

Written evidence submitted by Dr Stephen Farry MP (CVR 84)

Overview

I would like to start by expressing my gratitude to everyone who helped establish hybrid proceedings at such short notice and in such extenuating circumstances. As a Member from Northern Ireland, with limited access to flights and accommodation, as well as diverging public health advice from that of Public Health England, the ability to remotely represent my constituents and scrutinise the Government has been critical.

These facilities are essential in protecting those who are themselves, or have close family members who are, particularly at risk of the coronavirus and/or in need of care. I therefore consider the Government's decision to abolish these hybrid proceedings intentionally undemocratic and fundamentally discriminatory. In particular, I would like to express my deep concern as regards the implications for Westminster staff – particularly BAME staff on low incomes, who are disproportionately more at risk of the virus.

The ability to accommodate virtual proceedings demonstrates how much we can advance as a Parliament and as representatives, and I believe we should welcome this progress beyond the context of the pandemic. We should look carefully at what we can learn from the changes and build upon what works on a permanent basis, such as remote voting and virtual participation in debates for members who are unable to make it to the chamber.

This would allow MPs to hold the government to account while respecting the individual circumstances of each Member, such as illness, childcare, disabilities and family emergencies. It would also offer an additional benefit for the taxpayer, by limiting the large sum of money spent on travel between constituencies and Westminster.

Specific aspects

I wish to reiterate and support the following aspects of Wendy Chamberlain MP's submission:

Process for establishing hybrid proceedings

There are no representatives of any smaller party – on the Procedure Committee or the House of Commons Commission. As such, consultations and calls for evidence such as these are crucial in ensuring that the new proceedings work for all members of the House – frontbench and backbench; large party or small.

Hybrid scrutiny proceedings

The two hours allotted for scrutiny proceedings on sitting days was insufficient. Shorter time spent on scrutiny proceedings means less opportunities for backbench MPs to ask questions – it is not frontbenchers who lost out. This was exacerbated by the 'doubling up' of Departmental questions on Tuesdays and Wednesdays: frontbench time doubles accordingly. The slower process for Questions from Members in different locations also means that less are taken.

During physical proceedings, the bobbing system and longer departmental questions means that if I wanted to ask a question on an issue, I would usually could get in. This is no longer the case.

Furthermore, a detailed breakdown of the ballot is no longer available on the intranet. This means I am unable to ascertain how often I am successful in relation to MPs from other parties. There is a lack of transparency. I think that the Table Office should start publishing ballot results again.

Security reasons were originally cited for the limited length of proceedings. Since then, however, there have been hybrid substantive proceedings of greater than two hours. There no longer seems to be a technological justification for limited scrutiny proceedings. It is imperative to extend the length of these proceedings, to ensure that backbench MPs of all parties have the opportunity to question Ministers.

More broadly, I have genuine concerns about the extent to which the Government is currently subjecting itself to scrutiny. Monday 11 May marked the Prime Minister's first statement to the House on COVID-19. The crisis has been marked by a series of announcements made not in Parliament but at the daily press briefing. The Prime Minister has made only one appearance before the Liaison Committee since the start of his premiership last July.

Hybrid substantive proceedings

We were disappointed by paragraph 4 of the Substantive Proceedings section of the Hybrid Proceedings motion passed by the House on 22 April. This has the effect that business for hybrid proceedings is now agreed by the three largest parties. The usual channels have always included representatives from each party. I do not think that hybrid Parliament should be an opportunity for the three largest parties to decide the business between them, without input from other parties.

Tabling deadlines

If the long summer recess and conference recess do take place (and, given the nature of this crisis this is something which should be under consideration), then we would urge the House to consider allowing members to table written questions and early day motions, even when the House is not sitting.

Expansion of hybrid proceedings

It was excellent to see hybrid proceedings set up for primary and secondary legislation; departmental questions, ministerial statements and urgent questions.

I support an expansion of these proceedings, restarting a variety of types of Parliamentary business: backbench business debates; adjournment debates; Westminster Hall debates; private members bills; presentation bills and ten minute rule bills.

For backbench MPs, this set of proceedings is frequently the main impact that they can have on the House of Commons.

The inability to hold such debates limits MPs' abilities to represent their constituents. The majority of MPs are backbenchers – they deserve the opportunity to have their voices heard.

I would urge a return to Thursday sittings to make time for backbench debates. This would also resolve some of the problems raised in the previous section regarding tabling deadlines.

Select Committees

An early success of the hybrid Parliament has been the ability of select committees to meet remotely. Committees have been conducting high profile inquiries into the impact of COVID-19 on various areas. The work of chairs, members and select committee staff is to be commended. They play a very important role in holding the Government to account during this crisis.

However, as departmental select committees grow in terms of relevance to the COVID-19 response, it is important to note that smaller parties have no representation on many of them. Other than the devolved nation select committees, only the Defence and International Trade committees contain any representatives from a smaller party (in both cases the DUP).

However, given the fact that smaller parties necessarily have a low number of MPs, we do not think it right to insist that select committees adjust their make-up in order to take extra members from smaller parties.

Instead, alongside other MPs, I have called for the establishment of a coronavirus select committee, which would contain a large membership than departmental committees, including a representative from each party. We have suggested that it could be led by the Leader of the Opposition.

This would ensure that smaller parties' voices are heard. A precedent for this is the Exiting the European Union Select Committee from 2016 to 2019, which encompassed a wider range of parties and had a larger membership. We note also that the Scottish Parliament have set up a coronavirus committee to scrutinise the Government's response.

Furthermore, if the summer recess is to take place then the establishment of such a committee is an important step in ensuring that the Government can still be held to account during this time.

Return to physical proceedings

As the Government has now returned to physical proceedings, we must ensure that no member is excluded because they are shielding. Therefore, it is important that until this crisis is over, there is no advantage conferred upon members who are physically present in the Chamber.

It is also vital that any move to further physical proceedings is only taken at a time when members from all four regions of the United Kingdom are able to return to Parliament.

Making aspects of the proceedings permanent

First, the publication of call lists and greater certainty over the timetable of sitting days creates a more inclusive Parliament, which is better for those shielding, those with childcare responsibilities and those with disabilities.

Second, the absence of the usual noise within the Chamber has turned Prime Minister's Questions into a more edifying experience, both for participants and for the public. It is more conducive for measured and detailed debate. When physical proceedings resume, I hope that this forms a new precedent. If members want a return to the old atmosphere, we believe they should set out what benefit this has. It might be that some members enjoyed the jeering – but there has to be a discussion about whether this is an appropriate way to conduct debate in a 21st century democracy.

Third, we believe remote voting should be made available as an alternative to physical voting to anyone who needs it. A commitment to an inclusive democracy means that members of Parliament who are unable to be physically present in the lobbies should be able to cast their vote by other means. Remote voting should be considered as a replacement for proxy voting as it is more secure and preserves the autonomy of individual MPs in exercising their votes. I would encourage any expansion of proxy voting to be trialled under the remote voting system.

Dr Stephen Farry
Member of Parliament for North Down
Alliance Party