



PRIME MINISTER

HOUSE OF COMMONS PROCEDURE

Your Private Secretary's letter of 8 May asked for my advice on the handling of the recommendations in the Report from the Procedure Committee, and on how we should follow up our Manifesto commitment which is clear and unequivocal about "giving the new House of Commons an early chance of coming to a decision on these proposals."

There is no doubt in my mind that we will have to fulfil our pledge. The consequences of going back on our undertakings would be extremely serious for the Government politically. My own standing in the House would be gravely prejudiced and it would only be a short time before this affected other members of the Government and the Prime Minister herself. The House would become a hornet's nest and we should have acute difficulty in getting our business through. It is no exaggeration to say that the whole legislative programme of the Government would be at risk. I have discussed these points several times with the Chief Whip who is in full agreement with this analysis.

We have undertaken in The Queen's Speech to give Members of the House of Commons an opportunity to discuss and amend their procedures, particularly as they relate to their scrutiny of the work of Government. A Motion has been put down - in the name of influential backbenchers of all parties - which has already attracted 248 signatures and to which more signatures are being added daily - urging me to ensure that the House has an early opportunity to take decisions on this matter, and I am under constant pressure to provide for an early debate.

I have had a full note on the Report from the Cabinet Office and I have had a preliminary discussion with officials. The Procedure Committee's recommendations cover Select Committees, Public Bill procedure, the handling of delegated legislation and European communities legislation, and various other matters. The proposals on Select Committees are those which attract the greatest interest and command the highest priority; decisions on most other parts of the Report could be deferred until the autumn.

PRIME MINISTER
Mr St John Stevas asks you for a meeting to talk about this - and plans to circulate a Cabinet paper for 14 June. Will you see him?

Yes - MS

MS

29/V

A debate is pencilled in for

25 June MS

I believe the Committee's recommendations are right in principle and in accordance with Conservative philosophy on the protection of the liberty of the subject, but it is not necessary to accept all the Procedure Committee's recommendations on Select Committees as they stand. I am convinced, however, that we should find it impossible to persuade the House against a move towards departmental Committees and that there would be strong resistance to any radical departure from the kind of structure which the Committee proposed. When one is making concessions it is a major tactical error to concede 90% and hold back 10%.

Procedurally, I suggest that we should go to the House with definite proposals of our own, tabling our own Motions and not leaving the matter in the hands of the House itself, with resulting loss of control. I should like to give more thought to the details of our proposals before putting them formally to colleagues. In general, however, I believe that we should accept the principle of departmentally-related Select Committees in place of the Expenditure Committee (and its sub-committees), and of most of the other Committees which the Procedure Committee proposed to abolish. We need to guard against a proliferation of Select sub-committees which would eventually require more House of Commons staff, and create more work for Ministers and officials. The Procedure Committee recommended 12 Committees. I think we should accept this - but impose restrictions on their powers to create sub-committees.

I have considered whether we should reduce the number of committees by grouping more departments together, e.g. Defence with Foreign Affairs or Trade with Industry, but I would prefer not to do so and it could be argued that grouping would strike at the whole principle of the reform which is intended to put on a rational basis a system of committees which has grown up piecemeal over the years. At present the total number of select committees and sub-committees number 42 with a Commons membership of 310. I attach a list of the committees in an appendix for your information. There is already a sub-committee covering Defence and Foreign Affairs. The Procedure Committee recommends the abolition of 20 of the committees and sub-committees and the appointment of 20 new committees and sub-committees. The number of committees would thus not be affected by the change.

With regard to the powers of the committees, I believe it essential to restrain them so that matters of security and the safety of the State do not come within their scope. This applies especially to matters coming within the authority of the Home Secretary. I would also recommend against the committee being able to "order" the attendance of Ministers or the unrestricted production of papers. The present practice of "inviting" Ministers to attend should be retained and in case of a deadlock, the matter should be decided as at present by the House.

There may well be resistance to these modifications by some Members of the House, but I believe we could persuade the House as a whole to accept them provided that we meet the wishes of Members on the structure of Select Committees. If we attempted in this report to move away from the proposals of the committee on procedure in this regard we should provoke considerable hostility, much of it amongst members of our own parliamentary party.

