concerned (if the correction involves a statement directly made to a particular Member). The letter should be headed in the name of the Minister in whose name the correction is being made and make clear the proceedings in which the original error occurred, with accurate date and column number.

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<sup>4</sup> House of Commons Procedure Committee, [Corrections to the Official Report](#), Second Report of Session 2006–07, HC541.

<sup>5</sup> Commons Journal, Volume 263, Tuesday 19th June 2007, [page 420](#).

<sup>6</sup> Official Report, Vol. 465, [c. 1MC](#).

<sup>7</sup> Erskine May ([Paragraph 22.23](#))

<sup>8</sup> The corrections process works in the same way for General Committees as it does in the Chamber and Westminster Hall. Legislative committees often see higher levels of changes to help Members with references to specific legislative provisions. Distinct processes for corrections exist for Select Committees; please see Annex A.

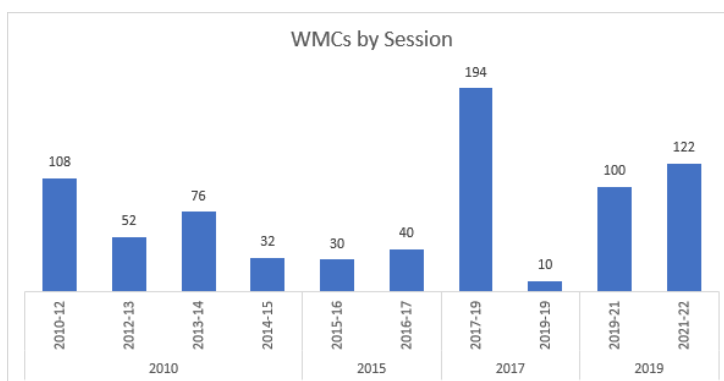
<sup>9</sup> House of Commons Procedure Committee, [Corrections to the Official Report](#), paragraph 13.

- c. Corrections agreed with the Managing Editors are published in a separate section of Hansard— *Ministerial Corrections*—on the next available sitting day in a format as shown in the recent example here.<sup>10</sup> A hyperlink to the correction is added at the original place where the mistaken information was reported.
- d. To allow cross-references to be inserted in the printed bound volume at the point of the original error (as required by the Procedure Committee), corrections need to be received before the deadlines already notified to Departments for corrections to the bound volumes. Corrections to *Hansard* online may be made at any point during a Session and will be linked by cross-reference to the original online version. Corrections should always be made at the earliest opportunity.

### Use of the formal corrections process

12. The number of times the formal Written Ministerial Corrections process has been used by Parliament and Session since 2010 is shown below.<sup>11</sup>

Parliament/Session	Corrections
<b>2010</b>	<b>268</b>
2010-12	108
2012-13	52
2013-14	76
2014-15	32
<b>2015</b>	<b>70</b>
2015-16	30
2016-17	40
<b>2017</b>	<b>204</b>
2017-19	194
2019-19	10
<b>2019</b>	<b>222</b>
2019-21	100
2021-22	122
<b>Grand Total</b>	<b>764</b>



13. In the 2022 calendar year up to 21 July, the number of WMCs by type of business was<sup>12</sup>:

Legislative stages	UQs/Statements	General Debates	Oral Questions
13	14	20	20

<sup>10</sup> Official Report, vol. 718, [column 4MC](#).

<sup>11</sup> Data produced manually by Hansard, August 2022.

<sup>12</sup> Data produced manually by Hansard, August 2022.

