

## The last year in the House of Commons

### KEY:

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MM: Hello, everyone, and welcome to the second in our series of talks to assist you, the teachers and students of government and politics. I'm Marina. And with me is my colleague, Anne Marie, and we work in the Education Service of the Northern Ireland Assembly.

Today, we are delighted to welcome Judith Boyce, who is a Clerk from Westminster, from the UK Houses of Parliament. And she has extensive experience working with committees, both as a Clerk to the Women and Equality Select Committee and before that on the Education, Defence and Local Government committees, to name a few.

She's carrying out a different role now Teaching and guiding committee staff in the UK Parliament, and we're delighted to have her back again. She has spoken to our conference, normally in Parliament Buildings, but not this year, on two previous occasions, and she was an absolute hit! You really valued her insights and the examples she was able to give you of committee work. So, we're delighted to have you here, Judith. And I'm going to hand over to, you now.

JB: Terrific. Well, thank you very much indeed for having me again. I'm really sorry I can't be joining you at Stormont, but hopefully in years to come, we'll be able to get back together in person again.

So I'm going to give you a quick overview of the last year in the House of Commons, which, of course, has been an unusual one in several respects. But we've kind of got used to unusual years, really. So maybe there's nothing so unusual about that.

What I'm going to talk about, first of all, briefly, as the new House of Commons and particularly how committees have been set up in the new Parliament, and then I'm going to talk about, well, I've called it the Pandemic Parliament just for alliteration reasons. But really, I'm going to be focusing on the House of Commons and how we've adopted or working practices during Covid-19.

So, I'm going to touch first on who makes decisions about how Parliament actually operates in a circumstance like this. I'm going to talk about the effect on the Chamber and what happens there, the effect on divisions, and then finally the effect on the working practices of select committees and a few examples of that.

So the big news, obviously, since I last spoke to you, well, it was only a couple of weeks after I was at the Stormont Conference last year, that the House voted to hold an early general election, which very unusually took place in December. And you don't really need me to tell you how the election turned out. Here are the results. I think from the point of view of working in Parliament, the really striking thing to me about this result was that it seemed to herald a bit of a return to kind of normal operating procedures at Westminster.

If you think about it, we haven't really had a government of a single party with a stable majority since about 2010 because we had the coalition then we had a Conservative government with a small majority and then we had a hung parliament. And so for a long time, things have been unusual. And it seemed that when we came back for this Parliament, things would revert a little bit to normality. So there was no prospect of the kind of, you know, mass expulsions or defections and lots of independent members that we had in the last few months of the previous Parliament. And also a government with a stable majority should be able to count on the fact that the rules of the House, the standing orders, give precedence to government business. So the government controls the agenda.

This time last year, we were all talking about backbenchers seizing control of the order paper, which they were able to do whenever they could get a majority in favour. But if the government commands a majority, then that prospect disappears.

Now, a few other short notes about this result. This election saw the highest proportion of women ever returned to the House of Commons at nearly 34 percent and also the highest number of MPs who identify as being from an ethnic minority background, 65 of those. But both those marks are still well below a proportionate reflection of those groups in the population, of course.

And the very last thing to say about the election results is I think what I thought about this election, I felt like there was a lot of turnover in the members in the House, but actually turnover was at about twenty one percent, which is more or less average for elections over the last few cycles. I think it felt like more because of the prominence and the high profile of some of the members who were standing down or who were standing as independents and therefore unlikely to be returned. And some of the reasons why that had come about. But actually at about a fifth of the house, the turnover was relatively normal. But it's always a pleasure to welcome a large number of new members to the House and to see them get to grips with Parliament.

So the new Parliament gives me an opportunity to talk about how select committees are established at the start of the Parliament and when Parliament is dissolved for an election, obviously, MPs cease to be MPs. And select committees also cease to exist, which is quite a heady moment for all of us who work for select committees.

But being committees of the House, they're not independent bodies. They can't just decide to organise themselves in the new Parliament. They only have life when the House gives them life, if you like. And there's always quite a lot of surprise and sometimes consternation about how long it takes for committees to be set up. And there are always calls for the process to be shortened the next time around because there could be quite a big gap in scrutiny of government policy. But in truth, there's quite a lot of hurdles that have to be cleared. So it's always going to take a bit of time. And this year the process was made even longer because of the Christmas holidays intervening.

So this timeline shows you the standard hurdles in the process with the dates that happened this time superimposed on them. So although Parliament as a whole got up and running really very quickly after the general election, so they got up they met for the first time before Christmas. Committees didn't actually start work until the start of March. So, as I say, that's potentially quite a long kind of scrutiny gap, if you like.

What happens is that, the kind of first important thing that happens is that a calculation is done about how many committees should be Chaired by MPs of which parties. So according to the strength of the parties in the Chamber, we can then do a calculation about how many Chairs each party should have. And then a motion goes in front of the House in the name of representatives of the three largest parties to say, here's how we propose to break down these Chair-ships.

And once that is agreed, then that's the starting gun for the election period when MPs are going around the place with their nomination forms, trying to get support for themselves to put forward their names as Chairs, because those elections are done on a whole House basis. So since 2010, all MPs in the House have an opportunity to choose who should Chair which select committee, as long as they're from the party that has been allocated to that committee.

Those elections took place so that the MPs Chairing the committees were announced on the 29<sup>th</sup> of January, but it then took almost another month before we had the motion to appoint the members. And what's happening in the intervening time is that each party organises its own process for nominating those members to the committee.

So, again, there's a calculation done about how many seats on each committee each party should have, and then the parties go away and organise their own sort of mini elections to decide which members they're going to nominate.

But the House as a whole has to agree those motions to appoint the members to the select committees. And that finally happened on the 2nd March. And then the committees were very eager to get up and running as quickly as possible. And several of them actually met on the morning of the 3rd March to begin their work.

So when I'm talking about the committees, this is the organisations that I'm talking about. This is a very handy graphic from the Institute for Government that was produced a couple of years ago, which helpfully breaks down select committees into four main types.

