

Written evidence submitted by the Institute of Government (CSL 06)

1. Should Secretaries of State in the House of Lords be more directly accountable to the House of Commons?

In our view, all secretaries of state should be subject to the same level and type of scrutiny from elected members of parliament. That means that if a secretary of state sits in the House of Lords, they should still be accountable to the House of Commons. The House of Lords can provide detailed scrutiny – with Peers well equipped to ask detailed questions of any ministers in the upper house – and it is important that this is recognised as a valuable aspect of parliamentary scrutiny. Equally, ensuring that elected members can also question senior members of the government is important. This allows elected members to feed their concerns and those of their constituents to secretaries of state, as well as directly raise any issues relating to their constituents.

2. If yes, what forum would be most effective for such scrutiny to occur? For example, the House of Commons Chamber, Westminster Hall or another forum?

For full parity, the relevant secretary of state should face questions in the Commons chamber, like all other secretaries of state. While a member of the Lords cannot move beyond the Bar of the House, there are some precedents that the Committee could draw on to find a way around this:

- As this committee's predecessor noted in its 2010 report, there is historical precedent for witnesses to be seated at the Bar of the Commons and questioned by MPs when the House is sitting in Committee—an example that could be drawn on to facilitate MPs' questions to Lords-based secretaries of state.
- Similarly, the Commons could meet as a grand committee, enabling any Ministers of the Crown, regardless of which House they sit in, to make statements to and answer questions from MPs.
- A further option would be to make use of Westminster Hall, as was recommended by the Committee's predecessor in 2010. This would still allow all MPs to ask questions of a Lords-based secretary of state. However, it would also potentially reduce the (already limited) amount of time available for backbench business debates.

Options along these lines would have the benefit of allowing all MPs to question a Lords-based secretary of state directly. They would also not change the more fundamental constitutional rules that exist to keep members from each other's chambers.

The Committee may also wish to consider the relative attention that would be paid—by the media and, by extension, the public—to proceedings depending on where they would take place. Although proceedings in both the chamber and Westminster Hall can be and are broadcast, it is likely that proceedings from the chamber would garner more attention from those outside of parliament.

3. What form should such scrutiny take? Should it be limited to certain types of business such as statements or departmental questions, for example?

Again, in our view each secretary of state should be subject to the same level of scrutiny from the Commons. So if a route is found to question a Lords secretary of state, this should be used for all forms of scrutiny that secretaries of state face in the Commons – including departmental questions, urgent questions, and statements. This would allow MPs to hold the secretary of state directly to account, as well as to pass on their views and those of their constituents to ministers.

4. How often should Secretaries of State in the House of Lords be expected to appear before the House of Commons?

This will depend on how often they appear before the House of Lords – overall, they should face the same level of scrutiny as other secretaries of state. In so doing, attention should be paid to the workload of the secretary of state—and their ministerial colleagues—across the two Houses.