

## **Written evidence submitted of evidence by Caroline Lucas MP (PMB 18)**

### **Filibustering of the NHS Bill 2015-16 on 11 March 2016**

On 11 March 2016, my cross party NHS Bill was second on the list for a Second Reading debate, behind a bill put on the Order Paper by Peter Bone MP (Wellingborough) (Con). Mr Bone wasn't present on the day but colleagues of his talked out my Bill. Since then over 100,000 people have signed a petition on the 38 degrees website, to ban MPs from preventing debate on Private Members Bills (PMBs) they don't like.

I hope that the Committee will be willing to accept this additional written evidence, given the huge public response to this particular example of the practice of filibustering.

Since 11 March, I have been contacted by people up and down the country who have expressed their dismay, disbelief and embarrassment that our PMB system is so open to manipulation and domination by MPs who wish to stop debate, on something as precious and important to them as the NHS.

People are shocked that Parliament is apparently a place where it is possible for tiny numbers of MPs to play very obvious games without being stopped.

It is clear from the evidence that The Foreign National Offenders (Exclusion from UK) Bill, the Bill which was ahead of the NHS Bill on 11 March this year, is one of many Bills that certain MPs have 'on the shelf' for the purpose of clogging up PMB time on Fridays. It may be of interest to the Committee that same Bill was introduced and debated a year ago.

The Hansard record shows, that on that occasion (on 6 March 2015), Peter Bone withdrew the Bill after 49 minutes, despite having some time to spare, stating "The Minister has given such a great explanation that I wish to withdraw the Bill." (ref: <http://www.publications.parliament.uk/pa/cm201415/cmhansrd/cm150306/debtext/150306-0002.htm#15030634000005> ).

This year, on 11th March 2016, the same Bill was back and was used by a tiny group of backbench Tory MPs to deliberately prevent the NHS Bill from being debated. In Peter Bone's absence, for four and a half hours, a small and predictable number of his colleagues talked on and on about this two clause Bill in order to stop any other real debates going forward.

As a result, the NHS Bill received only 17 minutes of debate.

I am fully aware that if 100 MPs had stayed we could have called a closure motion around lunchtime, which may or may not have been granted. However, this requirement on a Friday is a very high bar to meet, as the filibusterers well know. By contrast they only need 3 or 4 people to bore on - an "art" at which, sadly, they are well practised.

As the Committee of course knows, Friday is a vital day, when most MPs go back for meetings in their constituencies. For an opposed Private Members' Bill to go through on Second Reading, 100 Members must be in the House to support it. Given the constituency commitments of MPs, there are rarely 100 MPs in Westminster on a Friday.

It is not an easy decision to cancel a surgery or long arranged constituency engagements on the off-chance that there will be enough MPs present for a PMB to succeed on a Friday.

I would like to suggest the following four reforms:

1. Ideally, I would like to see the sitting hours changed and PMBs moved to a midweek slot where more members can attend.
2. Serious consideration should also be given to putting a time limit on Second Reading speeches, for both backbenchers and frontbenchers.
3. The status and effectiveness of PMBs could be improved by providing deferred divisions to facilitate wider participation by Members.
4. It would also be helpful for there to be consideration of whether more time should be scheduled for PMBs in order to allow more backbenchers to make use of this mechanism—after all it is one of the few mechanisms open to backbenchers to directly present legislation.

I know the Committee has looked at this issue before but it is clear the practice of “talking out” or “filibustering” by Members who have a general opposition to almost any private members legislation is alive and well. It is time for this game playing to be stopped and for some substantive changes to the PMB system.

The Wright Committee stated that “merely procedural devices” should not be able to obstruct Private Members’ Bills. I strongly agree—it should be the real issues that affect the outcome of a Bill. Filibustering is an insult to other Members who want to seriously debate a Bill, to the Speaker and, most importantly, to the electorate, who do not want to pay to run a debating Chamber that is being mocked by its participants.

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