### *Acceptable and unacceptable formal corrections*

14. Examples of recent acceptable formal corrections include:

- Correction made by the Under-Secretary of State for Levelling Up, Housing and Communities on 5 July to a Question response on 27 June 2022 (where the correction states that more than 520 people received a tenancy, rather than 552 as originally stated).<sup>13</sup>
- Correction made by the Parliamentary Secretary, Cabinet Office on 20 July to an Urgent Question response on Ministers' Severance Pay on 11 July 2022 (where the correction refers to a conversation with the Permanent Secretary of the Department for Education, rather than the Cabinet Office, and that a severance payment will not be accepted rather than not received).<sup>14</sup>
- Correction made by the Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy to a Delegated Legislation Committee debate on the Draft Construction Contracts (England) Exclusion Order 2022 on 29 June 2022 (where the correction states that a water company and its customers will receive a long-term revenue source rather than the Government).<sup>15</sup>

15. If the change sought by a Minister goes beyond the terms outlined in paragraph 8 and is a clarification or more substantial change to the original text, it cannot be processed as a formal correction subject to the process outlined above, but the Minister can choose to issue a written ministerial statement setting out the change. Examples include:

- Clarification made by written ministerial statement by the Parliamentary Under-Secretary of State for Health and Social Care on 29 June 2022 to a response to a written question on 28 April 2022 (where the Minister clarified the Healthy Start eligibility criteria for children of families on legacy benefits).<sup>16</sup>
- Clarification made by written ministerial statement by the Prime Minister on 6 February 2018 to a response during Prime Minister's Questions on 24 January 2018 (where the data used to demonstrate differences in NHS waiting times in England and Wales was not directly comparable and revised figures were provided).<sup>17</sup>
- Clarification made by written ministerial statement by the Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs on 10 May 2016 to a previous written ministerial statement made on 2 March 2016 clarifying a response during oral questions to the Department for Environment, Food and Rural Affairs on 4 February 2016 (where the Minister clarified that the 'enforcement undertaking' referred to in the previous WMS correction was entered into voluntarily and was not ordered by the courts).<sup>18</sup>
- Clarification made by written ministerial statement by the Minister for Europe on 17 March 2016 to a response given during a debate on an Urgent Question on the EU-Turkey agreement on 9 March 2016 (where the Minister clarified that the proportion of foreign nationals resident in Germany for 10 years who received German citizenship was 2.2%, rather than 2.2% of all refugees receiving German citizenship).<sup>19</sup>

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<sup>13</sup> Official Report, vol. 717 [column 10MC](#).

<sup>14</sup> Official Report, vol. 728, [column 12MC](#).

<sup>15</sup> Official Report, vol. 718, [column 2MC](#).

<sup>16</sup> [HCWS158](#), clarifying written question 107645, Official Report, vol. 717.

<sup>17</sup> [HCWS453](#) clarifying Official Report, vol. 635, column 256.

<sup>18</sup> [HCWS715](#) clarifying HCWS569, itself clarifying Official Report, vol. 639, column 1061.

<sup>19</sup> [HCWS626](#) clarifying Official Report, vol. 607, column 282.

16. The number of WMSs of this kind is low in comparison to the number of WMCs. Approximately five WMSs of this kind have been issued in each of the last 10 years, but in some years the number has been zero.<sup>20</sup>

### **Potential changes to the corrections system**

17. There are three areas of the corrections process where changes could be introduced. These are explored below.

#### *Broadening the scope of the formal corrections process*

18. Ministerial corrections, as set out above, only relate to corrections of facts or accuracy as opposed to clarifications of meaning. Erskine May is clear in its assessment of what is and isn't suitable for a Ministerial Correction and the mechanisms set out in the 2007 Procedure Committee report have streamlined the process for making such changes.
19. In response to a question in the Procedure Committee hearing on 20 May 2022, Rt Hon Mark Spencer MP, Leader of the House of Commons, concurred with this distinction between corrections and clarifications:

*I think it's quite an important distinction. If you make a factual error and you correct that, there should be the ability to link that back: "The Member corrected the facts of this later"—three days later or whenever—"for the records." What you mustn't be able to do, though, is—to be blunt—correct stupidity. If you say something stupid in the Chamber, you shouldn't be able to go back and say, "Oh, actually, I didn't quite mean that. [...] you should not be able to recontextualise your argument in the light of public reaction or political scrutiny."<sup>21</sup>*

20. For the reasons set out by the Leader, broadening the scope of what is allowable via the formal corrections process would make the system politically contested. Allowing clarifications as silent corrections or corrections subject to the formal process would undermine the operation of the Official Report as a substantially verbatim account of what is said in parliamentary proceedings. It could put House staff in the difficult position of having to arbitrate in political disputes, challenging its valued reputation for impartiality. Ministers can already issue Written Ministerial Statements or make verbal corrections in the House if the change they seek goes beyond those permissible as a formal correction.

