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Factsheet G16 General Series

Revised October 2006

Contents

The Clerk of the House	2
<i>Duties</i>	2
<i>Appointment</i>	3
<i>Residence</i>	3
<i>Dress</i>	4
<i>Clerk Assistant</i>	4
History	4
The Department of the Clerk of the House	6
Contact information	9
Feedback form	10

House of Commons Information Office

The Clerk of the House

A visitor to the Strangers Gallery of the House of Commons will notice three bewigged figures seated in front of the Speaker at the Table of the House (see page 3). This Factsheet summarises the duties and brief history of the senior of these three, who is normally seated on the Speaker's right, the Clerk of the House, a title predating that of the Speaker.

This Factsheet is available on the Internet at:
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October 2010
FS No.G16 Ed 3.3
ISSN 0144-4689

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The Clerk of the House

Duties

The office of Clerk of the House, the senior official of the House of Commons, is nearly six hundred and fifty years old. He or she is the principal adviser of the House, its committees, the Speaker, other occupants of the Chair, and Members individually. The Clerk advises on the practice and procedure of the House; the formal and informal rules which govern its everyday activities. Assisting the Clerk in these activities is a staff of about 270, who serve in a number of separate offices, details of which are set out in Appendix A.

The Clerk's wider role has become more prominent in recent years, to include duties as Corporate Officer (according to the requirements of the *Parliamentary Corporate Bodies Act 1992*), and, since July 2000, as Chief Executive of the House of Commons Service and its 1,700 staff. The Clerk is Accounting Officer for expenditure borne on both House Estimates – that which supports Members of Parliament in discharging their parliamentary duties and responsibilities (with net operating costs of £168.9m in 2008/09), and that for administrative services and works (with £278.9m net operating costs in 2009/10).

The Clerk sits at the Table of the House, strategically sited close to the Speaker between the Government and Opposition front benches. The position has been compared with the best opera box in the theatre. So it may be, but at the Table there is much to do. The Clerk enters in the minute-book the decisions and proceedings of the House for subsequent publication in the Votes and Proceedings and then the Journal. (The Journal records the formal business of the House (not what is said) in a series which goes back with only a few breaks to 1547.) He or she reads out the titles of the Orders of the Day as the House proceeds through its business, a reminder of the days before widespread use of printing when the several "readings" of a bill meant exactly that. The Clerk signs Addresses, Orders and Votes of Thanks on the House's behalf and more frequently subscribes with traditional Norman-French formulae bills passing from Commons to Lords. While at the Table, the Clerk may be called on to give immediate procedural advice to the Speaker or any other Members. There is of course much daily procedural advice to be given other than at the Table of the House. For example, the Clerk will normally assist the Speaker to prepare for a sitting, discussing at a regular daily briefing any foreseeable points of procedural difficulty. In short, many of the formal responsibilities of the Clerk of the House are nearly as old as the office itself: but from day to day the advice given on a broad variety of topics to the House, Speaker and Members is never less than up to the minute.

The Clerk's role as Chief Executive means that he or she is responsible for a wide range of matters relating to the administration of the services of the House of Commons. The six Departments of the House - the Clerk's Office of the Chief Executive, Facilities, Information Services, Resources, the Refreshment Department and the Parliamentary ICT Service - are answerable to the House of Commons Commission, a statutory body of Members of the House presided over by the Speaker, which came into being in 1978, and also to the Clerk as Chief Executive. The Clerk of the House is the Commission's principal adviser and attends their meetings. He or she also chairs the Board of Management on which sit the heads of all the other five Departments of the House and a representative of the Office of the Chief Executive. The Clerk presides over the Whitley Committee, where management meets trade unions representing many staff in all House Departments.

The balance of the Clerk's time is accounted for by overseas responsibilities. Many officials from other legislatures visit Westminster on study tours, and there is a wide range of international contacts both within and beyond the two international professional bodies of which the Clerk is a

The Clerk, The Clerk Assistant and the Principal Clerk, Table Office, at the Table of the House in December 2000.
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member. These are the Association of Secretaries General (Clerks) of Parliaments, which is connected with the Inter-Parliamentary Union, and the Society of Clerks at the Table in Commonwealth Parliaments, which is associated with the Commonwealth Parliamentary Association.

Neither the Clerk of the House nor any of the House's staff are civil servants; nor are they partisan or politically appointed. The Clerk of the House is appointed by the Crown by letters patent and so is not an employee of the House of Commons Commission. This does not imply, however, that the appointee is a stranger to the House. With only two exceptions since 1820, every newly appointed Clerk of the House has had long experience in its service.