Now the largest and probably the best known group of these is the departmental select committees and they're so-called because each has a remit to scrutinise the policy administration and expenditure of their namesake government department. And that system of having a committee to shadow each government department and scrutinise its work dates back to 1979.

And then we have committees that are described here as crosscutting, most of which take a more thematic approach. Probably the most famous of those is the Committee of Public Accounts, PAC, which looks at public spending no matter which department it's in.

And then the last two columns, there are really ones for the parliamentary connoisseurs, if you like. We have what we call the domestic committees, which are ones that look at the internal organisation and administration of the House of Commons. And we're going to return to a couple of those in a few moments. And then there's what's called here legislative committees. Now, these select committees have a very, very limited legislative role, usually quite technical, often in relation to secondary legislation.

Do bear in mind that it's a quite an unusual feature of the Westminster system, that our departmental select committees don't have a legislative role. Bills that relate to their area of

responsibility don't come through the departmental committee for review or for amendment or anything like that. That job is done by public bill committees.

Now, to go back to departmental committees for a minute, one of the reasons that it took a little while this time to set up the committees was there was a lot of discussions early in the Parliament about rumours that the government wanted to make some quite radical changes to the structure of government departments. And because our departmental committee shadow the remits of the departments, if they made changes to the machinery of government, that was going to have a knock on effect for the committees.

There were all sorts of rumours, things like, I think I remember hearing that they thought the Home Office might be split so that there would be a separate department for immigration and borders, for example. But in the end, the only change that was made in the short term was the abolition at the end of January of the Department for Exiting the European Union because that was perceived to be job done by that department. And so the Committee on Exiting the European Union was a casualty, although it was actually just renamed into the not very snappily titled Committee on the Future Relationship with the European Union.

Later in the year in September, there was another change when the International Development Department was abolished and its functions were rolled into the Foreign Office. We still, for the time being of an International Development Committee. But there are discussions ongoing about what the future form of that committee is going to be.

There have been suggestions that maybe the Foreign Affairs Committee could have a subcommittee that looks at development spending, or maybe this could become a crosscutting committee that looks at aid and development spending across government, because it's not just one department who spends aid budgets. Then there's quite a lot, for example, spent by the Ministry of Defence. So that one option is for that to become a crosscutting committee, but a kind of watch this space on that.

This chart shows the difference in the allocation of elected chairs for the departmental and a few other committees between the last Parliament and this one. Now, a couple of these are subject to conventions. So the Treasury committee has always chaired by a government member and the Public Accounts Committee is always chaired by an opposition member.

But of course, for the Conservative government in the majority, there are more Conservative slots for chairs overall and Transport and Environmental Audit both switched from the Labour Party to the Conservative Party, this time around. The Liberal Democrats lost their one chairmanship of Science and Technology Committee, but the Scottish National Party held on to both of theirs, one of which is the Scottish Affairs Committee.

Just over half of the chair spots were subject to contested elections, so by no means all of them were contested. Quite a few were elected unopposed, many of whom would have been incumbent returning chairs. But at the other end of the scale for Defence Committee, there were five members who put their names forward to be chair, and there were a few other committees where there was a contest between four members each.

The Institute for Government has worked out that out of the 53 candidates overall, fewer than half had no front bench experience. And we think this is a growing trend over time. So that could be as a government minister, as an opposition frontbencher. And in fact, seven of the candidates were former Secretaries of State. And this just adds to the impression that chairing

a select committee is now seen as a heavyweight career option for politicians, particularly those who don't particularly see a home for themselves on the front bench of their parties at a particular moment in time. And this is a trend which I think helps the profile of select committees, all told.

So this is what your average departmental select committee looks like in the new parliament. This is just by way of example, the Business, Energy and Industrial Strategy Committee, 11 members is the standard size for a departmental committee these days. And as I said, the party groupings are in proportion to what you have in the House, although, of course, the maths aren't ever going to be exact because we haven't worked out a way to have fractions of members.

So on an 11 member committee in this Parliament, we have six Conservatives, four Labour and one other member. That's usually somebody from the Scottish National Party. But there are deals done about distributing smaller party representation around on committees where they have a particular priority. So Defence Committee has a spot for a member from the DUP, Northern Ireland Affairs Committee has members from Alliance, SDLP, and the DUP as well.

So having set up committees, let's return briefly to events in the Chamber now in terms of what the House was actually discussing, the new Parliament began very much as the old one had ended talking about Brexit. Very unusually, the beginning of a parliament you usually have five days of debate on the Queen's Speech that was actually postponed this time so that members could talk about the European Union withdrawal agreement Bill instead and make sure that they could get it through all its stages by the end of January. Third reading happened on the 9th of January. It was then passed over to the House of Lords on the Withdrawal Agreement Act, received Royal Assent. So it passed into law on the 23rd January.

By pure coincidence, the 23rd January was also the day on which the first mention, that I can find anyway, of coronavirus is made in the proceedings in the Chamber. When the Secretary of State for Health and Social Care made this statement. Of course mentions rapidly became much more frequent. It was on the 11th March that WHO declared the coronavirus a pandemic, and it soon became clear that this was not just a matter for policy scrutiny by the House. It would really come to dominate.

But also, as with every workplace, it posed really urgent, really important questions about our working practices and how Parliament could operate safely. And let's face it, we're not a workplace that has traditionally been known for modernising quickly and adapting quickly to new circumstances. So this was really going to be a big challenge.

In early March, there were actually some, full-scale shut down of Parliament was being considered for as much as five months. And somebody memorably described MPs as 650 potential super spreaders because, of course, they travel back and forth to their constituencies. They meet people all the time. You know, they crowd into the crowded House of Commons Chamber and so on.

So since then, I think we've gone through a few stages in how the House has adapted its proceedings to the pandemic, and this is a kind of rough categorisation, which I think sums up the gist of what was happening at each stage.

