



Parliamentary Reform: From here to there A Speech by the Speaker of the House of Commons

Thank you very much for that introduction Peter. It is an enormous pleasure to have the chance to address this society which I have so enjoyed working with in the past and which I hope and expect to work with further in the future. It is also a particular honour to have Peter Riddell in the chair here as he is living proof that the phrase “distinguished journalist” is no more an oxymoron than that of “respected parliamentarian”. Thank you for inviting me.

The core of my remarks today will concern parliamentary reform with a special focus on the role of the backbench MP in the House of Commons.

It would be strange, however, if I did not say anything at all about the vexed issue of Members and their allowances. As an omission it would be less Hamlet without the Prince than Macbeth minus all the Scotsmen. The recess has, broadly speaking, brought some relief from the publicity surrounding expenses, a self-inflicted wound I readily concede, that has been deeply damaging to the standing of the House of Commons. In short order, though, we will have the recommendations on future arrangements from Sir Christopher Kelly and his colleagues, the completion of an inspection of past claims overseen by Sir Thomas Legg, the release of another set of expenses with, we have pledged, dramatically less black ink than that which accompanied the initial set earlier this year and the creation in permanent form of the Independent Parliamentary Standards Authority.

It would thus be naïve not to anticipate that allowances will return again to the headlines. It is also my view, which I expressed on the day of my election as Speaker in June, that unless his conclusions appear manifestly inappropriate, which I do not expect, Sir Christopher Kelly's findings are destined to be the blueprint on which a new solution is very closely based. If

anyone in the House thinks that denial, delay or dilution is a serious option that Member is deluded. A new settlement has to be fair to Members. However, still more crucially, it has to be, and to be seen to be, fair to taxpayers. A scheme which fails in the court of public opinion will surely founder.

In truth, the question of payment and allowances has had a toxic quality from the outset. A brief look at the debate on this in 1911 is very instructive. The motion to create a salary for Members was moved by David Lloyd George, then Chancellor, at a date, which I should acknowledge in case the historians in this audience catch me out, was smack bang in the middle of August. I am not sure that sitting in that month would be realistic today but, as an aside, I see no reason why September must be deemed sacred too.

Lloyd George was well aware that his proposal was not a populist cause. So his strategy for presenting it in the House was intriguing and it demonstrates that anybody who thinks that "spin" was a crude late 20th century invention is sorely mistaken. He advanced three core arguments to the chamber. The first was that the payment was not an innovation but a return to tradition. The thesis here was that as Members had been directly paid out of local authority rates in the past and indirectly through holding minor offices after that, all that was being suggested was a reversion to, and I quote, "the wholesome practices of ancient times" which indicated that the Liberals were "the real custodians of the old traditions of the country". This was a clever analysis, but perhaps partly devalued by the fact that the method of direct payment to which he referred had been abandoned in the 1650s and the indirect structure in the 1780s.

Undeterred, Lloyd George moved on to his second and third assertions. The second was that the Prime Minister, Mr Asquith, had raised the matter during the preceding general election campaign and so the government had a mandate for it. As other Members spotted, Mr Asquith had actually mentioned it in one sentence in one speech in front of one set of voters, which surely must have stretched the doctrine of mandate to its maximum elasticity. Finally, the Chancellor claimed that the Parliament to which he was speaking had a far more weighty workload than those of the previous century. This was undoubtedly correct and a very strong argument but he could not resist adding to it by informing the House of a private conversation which he, Lloyd George, had held with William Gladstone in which the Grand Old Man had told him that in his day a Member of Parliament was expected to deliver only one speech between one General Election and another. This was a fascinating insight but as Gladstone had died some 13 years previously it was hardly one which could be subjected to independent corroboration.

The motion passed comfortably in the end perhaps because of self-interest but more because the opposition to it was less than entirely coherent. Some insisted that it was wrong in principle for a Member of Parliament to be paid while others asserted that the sum of money on offer - £400 per annum - was

far too low to attract the calibre of parliamentarian that was wanted. At least one leading figure made both of these, seemingly incompatible, statements in the same speech. I cannot today resist quoting from one of those opponents, George Sandys, MP for Wells.

“Who is this new system going to attract?”, Mr Sandys asked, “It is highly probable that it will attract the class from whom the professional politicians are usually recruited in other countries, namely, unsuccessful barristers, needy journalists, and the jack-of-all-trades and masters of none whom we find so largely represented in other legislatures.”

Thank goodness that nothing remotely like that prediction was to transpire in practice.

The really interesting and in modern terms extremely relevant element of that debate involved the character of parliamentary representation.

Friends and foes of salaries clashed with striking passion over whether payment would render a backbench MP a more or less independent political actor, more or less vulnerable to the authority of the Whips Office (this was a major concern 98 years ago) or more or less deferential to the government of the day. That discussion has become only more intense with the passage of time. It seems to me that there are subtle links between parliamentary compensation and parliamentary reform and that it would be wrong to consider the matter of what a Member of Parliament should earn or be allowed to make a claim for and not what it is that MPs actually do in the House of Commons.

