

Correspondence to the Chair from former lay members

Committee on Standards – voting rights for lay members

We are writing today following the Committee's decision, as reported on the Parliamentary website for the Standards Committee, on the 15th May on an Inquiry relating to the Speaker.

We note with interest the point that *'Lay members have the right, under Standing Order No. 149, to append a paper setting out their opinions to any report of the Committee; but the Standing Order does not confer a similar right in respect of decisions by the Committee on motions such as were presented to it yesterday.'*¹

As original lay members of the Committee, we have previously stated that we did not consider the absence of a lay member vote was a significant issue; except in terms of public perceptions of independence. However, we had not been aware that Standing Order No. 149, as currently drafted, would prevent lay members from appending a paper setting out their opinions on motions presented to the Committee. This issue did not arise at the time that we were considering the issue of voting rights, was not flagged as a potential eventuality and was not debated by the committee.

This has made us further reflect on the ability of lay members to exercise their independent challenge in the absence of a formal voting right. There is a significant risk that it sends a signal to the wider world that the role of the lay members is 'secondary' and that in such cases, MPs may be 'marking their own homework.'

We are also concerned that there may be other circumstances – as yet unknown to lay members – where they may be similarly prevented from appending a paper setting out their opinions.

In order to build public confidence in the Committee's work, in our opinion, the issue of voting rights, with all the legal complications that were presented, examined and explained at the time of the original investigation, should be re-visited. If still found to be impossible to change, then an amendment to standing order 149 should be put in place such that the lay members or any other member of the committee may at any time, with notice to the chairman, present to the committee a paper or opinion or concern and that will be openly published unless there are specific national security implications or agreed errors of fact. The presenter will have the opportunity to seek withdrawal of such a paper, opinion or concern at any time.

¹ <https://www.parliament.uk/business/committees/committees-a-z/commons-select/standards/news-parliament-2017/speaker-statement-17-19/>

We would encourage the Committee to consider the content of this letter and we give our consent and would urge that it is placed on the Committee's website.

Yours sincerely

Sharon Darcy

Peter Jinman

Walter Rader

Lay members of the Committee on Standards from December 2012 – March 2017

CC: Current lay members of the Committee

20 May 2018