The changes would for the first time bring some areas of Government policy explicitly within the Orders of Reference of Select Committees, but they would be evolutionary in character and would not represent a major shift of emphasis away from the Chamber to Select Committees. However, it would give some Members of Parliament a chance to do something useful and specific. One of the problems we have to face in this Parliament is that it has a large number of able men quite capable of holding ministerial office but there are not enough ministerial jobs to go round.

If you agree, I will develop the proposals outlined in this letter and bring them to Cabinet immediately after the Whitsun Recess - I hope for the meeting on 14 June if the agenda allows. In the meantime, I propose to go ahead with arrangements for setting up those Select Committees which are not affected by the Procedure Committee's recommendations for departmental committees (for example the Committee on House of Commons (Services), Privileges, European Legislation and Statutory Instruments, for all of which business is beginning to accumulate); and to announce a firm intention to provide a debate on the recommendations for departmental committees before the Summer Recess.

This must
surely be right
MS

I am sending a copy of this minute to the Home Secretary and the Lord Chancellor, with whom I have had a preliminary discussion on what I have in mind, to the Chief Whip and Sir John Hunt.

NSHS.

N St.J.S.

Prime Minister - I would be grateful for the opportunity to wait on you next week after Tuesday to discuss this important matter.

NSHS.

24 May 1979

CONFIDENTIAL

HOUSE OF COMMONS SELECT COMMITTEES RELATING TO PUBLIC
MATTERS, ETC.

CHAIRMEN'S PANEL
JOINT COMMITTEE ON CONSOLIDATION AND BILLS
COURT OF REFEREES
EUROPEAN LEGISLATION
SUB COMMITTEE I
SUB COMMITTEE II
SIFTING SUB COMMITTEE
EXPENDITURE
GENERAL SUB COMMITTEE
DEFENCE AND EXTERNAL AFFAIRS SUB COMMITTEE
ENVIRONMENT SUB COMMITTEE
TRADE AND INDUSTRY SUB COMMITTEE
EDUCATION, ARTS AND HOME OFFICE SUB COMMITTEE
SOCIAL SERVICES AND EMPLOYMENT SUB COMMITTEE
HOUSE OF COMMONS (SERVICES)
ACCOMMODATION AND ADMINISTRATION SUB COMMITTEE
CATERING SUB COMMITTEE
COMPUTER SUB COMMITTEE
LIBRARY SUB COMMITTEE
MEMBERS' INTERESTS
NATIONALISED INDUSTRIES
SUB COMMITTEE A
SUB COMMITTEE B
SUB COMMITTEE C
SUB COMMITTEE D
SUB COMMITTEE E
OVERSEAS DEVELOPMENT
PARLIAMENTARY COMMISSIONER FOR ADMINISTRATION
PRIVILEGES
PROCEDURE
PUBLIC ACCOUNTS
RACE RELATIONS AND IMMIGRATION
SCIENCE AND TECHNOLOGY
GENERAL PURPOSES SUB COMMITTEE
GENETIC ENGINEERING SUB COMMITTEE
TECHNOLOGICAL INNOVATION SUB COMMITTEE
SELECTION
SOUND BROADCASTING
STANDING ORDERS
STATUTORY INSTRUMENTS (JOINT COMMITTEE)
STATUTORY INSTRUMENTS
UNOPPOSED BILLS

29 MAY 1979



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Parliament JS
cc CO
MO

10 DOWNING STREET

From the Private Secretary

8 May 1979

B.F. 17/5

HOUSE OF COMMONS PROCEDURE

The Conservative Party Manifesto included a commitment to giving the new House of Commons an early chance of coming to a decision on the proposals of the Procedure Committee.

✓ For this purpose, the Prime Minister would be grateful for early advice from the Chancellor of the Duchy of Lancaster on the handling of the various recommendations contained in the report. She is conscious that there is likely to be interest expressed early in the new Parliament about the reorganisation of select committees proposed in the report.

I am sending a copy of this letter to Martin Vile in the Cabinet Office.

M. A. PATTISON

John Stevens, Esq.,
Chancellor of the Duchy of Lancaster's Office.