In my opinion there are three main realms in which parliamentary reform needs to happen. The first is in the rights and duties of the backbench MP as an individual player. The second lies in the collective rights and duties of MPs when they act in committee, notably the Departmental Select Committee system which has become such a vital part of Westminster life since 1979. The third resides in the institutional rights and duties of the House of Commons as a whole, whether its agenda should be overseen by a Business Committee of its own creation and whether there are powers which have been ceded to the executive that should be restored.

The second and third of these are immensely important, and I shall have something to say about them on another occasion. And of course they are relevant to the inquiry which Tony Wright and his colleagues are conducting and on which they will report in November. I confidently expect that Report to be both constructive and innovative.

What I do want to focus on with intensity is the role of the backbencher. I have spent the clear majority of my time in Westminster on the backbenches, not least because every time anyone was kind enough to appoint me to the frontbench I managed to encounter an issue of principle and resign from it. I

am also the first Speaker for some time to have been neither a Deputy Speaker nor a Minister. I think I have a reasonable understanding of the backbencher's lot in life and appreciate that, to borrow from Gilbert and Sullivan, it is often not a happy one.

The dissatisfaction that manifestly exists is hardly surprising. The backbench MP has, over several decades, perhaps even from before 1911, found himself marginalised in the House of Commons. Backbenchers become figures of real significance only when either the parliamentary numbers overall, or on a contentious measure, are so tight that literally every vote counts. At all other times, there must be many a backbencher who has felt akin to the soldiers at the Somme, turfed out of the trenches on the orders of distant masters to charge towards the enemy. The role of the backbencher as inquisitor in the chamber and as a legislator in his or her own right has undoubtedly diminished. Most backbenchers have responded to this by throwing themselves wholeheartedly in a different direction as advocate and de facto ombudsman on behalf of their constituency and constituents. This is an absolutely admirable function but one which leaves other important themes incomplete and which may, by accident rather than design, have contributed to the near universally recognised erosion of local government and politics in this country as MPs invade terrain that was once considered the property of councillors.

We need a better balance than this. We need MPs to be fearless champions of their electors and of their own interests in and through the chamber as well as by post and in emails. We need the backbencher to move from the parliamentary version of the stalls to centre stage.

If there is any one measurement by which I would want my time as Speaker to be assessed it is that the backbench MP felt, and emphatically was, more significant in the House than he or she was before I had the incredible honour of being dragged to the chair. That is my personal agenda.

I have already sought to introduce a number of changes in this respect and I have announced some more which will be implemented very shortly.

These include:

Establishing a brisker style of dealing with Oral Questions to bring more backbenchers into this vital part of the House's work.

I think this is especially valuable when the Prime Minister is making a significant policy statement to this House. When Gordon Brown made a Statement on Building Britain's Future in June, I called more than 40 questions on it. I wanted all backbenchers to know that if they had a sentiment they wanted to air in the chamber and were in their places at the appointed hour, they would have a decent chance of being called to speak.

I have been ready to grant Urgent Questions much more frequently. These provide a real back-bench opportunity and they also demonstrate the House engaging with the most topical issues – and not at the behest of the Government of the day. I have allowed an average of about one Urgent Question a sitting week since becoming Speaker and, subject to there being Urgent events to have a Question about, I would not want to fall much below that mean.

I have announced the experiment of a tracking system for Written Questions, in due course to be made available on the Internet. I am aware that Ministers have many, many demands on their time but I want to encourage a culture in which Questions posed by backbench MPs are considered to be a special priority. This can only enhance the status of Members of Parliament.

I am also planning to preside at some Friday sittings. I want to show through having the Speaker in the chair that Private Members Bills are not a relic or a parliamentary appendix, but an integral aspect of the business of the House.

I have also argued that the selection method for those who serve as the Deputy Speakers should be transferred from “the usual channels” to the whole House, most of whom will be backbenchers, through a secret ballot. This is worthwhile in itself but it may also have the more subtle effect of binding all those who sit in the Chair more closely to backbenchers.

This is, I hope, a reasonable downpayment for five sitting weeks but more has to be done. I want to make ten further practical suggestions here which, rather grandly possibly, I would like to think of as constituting a backbencher's Bill of Rights. The first five of these relate to parliamentary inquisition. The second five of them to parliamentary legislation.

Let me start with those changes which I think would enhance the noble art of inquisition. I believe the House of Commons would be improved for backbenchers by the following.

First, I would like the House to restore cross-cutting questions to Westminster Hall on subjects which cover the responsibilities of two or more departments. The increasing complexity of modern administration means that ever larger numbers of important issues do not fit squarely or exclusively into one Whitehall silo but sprawl more widely than that. The backbencher would benefit from the House meeting this challenge.