First of all, there's the bit that I've called getting through to the Easter recess. And the Easter recess started nearly a week earlier, which brought us quite a lot of time to make preparations

and adaptations. In this period there were lots of voluntary agreements between the parties, for example, not to press business to division so that members wouldn't have to squeeze into the division lobbies, and that included the passage of the coronavirus act itself. So there were no actual votes on that act and things can be agreed that way by consensus. Whips were telling their members to stay away from the chamber unless their name was on the order paper to ask a question, for example, and we had that early adjournment.

We came back after Easter, we then entered a period that I've described as full participation, but in limited proceedings. So members could take part via Zoom. But we had a short sitting week, we had restricted hours. There were no adjournment debates, no Westminster Hall debates, no Private Members Bills, for example. So everybody was able to take part and the majority of members were doing so remotely, but there was quite a limited scope for the proceedings that we could have.

And then the third phase was after the Whitsun recess, which was from the beginning of June, really, when we had...since when we've had a more normal looking house timetable but remote participation was really restricted to certain types of business, and only members who had medical or public health reasons for participating remotely were allowed to do so.

So what I've called limited participation in full proceedings. Now, those first two stages I think were by and large categorised or characterised by consensus. It's the third stage which began in June, where there's been a great deal more dissent about how the House is organising itself during the pandemic. And we're going to talk a little bit about the decisions that were reached and how they've affected proceedings in the Chamber divisions and then select committees.

But first, I just want to mention the cast of characters, really the people who are there, not all decision makers, but they're all people who have a hand or a reason to be interested or to participate in the decisions that are made about how the House can conduct itself. And it really, I think, throws a spotlight on the fact that the question of who makes decisions in an institution like the House of Commons is a really, really complex one. And sometimes there are some surprising actors that you might not have thought about.

Well, just say a few words about each of these actors. First is the Speaker, since autumn last year when John Bercow stood down as Speaker, Sir Lindsay Hoyle, who was for many years, John Bercow's, deputy has been Speaker of the House of Commons. His principal visible function is obviously to keep order in the chamber and call MPs to speak. But he's also the Chief Officer and the highest authority of the House of Commons. And there are plenty of things that the Speaker has discretion over or has been given discretion by the House where he could affect how we operated during the pandemic.

So, for example, he's able to vary the amount of time that are allowed for divisions. He was given the power to limit the number of members who entered the Chamber. And he's also varied some of the customs and conventions that govern how members act in the chamber and how they get to speak in debates so that we can maintain social distancing and incorporate remote participation.

The next actor there is the House itself as a collective whole. And there was a pretty feverish period over March and April where there was a lot of letter writing going on between many of the people pictured here. And one thing that everybody was at pains to point out in their letter is that the House itself collectively is the ultimate arbiter, the ultimate decision maker of its

own rules and practices. And as long as there's a majority in favour, the House can organise itself really any way that it wants to.

So the speaker interprets those rules in practice, but he doesn't set the rules. The House does. So at key points the House has taken decisions on some quite lengthy and detailed motions about the way it wants to change its procedures, most obviously allowing for members to participate remotely in proceedings via Zoom.

The government is next. These are not necessarily in order of importance or influence, I should say, but I've chosen a picture of the leader of the House, Jacob Rees-Mogg, to represent the government because that's exactly what his function is in the House. He's the government's Chief Business Manager who sets out what the business over the next period is going to be.

Now, I've already mentioned that this this Parliament is a bit of a return to normality with the government, with a substantial majority and usually majority support for what it wants to do. And that means that although the House is still the ultimate decision maker, it's the government that gets to choose which decisions it is asked to make, and it's the government that decides the form of those decisions.

This became really important towards the end of the kind of second stage of adaptations when we had full participation But in a limited range of proceedings. The motion that the House had agreed to allow that was time limited. It had an expiration date built in and the government didn't want to renew it. So they simply didn't table another motion. They could just let time run out and it wasn't in anyone else's power to bring forward a motion that could have renewed those arrangements.

Let's speak briefly about the Procedure Committee next. You might recognize here the familiar face of Karen Bradley MP, the former Secretary of State for Northern Ireland, and in the current parliament Chair of the Procedure Committee. Now their role is to consider the practice and procedure of the House. And options for improvements or innovations, this is one of those domestic committees that I spoke about earlier once for the parliamentary connoisseurs, and it makes its recommendations to the House rather than the government. But obviously the government has a big influence about whether they're taken up. It's made reports about things like whether we should have a Budget Committee, how to reform Private Members Bills, proxy voting for members on parental leave and so on. And this committee has been very, very active indeed ever since the start of the pandemic in considering proposals and making proposals for how the Commons should operate. And they really have, I think, a lot of influence over members opinions as well.

The Administration Committee is another one of those domestic committees chaired in this Parliament by Sir Charles Walker, also a Conservative, and it considers the services provided for members, their staff and visitors by the House of Commons service. So things like catering services, security, IT, tours the Education Service, lots of things that have also been impacted by the pandemic.

The Administration Committee makes its recommendations to the next body, which is the House of Commons Commission, which has overall responsibility for the services of the House of Commons, including maintenance of the Palace of Westminster, and it is chaired by the Speaker. So he has a dual role in that respect as well. And it was the Commission over the Easter recess also considered and endorsed the proposed operating model for hybrid proceedings.

Whips and usual channels pictured next, people who have a huge amount of influence over how members behave and how things operate in practice. And the usual channels can be quite a nebulous concept, but it's really a shorthand for consensual agreement behind the scenes by across the political parties, often between the three largest parties. And this became important, for example, when we went through a phase of having a daily motion setting out how the business would be conducted. That was agreed in advance by the three biggest parties.

The Clerk of the House is next. He's ultimately my boss. He's the principal constitutional adviser to the House and adviser and all its procedure and business. Much of his advice is given in private, but early in this process, he provided a memorandum to the Procedure Committee with lots of suggestions for how our practices could be adapted.

