

Explanatory memorandum by the Clerk of the House on the motion in the name of the Leader of the House relating to Voting by Proxy (Amendment and Extension) tabled for Wednesday 12 October 2022

1. The Government has tabled a motion to facilitate the House in considering whether to give effect to recommendations made by the Procedure Committee in its First Report of the current Session on [Proxy voting and the presence of babies in the Chamber and Westminster Hall](#).
2. In its Fourth Report of Session 2019-21, [Proxy voting: review of pilot arrangements](#), the Procedure Committee noted that interest had been expressed in whether the proxy voting scheme should be extended to cover Members with serious long-term illness. It concluded that “Once the present temporary arrangements for proxy voting for public health reasons has ended, the Committee will examine whether, and how, eligibility for proxy voting might be extended to other categories of absent Member, should it be demonstrated that the support in the House for such measures merits such an inquiry” (para 37). In its First Report of the current Session the Committee noted the overwhelming balance of evidence it had heard in favour of an extension of proxy voting to include serious long-term illness or injury, and recommended that the House be given an opportunity to debate and express a view on the proposal (paras 24-26).
3. Arrangements for parental proxies were made permanent in September 2020. The Procedure Committee launched its latest inquiry on 23 September 2021 and took oral evidence from hon. and rt hon. Members between November 2021 and February 2022. The written evidence included a recommendation from the Women and Equalities Committee that Members who are biological fathers should have the same rights under the scheme as adoptive partners.
4. If the motion is agreed to by the House, Standing Order No. 39A would be amended to:
 - (a) Remove the bar on participation in proceedings while in possession of a proxy vote. This follows evidence taken by the Procedure Committee which argued that the current bar had the effect in some circumstances of preventing Members from participating in proceedings when they might wish to do so. Removing the words ‘absence from the precincts’ would remove this constraint and provide greater flexibility for Members;
 - (b) Incorporate complications relating to childbirth, miscarriage or baby loss into the main body of the Standing Order, rather than being added on at the end; and
 - (c) Temporarily allow Members experiencing serious long-term illness or injury to use a proxy vote. The motion envisages a pilot lasting from 17 October 2022 to 30 April 2023.

5. The motion also directs the Speaker to make amendments to the proxy voting scheme established under the Standing Order which governs the operation of proxy voting in line with the Committee's Report, specifically to make changes:
 - (a) relating to absence from the precincts and introducing the pilot for serious long-term illness or injury; and
 - (b) reflecting the recommendation of the Women and Equalities Committee, which would provide equal rights for Members who are biological fathers.
6. Finally, the motion directs the Procedure Committee to review the temporary amendment to the Standing Order relating to serious long-term illness or injury by 17 March 2023.

Dr John Benger

Clerk of the House

10 October 2022