

Minister

N. K. Rao

The Minutes - War year

Reference

Y.B. 44-1/60.

Public Bodies (Admission of the Press to Meetings) Bill

1. It would still be worthwhile proceeding with this Bill even if the provisions on committees were dropped. The draft amendments needed would seem to be the deletion of clause 2(2), (3), (4) and (5); in addition there would have to be some amendments to the schedule - presumably education committees which are covered by the 1908 Act (to the extent that they exercise delegated functions) would have to be brought back within the scope of the Bill.
2. The resultant Bill would be an advance on the 1908 Act in various ways:
 - (a) it would extend the list of bodies by the inclusion of some which are not local authorities and (by clause 2(7) which could be retained) would enable the list to be further expanded;
 - (b) it would give a statutory right of admission to the public as well as to the press;
 - (c) it would attack the device which some councils have abused of "going into committee" merely in order to exclude the press and the public (clause 1(4));
 - (d) clause 1(2) provides for exclusion only when "publicity would be prejudicial to the public interest". This is stronger than the earlier Act which merely says that the proceedings may be held in private where "in the opinion" of a majority of the members exclusion "is advisable in the public interest";
 - (e) clause 1(3)(b) and (c) contain new provisions relating to the advance circulation of documents and facilities for newspaper reporters at meetings.
3. If committees are excluded some of the other objections to the Bill would lose much of their force, e.g. as regards accommodation in committee rooms and as regards the presence of the public when officials take part in the proceedings.
4. The exclusion of committees from the Bill would not, of course, be welcomed by the press. There might also be difficulties of another kind: if other committees are excluded the Home Office might well have further thoughts about the specific reference in the schedule to watch committees, standing joint

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committees and probation committees. The Ministry of Education might also urge that even if education committees are still to be covered by the Bill it should not be to a greater extent than they are already covered by the 1908 Act (i.e. delegated business only).

5. Clause 1(4) deals with the case of the council "going into committee"; no-one defends this practice and the clause as it stands has not been questioned by any amendments. But it does not touch standing committees which consist of all members of the council. Earlier Private Members' Bills on this subject have attempted to give an automatic right of admission to meetings of such committees (subject to exclusion by resolution) irrespective of whether they exercise delegated functions or not. There are obvious grounds for such a course and it might represent a partial quid pro quo for the dropping of other committees. But many local authorities, especially the smaller ones, apparently find this practice useful, and there would probably be strong opposition to any amendment which extended the Bill to committees consisting of all members of the council.

C. J. Pearce

30th March, 1960