And we've got there Sir Bernard Jenkin, who's chair of the Liaison Committee. Liaison, is a kind of meta committee, if you like. It's made up of the chairs of all of the other select committees. And it wasn't actually in place when the pandemic started and we started having to consider these things. But it has become a bit more vocal recently, taking up causes like participation of select committee chairs and Chamber proceedings when they're not able to be there physically and so on.

And finally, uniquely, really to this circumstance, I've just put in an honourable mention for Public Health England, because they've given a huge amount of advice to the House authorities and the Speaker about how social distancing, for example, can be maintained effectively around precincts.

So this is what Prime Minister's Questions used to look like at the start of this year. Here, I think at this point Jeremy Corbyn was still Labour leader and I don't know about you, but looking at this now sort of makes me very nervous with how close together all of those people are. Of course, the House of Commons is deliberately built too small for the number of MPs we have so that on big occasions they really have to crowd in and create quite a febrile atmosphere. But that obviously wasn't something that could continue during coronavirus.

So by contrast, here is the first PMQs with virtual participation. I think this one was actually being taken by Dominic Raab because the Prime Minister, because of his own illness, wasn't able to be there. So you can see a really low limit on the number of members who were allowed to be in the Chamber. And they're very, very spaced out. You can see the big screens that have been put up to allow members who are participating via Zoom to be seen and heard in the Chamber.

Just down at the bottom of the picture, you can see a figure in black who's the Speaker's Secretary, Helen Wood. Now in normal times she'd be standing right beside the Speaker's chair, giving him advice about, who's been called and who's seeking to be called. But no, there she is, sitting down with a headset on a little console, which is allowing her to communicate with the broadcasting centre, which is in the basement of an office block a few city blocks away. And it's in the broadcasting hub and centre where all of the Zoom calls for this were being managed.

I was lucky enough to do a few shifts down there in in May so I could see the process of members joining Zoom calls and communicating with the Chamber and having to say, yes, yes,



we've got the next member lined up or so and so's lost their connection or seems to have turned off their camera. So we might have to come back to them later.

So for the period from Easter to the end of May, the vast majority of members were participating virtually, and the businesses, as I've said, was restricted. So only sitting three days a week for a limited time and lots of long breaks so that the Zoom calls in particular could be managed effectively and without a hitch.

Now, I've chosen this picture from the last parliament of a heated moment during debates on Brexit to illustrate one of the things that was missing from debates that were conducted, partly in person, and partly over Zoom and that's interventions.

Now, the House of Commons has a very pronounced sense of identity as a place of genuine debate. There's a strong convention, for example, that you're not just supposed to read your speech, as if from a script, and you're supposed to turn up to hear the opening speeches and the closing speeches because you're supposed to be listening to other people's arguments and responding to them. And this picture shows members seeking to intervene on the member who has the floor because they want to respond to something that he said, to make their own point and to ask him to respond to that. Now, I will leave it to you to watch parliamentary debates for yourself and judge whether the House lives up to these ideals of genuine debate.

But the fact that debates when the majority of members weren't present was necessarily a choreographed succession of statements rather than a spontaneous exchange of views was cited by the leader of the House as a major reason for moving back to a more normal mode of operation and restricting remote participation from early June. One backbencher, I think, had characterised proceedings up to that point as a Coke Zero parliament, which I think was meant to convey that he thought it was something rather less than the real thing.

The argument goes that there's something to the normal cut and thrust of parliament, which is not just about good theatre. It also produces better scrutiny and it puts ministers under greater pressure. Now, the counter argument, of course, is about inclusivity, about equality of access and about equality of representation. And there's still a significant number of members who are not attending the House for reasons related to Covid-19 either they're clinically vulnerable or someone in their household is or so on. And so there are large swathes of parliamentary business that they simply can't participate in, and they would argue that their constituents are therefore going unrepresented. There have been renewed calls since the latest lockdown began in England for the government to think again about this but so far, the situation remains.

There was also an argument made about the House needing to show an example to the country by getting back to work. Whereas other people thought the example they should be showing was how to work remotely, effectively whenever it was possible. But I think there's just a difference of opinion about whether remote participation is effective enough for those compromises to be worth it.

So while the infrastructure for virtual participation remains in place, but since early June, remote participation has been restricted to only some types of business, while the timetable has gone back more or less to normal.

So this is what the Order Paper, the agenda for the day's business currently looks like. There's little dagger symbol against some of the bits of business that denote when members can participate remotely. This is limited to what we've started to call scrutiny proceedings. This is a new phrase we dreamt up this year where the focus is on questioning ministers, and that's really oral question times, urgent questions and ministerial statements. So members who aren't physically present can't participate in the main business of the day, which in this case was a couple of backbench business debates but it could equally well be legislation, for example.

Now, if I'd seen this a year ago, another thing that would have really leapt out at me was the fact that the urgent questions and statements are listed here in normal times. The order paper doesn't normally tell you what those are going to be. We just have a placeholder saying urgent questions or ministerial statements, if any. And you just find out a couple of hours before the sitting starts whether they're going to be any. Sometimes there are three, four or five of them and they can take half an hour, 45 minutes each. So they have a big impact on the timing of the parliamentary day. It makes diary planning a bit of a nightmare for members. But now, because of the need for certainty about who is taking part, they are announced in advance. And I do wonder if members are going to be prepared to go back to the old system afterwards.

This need to manage numbers in the Chamber and also to enable members to participate virtually has led to call lists being issued the day before for the scrutiny proceedings. So in the past, if you wanted to ask a question during a ministerial statement, you would just have to turn up and you would do what's called "bobbing", which is just to stand up repeatedly after every member asks their question and hope to catch the Speaker's eye and be called next to ask your question. And there was no certainty about when you would be called or even if you would be called. So with these call lists, there's now a lot more certainty for members about how these procedures run.

Moving on briefly to talk about divisions, so another area of controversy is how the host should handle voting during the pandemic. And this is an issue because of the very unusual way in which the House normally votes.