#### *Providing access to the formal corrections process to non-Ministerial members.*

21. The processes recommended by the Procedure Committee and adopted by the House in 2007 do not provide the same formal mechanism for corrections for non-Ministerial members who are not answering on behalf of statutory bodies. This includes the Official Opposition and all shadow frontbench spokespeople.
22. Such Members can correct the record where Hansard has recorded their words inaccurately through a silent correction (see paragraph 7), or through a point of order in the Chamber, during the debate in which the mistake was made or during a subsequent relevant proceeding. If they do so, however, there is no electronic link between their oral correction of the record and the original mistake.

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<sup>20</sup> This is an approximate value provided by the Managing Editor.

<sup>21</sup> [Evidence taken before the Procedure Committee on ministerial corrections on 25 May 2022.](#)

23. I do not believe the benefits of opening the formal corrections process to non-Ministerial Members – which would have resource implications – are significant enough to merit introducing such changes. Such Members are not governed by the same commitments to the Ministerial Code and are not required to respond to Questions, Urgent Questions or debates on legislation before the House, or to make statements to the House, the contexts in which most formal corrections are sought by Ministers.
24. I do, however, see the potential merits in improving signposting between corrections from non-ministerial Members which would meet the criteria for a ministerial correction and the original record.

*Providing better signposting for corrections*

25. At present there is no clear link between remarks made explicitly to clarify something previously said, such as in Written Ministerial Statements (for Ministers) or points of order (for non-Ministers), and the initial mistake. As such, a reader of the transcript of the initial mistake will not be aware of any later correction or clarification to that point. I consider this situation to be suboptimal and can understand why it may be of concern to any Member who has successfully clarified the record.
26. I am broadly supportive of greater digital signposting to remedy this issue, though its implementation would require greater consideration by Hansard and the Parliamentary Digital Service. At a minimum, improved signposting could be limited to Ministers correcting the record through a Written Ministerial Statement. This could be expanded to non-Ministers making a point of order or statement within a debate, although such a change would need to be carefully scoped and costed and the necessary resources identified in order to inform any decision on implementation.
27. An alternative or corresponding course of action could be an improved search function within Hansard in which all the contributions of a Minister or Member on a particular subject were easily viewed together. The contributions could also be differentiated according to whether they were a point of order, statement, etc. Such a piece of work would have benefits beyond simply being able to track corrections more easily, but again, this would have to be costed and the necessary resources identified before a decision could be taken on implementation.

*September 2022*

## **Annex A: Correcting the record in select committee**

28. Oral evidence taken by select committees is transcribed by Hansard or a contractor working on their behalf. The transcript is published online soon after it becomes available (usually within 72 hours of the meeting but sometimes, by prior arrangement, as early as the following morning), after having been read by a member of the committee team to check for obvious errors or mishearings. Members and witnesses can request corrections, but they should be confined to inaccuracies in the transcript, punctuation, minor changes of wording to clarify the sense, and matters of fact which do not materially alter the sense of an answer. If the witness wishes to add to or modify an answer, this may be done by means of a footnote or supplementary written evidence.
29. Permissible corrections, if requested, are made by the committee staff when they are received. The former distinction between “uncorrected” and “corrected” transcripts is no longer observed. Decisions about which corrections are permissible and which require supplementary evidence from the witness are usually made by the committee staff, but may be referred to the chair or to the committee in problem cases.
30. Transcripts are sometimes redacted by committee staff to preserve the confidentiality or anonymity of witnesses who have given evidence in private. These redactions are indicated in the transcript.