Appointment

On appointment, the Clerk of the House makes a declaration before the Lord Chancellor, amongst other things "to make true entries, remembrances and journals of the things done and passed in the House of Commons".

Other staff recruited to the Clerk's Department, who serve in the Offices in Appendix A, are appointed after procedures analogous to those for equivalent grades in the civil service.

Residence

The Clerk of the House has an official residence in one of the parliamentary out-buildings. The first mention of accommodation used by the Clerk seems to be in 1605, when he had some connection with the cellar through the wall from that in which Guy Fawkes sat, patiently guarding the gunpowder. The first official residence was built in 1760 at the cost of £3159.4.0.

Dress

When at the Table of the House, the Clerk wears a bob wig and black silk gown, with a black cloth court dress coat and waistcoat, black cloth trousers, white shirt and white bow tie with a wing collar.

For ceremonial occasions such as the State Opening of Parliament, the Clerk wears lace cuffs, a lace jabot and the medals of orders to which he or she may be entitled.

Clerk Assistant

The Clerk Assistant sits in the central place at the Table of the House, on the immediate left of the Clerk of the House. Although the first appointment to the post dates from 1640, the need for assistance to the Clerk seems to have been felt much earlier, when the House permitted the Clerk's "man" to enter the Chamber and help out his master at the Table. Today the Clerk Assistant assists the Clerk of the House in the full range of duties at the Table and, under the Clerk's direction, has certain senior administrative responsibilities within the Clerk's Department.

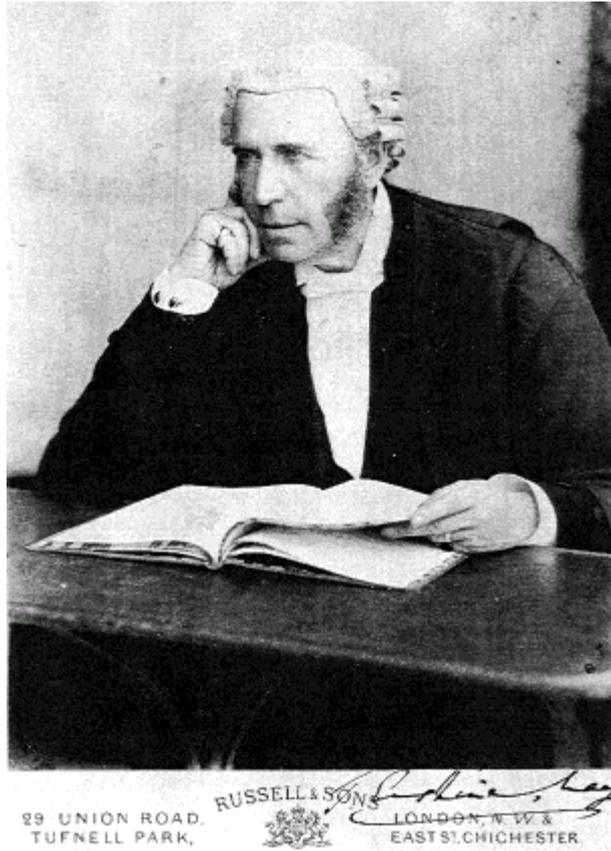
History

The first appointment of an official to attend on Parliament as a whole in a secretarial or recording capacity dates from 1315. A list of Clerks is given in Appendix A. By 1363, the House of Commons as an institution was sufficiently distinct from the Lords that the King was prepared to pay a Chancery Clerk to serve the lower House permanently. Robert de Melton - about whom little or nothing is known apart from his salary of £5 a year for life - was nominated as Under-Clerk of Parliament. Until the beginning of the sixteenth century, all these Under-Clerks were also clerks in Chancery. The Elizabethan Clerks were country gentlemen who, together with the Speaker and a few prominent politicians huddled round the Chair, represented the governmental machinery for getting the work of the House done - often to the mystification of those just out of earshot or not alert enough to react to what was being proposed.

In the following century, the "century of revolution", the status of the Clerk of the House changed. In the decades before and during the Civil War no-one close to the House of Commons could entirely escape association (by reputation at least) with one side or the other. John Wright, then Clerk of the House, was arrested in 1621, and his papers were impounded. Henry Elsyng the Younger, after eight turbulent years in which his grasp of business was much admired - it was said that "more reverence was paid to his stool than to the Speaker's Chair" - resigned on the execution of Charles I, and died in great poverty. Thomas St Nicholas, on the other hand, had been active in the government of the Commonwealth before becoming Clerk of the House. Henry Scobell continued to annoy both sides. He recorded in his minute book Lieutenant General Cromwell's dissolution of the Rump in 1653, only to have to face the wrath of the briefly-recalled Rump Members seven years later.