So when the bells are rung for a vote or as we call it, a division. Members have eight minutes to get themselves to the lobbies, which are corridors and either side of the Chamber, one for the Ayes, one for the Noes. And after eight minutes, the entrance doors are locked and the members are then counted as they exit at the other end. This is all quite time consuming, can take up to 15 minutes for a normal division. And there have been plenty of calls long before the pandemic, notably from members of the Scottish National Party, to introduce an electronic voting system. But a lot of members value the system because it gives them valuable opportunities for networking, particularly for bending the ear of ministers when they're cooped up together in the lobbies. And I imagine that Whips also like the system because of the supervision it allows them over voting.

But you can see that the division lobby, which looks like a nice, spacious hallway when it's empty, when it's busy during a really important division, it just becomes absolutely rammed. And this was never going to be feasible with social distancing. So in the early stages of the pandemic before Easter, this was largely dealt with by the party simply agreeing between themselves not to have votes but that's obviously not really a sustainable solution.

So over the Easter recess, a huge amount of work was done very rapidly by our digital service to get up and running a fully digital system for voting. So members would receive notifications

from an application called Member Hub when a division was called, and they could then login securely wherever they were to cast their vote. And this was used for the first time on the 12th of May and then a few more times before the House hit the Whitsun recess at the end of that month.

Now, since June, we've reverted to in-person divisions, but they've obviously had to be adapted a lot to comply with the Public Health England guidance. The first vote that took place in June was actually about whether or not to continue to have remote divisions. And that was done by members queuing up around the estate and filing into the Chamber where they recorded their votes at the despatch boxes.

This attracted a lot of comment at the time for a couple of reasons. The apparent absurdity of the very long queues. One member compared it to queuing at Alton Towers, though presumably a lot less fun. And the sheer amount of time it took for everyone to get through. I think the first division took about 40 minutes. And also the fact that quite a large number of members themselves couldn't be there in person to vote on whether or not they should be able or should have to vote in person.

So very soon after, the government conceded to an extension of what we call the proxy voting procedure. I know this has been in place for nearly two years now, first on a trial basis and then permanently for members who need a period of parental absence, parental leave when they first have a child. And that's been a very popular scheme indeed and there were lots of calls around this time to extend it to people who couldn't attend because of Covid and that was granted by the government. But members had to self certify as having a medical or public health reason related to the pandemic to use that proxy voting system.

So what this means is they nominate another member to cast their vote on their behalf. The system was also changed later so that members are back to using the division lobbies. But with electronic pass readers stationed in there rather than actual people recording the votes. And very recently, a further change was made to proxy voting so that you didn't actually have to be absent from Westminster to use that, you could be somewhere on the parliamentary estate, but you might not want to go through the division lobbies and be in close proximity to other members. And that precipitated a huge uptake in the proxy voting scheme. Almost 60 percent of members are now using proxy voting, and one of the opposition Whips is actually holding 115 proxies and one of the government Whips, 215. There are so many of these arrangements now that the Speaker has actually been able to reduce the amount of time allowed for divisions.

So I want to talk a bit about committees and how this has affected the committee working processes, first of all, here's a quick reminder, which I won't go through in detail of House select committees usually go about their business. This is how we manage our inquiries.

Any committee will usually have several inquiries going on at once. In an average year, they'll probably publish between about six and 12 reports in the long 2017-2019 session. There were more than eight hundred committee inquiries launched over the course of that session.

Now, one important thing to note is that quite a lot of work for an inquiry actually takes place in private. So we do our evidence gathering in public and our written evidence is published, but important discussions about which subjects to choose and then what the report should say actually

take place behind closed doors. This is something that helps a great deal and committees coming to a consensus view on topics across party lines.

Here's a neat illustration from the Digital Culture, Media and Sport Committee of their activity during their inquiry on the impact of Covid-19 on DCMS sectors. I'd say of the odd number of 666. This is more pieces of written evidence than the average, but twenty five witnesses is probably about average. You might have three or four evidence sessions for an inquiry, and they've broken this down by the type of organisations they've heard from. And it's a really important point that select committee set a lot of store by the variety and quality of the evidence they take from lots of different perspectives. It's a large part of what gives select committee work its credibility.

And in normal times, this is what one of those oral evidence sessions would look like. So it's a question and answer session that takes place in public. Committee staff give a briefing to witnesses on what to expect. You might have one or two panels of witnesses during a session. And the last oral evidence session in an inquiry is - you almost always hear from the responsible ministers. So they kind of have a right of reply to all of the evidence that you've heard. These meetings are formal proceedings of the House, which means that they, you can have the freedom of speech that is guaranteed by parliamentary privilege and misleading a committee is a contempt of the House.

Now, the main act of Covid-19 on committee working, was always going to be on oral evidence because it rendered our usual form of taking evidence really impossible. You can't have everybody crowding into committee rooms in Westminster like this.

So back on the 24th March, the House agreed really quite quickly to some radical changes in the way that committees could work and I'll not go through all of them.

This was actually suggested by the Procedure Committee and it was to allow members to participate in formal meetings of the committee by electronic means, pre-approved by the Speaker. It actually envisaged committees doing quite a lot of their work by correspondence effectively, because at the time we didn't know how quickly we'd be able to scale up remote meetings. We knew we needed secure digital tools that could produce broadcast quality meetings and we needed the equipment and the staff to run it. And the very start of this process, we were only able to support four virtual evidence sessions a week but that has ramped up throughout the year. After Easter that went up quite rapidly to four a day and we're now operating a maximum of 35 committee sessions a week under the system.

Now, a really important point about this motion compared to how proceedings in the Chamber were governed is that although it was time limited, unlike the Chamber motions, this one gave power to the Speaker, not the House as a whole, to renew it. And the Speaker has done that several times so that we're now expecting these arrangements to be in place well into next year. So in a lot of ways, there's been a continuity in committee proceedings and these changes have really had a profound effect on how we work.