Second, I think the House would benefit from reassigning one of the two weekly Ten-Minute Rule Bill slots to another type of back-bench opportunity. This would be a maximum of 20 minutes in prime time, and we could be imaginative about how it could be used. Perhaps a back-bencher could raise an issue, with very brief interventions from other Members and a five-minute response from a Minister. Or an individual MP might ask a Question of the Government which did not meet the fairly strict criteria for Urgent Questions.

Or perhaps the Chairman of a Select Committee could make a brief statement on a high-profile report published that morning, and get an immediate reaction from the Government. I think we are limited here only by our own creativity!

Third, I think we need to contemplate further reform in the process of scrutinising delegated legislation and European business to allow backbenchers a louder voice in both these areas. There are a number of avenues which could be explored here. In an average year there are more than 10,000 pages of delegated legislation, and our means of scrutinising that legislation is severely limited. We could establish a sifting committee for these statutory instruments with the right to demand a debate on statutory instruments deemed to be highly significant. The debates could take place in Committee – with a change I will suggest in a moment – or, exceptionally, on the Floor of the House.

For SIs debated in Committee, we might model the process on those for European Committees (questions to the Minister followed by debate), and also hold debates on substantive motions – not merely that “the Committee has considered” the SI concerned. We could allow the European Scrutiny Committee the authority to require a limited number of debates on the floor of the House to be held within a specific time on important EU documents. And we could introduce the European Committee format to the Floor of the House, with questions to the Minister followed by debate.

Fourth, I would favour the restoration of Private Members’ Motions so that the individual MP has the right to put a proposition to the House and have it voted on. I am reliably informed that the House of Commons is almost alone among lower chambers of Parliaments in democracies old and new in having no such arrangement and that strikes me as a very strange anomaly indeed.

Finally in this section, and on the matter of anomalies, I find the fact that backbenchers have no means of directly questioning prominent Ministers of the Crown because they happen to sit in the House of Lords to be less than satisfactory. That is even more true at a time when the Cabinet contains the esteemed Lord Mandelson, whose empire is of a scale not seen since the death of Alexander the Great, and the thoughtful Lord Adonis who presides over the country's transportation network. I suspect that both of these individuals would concede that they should be responsible to backbench MPs and would be more than willing to participate in an experiment in which they were made available publicly through Westminster Hall, as one option, and I intend to consult on how we might take this forward.

I move on now to the matter of the backbencher as a legislator. I feel strongly that the erosion of this aspect of an MP's role is one we should all want to see reversed. I have, therefore, five propositions which I think would add value.

First, we need to supplement the resources of the Public Bill Office to offer additional support to Members who are successful in the Private Members' Bill Ballot. The Office does a great job in helping Members with the process of scrutiny, and especially the drafting of amendments and some Bills. But they are not at the moment equipped to provide the sort of specialist Bill drafting support which is available in many other legislatures.

Second, we could remove the Government's present monopoly of decision as to whether a Private Members Bill can go into a Public Bill Committee, substituting with a sort of taxi rank system which would keep two or three Private Members Bill PBCs available.

Third, we could allow a maximum of three hours for any Second Reading debate after which the Question could be put, subject to modest safeguards. There might be the risk that a Government could use its weight of numbers to curtail and hence crush debate. This would obviously be undesirable. There are numbers of devices which could be deployed to avoid this. One would be to make it known that the Chair would not accept a Closure. If, however, a closure motion were accepted and agreed by the House, you could have two or three reserve candidates for debate or simply have the remaining Bills already put down for that day. We need to find a far better balance between cutting a debate improperly and extending a debate artificially. Neither the guillotine nor the filibuster is an ideal parliamentary technique.

Fourth, we could have the option of a Report Committee for Private Members' Bills. At the moment, the Report stage of a Private Members' Bill is too often the continuation of a guerrilla war which often has little relevance to the actual content of the Bill. Taking this stage off the Floor of the House would both focus it more clearly on the content of the Bill and free time for more substantial debates on Second and Third Reading.

Finally, there is the matter of the timing of when Private Members' Bills or Private Member's motions should be taken. I am interested to discern whether colleagues believe that the status of Private Members' legislation would be enhanced if it were possible to move the Bills from Fridays where they sit now to, say, Wednesdays, putting them more squarely in the heart of a sitting week rather than their present somewhat isolated berth. This would not be, I should stress, a device for ending Friday sittings - there is a wealth of other business we could locate there - but it strikes me that it is at least worth a discussion as to whether change would be desirable.