After the Restoration, there seems to have been a further flourishing of procedural skills, as Paul Jodrell (who became Clerk in 1683) proceeded to organise and expand the Department. In the next century, however, progress in this direction slowed down. Nicholas Hardinge, Clerk from 1732, was thought to be the most elegant Latin versifier of his day, and a minor Augustan poet in his own right. His successor but one (from 1762), Thomas Tyrwhitt, was a Shakespearean scholar.

Sir Thomas Erskine May, Clerk of the House 1987-1886 (Denning Presentation House of Commons Library)



Thereafter the tone and tempo changed. John Hatsell was Clerk of the House from 1768 nominally until 1820 (in fact until 1797) and he set his Department again on a procedural course, writing a textbook on procedure still occasionally in use today, both in Britain and abroad. After a brief interval, Sir Thomas Erskine May succeeded to the Clerkship. Before his retirement and death in 1886, he had securely laid the foundations of the modern Clerk's Department, editing nine editions of his *Parliamentary Practice* in his lifetime, and giving evidence before a long procession of select committees on procedure, whose recommendations transformed the way in which the House did its business. One of the Speakers whom he served wrote to his successor on his retirement: "my advice to you will be trust May and the House".

Erskine May's successors reformed the Department over which they presided, bringing structure, recruitment practices and many conditions of service into line with those of the civil service, while resisting assimilation to the status of civil servants; replacing a cat's cradle of fees by graduated salaries; and expanding the services offered by the Department as circumstances demanded - the Overseas Office for example was added to the number of historic offices in the Department not long after the Second World War.

More recently, the Department established a Legal Services Office to provide legal advice to the House and has provided a career Clerk to manage the United Kingdom National Parliament Office, which is based at the European Parliament in Brussels.

As part of the reforms implemented following a 1999 review of management and services by a team led by Mr Michael Braithwaite (see **Factsheet** No G15) an Office of the Chief Executive was established to support the Clerk in his role as Chief Executive. One of the staff of the Office of the Chief Executive acts as the Clerk's Private Secretary.

John Hatsell: Clerk of the House, 1768-1820



The Department of the Clerk of the House

An organisation chart of the Clerk's Department is available in the House of Commons Commission Annual Report. This can be found in the publications and archives section of the Parliament website.

The Table Office prepares the Order of Business and Notice Paper and receives Parliamentary Questions and motions for inclusion in them. The Clerks advise on how to bring Questions and motions into conformity with the rules of the House.

The Legislation Service comprises:

- **The Public Bill Office**, which examines the drafts of Government and private Members' bills to ensure that they conform to the rules of the House, and helps Members to draft bills and amendments. The Clerks of standing committees advise the Chairman and members of the committees on the application of the House's rules and practices to the proceedings of the committees. Advice on the financial business of the House is obtained from this Office. Members give notice to the Public Bill Office of presentation of bills, and of motions for leave to introduce bills ("Ten-minute rule bills"). The Office arranges for ballots for private Members' bills, and is also responsible for staffing European standing committees, the Scottish Grand, Welsh Grand, Northern Ireland Grand and Regional Affairs Committees and the Delegated Legislation standing committees. The Clerk of Divisions is based in this office;
- **The Private Bill Office**, which, since 1998, has been grouped with the Public Bill Office under the supervision of the Clerk of Bills. The Office is concerned with bills promoted by outside individuals and bodies (such as companies and local authorities). Clerks in this Office are responsible for monitoring compliance with the Standing Orders affecting such business, and in particular for staffing committees on private bills; and

- **The Delegated Legislation Office**, supports the European Scrutiny, and Regulatory Reform Committees, the Joint and Select Committees on Statutory Instruments and the Joint Committee on Human Rights. It provides support for the National Parliament Office in Brussels.

Other offices:

The Journal Office publishes the minutes of the House in daily parts as the *Votes and Proceedings*, and each session as the *Journal* of the House. The Office does research into matters of procedure and precedent and advises on the form of motions, particularly those to do with the business of the House. It revises Standing Orders and drafts new Orders to meet the requirements of the House. The Journal Office also deals with public petitions and advises on matters of parliamentary privilege.