When members started returning to the House for the chamber in June, we started offering not just fully virtual meetings, but also hybrid meetings with some members present in the room and some on Zoom. And here's a picture of what one of these looks like. It's actually still quite unusual to have the witnesses actually there. But you can see the members are spaced

out, staffers sitting at the side rather than around the horseshoe. You have those big screens so you can see everyone participating.

So you have witnesses and some Chairs, in fact, are still operating remotely, which gives us a good chance to nose about everybody's bookshelves. We've all become used to that during the pandemic.

And this is what the process looks like from the other end. So that first picture was tweeted by a select committee member of their set up at home for taking part. And the second picture is of the former footballer Eni Aluko, giving evidence to a committee remotely. So you can see what it looks like from her point of view. And it's really interesting to think about the impact all of this has on how select committees are operating.

I think on one level, it's remarkable how much we've been able to have business almost as usual with inquiries going on and reports being published and evidence being taken. But you will all know yourselves that interactions over Zoom are not the same as interactions in person. And it's very much just an informal observation but lots of my colleagues have remarked that it's harder for witnesses to read the room, for example, to pick up on body language.

This sometimes results in witnesses maybe talking at greater length than they normally would, when otherwise they might have been interrupted by a member to press them on a particular point. The questioning has to be a bit more choreographed. So like the chamber, it can feel less spontaneous. It's less easy to have a rapid back and forth to get the information that members really want from a witness. And it's not as easy for the committee to act as a group rather than a collection of individuals, perhaps. Behind the scenes also, there's simply less opportunity for members to spend time together. And it's those kind of informal contacts, the bits in the margins of the meetings, if you like, which are often really important to building good working relationships. And we have to bear in mind that most committees had only managed to meet in person two or three times before the lockdown happened. Many of them have large numbers of MPs who weren't even used to normal ways of committee working before they had to get used to this.

Now, on the other hand, on the positive side, there is a very definite gain, I think, in terms of our ability to engage with a wide range of witnesses. Video conferencing used to be quite difficult to arrange, and so people would have to travel to Westminster sometimes give up a whole day's work if they were traveling from far away. And we could have a bad tendency to default to taking evidence from people in or within easy reach of London because they were easy to get hold of. But these days, for example, if you want to talk to a frontline worker in the health service or you want to take evidence from a member of the public who might be a service user, asking them to spend two hours talking to us on Zoom is for many a much less demanding ask than expecting them to travel down to Westminster, sometimes with an overnight stay. So hopefully this will have benefits for committee diversity.

Now, of course, a lot of committee work has actually been dominated by scrutiny of the government's response to the pandemic. It's probably dominating committee work even more than Brexit used to because every committee has an angle on this. And here's just a sampling of some of the inquiries that have been held by various committees. I should say, there's lots of non-covid work going on as well. In the last few weeks, we've had sessions about biodiversity, university funding, public food procurement, fisheries agreements and so on. But definitely there's a lot of activity going on to scrutinise the response to the pandemic.

Now, there have been even some calls to set up a dedicated committee to look at Covid-19 in the response, as has happened in some other legislatures. Speaking personally, I think the departmental plus crosscutting structure has really come into its own for this because it allows for detailed scrutiny of what every department's response is, whilst also allowing the crosscutting committees to take a thematic approach, for example, equality's or science and technology. And there are potential issues of coordination or overlap between committees. But there have also been some great examples of joint working, like this overview inquiry recently launched by Health and Social Care and Science and Technology Committees, which is taking evidence at the moment. And you'll probably recognise the two former Secretaries of State who are the chairs of those committees.

This scrutiny is supplemented by the Liaison Committee's questioning of the Prime Minister and by regular general debates in the House on the handling of Covid-19. One of the purposes of the select committee system is to inform the wider work of the House. And so when a debate happens that is relevant to some committee work, we do what's called tagging, which is to put a note on the order paper to say that this report or evidence is relevant to this debate so that it's highlighted for members. There is so much going on at the minute that our tags to the Covid-19 debates frequently run to several pages listing evidence and reports. And I think that with the benefit of a bit of hindsight, this is going to make for an absolutely fascinating case study on the value of parliamentary scrutiny on a crisis that's unfolding in real time.

I'm just going to finish by posing the question of whether there are any changes here to stay? The Speaker has said that, you know, we're currently in a crisis situation and we shouldn't assume that these changes are going to be permanent. But he has also said that he will establish a Speakers Working Group to analyse the lessons we can learn and establish what solutions are needed to make us more robust in the future.

I think maybe contrary to expectations, this period has shown that Parliament can be really nimble with institutional change when it has to be. We've done a lot of things that we maybe thought weren't possible, like introducing a fully electronic voting system. But we will need to think about whether we want those institutional changes to persist when the immediate crisis has passed. And if I were you, I would keep a very close eye on what some of the actors that we looked at earlier will have to say about this and particularly have a look at the Procedure Committee reports to see what they recommend we keep into the future. And we learn from all of this.

That brings me to the end of everything I wanted to say. Thank you very much for sitting through all of that. I hope it made sense and I look forward to a few questions.

MM: Thank you very much, Judith, that was a fascinating account. Every slide was wonderful but it's really interesting for us to hear in such detail about the impact of coronavirus on proceedings, you know, and also about how adaptable Parliament has shown itself. And, looking forward, as you say, will this mean a big a big change really in how it does business going forward and also your earlier material on select committees and, the chairs and how they're selected and the election, of course, as well. So thank you so much for that.

We do have a few questions for you. And Anne Marie is going to start us off by asking three questions and then I'll ask a couple more at the end. So I hope you're able to take a breath and Anne Marie, over to you.

AF: OK, thanks very much, Marina and Judith. I would definitely echo Marina's word there - fascinating. And the images that you chose give us a real sense of, how Parliament has changed the way it's working in response to the pandemic. So great choice of choice of pictures Judith thanks.

First question here. Actually, it came from two sets of students in Magherafelt and East Belfast. And it's "Is there any evidence to show government pays attention to select committee reports?"

JB: Oh, that's such a good question and one that I wish I had a very easy answer to.

