

Scrutiny in the House of Commons

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Moves to strengthen the role of backbenchers began in the previous Parliament, but many issues remain unresolved

Who controls what is debated and how Parliament scrutinises the executive affect parliamentarians' and the public's confidence in the House of Commons. The lack of power of backbenchers in determining what the House debated and in controlling the House's activities was a source of frustration during the last Parliament. The strength of the Government in Parliament and the dominance of the party whips were lamented despite the frequency of backbench rebellions.

The expenses scandal prompted a great deal of soul-searching that enabled wider questions on the role of Parliament and Members to be considered. The Government agreed to the establishment of a time-limited Select Committee on Reform of the House of Commons. Although some of the Committee's recommendations have been agreed and implemented, momentum will be needed to finish this exercise. Moreover, many of the unresolved questions underlying the Reform Committee's report will remain. There will still be tensions between the House's functions of scrutinising and sustaining the Government, and Members' responsibilities to constituents, duties in the House, and their allegiance to a party.

THE SELECT COMMITTEE ON REFORM OF THE HOUSE OF COMMONS

The Reform Committee's terms of reference required it to consider the scheduling of business in the House, the system of appointments to select committees, and the possibility of proceedings in the Chamber being initiated by the public. The Committee's report, *Rebuilding the House*, was published

in November 2009 and focused on giving backbenchers more control over what happens in the Commons.

SELECT COMMITTEES: ELECTION OF SELECT COMMITTEE CHAIRS AND MEMBERS

Appointments to the departmental select committees, which provide scrutiny of government policy and administration, have been to a greater or lesser degree controlled by party whips. The Reform Committee recommended that many select committee chairs should be elected by the House with select committee members elected within political parties. Party balance of committee places and chairs would continue to reflect the proportions of seats in the House. The House of Commons agreed with these proposals and made the necessary changes to Standing Orders in March 2010.

The first elections of select committee chairs will begin shortly

Within a week of the Queen's Speech, the parties will need to determine which of them will provide chairs for which select committees. Then nominations will be sought; manifestoes may be issued, possibly followed by hustings; and elections will take place within the following two weeks. The parties will also need to decide how to run their internal ballots for the election of the remaining committee members. Reformed committees may be more independent of party whips and enjoy higher profiles both in Westminster and beyond.

THE SCHEDULING OF BUSINESS IN THE HOUSE

The standing orders of the House give the Government control over much of the agenda of the House of Commons. The Reform Committee proposed that a Backbench Business Committee should be appointed to schedule backbench business; and that a House Business Committee should be established to schedule all business before the House: it would include the Backbench Committee and representatives from the Government and opposition. Although the House agreed with the proposal for a backbench business committee and approved the establishment of a House Business Committee during the course of the next parliament, no time was provided to debate new standing orders to implement these changes and they were not agreed before the House dissolved.

Will the new Government cede some control of the House's agenda?

The new Government will need to decide whether and how to implement these changes. Both the Conservative Party and the Liberal Democrats outlined plans to give MPs some control over the parliamentary agenda; and both intend to address the time for and constraints on debating legislation. Decisions need to be taken on the pattern of sittings, including September sittings. Changes to sitting times may follow. The timing of Prime Ministers' Questions may also be considered.

Public initiation of business

The Reform Committee also considered the question of public initiation of business. The House has already agreed some changes to the way in which petitions are presented and is examining how petitions could be debated. The Conservatives set out additional plans in their manifesto:

- any petition that secures 100,000 signatures will be eligible for formal debate in Parliament.
- the petition with the most signatures would enable members of the public to table a bill eligible to be voted on in Parliament.
- a new online Public Reading Stage for bills

The new Government may also come under pressure to change other procedures, such as for private Members' bills and on opposition days, flagged up by the Reform Committee.

THE NEW HOUSE WILL DECIDE ON REFORM

Providing additional time for scrutiny, changing procedures and opening up further areas of government responsibility to scrutiny are very different to ceding any control over setting the House's agenda. With important parts of the Reform Committee's agenda left unimplemented, there is uncertainty over the momentum and desire for further reform. Will the new Government be willing to give up their control over parliamentary time? And will the new House choose to assert itself in taking control of the agenda, as envisaged by the Reform Committee?