The Committee Office. Every select committee, including the eighteen departmentally-related select committees, is served by one or more Clerks, which makes the Committee Office the largest in the Clerk's Department, with about 180 staff. The total staff of each committee varies according to the nature of its work and the particular enquiry on which it is engaged, but the Clerk is the committee's senior officer who, as well as acting as its Secretary, advises on its programme and on the preparation of its Reports. The **Scrutiny Unit** is based within the Committee Office. It provides advice to select committees on expenditure and draft legislation. The staff are drawn mainly from outside the House of Commons and have expertise in audit, value for money, statistics, the Estimates and law.

The Overseas Office maintains contact with Commonwealth and foreign parliaments at official level and provides information and instruction on the rules and practices of the United Kingdom Parliament. It provides the secretariat to the United Kingdom delegations to the Parliamentary Assembly of the Council of Europe, the Western European Union, the NATO Assembly and the Organisation for Security and Co-operation in Europe.

The Legal Services Office was established on 1 October 2000. Its senior staff are professional lawyers. The Office provides legal advice to the Speaker, the Parliamentary Commissioner for Standards and committees of the House, and also the Board of Management, the Corporate Officer and Departments of the House on matters such as commercial contracts, employment, health and safety and corporate law.

The Broadcasting Unit, led by the Supervisor of Parliamentary Broadcasting, exists to ensure the efficient conduct of the televising of the proceedings of the Houses of Parliament and Committees. It also maintains the archive (the Parliamentary Recording Unit) which stores the master videotapes of proceedings and sells copies to authorised users.

The Vote Office transferred into the Clerk's Department from the Library in November 1993. The Office holds and issues official publications required for the conduct of business of the House. It also operates the Parliamentary Bookshop for the use of Parliamentary Agents and the public. To these traditional functions has been added a wider role in the management of the printing and publishing requirements of the House, including running an in-House printing unit.

The Parliamentary Office of Science and Technology (POST) was established in April 1993. The Board of the Office is drawn from the membership of both Houses. The Office analyses issues of interest to both Houses on matters of science and technology.

Appendix A

Clerks of the House of Commons

From	Name	From	Name
1363	Robert de Melton	1762	Thomas Tyrwhitt FRS
1385	John de Scardeburgh	1768	John Hatsell
1414	Thomas Haseley	1820	John Henry Ley
1440	John Dale	1850	Sir Denis Le Marchant Bt
1461	Thomas Bayen	1871	Rt Hon Sir Thomas Erskine May KCB (subsequently Lord Farnborough)
1504	Thomas Hylton	1886	Sir Reginald Palgrave KCB
1510	William Underhill	1900	Sir Archibald Milman KCB
1515	Robert Ormeston	1902	Sir Courtenay Ilbert KCB KCSI CIE
1547	John Seymour	1921	Sir Thomas Lonsdale Webster KCB
1570	Fulk Onslow	1930	Sir Horace Dawkins KCB MBE
1603	Ralph Ewens	1937	Sir Gilbert Champion GCB (later Lord Champion)
1611	William Pinches	1948	Sir Frederic Metcalfe KCB
1612	John Wright	1954	Sir Edward Fellowes KCB CMG MC
1639	Henry Elsyng the younger	1962	Sir Barnett Cocks KCB OBE
1649	Henry Scobell	1974	Sir David Lidderdale KCB
1658	John Smythe	1976	Sir Richard Barlas KCB OBE
1659	John Phelps	1979	Sir Charles Gordon KCB
1659	Thomas St. Nicholas	1983	Sir Kenneth Bradshaw KCB
1660	William Jessop	1987	Sir Clifford Boulton GCB
1661	William Goldsborough	1994	Sir Donald Limon KCB
1678	William Goldsborough the Younger	1998	Sir William McKay KCB
1683	Paul Jodrell	2003	Sir Roger Sands KCB
1727	Edward Stables	2006	Dr Malcolm Jack
1732	Nicholas Hardinge		
1748	Jeremiah Dyson		

Further reading

The Officers of the Commons: 1363-1965
Philip Marsden
Barrie and Rockliff 1966

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Phone 020 7219 3107
Fax 020 7219 0620
hlinfo@parliament.uk

Parliamentary Education Unit
House of Commons
London SW1A 2TT
Phone 020 7219 4496
Fax 020 7219 0818
education@parliament.uk

House of Lords Record Office
House of Lords
London SW1A 0PW
Phone 020 7219 3074
Fax 020 7219 2570
hlro@parliament.uk

Parliamentary Bookshop
12 Bridge Street
Parliament Square
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Fax 020 7219 3866
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| 3. Clear | <input type="checkbox"/> | Not always clear | <input type="checkbox"/> | Rather unclear | <input type="checkbox"/> |

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