These ten suggestions are, I hope, solid enough in their nature, to make a difference if they were to be introduced together. I am not pretending that they would instantly transform the working lives of every single backbench MP, any more than I anticipate that Sir Christopher Kelly's recommendations will lead to the whole population placing photographs of their local MP upon their mantelpiece, as appealing as such a vision might be to incumbents. Yet

reform does not have to be revolutionary to be worth attempting and my strong sense is that reformers across the party spectrum have very similar agendas. There was not much, in my judgment, in the Conservative Party Democracy Taskforce report led by Ken Clarke, Sir George Young, my new colleague on the House of Commons Commission, and Andrew Tyrie towards which most MPs in the Labour, Liberal Democrat and other parties would not have some sympathy.

This leads me, in my final section, to ask why reform to assist backbenchers has not taken place in the past and whether there are grounds to conclude that it could be delivered now. There are, in my opinion, three reasons why we have not escaped the status quo thus far and three reasons why the chances of our doing so over the next year are encouragingly high.

The three reasons why reform has stalled at previous moments are, to my mind, as follows.

One, that reforms designed to assist the backbencher have long had a "St Augustine" quality to them. Make me virtuous but not yet. They have been seen as worthy but without the sense of urgency that forces worthwhile change to occur. All too often, warm words about reform have been speedily followed by the relegation of the issue to the backburner.

Two, some in the respective Whips Offices (who have a very important role to undertake) have feared that backbenchers with the capacity to exercise more influence in the House would inevitably be more independent in their voting habits as well. This is impossible to prove one way or the other but I would just float the notion that people, including backbench MPs, might be easier to engage with when they are more content with their role in life and the character of their employment than if they are discontented on both counts. The instinctive 'small c conservatism' of the cynics who mutter privately that, once empowered backbenchers will get above themselves, cannot be credibly defended in public. It should be abandoned and replaced by a mindset that champions the cause of backbench initiative.

Third, the Speaker in the past has not felt able to act as an advocate for such changes. This was partly due to a very narrow view of the "Umpire" function of the presiding officer but mainly because the method of election or, more often selection did not allow for the Speaker of the day to claim anything akin to a mandate for making a speech such as this offering today.

I think we do now have the conditions in which change to support the backbencher is viable.

One, there is a sense of crisis about the standing and the purpose of the House of Commons which extends beyond the immediate argument about how to organise a set of allowances.

Two, all of the main party leaders, the Leader of the House and her Shadow, and those MPs outside of the main parties, are publicly committed to reform as never before. This is hugely welcome and it presents a superb opportunity for serious and significant change. And in passing I might say that, although of course they maintain a proper discretion, I know that we shall have the creative and enthusiastic assistance of the senior Officers of the House.

Third, the office of Speaker can now, I hope, be an advocate of, and a catalyst for change. I am very fortunate in being the first Speaker to be elected after an open campaign for the post, with formal manifestos, hustings and a secret ballot, in short the basic infrastructure of a conventional democracy, and I regard that as an enormous asset for me and those who come after me. It allows the Speaker to fulfil that vital Umpire role with a more rounded view of it. A diligent umpire in cricket, one observes, concerns himself not only with the conduct of play but with the state of the pitch and he would take a dim view of the parliamentary equivalent of ball-tampering. The pitch at Westminster is currently prepared to the disadvantage of the backbench MP and I hope to be able to establish a consensus that we may need a heavy roller to correct this.

I would like to return, if you will indulge me in concluding, to 1911. It will very soon be the centenary of that monumental statute, the Parliament Act, and this strikes me as an enticing target to look to in completing a reform process which would include not just a programme for backbench MPs but also reform of the select committees and of the authority of the whole House, which I have deliberately not touched upon in any detail to this audience. If any good is to come of the grim expenses affair, it must be that it serves as a vast electric shock which forces the House to look at itself and what it does across the field in a full and fresh fashion.

Back in 1911, to finish today, Lloyd George, as I said, opened the debate on the payment of MPs but it was his fellow Cabinet member, Herbert Samuel, then Postmaster-General, who closed it. Lloyd George and Samuel were to fall out in the 1920s and 1930s, indeed Lloyd George was to remark caustically of Samuel who, like me, was of Jewish heritage that "when they circumcised Herbie, they threw the wrong bit away", but on August 10, 1911 they were allies in the chamber. Samuel stood before the House at the despatch box and declared:

"The strength of the House of Commons lies above all else in its representative character; the more it is the real mirror of the nation the greater its authority will be. The House of Lords is more picturesque, the Privy Council contains perhaps a greater number of illustrious names, the Government Departments have within their ranks a greater number of experts on the details of government, but this House is strong, and stronger than all of them all because it is the Commons House, and the more it can be made truly representative of the whole body of the nation, the greater will be its authority for the masses of our countrymen".

Three cheers to all that. We know that the House of Commons has to change if it is to renew and assert itself against a sometimes over-mighty executive. We have an opportunity to be decisive agents of change. We must take that opportunity in the interests of public trust, effective representation and better government.