You'll know that when a select committee publishes its report, the government has to respond and by convention it has two months to make a response in writing, which should be basically a blow by blow account of how it responds to each of the recommendations that a committee has made. But it doesn't. Although it has to respond, it certainly doesn't have to accept those recommendations. And it can be a very dispiriting experience reading a government response to one of those reports, because most of the recommendations, it feels like, get rather batted away.

Now, I don't think that that necessarily means that it's the case that committees don't have an influence on the government, for example. Now, there was a study done and it's about 10 years old now, but there was a study done by the UCL Constitution unit that reckoned about 40 percent of committee recommendations were actually accepted by the government, maybe not immediately, but maybe some way down the line.

That has always sounded high to me. And my strong suspicion is that many of those 40 percent would be some of the more trivial recommendations or the ones that are so vague that it really did the government no harm to accept them. But then if you think about it, two months isn't really very long for the government to change course on something. And I think it's quite unrealistic, actually, often to expect a big change immediately in response to a committee report.

I do have some examples of direct influence. We're not that good at keeping track of them ourselves. But one that always springs to mind is the Environmental Audit Committee published a report, must be in 2016 now, on banning microbeads from cosmetics, little plastic particles that would make their way into the ocean food chain. And the committee published their report. And literally a week later, the government gave an announcement that said, yes, we're going to ban microbeads.

Now, what really strikes me about that is it's so unlikely that it took the government one week to make up its mind to do that. And so actually, it's not just the report that's influential there, it's the whole inquiry. So for months, the committee said, we're going to look into this, we're going to take evidence. Then they have their written evidence. They had their oral evidence sessions. They questioned the minister. And all the way through that process, civil servants would have been working on what the government was going to do in response to this inquiry. So it's not necessarily as immediate as it looks. But when the time came, the committee was really pushing at an open door. So that's a that's a big win.

My own work on the Women and Equalities Committee, one thing that springs to mind was the committee recommended that the government should move the Government Equalities Office into the Cabinet Office.

Now, might seem like quite a techy move, but the fact is that the Government Equalities Office had been moving around Whitehall wherever the current minister for Women was based. So every time there was a reshuffle in the cabinet, it would keep getting moved on. And it was really bad for institutional continuity, really bad for the profile of equalities in government and so on. And we said, look, it needs to have a stable home, needs to be in the Cabinet Office. The government's response to that report was very non-committal. But lo and behold, the next time there was a reshuffle, they moved the GEO into the Cabinet Office. So they didn't act on it immediately. But we definitely had an impact.

What I'd also say is that it's not all about reports and recommendations. I actually asked a former civil servant a question at an event recently about the influence of select committees, and he said that there's definitely a fear factor to select committee inquiries, particularly the Public Accounts Committee, which looks at spending. He reckons that civil servants will often think when considering a plan or proposal "How would this look if the Public Accounts Committee got hold of it in the end?" So there's a kind of pre-emptive effect there as well. And there are other instances of influence.

I can think of Amber Rudd giving evidence to the Home Affairs Select Committee about the Windrush scandal and her department's handling of it. Her answers were not very impressive to the committee, and it was only a couple of days later that she resigned from that post. And just very recently, might even have been last week there was the Digital Culture, Media and Sport Committee took evidence from the then chairman of the Football Association, Greg Clarke, and he ended up having to resign because some of the language that he used in his evidence to the committee. So it's the impact is not always just felt through recommendations on reports.

AF: OK, thanks, Judith. And a group of students in South Belfast have a question here in response to a recent news item. And they want to know: "What impact do you think the recent departure of Dominic Cummings will have on government?"

JB: Hmm, I'm afraid I'm going to have to be a coward and dodge that question, but for a very good constitutional reason, which is that my knowledge and my specialism really relates to what is happening in Parliament rather than what's happening in government. And in some ways, the inner workings of Number 10 are as much a mystery to me as they are to any onlooker with an above average interest in politics. So, we always keep an eye on how the government is interacting with Parliament.

Honestly, I couldn't give an informed opinion about how particular personnel changes are going to affect that. I'm really sorry.

AF: OK, well, what about this is one that kind of does a comparison between now and back in the time. "Do you think the recent increase in power in the executive harks back to executive dominance in the Blair years?"

JB: That's a really interesting question. I mean, I do you have to caveat this by saying, again, you know, government and how government organises itself is not my specialism. I suppose what strikes me about the situation we have now and looking back to the Blair years is what I said at the beginning of my presentation about how, for the first time in a long time, we've got a government with a significant majority in the House.



Boris Johnson's government doesn't have as big a majority as Tony Blair had and in his first term. But it's still something that can be relied on. And an executive that enjoys a majority in the Commons has a huge amount of assumed and real control over what the House debates and the decisions it reaches.

I think there's always a tension, even back in 1997, there were discussions about, oh, my goodness, is this majority too large? Is this going to give MPs impunity to rebel? Are they going to feel that there's maybe no big consequences if they decide not to follow the government line? And we've seen some of those discussions raising their head as well over the last wee while when there have been some government members who have disagreed with the government's proposals for things like lockdown and also how we handle our proceedings in the pandemic. So it's an interesting dynamic to keep an eye on.

AF: OK Judith, thanks. Thanks to the students and teachers for submitting those questions. And big thanks to Judith for answering them. I'll hand over to Marina for a few more.

MM OK, everyone, I'd like to apologise for the intervention. You may have heard from the member called Ben, a Yorkie. So if I quickly go in to mute again, Anne Marie will you continue to ask the questions? OK. Live TV. What can I say.

OK, so I have two questions to ask, and they're from a Belfast School. And the first one is "How often does the government use the guillotine to cut off scrutiny of legislation in Public Bill committees?" And have you any examples, Judith, of the use of this device?

JB: So something that you might sort of describe as a guillotine is actually used all the time. The examples would be would be too numerous to list really.

When public bill committees are set up after a second reading, if a bill is going into a bill committee, there will be what's called a programme motion. And one of the things that programme motion does is to set a date by which the committee has to report back to the House. So there's a limit on how many sittings they can have. There's a hard stop on their considerations. So and then when the committee itself meets, it then decides how much time to spend on taking oral evidence on the bill, who it will hear from. And it also considers what order it will take the parts of the bill in.

Whips and members are quite adept at managing their time to ensure they get through as much as possible in those proceedings, but there will always be that hard cut off for the last scheduled meeting when they have to report back to the house.

I'm afraid I don't know what the average is for how much of a bill the committee normally gets through. But I do know I've clerked one public bill committee in my life and that actually finished early because there was quite a lot of consensus on the bill. And the last afternoon sitting was scrapped because they got through it in time.

The same is true when in the Chamber, when a bill is being considered there, apart from finance bills, there will pretty much always be time limits on how long members can debate at each stage. And at the end of each stage, the votes have to be taken. So it's happening all the time.

It's not especially controversial though it's a practice that was introduced only relatively recently. I think it was only in the early 2000s that the programming of bills became routine in this way. Where it becomes controversial is where you have a very large and important piece of legislation for which only a couple of days, days of debate in the Chamber maybe are allocated.

MM: Thank you very much, Judith, for that and another question, alluding to Dominic Cummings, actually. He famously refused to appear before the Digital Culture, Media and Sport Committee. "Does this suggest that the common perception of UK select committees as watchdogs without teeth is an accurate one?"

JB: Let me give a sort of politician's answer and say yes and no.

So it's true that a select committee can't really call on any concrete sanctions against people who refuse to turn up to give evidence. The Cummings case absolutely showed that. So we have powers to send for persons papers and records. And if people refuse those requests, then ultimately, once a number of hurdles have been worked through, they can be found in contempt of parliament. And in the old days, and I'm literally talking about 19th century here, you might have considered imprisoning somebody or fining somebody for being in contempt of parliament.

Realistically, nobody thinks that those are options these days. We just don't have processes that would stand up to scrutiny for those kind of sanctions. So we think of, the mere pronouncement of somebody of being in contempt of parliament. We think of that as a very serious matter. But it doesn't actually do anything. It doesn't actually have any practical effect. And it does rather rely on the willingness of an individual to be embarrassed by it or to think that it is negative to their professional reputation, for example.

There are also some gaps in our formal powers. So the same committee, that DCMS committee, wanted Mark Zuckerberg of Facebook to appear and give evidence to them as well. But he's not a UK resident, so they couldn't even get as far as summoning him. What they did instead was to release a really fantastic picture of an empty chair with a Mark Zuckerberg nameplate at it. And all of the committee arranged around looking expectant. So they were able to have a bit of a publicity win through that, even if they didn't get the evidence session they wanted.

But on the other side, it is true that the vast majority of witnesses who are asked to come to select committees do so willingly without any need for a further process. And then there would be a small number of further cases where a bit of simple persuasion does the trick. So the informal power of committees is evidently still very strong. People want to talk to us. They don't want to be seen to refuse to talk to us. And ultimately, the power of committees is seen in how the government responds to their reports, how they influence the debate in parliament, how they influence the media, and how they take forward debate amongst the public as well.

MM: OK, thank you very much for that, Judith, and if I could maybe just sneak in a final question before we let you go. Hopefully lots of politics students will be watching this recording, and some of them might be thinking of a career in politics, possibly not as an elected representative, but maybe working for Parliament, for example, or one of the devolved assemblies. Any advice for them as someone who studied politics for yourself and who now is a Clerk at Westminster?

JB: Yeah, absolutely and I studied politics under a very excellent teacher by the name of Marina McConville. So studying politics is clearly a route into an interesting career.

I definitely encourage anybody to think about going into working for legislatures. What you have to be honest about is whether you really want to be involved in politics in a party political sense, because the sort of job I do, you just can't do any political activity at all. We're strictly neutral and impartial. We can't be involved in any sort of campaigning. We have to be very restrained in what we put on social media and all the rest of it.

So if you're somebody who has strong political views and you would find it difficult to kind of suppress those instincts, then working as a clerk or in some other function in a parliament is maybe not for you. But if you're interested in politics, but you don't necessarily want to be in the thick of it yourself, then this is an absolutely fascinating career. And what I would say is there's lots of different ways in and there's lots of different functions that a parliament needs.

So the role I have about clerking is about giving procedural advice to members and helping them achieve the things that they want to do. But, we also have rules as a team leaders and managers and people managing projects and managing change within an organisation. Think about the people who put all of that work into setting up the broadcasting units for the for the remote parliament. There's a whole lot of skills there that are not necessarily purely parliamentary, but they've been able to apply them in that really interesting context. So there can be a lot of different ways into working for Parliament,

I would say as well. One thing I always like to give is a little bit of a plug for working in local government as well, just because that's where I started my career. And I find it an absolutely fascinating kind of induction into how public services work at the coalface, which has been really, really useful to me in my time in Parliament. And also I was involved in some of the scrutiny working and democratic work in local councils, too so don't neglect that as a route in as well.

AF: Super, super.

MM: Super is right Anne Marie. Thank you very much for that. I'm certainly very proud of my past pupil. I have to say. And once again, would like to thank you for an excellent presentation, which I know a will be very valuable to teachers and students of A-level Government and Politics and possibly a further beyond that audience as well. Very valuable indeed. And I'd just like to say thank you very much again. And book you for next year, if that's possible.

JB: Sure, yes.

MM: Anne Marie...final words to you.

AF: Absolutely. I absolutely echo everything Marina says. And yeah count yourself in next year as well Judith. And indeed, there's a lot to be said for the new ways of working in the sense that this way is possible. So thanks very much for your time. I know that it's a lot of preparation time and at your time to deliver this. So thanks very much.

JB: No problem at all. Thank you for having me and thanks for the questions as well, which are always really fascinating to think about.

AF: Thanks so much Judith.

JB: Thank you.